Knox Housing Continuum Grants Program Manual

Knoxville/Knox County Continuum of Care: TN-502

Administrative Support provided by: Knoxville/Knox County Office of Housing Stability

Office of Housing Stability

Version	Changes
August 2026	1. Clarified ESG eligibility for Day Space/Day Shelter (p. 7). 2. Allowed abstinence-based recovery programming in CoC-funded and locally funded projects (pp. 10–11). 3. Expanded chronic homelessness documentation requirements for PSH eligibility (pp. 24–29). 4. Added funding limitations related to Executive Order 14321, including drug injection/safe consumption sites, drug paraphernalia, and illicit drug use or distribution on controlled property (pp. 40–41).
July 2026	Updated formatting to include numbering system, fixed minor consistency issues, listed URLs for print accessibility, added section 2.8.6, and general copy edit.
June 2026	v.1.

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2. Grant Basics

2.1 Overview

The Continuum of Care program was established under the Mckinney-Vento Homelessness Assistance Act of 1987, and the Homeless Emergency Assistance and Rapid Transition to Housing - HEARTH Act of 2009. 24 CFR 578 covers the Continuum of Care requirements and minimum standards. In conjunction with 2 CFR 200 for fiscal standards, and these policies and procedures, grantees within TN-502 have expectations clearly set forth in meeting the requirements of operating a homeless services project within the Continuum of Care program.

The Knoxville-Knox County Office of Housing Stability acts as the Lead Agency for TN-502 and helps hold the responsibility of maintaining and enforcing these requirements. The most recent Strategic Plan to address homelessness can be found on the OHS website at, www.knoxtnhousing.org.

The Emergency Solutions Grant program is structured to work in coordination with the Continuum of Care Program, though their internal requirements vary slightly, and ESG is administered by either state or local government as pass-through funding, depending on how the process is defined in any particular year. The strategic plans and overall homeless response system are coordinated to ensure both programs are implemented fully within TN-502.

2.2 Purpose Statement

The Knoxville-Knox County Continuum of Care mobilizes community partners to make homelessness rare, brief and non-recurring through collaboration, data-driven strategies, and a client-centered approach. The Continuum of Care and local homelessness services funding helps provide critical services to our unhoused neighbors.

People living unhoused become stably housed when the system is low barrier, trauma informed, culturally responsive, and data driven. People living unstably housed become stably housed when the system is oriented toward problem solving conversations and personal advocacy to help people identify practical solutions based on their own available resources.

> **Vision: A continuum of services that prevent and end homelessness, and a community where every resident has access to safe, affordable, and stable housing.**

> **Mission: The Knoxville-Knox County Continuum of Care mobilizes community partners to make homelessness rare, brief and non-recurring through collaboration, data-driven strategies, and a client-centered approach.**

The Knox Housing Continuum expects TN-502 grantees to be leaders in the crisis response system, facilitating partnership among service organizations and promoting evidence-based, anti-racist practices.

Grantees have the responsibility to ensure all people eligible for services receive support and are served with dignity, respect and compassion regardless of circumstance, ability, or identity. This includes locally marginalized populations, and other individuals that may not regularly access mainstream support.

The Knoxville-Knox County Office of Housing Stability (OHS) is here to support the effort. OHS in partnership with local service providers and homeless services leaders can help provide access to continuous learning on trauma informed services, treatment-based support, and more. OHS can help organizations strategize outreach, coordinated entry engagement, and help you understand your data so we can meet the vision that no neighbor is homeless in our community.

2.3 Authorizing Statute and Fund Sources

The Knoxville-Knox County Office of Housing Stability is a jointly funded office through both the City of Knoxville and Knox County. This office was created as a joint effort to address homelessness and coordinate efforts communitywide. As such, there are multiple funding sources that are leveraged to address homelessness locally. OHS may conduct more expansive activities under a local grantmaking process than would be regularly allowed under HUD regulations.

This guide will break down eligible costs by fund source and project type to eliminate confusion. If you are a HUD grantee, it is your ongoing responsibility to read the source documentation of the funding, including any Notice of Funding Opportunity (NOFO) and the contract itself. OHS will endeavor to provide accurate and up to date information, and the responsibility to maintain compliance fundamentally lies with the organizations receiving funding. OHS will provide support and technical assistance throughout the life cycle of the grant.

Continuum of Care funds are authorized for each Congressional funding cycle, which can impact the level and structure of funding available. It can also impact minimum program requirements for both new and existing CoC-funded programs.

2.4 Allowable Interventions

Interventions	Local Funding	ESG	CoC
Street Outreach	X	X	X
Day Space/Day Shelter	X	X*	X
Diversion	X		*limited to YHDP
Emergency Shelter	X	X	
Transitional Housing	X		X
Rapid Re-Housing	X	X	X
Permanent Supportive Housing	X		X
Case Management/Navigation	X	X	X
Homelessness Prevention	X	X	*limited
HMIS	X	X	X
Coordinated Entry	X		X
Administrative Planning funds	X	X	X

*ESG can fund Day Shelter as long as it meets the definition of Emergency Shelter under 576.2. "***Emergency shelter*** means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. Any project funded as an emergency shelter under a Fiscal Year 2010 Emergency Solutions grant may continue to be funded under ESG."

2.4.1 Temporary Housing Interventions

Temporary housing interventions are those in which the household must leave the shelter or unit at the end of their program participation. Households are considered homeless while enrolled in temporary housing interventions.

Local Services Funds can be utilized to support all Temporary Housing Interventions. CoC funding is limited to supporting Transitional Housing.

2.4.1.1 Emergency Shelter

Emergency Shelter (ES) provides short-term temporary shelter (lodging) for those experiencing homelessness. Emergency Shelters can be facility-based or hotel/motel voucher.

2.4.1.1.1 Night-By-Night/Drop-in Shelter

Drop-in Shelters offer night-by-night living arrangements that allow households to enter and exit on an irregular or daily basis.

2.4.1.1.2 Continuous Stay Shelter

Continuous-stay Shelters offer living arrangements where households have a room or bed assigned to them throughout the duration of their stay. The length of the bed assignment, and absenteeism policies will be project based, and clearly communicated with clients.

2.4.1.2 Transitional Housing

Transitional Housing (TH) is subsidized, facility-based housing that is designed to provide long-term temporary housing and to move households experiencing homelessness into permanent housing. Lease or rental agreements are required between the transitional housing project and the household. Transitional Housing programs are typically designed and intended to provide temporary housing for long-term stays: up to two years.

To determine whether the program is considered Transitional Housing for homeless persons, begin by checking the Housing Inventory Count (HIC) for your area. If it is listed there, it is considered Transitional Housing for homeless persons, and its residents would meet the definition of *homeless* for the purpose of determining eligibility. CoC funded Transitional Housing must be listed on the HIC.

A CoC may have Transitional Housing that is not funded by the CoC program. If this non-CoC Transitional Housing is not listed in the HIC, you may review the characteristics of the project to determine whether it meets the following definition of Transitional Housing for homeless persons: "Transitional Housing means housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended."

In addition, the Transitional Housing project must be one where:

- The primary intent of the project is to serve homeless persons,
- The project verifies homeless status as part of its eligibility determination, and
- The actual project program participant is predominantly homeless (or, for permanent housing, were homeless at entry).

2.4.2 Permanent Housing Interventions

Permanent housing is housing in which the household may stay as long as they meet the basic obligations of tenancy.

Local funds can be utilized to support all Permanent Housing Interventions. CoC funding is limited to Rapid Re-Housing and Permanent Supportive Housing.

2.4.2.1 Rapid Re-Housing

Rapid Re-Housing (RRH) quickly moves literally homeless households from homelessness into permanent housing by providing:

- Housing Identification Services: Recruit landlords to provide housing for RRH participants and assist households with securing housing.

- Financial Assistance: Provide assistance to cover move-in costs and deposits as well as ongoing rent and/or utility payments.

- Case Management and Services: Provide services and connections to community resources that help households maintain housing stability.

2.4.2.2 Homelessness Prevention

Homelessness Prevention (HP) helps households who are at imminent risk of homelessness to maintain or obtain stable housing and avoid homelessness. Services include housing-focused case management and temporary rent subsidies. Homelessness prevention services are the same as the RRH services described above.

2.4.2.3 Permanent Supportive Housing

Permanent Supportive Housing (PSH) is subsidized, non-time-limited housing with support services for homeless households that include a household member with a permanent disability. PSH may be provided as a rental assistance (scattered site) or facility-based model. For facility-based models, a lease or rental agreement is required between the PSH project and the household. The services and the housing are available permanently.

2.4.3 Supportive Services Only Interventions

2.4.3.1 Street Outreach

Street outreach is a strategy for engaging people experiencing homelessness who are otherwise not accessing services for the purpose of connecting them with emergency shelter, housing, or other critical services.

2.4.3.2 Day Space/Day Shelter

Day shelters for homeless individuals act as a drop-in center, often aimed towards those living unsheltered with additional needs such as substance misuse, or mental illness. Services may include access to case workers, meals, laundry facilities, or support groups. The obvious difference between night and day shelters is that a day shelter will not offer a bed to the individuals who use the services.

2.4.3.3 Diversion

Diversion is a client-driven approach; its goal is to help the person or household find safe alternative housing immediately, rather than entering shelter or experiencing unsheltered homelessness. It is intended to ensure that the homelessness experience is as brief as possible, to prevent unsheltered homelessness, and to avert stays in shelter. Eligibility for Diversion very closely mirrors eligibility for Homelessness Prevention, though is differentiated by the timeframe involved, and the source of funds supporting the project. Diversion is meant to address issues immediately, with a very quick turnaround, and a firm operating cap per person. Requests should be fulfilled in no longer than 5 business days, though 24-48 hours is the target.

2.5 Administrative Requirements for Continuum of Care Projects

2.5.1 Homeless System Performance Requirements

Grantees must improve housing outcomes by making progress towards the community-wide performance target. For each intervention type funded by OHS, grantees must adopt the required housing outcome performance measure outlined in Performance Measures: Table A (*see page 50*).

2.5.2 Fair Housing and Non-Discrimination

All homeless housing projects adhere to state and federal anti-discrimination laws:

- All projects ensure equal access for people experiencing homelessness regardless of race, color, national origin, religion, sex, familial status, or disability.
- Projects designed to serve families with children experiencing homelessness ensure equal access regardless of family composition and regardless of the age of a minor child.

2.5.3 Affirmatively Furthering Fair Housing

In March 2025 HUD proposed a rule adjusting the previous requirements under the Fair Housing Act to not only acknowledge but proactively work to reduce structural inequity and bias in publicly funded housing programs. The rule in 2025 returns to the original understanding of what the statutory AFFH certification was prior to 1994—a general commitment that grantees will take active steps to promote fair housing (https://www.federalregister.gov/documents/2025/03/03/2025-03360/affirmatively-furthering-fair-housing-revisions). Grantee AFFH certifications will be deemed sufficient provided they took any action during the relevant period rationally related to promoting fair housing, such as helping to eliminate housing discrimination.

Once a year funded projects will undertake an internal process to review their application of Fair Housing principles during the period, after which they will submit a certification of compliance to the Office of Housing Stability, or provide it during regular monitoring.

2.5.4 Intake and Project Eligibility

Projects must have flexible intake schedules and require minimal documentation. At the minimum, homeless households are not screened out based on the following criteria:

- Having too little or no income
- Having poor credit or financial history
- Having poor or lack of rental history
- Having involvement with the criminal justice system
- Having active or a history of alcohol and/or substance use, unless abstinence is a requirement for program participation
- Having been impacted or affected by a crime
- The type or extent of disability-related services or supports that are needed (*as long as the appropriate level of support can be provided, either by the agency, or through a network of

support. Individuals with acuity higher than the level of care that can safely be administered by program staff will be referred appropriately and as available to other more intensive supportive services)
- Lacking ID (*when this is not a requirement to verify age/eligibility for program entry)
- Other behaviors that are perceived as indicating a lack of "housing readiness," including resistance to receiving services

2.5.5 Project Participation

Projects have realistic and clear expectations. Rules and policies are narrowly focused on maintaining a safe environment, and maximizing exits into permanent housing. Projects should have work or volunteer requirements that are right-sized for the level of engagement and supports needed by clients.

Projects that require households to pay a share of rent allow reasonable flexibility in payment. Emergency shelters must not require households to pay a share of rent or program fees.

Households are not terminated from the project for the following reasons:

- Failure to participate in supportive services or treatment programs not deemed necessary for the achievement of client centered goals.
- Failure to make progress on a housing stability plan even though they are engaging in supportive services.
- Alcohol and/or substance use in and of itself is not considered a reason for termination, unless abstinence is a requirement for program participation.
- Households residing in emergency shelter must not be exited to homelessness due to reaching a maximum stay limit, as long as they are engaging with a supportive services provider.
- RSO status unless otherwise prohibited by law, or project-specific population and preferences (such as a project serving families with children).

If a household is terminated from a low barrier project due to violating rules focused on maintaining a safe environment, there must be a process in place for the household to be considered for re- enrollment if the household demonstrates unsafe behavior is unlikely to re-occur (i.e. engaged in new treatment plan, mental health services, medical care, etc.).

2.5.6 Reasonable Accommodation

All projects who provide services and housing within the Knox Housing Continuum are subject to provide reasonable accommodation to participants under Section 504 (29 USC 794) and the Fair Housing Act. See 24 CFR 8.4 and 24 CFR 8.33 (section 504 requirements for recipients).

2.5.6.1 Language Access Plan

Agencies will source a vendor for translation support services. Language translation services are able to be reimbursed in accordance with proper documentation. Agencies when presented with an individual with Limited English Proficiency (LEP), will seek to determine what type of language support is needed.

If family or friends can provide assistance, depending on the service, that may be ideal. In other cases, a translation service may be the best option. This policy is not meant to be prescriptive, but to offer the option to move forward with the best course of action as presented by and with the client.

If the agency notes an ongoing need or request for a specific language, it may consider keeping translated versions of orientation and other standard intake forms available. It may also consider adding that need into ongoing job descriptions to help build out the staffing to meet the need internally.

2.5.6.2 Service Animals

An assistance animal is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or that provides emotional support that alleviates one or more identified effects of a person's disability. An assistance animal is not a pet.

Individuals with a disability may request to keep an assistance animal as a reasonable accommodation to a housing provider's pet restrictions.

Housing providers cannot refuse to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford a person with a disability the equal opportunity to use and enjoy a dwelling.

The Fair Housing Act requires a housing provider to allow reasonable accommodation involving an assistance animal in situations that meet all the following conditions:

- A request was made to the housing provider by or for a person with a disability
- The request was supported by reliable disability-related information, if the disability and the disability-related need for the animal were not apparent and the housing provider requested such information, and
- The housing provider has not demonstrated that:
  - Granting the request would impose an undue financial and administrative burden on the housing provider
  - The request would fundamentally alter the essential nature of the housing provider's operations
  - The specific assistance animal in question would pose a direct threat to the health or safety of others despite any other reasonable accommodation that could eliminate or reduce the threat
  - The request would result in significant physical damage to the property of others despite any other reasonable accommodation that could eliminate or reduce the physical damage.

2.5.6.3 Physical Access

CoC or ESG Program recipients and subrecipients, should be mindful that they are subject to Section 504's more stringent requirements, see also 24 578.93(c). Under these requirements, recipients and subrecipients must make and pay for structural modifications to dwellings and public and common use areas that are needed as reasonable accommodation for persons with disabilities, unless providing the accommodation would constitute a fundamental alteration of the program or an undue financial or administrative burden. Private owners (e.g., an owner that may accept CoC or ESG Program Tenant-Based Rental Assistance) would not have to pay for modifications, unless state or local law requires it.

2.5.7 Coordinated Entry System

Each CoC must maintain a Coordinated Entry (CE) process. CE is a coordinated system of intake, assessment, and referral that gets households in a housing crisis connected to available resources in the community. The goal of CE is to help communities prioritize assistance to ensure people who need the assistance the most can receive it in a timely manner.

Transitional Housing, Homelessness Prevention, Rapid Re-Housing, and Permanent Supportive Housing projects funded in partnership with the Knox Housing Continuum CoC must participate in Coordinated Entry by accepting referrals and must fill openings (in beds funded by CoC or ESG grant funds), exclusively through the CE process.

Continuous Stay emergency shelter projects funded through OHS will also require ongoing partnership with Coordinated Entry to ensure bed placement is a part of community case conferencing, and not solely a first-come, first-serve endeavor. Case Management services will regularly be prioritized through Coordinated Entry, and projects should anticipate placing clients in partnership with the Coordinated Entry Case Conferencing and Coordinator team.

Projects operated by victim service providers are not required but may elect to participate in the regional CE process.

2.5.8 Protections Under VAWA

The Violence Against Women Act (VAWA) is a federal law that, in part, provides housing protections for people applying for or living in units subsidized by the federal government who have experienced domestic violence, dating violence, sexual assault, or stalking, to help keep them safe and reduce their likelihood of experiencing homelessness. VAWA applies to many HUD programs, including the Continuum of Care (CoC) and Emergency Solutions Grant (ESG) Programs. More information is available on HUD's VAWA page.

The VAWA Reauthorization Act of 2022 (VAWA 2022) both renewed and expanded VAWA's protections for people fleeing domestic violence, dating violence, sexual assault, and stalking. See the full Housing Provisions of the Violence Against Women Act Reauthorization Act of 2022 (https://www.hud.gov/sites/dfiles/Main/documents/VAWA_Letter_CoC_ESG_Grantees.pdf) issued HUD letter, detailing the applicable updates for HUD housing programs.

All CoC and ESG funded programs are considered to be Covered Housing Providers (CHP) and thus fall under the requirement to implement the full scope of VAWA protections as applicable to program participants.

Key components and responsibilities:

Notification of Rights: Every person who applies for or receives assistance must be informed of their full rights under VAWA to ensure they have the knowledge required to exercise them. The recipient or subrecipient must provide this information at the following times, at minimum:

- When an applicant is denied admission to a permanent or transitional housing program (CoC) or denied rental assistance (ESG)
- When an applicant is admitted to a permanent or transitional housing program (CoC) or begins receiving rental assistance (ESG)
- When a tenant receives notification of eviction (CoC and ESG)
- When a tenant is notified their assistance is ending (CoC and ESG)

Confidentiality: Any information submitted to a CHP in response to a VAWA requirement or provision, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, is confidential information. Confidential information must be maintained in strict confidence by the CHP, meaning:

- The CHP shall not allow access to confidential information to any of the parties listed below unless explicitly authorized by the CHP for reasons that specifically call for access to this information under applicable Federal, State, or local law. The parties are:
    - Any employee of the CHP
    - Any individual administering assistance on behalf of the CHP (e.g. contractors)
    - Any employee of a contractor
- The CHP cannot enter confidential information into any shared database (including HMIS) or disclose confidential information to any other entity or individual except to the extent the disclosure is:
    - Requested or consented to in writing in a time-limited release by the individual who submitted the confidential information (ROI);
    - Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered housing program;
    - Otherwise required by applicable law for more information about confidentiality provisions, requirements, and liability under VAWA for CHPs, refer to 24 CFR 5.2007(c).

Denial and Termination of Assistance:

Housing: If an applicant or tenant otherwise qualifies for assistance from a CoC- or ESG-funded housing project, they cannot be denied admission to, denied assistance under, terminated from participation in, or evicted from housing on the basis or as a direct result of the fact that they are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Additionally, a tenant may not be denied tenancy or occupancy rights solely on the basis of criminal activity directly related to domestic violence if either of the following are true:

- The criminal activity is perpetrated by a member of the tenant's household or any guest under their control; or
- The tenant or an affiliated individual of the tenant is the victim or threatened victim of that criminal activity.

An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking cannot be considered either of the following:

- A serious or repeated lease violation if the lease was executed while the tenant was enrolled in a CoC- or ESG-funded housing project;
- Good cause for terminating the assistance, tenancy, or occupancy rights provided by the CoC or ESG Program to a victim or threatened victim of such incident.

Other CoC and ESG funded projects

If a project applicant or participant otherwise qualifies for assistance from any other CoC- or ESG funded project, including but not limited to CoC-funded safe havens and ESG-funded emergency shelters, they cannot be denied admission to, denied assistance under, terminated from participation in, or evicted from the project on the basis or as a direct result of the fact that they are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Leases and occupancy agreements

Requirements: The leases, subleases, or occupancy agreements of applicants and tenants assisted under the CoC or ESG Programs must include addendums detailing the relevant VAWA protections. These addendums may (but are not required to) be written to expire when the participant is no longer receiving the assistance (CoC and ESG). If CoC recipients and subrecipients enter a contract or lease with a landlord, the contract or lease must include information about the protections afforded by 24 CFR part 5, subpart L, and a requirement for the landlord to include the appropriate addendums in all participants' rental agreements. This contract between the recipient or subrecipient and the landlord is required when a participant will be receiving tenant-based rental assistance. Programs will ensure leases, subleases, and occupancy agreements that secure housing for a CoC Program tenant must allow the agreement to be terminated without penalty as part of an emergency transfer.

Lease bifurcation:

At the survivor's request, a CHP may bifurcate a lease or remove a household member from a lease to evict, remove, or terminate assistance to a household member who engages in criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking against the household member, an affiliated individual, or another individual.

This is currently a requirement for project- and sponsor-based rental assistance but not for tenant-based rental assistance. This may be updated by future regulations. For more information, refer to the CoC Program interim rule, section 578.99(j)(5)(iii). Lease bifurcation and removal cannot result in evicting, removing, terminating assistance to, or otherwise penalizing a victim of the criminal activity discussed in this section who is also a tenant or lawful occupant.

After lease bifurcation or removal in a tenant- or project-based rental assistance project, rental assistance and any utility assistance must continue for tenants remaining in the unit (CoC and ESG). In addition:

- For CoC PSH participant households where the removed party was the only household member who met the project's chronic homelessness eligibility criteria, the remaining household members are eligible for continued assistance through the end of their current lease term;
- For all other CoC participant households: the remaining household members are eligible for continued assistance, as long as otherwise program eligible.

Applicable Forms:

- HUD-5380, Notice of Occupancy Rights under VAWA
- HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking
- HUD-5383, Emergency Transfer Request for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

2.5.8.1 Emergency Transfer Plan

A core portion of aligning programs with survivor safety is allowing for Emergency Transfer Requests. CoC and ESG recipients must develop an emergency transfer plan (ETP). An ETP is a written policy that defines the process allowing victims of domestic violence, dating violence, sexual assault, and stalking to request and receive a transfer from their current, unsafe unit, to a new safer unit.

ETPs allow for clear processes and the prioritization of survivor self-determination and privacy. See Appendix D: Draft Knox Housing Continuum Provider ETP for additional information and guidance on what that should look like, and how partnerships are best structured to allow for easy client placement.

2.5.9 Point in Time Count

The CoC lead agency will lead the annual count each year by developing the methodology, instruments, and reporting in coordination with the HMIS lead administrator and the CoC PIT Point in Time (PIT) subcommittee. Grantees are required to participate in the annual Point in Time Count and Homeless Inventory Counts (HIC). Participation can mean representation on the steering committee, or at a minimum ensuring project data within HMIS is submitted timely and bed and unit information is updated and confirmed.

2.5.10 Training

Lead/subgrantees must identify staff to attend and complete trainings. These staff should include staff that provide direct services, supervisors of direct service staff, and staff that manage homeless grants.

The following trainings are required at least every three years and attendance must be documented:

- Trauma-Informed Services
- Supporting survivors of domestic violence
- Local coordinated entry policies and procedures as required by lead CE entity
- Fair Housing

Other recommended trainings include: mental health first aid, crisis intervention, professional boundaries, case management, motivational interviewing, best practices in resolving housing crises, progressive engagement, and problem-solving (diversion).

Costs for staff to attend conferences and trainings may be an eligible program expense. Work with OHS to ensure eligibility and documentation is complete prior to requesting reimbursement.

2.6 Grant Management

2.6.1 Changes to Guidelines

The CoC Board may revise these guidelines at any time. All grantees will be sent revised copies. Grantees are responsible for sending revisions to subgrantees in a timely manner.

2.6.2 Risk-Assessments and Monitoring (see OHS Monitoring Guide)

OHS will conduct annual Risk Assessments as part of the CoC Collaborative Application process, or as part of the annual monitoring process for local OHS or CoC funding recipients, including HMIS and Coordinated Entry. For monitoring, lead grantees will be given a minimum of 30 days' notice unless there are special circumstances that require immediate attention. The notice will specify the monitoring components that will be reviewed. Please see the OHS Monitoring Guide for the current FY for more specific information.

2.6.3 Subgranting Requirements

HUD clearly outlines subgrantee requirements. All subgrantee agreements must be time-limited and have defined roles and responsibilities for each party, detailed budgets, and performance terms. OHS reserves the right to directly contact subgrantees at any time for data quality, monitoring, fiscal and other issues.

Grantees may enter into an agreement with any other local government, Council of Governments, Housing Authority, Community Action Agency, nonprofit community or neighborhood-based organization, or regional or statewide nonprofit housing assistance organization who operates programs to end homelessness within the locally defined service area.

Lead grantees must provide OHS with copies of subgrant agreements (upon request) and notify OHS if subgrants are terminated during the grant period.

Lead grantees must notify OHS of any changes in selection of subgrantees funded with OHS or CoC funding, or changes in the interventions of those subgrantees.

2.6.3.1 Subgrantee Risk Assessment and Monitoring

Lead grantees are responsible for ensuring subgrantee compliance with all requirements identified in these and HUD guidelines. The lead grantee must conduct a risk assessment and develop a monitoring plan for each subgrantee within six months of contracting CoC or OHS funds to the subgrantee. The risk assessment must inform the monitoring plan for each subgrantee. Monitoring plans must include monitoring dates, the type of monitoring (remote, on-site), and the program requirements being reviewed.

The lead grantee must maintain policies and procedures that guide the risk assessment, monitoring activities, and monitoring frequency.

OHS reserves the right to require lead grantees to undertake special reviews when an audit or other emerging issue demands prompt intervention and/or investigation.

2.6.3.2 Subgrantee Performance Requirements

Housing outcome performance requirements must be included in CoC subgrantee agreements for applicable intervention types. Grantees may customize subgrantee performance requirements by establishing agency specific benchmarks which take into account past performance, facility type, target population and other variables, as long as these requirements are not less than the community designated performance measure for the applicable intervention type.

2.6.4 Fiscal Administration

Continuum of Care, Emergency Solutions Grants, and any Local Homeless Services funding through the Office of Housing Stability, are solely reimbursement-based grants. Any funding that falls under the Knoxville Housing Continuum is solely reimbursable, once it has been found to be allocable, allowable, and is within the scope of the contract. Reimbursement means you must expend the funds prior to receiving payment. Programs are not paid in advance.

Contracts under the CoC program will be held and reimbursed directly with HUD, except under rare circumstances. Emergency Solutions Grant contracts will be held and reimbursed through the Tennessee Housing Development Agency (THDA). Local Homeless Services funds and contracts will be under the Knoxville-Knox County Office of Housing Stability. All are expected to meet the minimum standards of fiscal and program administration within these guidelines.

2.6.4.1 Budget Caps

- Administration: Is generally limited to 10% of the overall grant amount, though this may be negotiated as allowed within a specific Notice of Funding Opportunity (NOFO).
- Indirect: Federally limited to 15% unless otherwise directly negotiated with HUD. Documentation of the negotiated cost rate will be required (NICRA).

2.6.4.2 Budget Categories

- Administration *(page 42)*
- Rent/Leasing *(page 38)*
- Facility Support *(page 39)*

- Operations *(page 41)*

2.6.4.3 Reimbursements

Grantees who hold OHS contracts must submit monthly for reimbursement of allowable costs. Invoices are due on the 20th of the month following the provision of services. If the lead grantee fails to submit an invoice within a three-month period, without a reasonable explanation, OHS may take corrective action as outlined in the lead grantee contract. Exceptions to billing procedures can be negotiated with OHS on a case-by-case basis.

For HUD grantees, HUD requires draws to be made no less than quarterly through ELOCCS. It is strongly recommended that contracted agencies work internally to create fiscal structures that allow for invoicing on a basis that will allow for regular drawdown.

2.6.4.4 Back-Up Documentation

All invoices must include the Drawdown Request Form and Itemized Description List. Invoices may not be paid until all documentation is reviewed and verified. OHS may require a lead grantee to submit additional documentation. Lead grantees must retain original invoices submitted by their subgrantees. The required forms will be provided alongside, or in within one week of the signed contract. Each year OHS will hold a grantee orientation and training workshop which will cover the basics of invoicing. It is the expectation of OHS that grantees maintain the internal capacity to safeguard funds and properly document and track their activities for invoicing.

2.6.4.5 Budget Revisions

Budget revisions for local OHS grants must be submitted to OHS in writing. If the grantee seeks to change the total amount of funds granted, approval will be required from the OHS Board of Directors.

Budget revisions for CoC grants must follow HUD guidelines. Review the applicable contract with HUD for program and FY specific requirements and limits. Plan in advance as coordination with the local HUD CPD Field Office will be critical to processing any budget revisions, or grant amendments.

2.7 Homelessness Assistance

2.7.1 Homelessness Assistance Household Eligibility

A household is one or more individuals seeking to obtain housing together. The entire household must be considered for eligibility determination and services. A household does not include friends or family that are providing temporary housing.

A household’s primary nighttime residence, where they sleep the majority of the time, is used for determining eligibility.

A household’s current nighttime residence, where they slept last night, is used for determining HMIS project entry.

Eligible households for homelessness assistance must meet both housing status and income requirements as detailed in the following sections.

CoC Standard

Housing Status		Income*
Homeless	and	At or below 80% area median income

*Household income must not exceed 80 percent of area median income. Specific programs may determine to target households with a lower AMI. Per 24 CFR 578.3, RRH and PSH do not have a statutory income ceiling.

2.7.1.1 Additional Eligibility Requirements for Permanent Supportive Housing

To be eligible for Knoxville Housing Continuum PSH, the head of household must be homeless (as defined in the homelessness section) AND include at least one household member who has a disability.

Disabilities are expected to be ongoing or indefinite in duration and must substantially impede the household member's ability to live independently.

Disability includes: a physical, developmental, mental, or emotional impairment, including impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury. A person will also be considered to have a disability if he or she has Acquired Immune Deficiency Syndrome (AIDS) or any conditions arising from the etiologic agent for Acquired Immune Deficiency Syndrome, including infection with the Human Immunodeficiency Virus (HIV). See HUD "Determining and Documenting Disability" Final Rule (2015), and Developmental Disability Assistance and Bill of Rights Act of 2000 for additional information.

2.7.1.2 Documentation of Disability

Required Documentation	
One of the following:	
☐	Written verification of the disability from a professional licensed by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long continuing or of indefinite duration and substantially impedes the individual's ability to live independently.
☐	Written verification from the Social Security Administration.
☐	Disability check receipt (Social Security Disability Insurance check or Veteran Disability Compensation).

☐	Other documentation approved by OHS/CoC, e.g. CHAMP Disability Verification Form: describe:____
☐	Program staff observation of disability. And one of the required documentations (listed above) must be obtained within 45 days of program enrollment. ☐ Documentation obtained. Type: ____________________________________ Date:_________________

Documentation of household income, housing eligibility, and all relevant disabilities must be kept in the client file. If unable to document disability at program entry with the above methods, program staff must record observation of disability. Required documentation (above) must be obtained within 45 days of program enrollment.

2.7.1.3 Maintaining Homeless Status for Permanent Housing

While receiving Rapid Re-Housing assistance, households maintain their homeless status for purposes of eligibility for Permanent Supportive Housing. Placements from a RRH program to a PSH program are allowable if the household met all requirements for chronic homelessness when entering the RRH program. Households do not accrue time toward chronic homelessness while enrolled in either TH or RRH programs.

While receiving Permanent Supportive Housing assistance (or PH-RRH), there are situations in which homelessness status may be preserved and documented for eligibility and placement into Transitional Housing.

See this guidance from HUD for documentation of eligibility requirements under these various circumstances.

2.7.2 Homelessness Assistance Eligibility

2.7.2.1 Homeless

Households are literally homeless if they are unsheltered or residing in a temporary housing program, as defined below.

2.7.2.1.1 Unsheltered Homeless:

- Living outside or in a place that is not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a vehicle, park, abandoned building, bus or train station, or airport.
- Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking, or other dangerous or life-threatening conditions that relate to violence against the household member(s), including children, that have either taken place within the household's primary nighttime residence or has made the household member(s) afraid to return to their primary nighttime residence.

- Residing in a trailer or recreational vehicle without functional power and/or water, that is parked illegally or in a location that is not intended for long-term stays (i.e. parking lots).

2.7.2.1.2 Sheltered Homeless

- Residing in a temporary housing program including shelters, transitional or interim housing, and hotels and motels paid for by charitable organizations or government programs.
- Exiting a system of care or institution where they resided for 90 days or less AND who resided in an emergency shelter or place not meant for human habitation immediately before entering that system of care or institution.

2.7.3 Chronically Homeless

This section summarizes HUD's definition. Refer to 24 CFR 578.3 for the full definition.

1. A homeless individual with a disability who:

- Lives in a place not meant for human habitation or in an emergency shelter; and
- Has been homeless (as described above) continuously for at least 12 months or on at least 4 separate occasions in the last 3 years where the combined occasions must total at least 12 months.
    - Occasions separated by a break of at least seven nights.
    - Stays in institution of fewer than 90 days do not constitute a break.

2. An individual who has been residing in an institutional care facility for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or
3. A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

2.7.3.1 Notes on Documentation

HUD has strict expectations around documentation of Chronic Homelessness status, and requires project-level targets around completeness of documentation. What can be easy to misunderstand is that this does not allow for projects to adjust or change their requirement to obtain documentation; in all cases, reasonable efforts must be made to provide more than self-attestation to demonstrate project eligibility. Projects must scope their effort and energy to attempt to gain 100% of the required documentation from all clients served, however, HUD recognizes that this may be unduly burdensome in some cases, or documentation may be exceedingly challenging to navigate, and as long as all reasonable efforts are made, they will allow for lapses in documentation in a limited number of cases.

Per HUD, provision for allowing for self-attestation in some cases is reasonable, though it is expected that the majority of clients' chronic status will be be verified via a third party.

Individual programs will be served by having clear guidelines for staff and third parties, to make it as simple as possible to document homelessness status, and engage with each other to help verify and supplement documentation. HMIS is a key partner in capturing accurate information, and ensuring it is tied to the client's file.

Key considerations for documentation:

- Timing during the month. A third party can certify a whole month, based on one interaction, but HUD requires more precise attestation for chronic homelessness to meet the full 12-month requirement.
- Clear progression in a reasonable effort to verify certification. If you make a phone call to a number provided, once on the first day and again on the 180th, this does not reflect an actual attempt at gaining third party verification.
- Working in case conferencing and the Point of Contact meeting, coordinated through KnoxHMIS, can be key pathways to helping brainstorm documentation and verification across agencies and programs.

2.7.3.1.1 Documentation of Chronically Homeless Status

Situation		Required Documentation
Chronically Homeless *Chronically homeless: continually homeless for at least 12 months, OR on at least 4 separate occasions in the last 3 years where the combined occasions must total at least 12 months.*	**Place not meant for human habitation**	☐ Letter signed by an outreach worker stating the conditions and the duration/frequency of where the individual has been living. **OR** ☐ Letter signed from a community member indicating which specific months and where they physically observed the individual or head of household residing/living. **OR** ☐ Documentation from HMIS or comparable database. **OR**

		☐ Individual record of stay in emergency shelter, safe haven, or from street outreach. **OR** ☐ Intake worker observation- personally observed where the person or household was or currently living (must include description of living condition). **OR** ☐ When the evidence above is unavailable, there must be: a. A self-declaration/attestation signed and dated by applicant (complete Self-Declaration form), and HUD recommends that the recipient continue to try to obtain third-party documentation within 180 days of the participants enrollment in the project.
	Residing in an Emergency Shelter	☐ Letter signed from the provider of the temporary housing documenting duration/frequency of homelessness. **OR** ☐ HMIS record(s), including dates of stay. **OR** ☐ When the evidence above is unavailable, there mut be: a. A self-declaration/attestation signed and dated by applicant (complete Self-Declaration form).
	Institutional stays of less than 90 days and were in Emergency Shelter/street immediately prior	☐ Discharge paperwork with start/end dates of client's stay. **OR** ☐ Where evidence above is unavailable there must be a certification by individual seeking assistance, accompanied by intake worker's documentation of the

		living situation and the full steps taken to obtain the evidence listed above.

* There are limitations to self-certification of chronic homelessness based on the overall project and not the individual. 100% of households in a given project can self-certify for 3 months of their 12 months; 75% of households need to use third party documentation for 9 months of their 12 months; and 25% of households can use self-certification as documentation for any and all months. To review the exact language, please refer to 24 CFR Parts 91 & 578 and the HUD Exchange.

Type	Verification Level	Months Can Certify
Self	3rd tier	100% can self-certify for 3 months. 25% can self-certify for 12months.
3rd Party (unwitnessed): e.g. case manager in the office, other in-facility service providers.	2nd tier	Can help narratively fill in gaps and support self-certification claims. Cannot officially certify for any months.
3rd Party (witnessed): e.g. street outreach, case manager visiting encampment, police or EMT, etc.	1st tier	Can certify for any months up to full 12.

2.7.3.2 Documentation of Housing Status

Grantees must verify and document eligible housing status prior to program entry. Households entering emergency shelter are exempt from housing status requirements.

Situation		Required Documentation
Homeless	Unsheltered (place not meant for human habitation)	☐ Letter signed by an outreach worker stating the conditions and the duration/frequency of where the individual has been living. **OR** ☐ Letter signed from a community member indicating which specific months and where they physically observed the individual or head of household residing/living. **OR** ☐ Documentation from HMIS or comparable database **OR** ☐ Individual record of stay in emergency shelter, safe haven, or from street outreach **OR** ☐ Intake worker observation- personally observed where the person or household was or currently living (must include description of living condition). **OR** ☐ When the evidence above is unavailable, there must be: A self-declaration/attestation signed and dated by applicant (complete Self-Declaration form), and HUD recommends that the recipient continue to try to obtain third-party documentation within 180 days of the participants enrollment in the project.
	Residing in a temporary housing program	☐Letter signed and dated from the provider of the temporary housing. **OR** ☐A telephone call to the provider of temporary housing that is documented on the Third Party Verbal Verification form and is signed and dated by the case manager making the call. **OR** ☐Current HMIS record from homeless housing program, including dates of stay.

2.7.4 CoC Assistance Income Eligibility

The combined household income must not exceed 80 percent of area median income as defined by HUD. Lead grantees can determine to target households with a lower area median income.

Income limits are based on Area Median Income (AMI) which can be located for each county at: www.huduser.gov (Data Sets, Income Limits).

Income is money that is paid to, or on behalf of, any household member. Income includes the current gross income (annualized) of all adult (18 years and older) household members and unearned income attributable to a minor. Income eligibility determinations are based on the household's income at program entry. Income inclusions and exclusions are listed in the Electronic Code of Federal Regulations, www.ecfr.gov, Title 24 – Housing and Urban Development: Subtitle A 0-99: Part 5: Subpart F: Section 5.609 Annual Income.

Gross Income is the amount of income earned before any deductions (such as taxes and health insurance premiums) are made.

Current Income is the income that the household is currently receiving. Income recently terminated should not be included.

2.7.5 Income Eligibility Exemptions

Income eligibility verification is not required for drop-in shelter or for households receiving navigation, coordinated entry intake, or case management through street outreach.

The following are exempt from income eligibility requirements for the first 90 days of program participation:

- Households entering Transitional Housing
- Households entering a Rapid Re-Housing program
- Households entering an Emergency Shelter

2.7.6 CoC Assistance Documentation of Income Eligibility

Grantees must verify and document income eligibility prior to program entry.

Documentation must be kept within the client file, and dated within 30 days of program entry.

Type of Income	Entry Date:	Recert Date:	Recert Date:	Recert Date:	Required Documentation
No Income					Self-declaration signed and dated by applicant (complete Self-Declaration form).
Wages and Salary Income					Copy of most recent pay stub(s). **OR**
					Dated mail, fax, or email verification from employer that includes name of employer, client name, pay amount and frequency, average hours worked per week, amount of any additional compensation. **OR**
					Verbal verification from employer that includes name of employer, client name, pay amount and frequency, average hours worked per week, amount of any additional compensation. **OR**
					Self-declaration signed and dated by applicant that includes source of income, income amount, and frequency of income (complete Self-Declaration form). *Case manager must document attempts to obtain written and verbal verification*.
Self Employment and Business Income					Copy of most recent federal and state tax return, profit and loss report from applicant's accounting system, or bank statement. **OR**
					Self-declaration that includes source of income, income amount and frequency of income (complete Self-Declaration form).
Interest and Dividend Income					Copy of most recent interest or dividend income statement. **OR**
					Copy of most recent federal and state tax return.
Pension/ Retirement Income					Copy of most recent payment statement, benefit notice from Social Security, pension provider or other source. **OR**
					Dated mail, fax, or email verification from Social Security, pension provider, or other source that includes name of income source and income amount. **OR**
					Verbal verification from source that includes name of income source and income amount.

Type of Income	Entry Date:	Recert Date:	Recert Date:	Recert Date:	Required Documentation
Unemployment and Disability Income					Copy of most recent payment statement or benefit notice. **OR**
					Dated mail, fax, or email verification from unemployment administrator or workers compensation administrator of former employer that includes name of income source and income amount. **OR**
					Verbal verification from source that includes name of income source, income amount, and frequency of income.
TANF/ Public Assistance					Copy of most recent payment statement, or benefit notice. **OR**
					Verbal verification from source that includes name of income source, income amount, and frequency of income.
Alimony, Child Support, Foster Care Payments					Copy of most recent payment statement, notices, or orders. **OR**
					Dated mail, fax, or email verification from child support enforcement agency, court liaison, or other source that includes name of income source and income amount. **OR**
					Verbal verification from source that includes name of income source, income amount, and frequency of income. **OR**
					Self-declaration signed and dated by applicant that includes source of income, income amount, and frequency of income (complete Self-Declaration form). *Case manager must document attempts to obtain written and verbal verification.*

Armed Forces Income					Copy of pay stubs, payment statement, or other government issued statement indicating income amount. **OR**
					Dated mail, fax, or email verification from child support enforcement agency, court liaison, or other source that includes name of income source and income amount. **OR**
					Verbal verification from source that includes name of income source, income amount, and frequency of income.
Student Financial Aid					Copy of student financial assistance award letter or other educational institution issued statement indicating amounts. **OR**
					Dated mail, fax, or email verification from financial aid office or other source that includes name of income source and income amount. **OR**
					Verbal verification from source that includes name of income source, income amount, and frequency of income.

2.7.7 Annualizing Wages and Periodic Payments

Use the Income Eligibility Worksheet in this document (section 2.7.6 or equivalent) to calculate income based on hourly, weekly, or monthly payment information. Add the gross amount earned in each payment period that is documented and divide by the number of payment periods.

This provides an average wage per payment period. Depending the schedule of payments, use the following calculations to convert the average wage into annual income:

- Hourly wage multiplied by hours worked per week multiplied by 52 weeks.
- Weekly wage multiplied by 52 weeks.
- Bi-weekly (every other week) wage multiplied by 26 bi-weekly periods.
- Semi-monthly wage (twice a month) multiplied by 24 semi-monthly periods.
- Monthly wage multiplied by 12 months.

2.7.8 Income Eligibility Recertification and Income Ineligible at Recertification

Projects must document recertification of household income eligibility at least every three months using the worksheet in this document, or similar.

If households are determined income ineligible, they may remain in the program for an additional three months. Case management may continue for an additional six months (excluding YHDP which may continue for up to two years), after the determination of income ineligibility to support the household to transition to self-sufficiency.

2.7.9 Homelessness Prevention

Homelessness Prevention is allowed through both the Emergency Solutions Grant (ESG), and Continuum of Care Program (limited to High Performance Communities – a specific designation from HUD), as well as through local funding. See 24 CFR 578.37(a)(5) for more information. Homelessness Prevention is meant to prevent and stabilize those most at risk of becoming homeless.

Households are at risk of homelessness if they meet one of the following conditions:

- Has a missed rent payment and currently owe all or part of a rent payment (current month or past months); OR
- Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; OR
- Is living in the home of another because of economic hardship; OR
- Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; OR
- Lives in a hotel/motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; OR
- Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; OR
- Is exiting a publicly funded institution or system of care.

2.7.9.1 Homelessness Prevention Household Eligibility

A household is one or more individuals seeking to obtain or maintain housing together. The entire household must be considered for eligibility determination and services. A household does not include friends or family that are providing temporary housing.

A household's primary nighttime residence, where they sleep the majority of the time, is used for determining eligibility.

A household's current nighttime residence, where they slept last night, is used for determining HMIS project entry.

Eligible households for homelessness prevention must meet both housing status and income requirements as detailed in the following sections.

Housing Status		Income*
At Risk of Homelessness	AND	At or below 80% area median income

*Household income must not exceed 80 percent of area median income. Grantees may determine to prioritize households with a lower area median income.

2.7.9.2 Homelessness Prevention Documentation of Housing Status

At Imminent Risk of Homelessness- Losing Housing Within 14 Days	Staying with friends/family or hotel/motel	☐Letter signed and dated from the provider of the temporary residence. Letter must include: a statement verifying the applicant's current living situation, and date when the household must vacate the temporary housing. **OR** ☐Copy of Certification of Payment Obligation/Potential Eviction for Friend/Family form. **OR** ☐A telephone call to the provider of temporary housing that is documented and is signed and dated by the case manager making the call. **OR** ☐Self-declaration signed and dated by applicant stating where they are residing. (complete Self-Declaration form) <u>Self-declaration of housing status should be used very rarely and only when written third-party verification cannot be obtained.</u>
	Renting	☐ Written and signed notice from the landlord that includes the date when the household must vacate within 14 days. **AND** ☐ Copy of lease naming household member as lease holder or other written occupancy agreement identifying them as legal tenant of unit.
	Exiting a system of care	☐ Letter signed and dated by system of care representative. Letter must include: a statement verifying current stay of household member(s), and indicate household member(s) have no available housing option after exiting.

In addition to housing status documentation, Homelessness Prevention projects must document the additional factors related to a household's inability to resolve their housing situation without program assistance.

Documentation of No Subsequent Residence and Insufficient Resources/Support Networks

Please describe how the household lacks the financial resources and support networks necessary to obtain other permanent housing, and that no other housing options have been identified.	
Client Signature	
Case manager Signature	
Date	

2.7.9.3 Homelessness Prevention Income Eligibility & Recertification

The combined household income must not exceed 80 percent, of area median gross income as defined by HUD.

Income limits are based on Area Median Income (AMI) which can be located for each county at: www.huduser.gov (Data Sets, Income Limits).

Income is money that is paid to, or on behalf of, any household member. Income includes the current gross income (annualized) of all adult (18 years and older) household members and unearned income attributable to a minor. Income eligibility determinations are based on the household's income at program entry. Income inclusions and exclusions are listed in the Electronic Code of Federal Regulations, www.ecfr.gov, Title 24 – Housing and Urban Development: Subtitle A 0-99: Part 5: Subpart F: Section 5.609 Annual Income.

Gross Income is the amount of income earned before any deductions (such as taxes and health insurance premiums) are made.

Current Income is the income that the household is currently receiving. Income recently terminated should not be included.

Projects must document recertification of household income eligibility at least every three months.

2.7.10 Diversion

Is ideally the first step in a coordinated entry process, or entry into any CoC project, that begins with an in-depth motivational interview. This interview is aimed at finding the boundaries and level of support an individual has access to. It is a process of walking alongside the individual, to examine and potentially challenge participant narratives that would block access to vital resources only available to them, also preventing them from entering the homeless services system. Simultaneously this helps reserve limited community funded resources for those with no layer of additional support available.

A successful diversion conversation can be accomplished in a few questions, and should be done as a component of building rapport and better understanding the issues clients are facing.

If a community diversion project becomes available through funding, it would be ideal for each agency to have a clear pathway for their clients as a component of Coordinated Entry and project entry, to access those funds quickly in order to meet client needs.

Diversion projects as funded are required to engage with HMIS and OHS to ensure data is being collected thoughtfully, in a way that captures the full scope and scale of the work done associated with the funding. While it will be up to the provider to design the program, there are some best practices in diversion that can help shape this policy:

1. Should be available very quickly to address imminent and immediate crises. 24-48 hours is ideal.
2. Having a set (though flexible) cap can help ensure a clear pathway for clients, and that funds are extended to as many individuals as possible. For example, $600 if will stabilize the household for 90 days, but can extend up to $1000 if will stabilize the household for greater than 6 months.
3. Having clearly designated pathways and staff associated with processing requests, which are processed first come-first serve.

2.7.11 Progressive Engagement

Programs must employ a progressive engagement (PE) service model. Progressive Engagement includes the following components:

- Whenever possible, households experiencing a housing crisis should be diverted from entering homeless housing programs through problem-solving conversations, linkages to mainstream and natural supports, and/or flexible, and light-touch financial assistance.
- Initial assessment and services address the immediate housing crisis with the minimal services needed.
- Frequent re-assessment determines the need for additional services.
- Services are individualized and responsive to the needs of each household.
- Households exit to permanent housing as soon as possible.
- Having already received assistance does not negatively impact a household’s eligibility if they face homelessness again.

Income eligibility recertification (every 3 months) can be included in case management and an assessment that determines the need for additional services, but shouldn't be considered the only approach to a PE service model.

2.7.12 Assessment and Housing Stability Planning

A problem-solving diversion conversation should occur prior to a full, standardized assessment. Lead/subgrantees must assess each household's housing needs and facilitate planning with the goal of obtaining or maintaining housing stability. Housing stability planning must be housing-focused and client-driven.

Assessments and housing stability planning must be documented.

Assessments and housing stability planning are not required for Drop-in Shelters.

2.7.13 HMIS

Reference: [24 CFR 578.57](24 CFR 578.57) (CoC) and [24 CFR 576.107](24 CFR 576.107) (ESG)

Under the requirements of the CoC and ESG Program Interim Rules and further defined by the Homeless Management Information System (HMIS) Proposed Rule, an HMIS is a locally administered, electronic data collection system that stores longitudinal person-level information about persons who access the homeless service system. The CoC Board of Directors designates the HMIS Lead, which currently is UT-SWORPS KnoxHMIS.

Recipients and subrecipients of CoC and/or ESG Program funds are required to enter and maintain their project data in the local HMIS, which requires becoming a Contributory HMIS Organization (CHO) and signing into an agreement with UT-SWORPS KnoxHMIS. The agency will be expected to adhere to data quality and confidentiality standards. Data from HMIS will be exported for annual reports due to HUD.

Certain agencies are restricted by law from entering data into the HMIS. These agencies must establish a comparable database that meets HUD standards as outlined in 24 CFR 578.57 (CoC) and 24 CFR 576.107 (ESG). Furthermore, these agencies must comply with data reporting as required by HMIS and the CoC. HMIS participation exceptions include: agencies that are defined as Victim Service Providers (VSPs); staff funded through or clients assisted through the Violence Against Women Act (VAWA), Victims of Crime Act (VOCA), or the Family Violence Prevention and Services Act (FVPSA).

Regardless of an agency's status as a VSP under the HEARTH Act, VSPs cannot use HMIS if their agency receives funding from the Office of Violence Against Women (OVW), the Office for Victims of Crime (OVS), or Family-Violence Prevention and Services Act (FVPSA). This is an agency-specific restriction, not project-specific. For more resources related to this topic, visit the HUD Exchange.

UTHMIS Policies & Procedures (https://knoxhmis.sworpswebapp.sworps.utk.edu/training/)

2.7.13.1 Data Quality

Grantees are required to provide quality data to the best of their ability. Maintaining good data quality is important for effective program evaluation. Data quality has four elements: completeness, timeliness, accuracy, and consistency. Please see the most recent KnoxHMIS data standards for current performance standards.

2.8 Allowable Expenses

To be allowable under Federal awards, costs must be:

- Necessary and reasonable to carry out the award
- Allocable to the award-funded activities
- Authorized (or not prohibited) under state or local laws
- In conformance with OMB guidance
- Consistent with state and local government activities
- Treated consistently
- Consistent with generally accepted accounting practices
- Not used for cost sharing or matching requirements of any other Federal award (unless specifically allowed by OMB)
- Adequately documented

What are examples of allowable uses of Federal funds?

- Personnel costs (salaries/benefits) for time devoted to activities funded by grant
- Cost of materials for purpose of the award
- Equipment and other approved capital expenditures
- Travel expenses incurred specifically to carry out the award

What are examples of unallowable uses of Federal funds?

- Entertainment costs
- Costs of legal defense related to civil or criminal fraud
- Contributions or donations
- Fundraising costs
- Lobbying costs
- Costs prohibited by award regulations

Eligible vs. Allowed Costs

- Eligible costs – allowable uses of CoC Program funds
- Approved costs – the budget line items approved by HUD in the recipient's grant agreement. You can only expend CoC funds on approved costs. For example, if you did not ask for admin funds, you cannot expend admin funds unless you transfer funds into that budget line item.
- Refer to the provided copy of the approved budget.
- The expenditure of staff and direct overhead associated with carrying out those eligible activities is charged to that budget line item. For instance, the time a supervisor spends with a case manager discussing a program participant's supportive services package is charged to the

supportive services budget line item. The time a finance staff spends cutting checks to a landlord would be billed to that program's rental assistance or leasing budget line item (whichever one HUD has approved).

In addition to being allowable, **the costs must also be allocable**. The Cost Principle of Allocability ensures that each cost is reasonable and benefits the funded program activity. For a cost to be allocable, it must:

- Be in the approved budget for the funded program
- Be specifically linked to the eligible activities funded in the grant (not just any activity)
- Be reasonable and documented
- Recipients and subrecipients must adequately document the costs that are allowable, reasonable, and allocable to each grant. Examples include detailed receipts, cost comparisons, staff timesheets, or other documents that clearly demonstrate the relationship between the costs incurred and the grant-funded activity.

2.8.1 Rent

- Monthly rent and any combination of first and last months' rent. Rent may only be paid one month at a time, although rental arrears, pro-rated rent, and last month's rent may be included with the first month's payment. Monthly rent is not time-limited. Payment of arrears is subject to specific funding limitations and set caps per household. 24 CFR 578.51
- Rental arrears and associated late fees. Rental arrears may be paid if the payment enables the household to obtain or maintain permanent housing. 24 CFR 578.51 & 2 CFR 200.403
    - Rental arrears is any missed rent payment currently owed (full or partial), including the current month or past months.
- Lot rent for RV or manufactured home. 24 CFR 578.51
- Costs of parking spaces when connected to a unit. Allowable if a part of rent and reasonable. 2 CFR 200.404
- Incentives paid to landlords, including reimbursement for damages. These may also be subject to specific grant and funding limitations and caps. 24 CFR 578.49(b)
- Security deposits for households moving into new units. 24 CFR 578.51(a)(2)
- Hotel/Motel expenses for households if no suitable shelter bed is available during housing search or when a hotel/motel unit is used as permanent housing. 24 CFR 578.51
- Utilities which are included in rent. 24 CFR 578.51
- Landlord administrative fees required with rent. Allowable if a part of rent and reasonable. 2 CFR 200.403
- Utility payments for households also receiving rental assistance. 24 CFR 578.51(a)(1)
- Utility arrears may be paid if the payment enables the household to obtain or maintain permanent housing. 2 CFR 200.403.
- Utility-only assistance (including arrears) can be provided when no other utility assistance, such as LIHEAP, is available to prevent a shut-off, and is documented clearly. 24 CFR 578.53(a)(9)
- Utility deposits for a household moving into a new unit. 24 CFR 578.53(a)(9)
- Application fees, background, credit check fees, and costs of urinalyses for drug testing

of household members if necessary/required for rental housing.

Special Circumstances:

- Master-lease: Security deposit and monthly rent is allowable when an organization master-leases a unit, and then sub-leases the property to eligible households in the context of a Rapid Re-Housing or Permanent Supportive Housing program. 24 CFR 578.49
- Transitional Housing Projects: Funded through the CoC must contract with a local PHA or local government to manage and distribute any rental assistance funds. 24 CFR 578.51(b)
- Temporary absence: If a household must be temporarily away from the unit, but is expected to return (such as temporary incarceration, hospitalization, or residential treatment), lead/subgrantees may pay for the household's rent for up to 60 days and charge the grant for eligible costs. While a household is temporarily absent, he or she may continue to receive case management. Any temporary absence must be documented in the client file. 24 CFR 578.37(b)
- Subsidized housing: rent/utility assistance may be used for move-in costs (security deposits, first and last month's rent) for subsidized housing (where household's rent is adjusted based on income), including project- or tenant-based housing. Rental arrears or utility arrears assistance may be used for subsidized housing. 24 CFR 578.51
- Host Homes and Rental Agreements: Are eligible as a flexibility under certain grant types. These allow for up to $500-$1,000 in monthly rental assistance payments to Host Homes, which can include a family member or other guardian, or other friend of the family, to help offset the cost of allowing youth to maintain in their housing. The Host is not required to own the property. Please check with OHS for requirements.

Ineligible Expenses

- Ongoing rent/utilities for subsidized housing 24 CFR 578.51(g)
- Rent and rent/utility assistance in combination with facility support
- Cable deposits or services 2 CFR 200.403
- Mortgage assistance and utility assistance for homeowners 24 CFR 578.43

2.8.2 Facility Support

- Lease or rent payment on a building used to provide temporary housing or permanent supportive housing 24 CFR 578.49
- Hotel/Motel expenses to provide temporary housing 24 CFR 578.49
- Utilities (gas /propane, phone, electric, internet, water and sewer, garbage removal) 24 CFR 578.55
- Maintenance (janitorial/cleaning supplies, pest control, fire safety, materials and contract or staff maintenance salaries and benefits associated with providing the maintenance, mileage for maintenance staff) 24 CFR 578.55
- Security and janitorial (salaries and benefits associated with providing security, janitorial services) 24 CFR 578.55
- Essential facility equipment and supplies (e.g. common-use toiletries, food served in shelters, bedding, mats, cots, towels, microwave, pet food and crates, etc.) 24 CFR 578.55
- Expendable transportation costs directly related to the transportation of eligible

households (bus tokens and fuel for a shelter van) 24 CFR 578.53(a)(4)
- On-site and off-site management costs related to the building 24 CFR 578.55
- Facility specific insurance (mortgage insurance is not allowable) and accounting 24 CFR 578.55
- Costs for securing permanent housing including: application fees, background check fees, credit check fees, utility deposits, and costs of urinalyses for drug testing of household members if necessary/required for housing 24 CFR 578.53(a)(1)

Special Circumstances:

- Master-lease: Facility costs are allowable when an organization master-leases a building and then sub-leases the property to eligible households in the context of a Transitional Housing or Permanent Housing program. 24 CFR 578.49

Ineligible Expenses:

- Replacement or operating reserves 2 CFR 200.449
- Debt service 2 CFR 200.449
- Construction or rehabilitation of shelter facilities 24 CFR 578.43
- Facility support in combination with rent and rent/utility assistance
- Mortgage payment for the facility 2 CFR 200.449

2.8.3 Maintenance vs. Building Rehabilitation

Building maintenance is an allowable facility support expense.

Maintenance activities include cleaning activities; protective or preventative measures to keep a building, its systems, and its grounds in working order; and replacement of existing appliances or objects that are not fixtures or part of the building. Maintenance activities should fix, but not make improvements that would add value to the building.

Maintenance activities do not include the repair or replacement of fixtures or parts of the building. A fixture is an object that is physically attached to the building and cannot be removed without damage to the building. Fixtures also include, but are not limited to, kitchen cabinets, built in shelves, toilets, light fixtures, staircases, crown molding, sinks and bathtubs. Maintenance activities do not include the installment or replacement of systems designed for occupant comfort and safety such as HVAC, electrical or mechanical systems, sanitation, fire suppression, and plumbing.

Building rehabilitation and capital improvements are not allowable facility support expenses. These typically include those items that are done building-wide or affect a large portion of the property such as roof replacement, exterior/interior common area painting, major repairs of building components, etc.

ALLOWABLE EXPENSES		
Cleaning Activities	**Protective or Preventative Measures to Keep a Building, its Systems, and its Grounds in Working Order**	**Replacing Existing Appliances or Objects That Have Broken or are Clearly Past Their Useful Life, are not Fixtures or Part of the Building (See above for definition of "fixtures.")**
• Cleaning gutters and downspouts • Lawn and yard care (mowing, raking, weeding, trimming/pruning trees and shrubs) • Cleaning a portion of interior or exterior of building, including graffiti removal • Washing windows • Litter pick up and trash collection • Removing snow/ice • Unclogging sinks and toilets	• Fixing gutters • Mending cracked plaster • Patching roof • Caulking, weather stripping, re-glazing. • Replacing a broken window or screen • Reapplication of protective coatings • Fixing plumbing leaks • Repainting previously painted surface (including limited scraping)* • Waterproofing (sealant) • Servicing and maintenance of mechanical systems • Replacing a carpet square or patching carpet • Fixing alarm systems	Replacing: • Kitchen appliances where removal would not cause any damage (for example dishwashers, stoves, refrigerators) • Light bulbs • Washing and drying machines • Air filters • Furniture

2.8.4 Operations

- Intake and assessment, including time spent assessing a household, whether or not the household is determined eligible 24 578.53
- Housing Stability Services. This includes developing an individualized housing and service plan, monitoring and evaluating household progress, identifying creative and immediate housing solutions outside of the traditional homeless service system (diversion), SSI/SSDI Outreach, Access, and Recovery (SOAR), and assuring that households' rights are protected. 24 578.53
- Case Management, Housing Search, and Placement Services. This includes services or activities designed to assist households in locating, obtaining, and retaining suitable housing, tenant counseling, assisting households to understand leases, inspections, securing utilities, making moving arrangements, and representative payee services concerning rent and utilities. 24 578.53
- Mediation and outreach to property owners/landlords related to locating or retaining housing (landlord incentives). 24 578.53

- Outreach services 24 578.53
- Optional support services for individuals in permanent supportive housing, including case management and connections to resources 24 578.53
- Data collection and entry 24 578.57
- General liability insurance and automobile insurance 2 CFR 200.447
- Other costs as approved in advance by OHS

2.8.5 Administration

Allowable administrative costs benefit the organization as a whole and cannot be attributed specifically to a particular program. Administrative costs may include the same types of expenses that are listed in program operations (such as IT staff and office supplies), in the case that these costs are benefiting the agency as a whole and are not attributed to a particular program.

Administrative costs may include, but are not limited to, the following: 24 CFR 578.59

- Executive director salary and benefits 2 CFR 200.405
- General organization insurance 2 CFR 200.405
- Organization wide audits 2 CFR 200.405
- Board expenses 2 CFR 200.405
- Organization-wide membership fees and dues 2 CFR 200.405
- General agency facilities costs (including those associated with executive positions) such as rent, depreciation expenses, and operations and maintenance
- Direct vs. Indirect Costs. 2 CFR 200.412 & 2 CFR 200. 414
- De minimum indirect: 2 CFR 200.414(f)

2.8.6 Required Limitations on Funding

CoC-funded housing projects may not operate drug injection sites or "safe consumption sites," knowingly distribute drug paraphernalia on or off property under their control, knowingly permit the use or distribution of illicit drugs on property under their control, or conduct any of these activities under any title or framework.

CoC-funded housing projects determined by the CoC to be in violation of the above will be given written notice of the violation, and a referral including the letter will be made for conversation at the next regularly scheduled CoC Board Meeting.

The CoC encourages partnerships with sober housing and substance use treatment providers, to provide a broad network of supports and pathways for individuals as they move through the system. Supportive Services funding can be utilized for transportation, and depending upon how the program is structured, outpatient services are also eligible and may be a great fit.

The CoC does not restrict or prohibit CoC-funded housing projects that require program participants to be sober or to participate in treatment as a condition of assistance in accordance with 24 CFR 578. The CoC does encourage projects who require sobriety to offer a broad menu of supports to help individuals engage, as well as to create pathways for program reentry if individuals are exited due to violations related to sobriety requirements.

2.9 Environmental Review

24 CFR 578.31 directly ties CoC funded projects to HUD's broader environmental review requirements under 24 CFR 58. There may be available flexibilities for demonstration projects, or that are provided within any specific NOFO. It is important to ask if you are unclear whether a review will be required. Under part 58 **you cannot commit HUD (or non-HUD funds that would limit alternatives) until the environmental review has been completed and approved.**

In practice, an environmental review is required before funds are committed or spent on any project activity except a few limited administrative actions.

Activities that Require Environmental Review include:

1. Any project involving property

- Acquisition of land or buildings
- Rehabilitation, renovation, or conversion
- New construction

2. Leasing or operating a site-based project

- Leasing units or buildings (even scattered-site leasing can trigger review)
- Operating a facility tied to a specific location (e.g., shelter, PSH project)

3. Activities with potential environmental impact

- Changes in land use
- Projects in floodplains, wetlands, historic areas, etc.
- Anything that could affect environmental conditions or be affected by them

4. Project-based rental assistance tied to a unit/location

- Even without construction, if assistance is tied to a specific property, HUD still requires environmental clearance

What does NOT trigger a full environmental review?

Some activities are exempt or "not subject to" review under Part 58, such as:

- Administrative costs
- Supportive services (e.g., case management) not tied to a specific site
- Tenant-based rental assistance (TBRA), because the participant chooses the unit

2.10 Additional Requirements for Programs Providing Rental Assistance

2.10.1 Rental Agreements

Client files must contain one of the following types of agreements if rent assistance is paid on their behalf: Intent to Rent, Lease, or Rental Agreement.

If the rent assistance paid is move-in costs (security deposits, first and last month's rent) only, an Intent to Rent form is allowable. If the rent assistance will exceed move-in costs to include on-going rent, a lease, or Rental Agreement is required.

2.10.1.1 Intent to Rent

At a minimum, an Intent to Rent form must contain the following:

- Name of tenant
- Name of landlord
- Address of rental property
- Rent rate
- Signature of landlord/date

2.10.1.2 Lease

At a minimum, the lease or rental agreement between the lead/subgrantee and the landlord OR the household and the landlord must contain the following:

- Name of tenant
- Name of landlord
- Address of rental property
- Occupancy (who gets to live at the rental)
- Term of agreement (lease start and end date)
- Rent rate and date due
- Deposits (if any and what for/term)
- Signature of tenant/date
- Signature of landlord/date

2.10.1.3 Rental Agreement

Can be utilized in Host Home situations where youth are placed with family and/or caregivers. Rent is paid directly to the Host Home provider. For implementation resources, such as confidentiality agreements, and additional toolkits visit this link (https://www.pointsourceyouth.org/handbooks-and-guides).

Housing Agreement Sample (Houhttps://www.pointsourceyouth.org/hh-addendasing Agreement Sample)

2.10.2 Payment Standards to Determine Rent Limit

Programs must choose either the HUD Fair Market Rent OR the Rent Reasonableness payment standard to be used for all units receiving a rent subsidy, including arrears, and must be completed before the rent subsidy is paid.

2.10.2.1 HUD's Fair Market Rent

Fair Market Rent (FMR) sets rent limits on the subsidy provided to the household. FMR is established by HUD (http://www.huduser.org/portal/datasets/fmr.html) and is updated each federal fiscal year (October 1). For this grant, rent calculations do not need to include the cost of utilities.

If a hotel/motel room is being used as permanent housing, compare it to a studio/efficiency unless the room is a suite with separate bedrooms.

Lead/subgrantees must set a rent limit policy for their service area using a percentage of FMR that does not exceed 150 percent FMR. The rent limit is the maximum rent that can be paid for a unit of a given size.

2.10.3 Rent Reasonableness

Rent reasonableness means the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units.

To make this determination, the grantee should consider (a) the location, quality, size, type, and age of the unit; and (b) any amenities, housing services, maintenance and utilities to be provided by the owner. Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). For more information, see HUD's guide at https://files.hudexchange.info/resources/documents/CoC- Rent-Reasonableness-and-FMR.pdf.

The rental assistance paid cannot exceed the actual rental cost.

Lead/Subgrantees must establish rent reasonableness policies and procedures for documenting comparable rents. Policies and procedures must include:

- A methodology for documenting comparable rents
- Standards for certifying comparable rents as reasonable

Documentation of rent reasonableness must be kept in the client file. HUD's Rent Reasonableness Form or comparable form must be used, see HUD's worksheet on rent reasonableness at https://www.hudexchange.info/resource/2098/home-rent-reasonableness-checklist-and- certification/ .

2.10.4 Determining Rent Subsidy

Programs must have a standardized procedure for determining the amount of rent subsidy for each household. The procedure should include a consideration of the household's resources and expenses. Although each household may receive a different amount of rent subsidy, the procedure for determining the subsidy must be standardized.

Client files must include documentation of the subsidy amount and the determination process. Rent subsidy should be adjusted when there is a change in household circumstance, income, or need.

Households receiving TANF cannot be required to pay any of their TANF benefit towards their rent.

Rapid Re-Housing and Transitional Housing programs can support clients with rental assistance for up to 24 months (578.37(a)(1)(ii), though 12 months will be the standardized cap to maximize program participation and availability. For PSH programs rental assistance is not time-limited, see 24 CFR 578.37(a)(1).

A structured program should offer assistance that scales back over time, based on client income (see example below). At the end of the program, it is ideal that the client be responsible for full ongoing rental payments constituting no more than 30% of their income.

	1-2 Months	2-4 months	4-8 months	8-11 months	11-12 months
Agency	100%	80%	60%	50%	100%
Client	0%	20% (Ideally 5-10% of income)	40% (Ideally 10-15% of income)	50%	Client save full 30% of income. 100% of rental share.

2.10.5 Habitability

Documented habitability is required for all housing units into which households will be moving, except when a household moves in with friends or family or into a hotel/motel unit. Housing units must be documented as habitable prior to paying the rent subsidy. Documentation must be kept in the client file.

Habitability can be documented using the applicable HUD form, or something comparable for inspections. This inspection is generally valid for the length of time the household is a tenant in the housing unit, unless something catastrophic happens, and habitability is compromised. It would need to be recertified prior to client placement and additional rental payments. If the housing unit is provided to a different household within 12 months of documented habitability, an additional certification/inspection is not required.

Programs must inspect all housing units. Lead/subgrantees may use the HUD Housing Quality Standards (HQS) Inspection Form, or something comparable.

Documentation of habitability certification or inspection must be kept in the client file.

2.10.6 Habitability Complaint Procedure

Each household must be informed in writing of the habitability complaint process and assured that complaints regarding their housing unit's safety and habitability will not affect the household's eligibility for assistance.

Programs must have a written procedure describing the response to complaints regarding unit safety and habitability. The procedure must include:

- Mandatory inspection when a complaint is reported using the HHS Form, HQS Inspection Form, or documenting the specific complaint in an alternate format that includes follow-up and resolution.

For Facilities: All facilities must conduct and document an inspection at least once a year using the HHS Form or HQS Inspection Form.

2.10.7 Lead Based Paint Visual Assessment Requirements

A lead-based paint visual assessment must be completed prior to providing rapid re-housing or homelessness prevention rent assistance if a child under the age of six or a pregnant woman resides in a unit constructed prior to 1978.

For Facilities: All facilities that may serve a child under the age of six or a pregnant woman constructed prior to 1978 must conduct an annual lead-based paint visual assessment which is documented on the HQS Inspection Form or HHS Form, and readily accessible for review.

To prevent lead-poisoning in young children, programs must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R.

Disclosure Requirements

For ALL properties constructed prior to 1978, landlords must provide tenants with:

- Disclosure form for rental properties disclosing the presence of known and unknown lead-based paint;
- A copy of the "Protect Your Family from Lead in the Home" pamphlet.

Both the disclosure form and pamphlet are available at: https://www.epa.gov/lead/real-estate-disclosure

It is recommended that rental assistance providers also share this information with their clients.

Determining the Age of the Unit

Lead/Subgrantees should use formal public records, such as tax assessment records, to establish the age of a unit. These records are typically maintained by the state or county and will include the year built or age of the property. To find online, search for the applicable county name with one of the following phrases:

- "property tax records"
- "property tax database"
- "real property sales"

Print the screenshot for the case file. If not available online, the information is public and can be requested from the local City and County planning offices.

Conducting a Visual Assessment

Visual assessments are required when:

- The leased property was constructed before 1978;

AND

- A child under the age of six or a pregnant woman will be living in the unit occupied by the household receiving rental assistance.

A visual assessment must be conducted prior to providing rental assistance to the unit and on an annual basis thereafter (as long as assistance is provided). Programs may choose to have their program staff complete the visual assessments or they may procure services from a contractor. Visual assessments must be conducted by a HUD-Certified Visual Assessor.

Anyone may become a HUD-Certified Visual Assessor by successfully completing a 20-minute online training on HUD's website at: http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm

If a visual assessment reveals problems with paint surfaces, Lead/Subgrantees cannot approve the unit for assistance until the deteriorating paint has been repaired. Lead/Subgrantees may wait until the repairs are completed or work with the household to locate a different (lead-safe) unit.

Locating a Certified Lead Professional and Further Training

To locate a certified lead professional in your area:

- Call your state government (health department, lead poison prevention program, or housing authority).
- Call the National Lead Information Center at 1-800-424-LEAD (5323).
- Go to the US Environmental Protection Agency website at https://www.epa.gov/lead and click on "Find a Lead-Safe Certified Firm."

For more information on the Federal training and certification program for lead professionals, contact the National Lead Information Center (NLIC) at https://www.epa.gov/lead/resources-lead-exposure-communities#u-s-department-of-housing-and-urban-development-hud or 1-800-424-LEAD to speak with an information specialist.

The Lead Safe Housing Rule as well as a HUD training module can be accessed at https://www.hudexchange.info/programs/lead-based-paint/lshr-toolkit/introduction/

Visual assessments are not required under the following circumstances:

- Zero-bedroom or SRO-sized units;
- X-ray or laboratory testing of all painted surfaces by certified personnel has been conducted in accordance with HUD regulations and the unit is officially certified to not contain lead-based paint;
- The property has had all lead-based paint identified and removed in accordance with HUD regulations;
- The unit has already undergone a visual assessment within the past 12 months –obtained documentation that a visual assessment has been conducted; or
- It meets any of the other exemptions described in 24 CFR Part 35.115(a).

If any of the circumstances outlined above are met, lead/subgrantees must include the information in the client file.

2.11 Performance Measures

Performance Measures within the CoC program exist at two levels, both the project and overall system level. Project level measures for use by HUD, and locally in the CoC annual NOFO Rank and Review process, are the foundation of combined and overall system performance. Expectations for individual projects however are not the same as overall System Performance, though they are closely aligned.

Additional Performance Measures may be added or prioritized in this Guide based on the annual Continuum of Care Notice of Funding Opportunity stated Performance Goals, for the system, and for individual projects.

See the HUD System Performance Measures Introductory Guide, for additional information and full definitions of each listed measure below.

System Performance:

- Length of Time Person Remains Homeless: measures the average and median number of days individuals are active in the HMIS system, including time prior to the report date.
- Exits to Permanent Housing.
- Returns to Homelessness (6-12months, and 2 years): assesses the percentage of persons who exited to permanent housing and returned to the homeless system within a specific timeframe.
- Number of Homeless Persons: Total and Unsheltered: evaluates progress toward reducing homelessness by tracking the total number of people experiencing homelessness annually and at a single point in time.
- Number of 1st Time Homeless: tracks the number of individuals who enter the emergency shelter or transitional housing system for the first time.
- Increase in Income and Employment: measures income changes for adults in CoC-funded projects, focusing on both "stayers" (remaining in the project) and "leavers" (exiting the project).
- Successful Placement from Street Outreach/ Rate Households entered from unsheltered situations: measures the percentage of individuals who exit or retain permanent housing destinations across various project types (e.g., Street Outreach, Emergency Shelter, Rapid Rehousing).
- HMIS Data Completeness.

Project Performance:

- Length of Stay to Permanent Housing (Project Exit): the number of nights between a client's Project Start Date and their Project Exit Date, as recorded in the Homeless Management Information System (HMIS).
- Exits to Permanent Housing.

- Of those housed, rate housed with no ongoing subsidy, regardless of funding (includes housing through PHA).
- Returns to Homelessness: assesses the percentage of persons who exited to permanent housing and returned to the homeless system within a specific timeframe.
- Number of Clients Served and/or Number of Contacts (as applicable).
- Increase in Income & Employment.
- Education: track educational stability, attainment, and participation for children and youth in supported housing.
- Mental Health Status: to indicate whether clients have any mental health disorders which contribute to their experience of homelessness or may be a factor in housing, and whether there is a change in status over time.
- Positive System Exits.
- Rate Households entered from unsheltered situations.
- HMIS Data Completeness.

Intervention Type	Performance Measure	HMIS Calculation	Performance Target
Street Outreach (SSO)	Increase Exits to Positive Outcomes	Of people in SSO who exited, those who exited to Positive Outcome destinations	Target: 25%
Emergency Shelter (ES)	Increase Exits to Permanent Housing	Of people in ES who exited, those who exited to permanent housing destinations	Target: 35%
Transitional Housing (TH)	Increase Exits to Permanent Housing	Of people in TH who exited, those who exited to permanent housing destinations	Target: 80%
Rapid Re-Housing (RRH)	Increase Exits to Permanent Housing	Of people in RRH who exited, those who exited to permanent housing destinations	Target: 80%
Permanent Supportive Housing (PSH) or any Permanent Housing type (excluding RRH)	Increase Exits to or Retention of Permanent Housing	Of people in PSH, those who remained in PSH or exited to permanent housing destinations	Target: 95%
Homelessness Prevention (HP) & Diversion	Housing Retention after 1 month Housing Retention after 6 months	Of the people in HP or Diversion who exited to a permanent housing destination, those who did not enter the homeless system after exit	Target: 75%

This chart breaks down the overall Performance Target by intervention type and measure. For example, for those in Emergency Shelter, each program has a target of exiting 35% of their clients to Permanent Housing. By setting clear goals for project performance, the Knox Housing Continuum will improve overall system performance and outcomes, while setting a clear baseline goal for projects to meet. These are goals, and it will take a collective and ongoing effort to ensure individual projects and the system as a whole continue to reflect ongoing improvement in client outcomes. These are aspirational, and also a way to help agencies focus in on certain aspects of, and to self-reflect on their program design.

2.12 Required Policies and Procedures

Homeless-serving projects should have the following written policies and procedures in place:

- Coordinated Entry Policies
- Habitability Complaint Procedure (as applicable)
- Grievance Procedure
- Termination and Denial of Service Policy
- Conflict of Interest
- Rent Limit Policy or Rent Reasonableness Policies and Procedures
- Determining Rent Subsidy Procedure (as applicable)

2.12.1 Termination of Assistance and Grievance Procedures

General Standards - Reference: 24 CFR 578.91

Recipients and subrecipients may terminate assistance to program participants who violate program requirements or conditions of occupancy. However, termination must follow a formal process that protects participant rights and ensures due process.

Assistance may be terminated only when the recipient or subrecipient has documented:

1. An eligible basis for termination
2. Compliance with the required due process procedures outlined below
3. Consideration of all extenuating circumstances

Prohibited Bases for Termination

Consistent with low-barrier program requirements, households may not be terminated from CoC-funded projects for the following reasons:

- Failure to make progress on a housing stability plan even though they are engaging in supportive services;
- Loss of income or failure to improve income;
- Alcohol or substance use, unless the participant's behavior creates a direct threat to the health or safety of others that cannot be mitigated, or abstinence is a requirement of program participation;
- Being a victim of domestic violence, dating violence, sexual assault, or stalking;
- Criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the participant's household or any guest, if the participant or affiliated individual is the victim;
- For Households residing in emergency shelter must not be exited to homelessness due to reaching a maximum stay limit, as long as they are engaging with a supportive services provider.

Eligible Bases for Termination

Termination may be considered when a participant:

- Engages in violent or threatening behavior that poses a direct and immediate risk to the health or safety of other participants, staff, or community members, and the threat cannot be eliminated or mitigated through reasonable accommodations or other interventions;
- Engages in serious or repeated violations of program rules focused on maintaining a safe living environment, after documented attempts at intervention and corrective action.
- Is found to have provided fraudulent information material to eligibility determination;
- Voluntarily abandons the unit or program without notice for more than 7 consecutive days (does not apply to approved temporary absences).

Due Process Requirements

Before terminating assistance, recipients and subrecipients must provide the participant with:

1. Written Notice

A written termination notice delivered to the participant at least 30 calendar days before the effective date of termination. For violations involving imminent threat to health or safety, notice may be shortened to the minimum required under state law, but must include the same elements.

The notice must include:

- A clear statement that assistance is being terminated;
- The specific reason(s) for termination, including citation to the program rule or requirement violated;
- The effective date of termination;
- A summary of the factual basis supporting the decision, including relevant dates and incidents;
- A statement of the participant's right to appeal the decision;
- Instructions for requesting an appeal, including the deadline (at minimum 10 business days from receipt of notice), the method for submitting a request, and the name or title of the person to whom the request should be directed;
- A statement that the participant may present written or oral objections, provide evidence, and be represented by counsel or an advocate of their choice at no cost to the program;
- Contact information for local legal aid or tenant advocacy services;
- For participants covered under VAWA: a notice of rights under the Violence Against Women Act and HUD Form 5382 (Notice of Occupancy Rights);

2. Right to Appeal and Hearing

Upon timely request, the participant is entitled to an informal hearing before an impartial decision-maker. The decision-maker must be a person who was not directly involved in the original termination decision.

The hearing must provide the participant an opportunity to:

- Review all documents and records the program relied upon in making the termination decision (provided at least 5 business days before the hearing, upon request);
- Dispute the charges and present evidence, including witness testimony;
- Be accompanied and represented by counsel or an advocate;
- Request reasonable accommodations necessary to participate in the hearing.

The hearing must be held within 14 calendar days of the participant's appeal request unless an extension is agreed upon in writing by both parties.

3. Written Decision

The decision-maker must issue a written decision within 7 business days of the hearing. The decision must include:

- A summary of the evidence considered
- Findings of fact
- The final determination (termination upheld, modified, or reversed)
- The effective date if termination is upheld
- Notice that the decision is final

4. Retention of Documentation

All termination notices, appeal requests, hearing records, and final decisions must be retained in the participant's file for at least 5 years after the end of the program year in which the participant exited, consistent with 24 CFR 578.103 recordkeeping requirements.

Consideration of Extenuating Circumstances

Per 24 CFR 578.91(c), recipients and subrecipients must exercise judgment and consider all extenuating circumstances when determining whether to terminate assistance. This includes but is not limited to:

- The severity and frequency of the violation;
- Whether the participant's behavior was related to a disability, and whether reasonable accommodations could mitigate future violations;
- Whether the behavior was related to domestic violence, dating violence, sexual assault, or stalking;
- The participant's overall engagement with the program and progress toward housing stability;
- The availability of alternative interventions (mediation, transfer, increased services);
- The impact of termination on the participant's housing stability and wellbeing.

Re-Enrollment After Termination

If a participant is terminated due to rule violations related to safety, they must have a pathway to re-enrollment. The program must maintain written criteria describing the conditions under which a previously terminated participant may be reconsidered, such as:

- Demonstrated engagement with treatment, mental health services, or other supports addressing the behavior that led to termination;
- A period of successful tenancy or program participation elsewhere;
- A case conference determination that the participant is likely to succeed upon re-enrollment.

Re-enrollment is not guaranteed but must be considered on a case-by-case basis.

VAWA Protections

Participants who are victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking have specific protections under the Violence Against Women Act (VAWA), codified for CoC programs at 24 CFR 578.99(j).

A participant's status as a victim of domestic violence, dating violence, sexual assault, or stalking is never a basis for termination. Additionally:

- Criminal activity directly related to the abuse, engaged in by the perpetrator or a member of the household, may not be the basis for termination if the participant is the victim or threatened victim.
- Participants may not be denied assistance, terminated, or evicted solely because they are or have been victims of such crimes.
- Participants may request an emergency transfer under VAWA if they fear for their safety in their current unit.

Recipients must provide all participants with:

- HUD Form 5380 (Notice of Occupancy Rights under VAWA)
- HUD Form 5382 (Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking)

These notices must be provided at intake, upon denial of assistance, and with any termination notice.

For programs serving survivors exclusively (Victim Service Providers), additional confidentiality protections under VAWA and FVPSA apply. VSPs may maintain policies consistent with their specialized expertise.

2.12.2 Conflict of Interest

See 24 CFR 578.95 and 2 CFR 200.318.

CoC-Level Conflict of Interest Policy

The Knoxville-Knox County Continuum of Care maintains a comprehensive Conflict of Interest policy as part of the CoC Charter. This policy governs the conduct of CoC Board members, committee members, and any individual participating in CoC decision-making processes — including project selection, funding recommendations, and grievance determinations.

The CoC Conflict of Interest policy is available upon request from the Office of Housing Stability or on the OHS website at knoxtnhousing.org .

Recipient and Subrecipient Requirements

All recipients and subrecipients of CoC, ESG, or OHS-administered funds must establish and maintain their own written conflict of interest policies. These policies must, at minimum:

1. Address Organizational Conflicts of Interest

- Prohibit employees, officers, board members, or agents from participating in the selection, award, or administration of a contract if a real or apparent conflict exists
- Define conflicts to include situations where any of the above individuals, or their immediate family members or business partners, have a financial or other interest in the entity selected for a contract or subaward

2. Address Individual Conflicts of Interest

- Prohibit employees or agents from soliciting or accepting gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subcontracts
- Establish thresholds for unsolicited gifts of nominal value and consequences for violations

3. Cover Procurement Activities

- Comply with 2 CFR 200.318 standards for procurement transactions, including requirements for open and free competition
- Document steps taken to identify and mitigate conflicts in procurement decisions

4. Include Disclosure and Recusal Procedures

- Require individuals to disclose potential conflicts in writing before participating in affected decisions
- Establish procedures for recusal when a conflict is identified
- Designate a responsible party (executive director, board chair, or compliance officer) to receive and review disclosures

5. Establish Penalties for Violations

- Define consequences for failure to disclose or for acting despite a known conflict
- Include provisions for remedial action, up to and including termination of employment or removal from governance roles

Documentation and Monitoring

Recipients must:

- Provide a copy of their conflict of interest policy to OHS upon request or during monitoring;
- Ensure all board members, employees, and agents with decision-making authority receive and acknowledge the policy in writing;
- Retain signed acknowledgments in personnel or governance files.

Subrecipients must certify compliance with conflict of interest requirements as part of their subgrant agreement. Lead grantees are responsible for verifying that subrecipients have adopted compliant policies.

Prohibited Conflicts Under 24 CFR 578.95

In addition to organizational policies, federal regulations prohibit specific conflicts in CoC-funded programs:

- No employee, officer, or agent of the recipient or subrecipient may obtain a personal or financial interest or benefit from a CoC-assisted activity — including residing in a unit assisted by the grant — except under limited circumstances approved in writing by HUD.

- No person who exercises or has exercised any functions or responsibilities with respect to CoC activities, or who is in a position to participate in a decision-making process, may obtain a financial interest or benefit from the activity.

Exceptions to these prohibitions require written approval from HUD following a formal request demonstrating that the exception would further program objectives and that appropriate safeguards are in place.

2.12.3 Data and File Storage

Lead/subgrantees must maintain records relating to this grant for a period of five years following the date of final payment.

Paper records derived from HMIS which contain personally identifying information must be destroyed within seven years after the last day the household received services from the lead/subgrantee.

2.12.4 Client File Checklist

It is recommended that programs utilize a standardized client file checklist, ensuring all required forms and verifications are listed with a space for verification and additional spaces for recertification as appropriate.

2.12.5 Nondiscrimination

Lead/subgrantees must comply with all federal, state and local nondiscrimination laws, regulations and policies, including Tenn. Code Ann. § 4-21-601 as it now reads or as it may be amended. Tenn. Code Ann. § 4-21-601 currently prohibits discriminatory or unfair practices in the sale, rental or other transactions related to housing because of race, color, creed, religion, sex, disability, familial status or national origin.

Lead/subgrantees must comply with the Federal Fair Housing Act and its amendments as it now reads or as it may be amended. The Fair Housing Act currently prohibits discrimination because of race, color, national origin, religion, sex, disability or family status. The Fair Housing Act prohibits enforcing a neutral rule or policy that has a disproportionately adverse effect on a protected class.

Local nondiscrimination laws may include additional protected classes.

Lead/subgrantees serving households with children must serve all family compositions.

All emergency shelter facilities must meet the Americans with Disabilities Act standards.

Appendix *A: Example: Third-Party Verbal Verification OF HOUSING STATUS, CHRONICITY, OR INCOME Form*

Complete this form to document housing status or income, when applicable.

☐ At Imminent Risk / Homelessness – In the narrative include details of the telephone call to the temporary housing provider.

☐ Chronic Homelessness – In the narrative include details of where they were living and specific months.

☐ Earned Income – In the narrative include name of employer, pay amount and frequency, average hours worked per week, amount of any additional compensation.

☐ Other Income – In the narrative include name of income source, income amount, and frequency of income.

Client Name	
HMIS Client Identifier	
Date	
Narrative/Discussion	
Name of Third-Party Verifier	
Position/Title	
Telephone	
Organization/Agency	
Case Manager Signature	

Appendix *B: Knox Housing Continuum: Example: Self-Declaration OF HOUSING STATUS OR NO INCOME Form*

Complete this form to document housing status or income, when applicable.

☐ Homelessness – In the narrative include information about household's primary nighttime residence, where they sleep the majority of the time.

If fleeing violence, indicate in the narrative "fleeing violence." No additional information is required.

☐ Chronic Homelessness – Client must attest to chronic homelessness. **In addition, the case manager must provide written documentation of the living situation and duration/frequency, and the steps taken to obtain the standard evidence allowable for chronic homelessness. This additional documentation must be in the client file.*

☐ Income – In the narrative include details on source of income, income amount, and frequency of income. *In addition, case manager must document attempts to obtain written and verbal verification. This additional documentation must be in the client file.*

☐ No Income – Indicate in the narrative "no income."

Client Name	
HMIS Client Identifier	
Date	

Homelessness/Income/No Income

Narrative	
Client Signature	

Chronic Homelessness* *(see additional documentation required from case manager above)*

Client Attestation	
I, ___________________________________, have experienced being homeless for the last 12 months in which I lived in a place not meant for human habitation or in an emergency shelter, or on at least four separate occasions in the last three years, I was homeless for a total of at least 12 months.	
Client Signature	
Case Manager Signature	

Appendix C: Eligible and Ineligible Cost *Snapshot*

Please review 2 CFR 58 & 2 CFR Part 200

Rental Assistance

Cost Item	**Allowable?**	**Regulatory Citation**	**Key Conditions**	**Documentation**	**Risk Flags**
Monthly rent	✅ Yes	24 CFR 578.51	Must have lease; rent reasonable	Lease, rent reasonableness	Over FMR / no lease
Security deposit	✅ Yes	24 CFR 578.51(a)(2)	Typically ≤ 2 months	Receipt, lease	Excessive deposit
Utilities (with rent)	✅ Yes	24 CFR 578.51(a)(1)	Only if not included in rent	Utility bills	Duplicate billing
Utility deposits	✅ Yes	24 CFR 578.53(a)(9)	Move-in related	Receipt	Not tied to housing
Rental arrears	⚠️ Conditional	24 CFR 578.51 + 2 CFR 200.403	Must secure/retain housing	Ledger, landlord agreement	Paying without housing outcome
Utility arrears	⚠️ Conditional	2 CFR 200.403	Prevent shutoff / maintain housing	Bills, shutoff notice	Not tied to housing stability
Application / screening fees	✅ Yes	24 CFR 578.53(a)(1)	Must be necessary	Receipts	Excessive/repeated fees
Parking (if part of rent)	⚠️ Conditional	2 CFR 200.404	Must be customary	Lease	Luxury add-ons
Landlord incentives	⚠️ Conditional	24 CFR 578.49(b)	Must be tied to leasing program	Agreement	Not tied to unit

Cost Item	Allowable?	Regulatory Citation	Key Conditions	Documentation	Risk Flags
Hotel/motel (housing)	⚠️ Conditional	24 CFR 578.51	Must function as housing placement	Invoice, occupancy	Used as shelter substitute

Facility/Leasing/Operations

Cost Item	Allowable?	Regulatory Citation	Key Conditions	Documentation	Risk Flags
Building lease (TH/PSH)	✅ Yes	24 CFR 578.49	Must be program component	Lease agreement	Mixing with rental assistance
Operating costs	✅ Yes	24 CFR 578.55	Must support facility	Bills, payroll	Unsupported allocations
Maintenance / janitorial	✅ Yes	24 CFR 578.55	Reasonable, necessary	Logs, invoices	Over-allocation
Insurance	✅ Yes	2 CFR 200.447	Necessary and reasonable	Policy	Unrelated coverage
Transportation (clients)	✅ Yes	24 CFR 578.53(a)(4)	Program-related	Logs, receipts	Personal use
Facility supplies / food	✅ Yes	24 CFR 578.55	Shelter/TH only	Receipts	Excessive or unrelated

Supportive Services

Service	Allowable?	Citation	Key Conditions	Documentation	Risk Flags
Case management	✅ Yes	24 CFR 578.53	Must relate to housing stability	Case notes	No service linkage

Service	Allowable?	Citation	Key Conditions	Documentation	Risk Flags
Housing search	✅ Yes	24 CFR 578.53(a)(1)	Direct housing outcome	Logs	Not tied to placement
Outreach	✅ Yes	24 CFR 578.53	Eligible population	Logs	Ineligible clients
HMIS/data	✅ Yes	24 CFR 578.57	Required participation	HMIS entries	Missing/incomplete data

Administrative Costs

Cost Item	Allowable?	Citation	Key Conditions	Documentation	Risk Flags
Admin (≤10%)	✅ Yes	24 CFR 578.59	Capped at 10%	Budget, GL	Over cap
Executive staff	✅ Yes	2 CFR 200.405	Allocated properly	Time allocation	Misallocation
Shared costs	✅ Yes	2 CFR 200.405	Cost allocation plan	Plan, worksheets	No methodology
Indirect costs	✅ Yes	2 CFR 200.414	Approved rate or de minimis	NICRA / calc	No rate approval

Clearly Ineligible

Cost Item	Status	Citation	Reason
Mortgage assistance	❌ Not allowed	24 CFR 578.43	Not an eligible activity
Debt service	❌ Not allowed	2 CFR 200.449	Unallowable cost
Reserve accounts	❌ Not allowed	2 CFR 200.403	Not necessary cost

Cost Item	Status	Citation	Reason
Cable/internet (non-essential)	❌ Not allowed	2 CFR 200.403	Not required for housing
Double subsidy rent	❌ Not allowed	24 CFR 578.51(g)	Duplication of benefits

Appendix D: Draft Knox Housing Continuum Emergency Transfer Plan

This plan is incomplete, with notated sections on additional components that individual programs will need to consider in the formation of their plan. Key requirements are included and listed. As the agency ETPs are drafted, the word “Provider” will be interchangeable with the name of each specific agency.

DRAFT POLICY:
In accordance with the Violence Against Women Act of 1994, as amended (“VAWA”), **The Knox Housing Continuum** allows any tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant’s current unit to another unit. VAWA protections are not limited to women. Victims cannot be discriminated against on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance regarding safety and security. The plan is based on Federal regulations at 24 Code of Federal Regulations (CFR) part 5, subpart L, related program regulations, and the model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD). HUD is the Federal agency that oversees that the Knox Housing Continuum policies and procedures are in compliance with VAWA.

Definitions

External emergency transfer refers to an emergency relocation of a tenant to another unit where the tenant would be categorized as a new applicant; that is, the tenant must undergo an application process in order to reside in the new unit.

Internal emergency transfer refers to an emergency relocation of a tenant to another unit where the tenant would not be categorized as a new applicant; that is, the tenant may reside in the new unit without having to undergo an application process.

Safe unit refers to a unit that the victim of VAWA violence/abuse believes is safe.

VAWA violence/abuse means an incident or incidents of domestic violence, dating violence, sexual assault, or stalking, as those terms are defined in 24 CFR 5.2003 and “Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking” (Form HUD-5382).

Eligibility for Emergency Transfers

A tenant may seek an emergency transfer to another unit if they or their household member is a victim of VAWA violence/abuse, as outlined in the "Notice of Occupancy Rights Under the Violence Against Women Act," Form HUD-5380. This emergency transfer plan provides further information on emergency transfers, and The Knox Housing Continuum provider must provide a copy if requested. The Knox Housing Continuum provider may ask for submission of a written request for an emergency transfer, such as form HUD-5383, to certify eligibility for the emergency transfer.

A Tenant is eligible for an emergency transfer if:

The tenant (or their household member) is a victim of VAWA violence/abuse;

The tenant expressly requests the emergency transfer; **AND**

EITHER

The tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if they or (their household member) stays in the same dwelling unit; **OR**

If the tenant (or their household member) is a victim of sexual assault, either the tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if the tenant (or their household member) were to stay in the unit, or the sexual assault occurred on the premises and the tenant requested an emergency transfer within 90 days (including holidays and weekend days) of when that assault occurred.

The Knox Housing Continuum provider, in response to an emergency transfer request, should not evaluate whether the tenant is in good standing as part of the assessment or provision of an emergency transfer. Whether or not a tenant is in good standing does not impact their ability to request an emergency transfer under VAWA.

Emergency Transfer Policies

What needs to be in place?

- Internal transfers when a safe unit is immediately available:

Policies and timeframe for approval/denial. Internal transfer options, priority status relative to other tenants seeking transfers.

- Internal transfers when a safe unit is not immediately available:

Policies and timeframe for approval/denial. Options, and priority status.

- External transfers:

Policies and timeframe for approval/denial. Options, and priority status. Identifying and describing any transfer agreements. VAWA provisions do not supersede eligibility or other occupancy requirements that may apply under a covered housing program. A Knox Housing Continuum Provider may be unable to transfer a tenant to a particular unit if the tenant cannot establish eligibility for that unit.

Emergency Transfer Request Documentation

To request an emergency transfer, the tenant shall notify their property program manager, or their case manager, whichever is specified during program intake and orientation. If a Knox Housing Continuum Provider does not already have documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking, a Knox Housing Continuum Provider may ask for this documentation in accordance with 24 CFR 5.2007. Unless the Knox Housing Continuum Provider receives documentation that contains conflicting information, as described in 24 CFR 5.2007(b)(2), Knox Housing Continuum Providers cannot require third-party documentation to determine status as a VAWA victim for emergency transfer eligibility. Knox Housing Continuum Providers will provide reasonable accommodations to this policy for individuals with disabilities.

If the Knox Housing Continuum Provider requires a written request for transfer, then the tenant's written request for an emergency transfer must include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence, including trauma, if the tenant (or household member) stays in the same dwelling unit; OR
2. In the case of a tenant (or household member) who is a victim of sexual assault, **either** a statement that the tenant reasonably believes there is a threat of imminent harm from further violence or trauma if the tenant (or household member stays in the same dwelling unit), **or** a statement that the sexual assault occurred on the premises and the tenant requested an emergency transfer within 90 days (including holidays and weekend days) of when the assault occurred.

Form HUD-5383 may be used for making a written request for an emergency transfer.

Drafting Notes for Program Plans:

- *The emergency transfer plan must include the length of time (at least 14 business days) that the tenant has to provide the requested documentation of VAWA victim status.*
- *Knox Housing Continuum Providers are not required to request documentation from a tenant seeking an emergency transfer. However, if a Provider elects to require documentation from tenants seeking an emergency transfer, then the documentation requirement must be included in the Provider's emergency transfer plan and must comply with 24 CFR 5.2005(e)(10).*
- *Programs do not have to require that emergency transfer requests be written. The request may be oral or written, at the Program's option, but the Program must make its policy and procedures clear in its plan.*
- *Providers cannot require any third-party documentation in order to determine whether a tenant seeking an emergency transfer is a VAWA victim, unless the Provider receives documentation of VAWA violence/abuse that contains conflicting information.*

Priority for Transfers

Tenants who qualify for an emergency transfer under VAWA will be given the following priority over other categories of tenants seeking transfers and individuals seeking placement on waiting lists.

Drafting Notes for Program Plans:

- *The emergency transfer plan must detail the measure of any priority given to tenants who qualify for an emergency transfer under VAWA in relation to other categories of tenants seeking transfers and individuals seeking placement on waiting lists.*
- *The emergency transfer plan must allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available.*
- *The emergency transfer plan must ensure that requests for internal emergency transfers under VAWA receive, at a minimum, any applicable additional priority that the Knox Housing Continuum Provider may already provide to other types of emergency transfer requests.*
- *Providers should also refer to the applicable program regulations to determine if priorities or admission preferences apply with respect to external emergency transfers.*

Confidentiality

If a tenant inquires about or requests any VAWA protections or represents that they or a household member are a victim of VAWA violence/abuse entitled to VAWA protections, Providers must keep any information they provide concerning the VAWA violence/abuse, their request for an emergency transfer, and their or a household member's status as a victim strictly confidential. This information should be securely and separately kept from tenant files. All the information provided by or on behalf of the tenant to support an emergency transfer request, including information on the Certification Form (HUD-5382) and the Emergency Transfer Request Form (HUD-5383) (collectively referred to as "Confidential Information") may only be accessed by Program employees or contractors if explicitly authorized by the Program for reasons that specifically call for those individuals to have access to that information under applicable Federal, State, or local law.

Confidential information must not be entered into any shared database or disclosed to any other entity or individual, except if:

- Written permission by the victim in a time-limited release;
- Required for use in an eviction proceeding or hearing regarding termination of assistance; or
- Otherwise required by applicable law.

In addition, HUD's VAWA regulations require emergency transfer plans to provide strict confidentiality measures to ensure that the location of the victim's dwelling unit is never disclosed to a person who committed or threatened to commit the VAWA violence/abuse.

Emergency Transfer Procedure

Knox Housing Continuum Providers cannot specify how long it will take from the time a transfer request is approved until the tenant can be placed in a new, safe unit. Providers will, however, act as quickly as possible to assist a tenant who qualifies for an emergency transfer. If the Provider identifies an available unit and the tenant believes that unit would not be safe, the tenant may request a transfer to a different unit. Providers may be unable to transfer a tenant and their household to a particular unit if the tenant and their household has not established or cannot establish eligibility for that unit.

If a Provider does not have any safe and available units for which the tenant is eligible, the Provider will assist the tenant in identifying other covered housing providers who may have safe and available units to which the tenant could move. At the tenant's request, the Provider will also assist the tenant in contacting the local organizations offering assistance to victims of VAWA violence/abuse that are attached to this plan.

Making the Emergency Transfer Plan Available

[INSERT PROVIDER POLICY FOR MAKING THE EMERGENCY TRANSFER PLAN AVAILABLE UPON REQUEST AND, WHEN FEASIBLE, PUBLICLY AVAILABLE.]

Drafting Notes for Program Plans:

- *All materials must ensure effective communication with individuals with disabilities, including making materials available in alternative accessible formats, as well as providing reasonable accommodations.*

Safety and Security of Tenants

When a Provider receives any inquiry or request regarding an emergency transfer, the Provider will encourage the person making the inquiry or request to take all reasonable precautions to be safe, including seeking guidance and assistance from a victim service provider. However, tenants are not required to receive guidance or assistance from a victim service provider.

For additional information on VAWA and to find help in your area, visit https://www.hud.gov/vawa. [INSERT CONTACT INFORMATION FOR LOCAL ORGANIZATIONS OFFERING ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING.]

Drafting Notes for Program Plans:

- *Including a section on "Safety and Security of Tenants" and additional resources is encouraged, but not required.*
- *If Providers have arrangements, including memoranda of understanding with other Providers to facilitate moves, this information should be attached to the emergency transfer plan as well.*

Appendix E: Sample Chronic Homelessness Documentation Checklist

SAMPLE

Chronic Homelessness Documentation Checklist

An individual is defined by HUD as "Chronically Homeless" if they have a disability and have lived in a shelter, safe haven, or place not meant for human habitation for 12 continuous months or for 4 separate occasions in the last three years (must total 12 months). Breaks in homelessness, while the individual is residing in an institutional care facility will not count as a break in homelessness. Additionally, an individual who is currently residing in an institutional care facility for less than 90 days and meets the above criteria for chronic homelessness may also be considered chronically homeless. Lastly, a family with an adult/minor head of household who meets the above-mentioned criteria may also be considered chronically homeless, despite changes in family composition (unless the chronically homeless head of household leaves the family).

Client Name:	**Date of Birth:**
Number in Household:	**Client Head of Household:** ☐ Yes ☐ No

Part 1: Current Housing Status
Client must currently be in one of these locations in order to be considered chronically homeless. **Client is currently residing:** ☐ In Emergency Shelter ☐ On the Streets/Place not Meant for Human Habitation ☐ In the Safe Haven ☐ In an Institutional Care Facility (Where they have been for fewer than 90 days)

Start Date: ______________________________	**End Date:** _______________________________
Location Name/Address:	
Current Housing Status Notes:	

Part 2: Housing History

	Month # 1	Month # 2	Month # 3	Month # 4	Month # 5	Month # 6	Month # 7	Month # 8	Month # 9	Month # 10	Month # 11	Month # 12
Mo./Yr.	(Current Month)											
Location *Check all that Apply*	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)	☐ Streets ☐ Shelter ☐ Safe Haven ☐ Inst. (<90 days)
Doc. Type *Check One* *(Except Self-Cert. select both)*	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence	☐ HMIS ☐ Obsv. By Outreach ☐ Comp. Database ☐ Discharge Paperwork ☐ Referral ☐ Self-Cert. ☐ Staff Doc. of Situation ☐ Doc. of steps to obtain evidence
Doc. Att.	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No	☐Yes ☐No

Break Mo./Yr. & Descr. or N/A	Break 1: Break 2: Break 3: If there are additional breaks please give details and attach.
Notes	
Self-Cert. Check	Does the documentation include more than 3 Months of Self-Certifications? * ☐ Yes ☐ No ** Please be advised that if you answer **YES**, that for at least 75% of the households assisted by a recipient in a project during an operating year, no more than 3 months can be self-certified. **Please check with your project administrator to ensure your project has not exceeded its self-certification cap.***
Key	*Mo. = Month, Yr. = Year, Inst. = Institution, Doc. = Documentation, Obsv. = Observation, Comp. = Comparable, Cert. = Certification, Descr. = Description*

Part 3: Disability Status

The term homeless individual with a disability' means an individual who is homeless, as defined in section 103, and has a disability that

- *Is expected to be long-continuing or of indefinite duration;*
  - *Substantially impedes the individual's ability to live independently;*
  - *Could be improved by the provision of more suitable housing conditions; and*
  - *Is a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury;*
- *Is a developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002); or*
- *Is the disease of acquired immunodeficiency syndrome or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.*

The head of household has been diagnosed with one or more of the following (check all that apply):

☐ Substance use disorder

☐ Serious mental illness

☐ Developmental disability

☐ Post-traumatic stress disorder

☐ Cognitive impairments resulting from brain injury

☐ Chronic physical illness or disability

☐ Other:

Documentation Attached:

☐ Written verification of the disability from a licensed professional;

☐ Written verification from the Social Security Administration;

☐ The receipt of a disability check; or

☐ Intake staff-recorded observation of disability that, no later than 45 days from the application for assistance, accompanied by supporting evidence.

Disability Notes:

Part 4: Staff and Client Certifications

Client Certification:

To the best of my knowledge and ability, all the information provided in this document is true and complete. I also understand that any misrepresentation or false information may result in my participation being cancelled or denied, or in termination of assistance. It is my responsibility to notify ______________________ of any changes in my housing status or address in writing during program participation and I understand that my application may be cancelled if I fail to do so.

Client Name: (Printed)	Client Signature:	Date:

Staff Certification:

To the best of my knowledge and ability, all of the information and documentation used in making this eligibility determination is true and complete.

Staff Name: (Printed)	Staff Signature:	Date:
Staff Role:	**Agency:**	
Notes:		