

DMHAS CoC Rental Assistance Operations Guide

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Connecticut Balance of State Continuum of Care

Ending Homelessness in Connecticut | Email: ctboscoc@gmail.com | Website: www.ctbos.org



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Agenda

- Welcome & Introductions
- Operations Guide Background
- Key Partner Responsibilities
- New & Notable Requirements
- Monitoring
- Resources
- Suggestions, Questions & Answers



What's your role?

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Background on the Guide

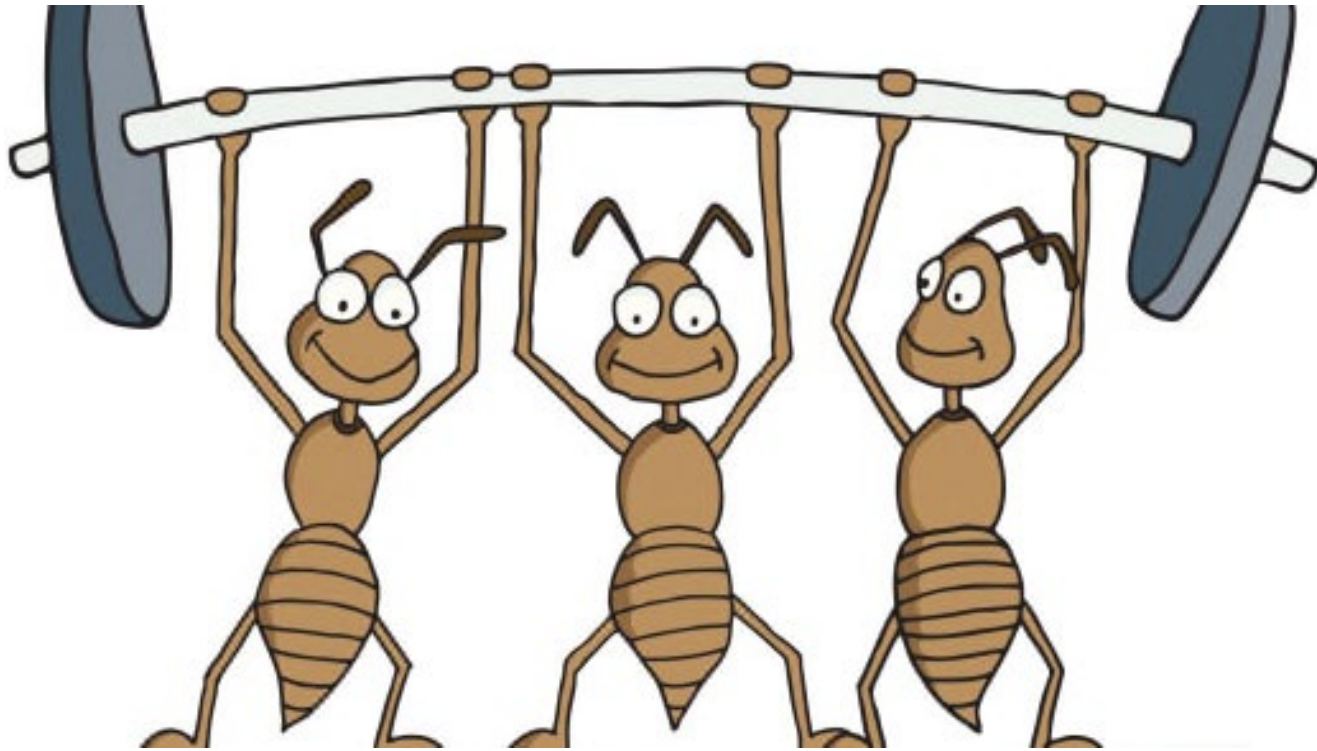


- Released October 2019
- Governs administration of DMHAS CoC Rental Assistance (RA) in Permanent Supportive Housing (PSH)
- Replaces CoC Program PSH RA Administrative Plan
- Establishes standard concepts, definitions, policies, & procedures
- Covers Tenant, Sponsor & Project Based RA (TRA PRA & SRA)

Target Audience

- LMHA and DMHAS funded non-profit agency staff who administer CoC RA and/or provide Housing Coordination Services in PSH
- DMHAS-contracted non-profit agency staff who provide/coordinate support services for DMHAS CoC RA PSH participants
- Guide includes best practices that may also be helpful for staff from other types of projects.





Partner Responsibilities

Project Participants



- Provide required information – eligibility, income/assets, family composition
- Select a qualified unit
- Comply with lease (timely rent payment, no unauthorized occupants, not disrupting neighbors, etc.)
- Maintain cleanliness & utilities to ensure unit meets HQS
- Maintain unit as primary residence
- Notify Housing/Service provider of issues impacting tenancy
- Engage in respectful, non-violent behavior

DMHAS Office of the Commissioner, Housing & Homeless Services Unit (HHSU)

- Ensures uniformity & compliance
- Issues contracts
- Provides training & technical assistance
- Coordinates with partners
- Oversees project performance & expenditure
- Submits APRs to HUD



CANs/CT Department of Housing

- Ensure access
- Assess needs
- Determine preliminary eligibility
- Prioritize assistance
- Make referrals
- Establish Coordinated Entry policies



Other Key Partners

- **Housing Providers** - either LMHAs or DMHAS funded non-profit agencies that administer CoC Rental Assistance funds & often provide housing coordination &/or behavioral health services to project participants
- **Service Provider** - DMHAS-contracted non-profit agencies provide/coordinate support services for participants;
- A single agency may serve as Service Provider **and** Housing Provider. Specific responsibilities vary across projects.



Housing Providers

- LMHAs or DMHAS funded non-profit agencies
- Ensure prompt vacancy notification to the CAN
- Administer rental assistance (lease execution, rent calculations, HQS, rent reasonableness)
- Ensure service provision





Service Providers

- Assertive engagement
- Needs assessment
- Housing stabilization
- Service planning
- Home visits
- Increase income
- Maximize independence
- Enter HMIS Data

Joint Responsibilities: Housing & Service Providers

- Help participants to navigate local CAN process
- Make final eligibility determinations
- Assist with housing search/owner outreach
- Maintain participant files & financial records
- Ensure appropriate expenditure of CoC funds
- Coordinate with participants, other providers, property owners, CANs, & DMHAS Housing & Homeless Services Unit
- Confirm APR data quality
- Submit required info to CoC/DMHAS



Other Key Partners – Property Owners

Owner and/or manager of congregate and scattered site rental properties who rent to CoC RA program participants. Must:

- Comply with lease and Housing Assistance Payment (HAP) contract
- Maintain the unit in accordance with Housing Quality Standards (HQS)
- comply with federal, state, and local laws regarding fair housing and non-discrimination
- comply with the applicable provisions of the Violence Against Women Act (VAWA)
- Report tenancy issues
- Report vacancies
- Comply with CT housing owner-tenant laws





New & Notable Requirements



Guide & Required forms

GUIDE & ALL DMHAS REQUIRED COC RA FORMS
ARE AVAILABLE AT
[HTTP://WWW.CTBOS.ORG/RESOURCES/](http://www.ctbos.org/resources/)

Supportive Service Requirements

Help participants to:

- Obtain and stabilize in housing
- Build hope and motivation
- Identify and achieve personal goals and a vision for the future
- Develop supportive relationships
- Engage in personally meaningful activities
- Regain or develop new roles in their families and communities
- Exercise control over their own lives



Supportive Service Requirements (2)

- Focus on the things that are most important to the participant.
- Identify and reduce risks to stable tenancy and to overall health and well-being.
- Flexible and intensive
- Low barrier, Housing First approach
- Trauma-informed
- Maximize participant choice
- Non-coercive
- Assertive Engagement (attempts documented at least 2x/month)
- Provide meaningful opportunities for participant input and involvement



Supportive Service Requirements (3)



- Needs Assessment - at least every 6 months
- Service Planning:
 - Completing an initial Service Plan within 60 days of project entry
 - Update at least every 6 months
 - Specific and measurable action steps that indicate who is responsible for each action and when those actions will occur
 - Build on strengths
 - Help participants to identify the things that are important to them and ensure that goals are not driven by staff priorities or selected from a pre-determined menu of options.
 - Signed by the case manager, participant, and supervisor.
 - Document in case notes that assistance with achieving goals and objectives is regularly provided
- Voluntary for participants – document engagement attempts

When there is no designated Service Provider...



Housing Provider is responsible for:

- Tracking which participants are already engaged with a case manager
- Maintaining current contact information for the primary case manager in chart
- Documenting coordination with the case manager when the Housing Provider becomes aware of issues that threaten housing stability
- Identifying which participants are not already engaged with a primary case manager
- Making assertive efforts (minimum every 6 months) to connect to case management - face-to-face at least annually

When there is no designated Service Provider... (2)



Housing Provider is responsible for:

- Completing or ensuring that case manager completes an assessment supportive service needs at a minimum annually, “Brief Participant Needs Assessment” available at www.ctbos.org/resources
- Attempting to obtain any service plan developed by the primary case manager
- Maintaining a copy of the assessment and service plan in each participant’s file
- Making assertive attempts to engage participant in the services identified through the assessment as necessary.
- Coordinating with the case manager and participant, as feasible, to support goal achievement.



When there are multiple designated Service Providers...

Housing Provider is responsible for:

- Ensuring that each participant is referred to a Service Provider
- Encouraging engagement

Moving On



- Service Providers required to assess participants who have stabilized in housing for interest in moving-on.
- Participants have the option to decline.
- When participants are interested, Service Providers provide moving-on assistance:
 - apply for other affordable housing
 - locate another unit,
 - connect to alternative service providers
 - provide temporary supports during the transition
- When no Service Provider is designated, Housing Providers should, if feasible, assess for and provide assistance with moving-on.



Who is responsible for ensuring eligibility is documented?

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Eligibility Verification



- Must have a serious mental illness, chronic problems with alcohol, drugs or both, or AIDS and/or related diseases.
- CAN is responsible for conducting initial applicant screening to determine eligibility.
- Within 5 business days of receiving referral, Housing Provider verifies or ensures Service Provider has verified eligibility documentation. *Includes*
 - ✓ *Eligibility is documented at the time of project entry*
 - ✓ *Maintaining documentation for 5 years after end of last grant under which the participant was served.*



Eligibility - Documentation Delays

- Allowable to admit & continue to seek necessary documents
- Option may only be used when the CAN and Housing Provider agree with certainty that the applicant meets eligibility criteria & the documents will be obtained
- Must obtain the required documentation within 180 days from project entry
- More details are available in HUD FAQ ID 2872.

Eligibility Denial – Housing Provider Responsibilities

- Notify CAN & refer household back to CAN
- Provide applicant & CAN with written notice:
 - ✓ specific information about denial reason
 - ✓ detailed instructions regarding what additional documents are required, who the applicant can contact to obtain assistance & how to appeal



Initial Certification - Housing Provider Responsibilities

- Issues Participant a certificate within 2 business days of final eligibility determination
- Provides Participant with a written copy of the certificate
- Maintains a copy in the participant's chart
- Assists or ensures that the Service Provider assists Participant to identify suitable housing as quickly as possible.





How many days
does a
participant have
to find a unit?

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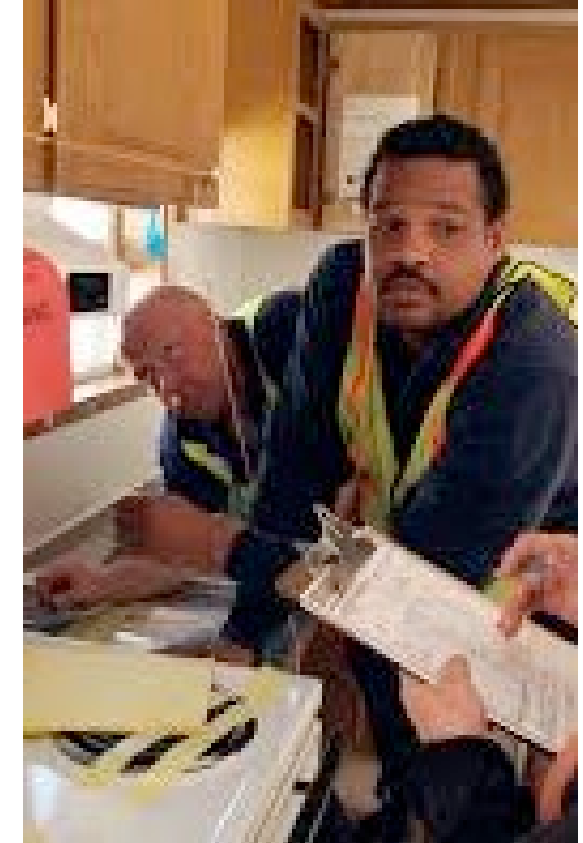
Housing Search

- Housing and/or Service Provider assists participant to locate unit ASAP – within 60 days of issuing certificate
- Housing Provider may issue extensions for up to 60 days – typically 30 days at a time.
- Written approval from HHSU required for any additional extension
- Owner submits the Request for Lease Approval (RFA) once unit is located



Unit Approval - Housing Quality Standards (HQS) Inspections

- Required prior to occupancy – ASAP & within 15 days of receiving RFA
- Re-inspection required annually
- HUD HQS Checklist: <http://www.ctbos.org/resources/>
- Be sure form is signed and dated and unit indicated matches lease.
- Acceptability criteria defined at: https://www.hud.gov/sites/documents/DOC_35620.PDF
- Inspectors must take HUD's Lead-Based Paint Visual Assessment Training and maintain certificate on file: <https://apps.hud.gov/offices/lead/training/visualassessment/h00101.ht>



Unit Approval – HQS



- Notify property owner, participant and service provider of inspection results
- Set deadline not to exceed 30 days from inspection date for repairs
- Unit must pass re-inspection prior to lease execution

Unit Approval -Rent Reasonableness

- Within 3 business days of locating a unit, document 3 comparable units – rent for assisted unit must not be higher than comparables
- Must consider location, size, type, quality, amenities, facilities, and management and maintenance
- When using comps with a different utility arrangement than the assisted unit, must document adjustments based on the utility allowance
- Required Form at: <http://www.ctbos.org/resources/>





How often must Environmental Review Forms be updated?

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Unit Approval – Environmental Review

- Assesses the potential environmental impacts of a project
- All projects required to complete at least every 5 years and when environmental conditions change
- Recapture risk if not current
- Completed Sample Forms, FAQ and other resources available at:
www.ctbos.org/resources



Responsible Entity (RE)

- RE is local government agency where project is located that exercises land use responsibility.
- Forms must be signed by RE.
- If your RE refuses to sign, notify the Field Office, keep copy on file and send forms to Steve DiLella at DOH to sign.
- RE has the option to approve on a project-wide basis (i.e., not to sign each time you rent a new unit).



Environmental Review – Congregate Sites

- Use Categorically Excluded & Subject to 24 CFR 58.5 (CEST) Form
- Complete every 5 years or if environmental conditions change.



Environmental Review – Scattered Sites

- Use CENST Categorically Excluded Not Subject To 24 CFR 58.5 Limited Scope Review Form
- Update the form to include new unit addresses prior to initiating payment on each unit.
- Redo form every 5 years or if environmental conditions change.





Environmental Review – Coastal Counties: Fairfield, New Haven, Middlesex, New London

- Determine if the specific community where unit is located is in a Coastal Barrier Area.
<https://www.fema.gov/national-flood-insurance-program/coastal-barrier-resource-system-connecticut#>
- If Yes, consult the Fish and Wildlife Service Coastal Barriers Resource Mapper
<https://www.fws.gov/cbra/maps/mapper.html>
- Placements within a Coastal Barriers Resource Unit (CBRU) are not viable.
- Print a map and attach the map to your ER form

Lease and HAP Execution

- DMHAS standard lease and Housing Assistance Payment (HAP) Contract required.

- Lease execution within 7 days of HQS pass

- Other required forms:

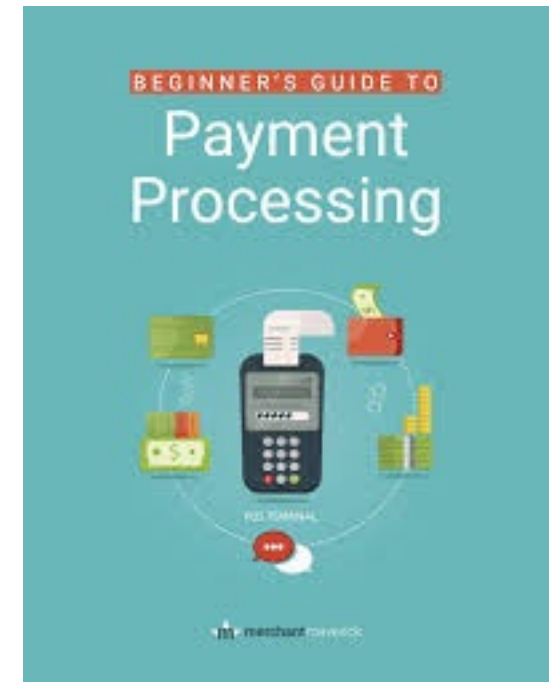
- W-9
- Vendor Form
- New Admission Summary
- Owner Assurance
- Owners Authorization to Sign (If applicable),
- Partnership Agreement (if applicable),
- Corporate Resolution (if applicable),

- Client Bill of Rights,
- VAWA Notice of Occupancy Rights & Incident Self-Certification Form,
- Termination from HEARTH,
- Participant's Consent for Release of Information
- Lead Paint Notice,
- Federal Privacy Act information
- Grievance Policy



Processing Payments – CORE-CT

- Federal W9 and State of CT Agency Vendor Form (SP26) required for all owners.
- Additional forms are necessary in some circumstances
- All forms must be legible and submitted to HHSU
- To avoid delays carefully follow instructions on p.38 of the Guide





Which of these
do not require a
change order?

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Change Orders & Other changes

- Change order required if HAP must be changed, to obtain a payment after HAP has expired, or to stop payment
- Must include effective date of change, original information ("From") and changed information ("To")
- Other changes require a written request to HHSU.
- Name, tax classification, FEIN changes also require a new W9 and SP26
- Building sales require a change order to stop payment and a new W9 and SP26





Initial Payment & Security Deposit

- Pay least amount necessary to secure unit.
- Up to 2 months' rent or 1 month for participants 62 or older
- Can also pay first and last month's rent at or following lease execution.
- Typically pay 1-month security and first month's rent only.

Income determination and rent calculation

- Required at least annually - use approved worksheet.
- Participants must report income changes of more than \$40/month when change is expected to be ongoing within 10 days of the change.
- Rent recalculation required for income decreases within 5 business days of the report (within 10 business days for increases).
- Must notify participant 30 days in advance of any rent increase. Increase takes effect on first day of the month following the 30-day notice.



Zero Income

- Require each adult household member reporting zero income to complete No Income Certification.
- Be aware of obvious signs of fraud - suspend voucher processing and contact HSSU for guidance.



Utility Allowance

If tenant pays separately for utilities:



Utility allowance applied must match utilities for which tenant is responsible as specified in lease. If utility allowance exceeds tenant rent contribution, program must pay difference to utility company or participant.

Income documentation

- Must provide income documentation as a condition of participation
- Provide assistance, including reasonable accommodations as necessary.
- Documentation must be obtained for all participants regardless of disability or other barriers.
- Amounts documented must match worksheet
- There is no income limit. Even if income is sufficient to pay full rent, may be enrolled and receive services in consultation with HSSU.



Notification of Rent Obligation

Housing Provider is responsible for helping participant to understand the calculation

Whenever rent is calculated must provide Approval and Payment Letter to participant.



Move-In

Either Housing or Service Provider is responsible:

- Assist to move-in as promptly as possible following lease start date (either hands-on or by helping to arrange resources).
- Assist to furnish the apartment and obtain household goods and personal care items
- Document due diligence in securing such items in advance of or promptly upon move-in



Annual Notification



Housing Provider sends to participant 90 days before recertification date. Include:

- Forms to be completed and returned
- Addressed, postage paid envelope
- Time and date of HQS inspection
- Contact information to confirm or reschedule the HQS
- Copy case manager and property manager, if applicable.
- Maintain copy in chart

Recertification – Additional Housing Provider Responsibilities

- Housing Quality Standards Inspection
- Rent Reasonableness Determination
- Environmental Review (if new unit)
- Income Determination/Documentation & Rent Calculation
- Lease and HAP Contract Execution
- Payment Processing (see related slides)
- Execution/Acknowledgement of receipt of: Occupancy Continuation Form, Client Bill of Rights, VAWA Notice of Occupancy Rights & Incident Self-Certification Form, Termination from HEARTH, Participant's Consent for Release of Information form(s), Lead Paint Notice, Federal Privacy Act information, Grievance Policy, W-9 Form, Vendor Form, New Admission Summary, Owner Assurance Form, Owners Authorization to Sign (If applicable), Partnership Agreement (if applicable), Corporate Resolution (if applicable).



Moving to a Different Unit

At end of lease, TRA participants may move:

- New unit must meet HQS & Rent Reasonableness
- New unit must be located within CTBOS and project service area (DV exceptions)
- Participant must provide written notice of intent to Housing Provider (60 days prior to lease end) & owner (30 days prior)
- For moves before then end of lease, Housing Provider may grant permission only with a written statement from the owner releasing the household from the lease (DV exceptions)
- Change order required



VAWA Emergency Transfer Provisions

- Allows survivors to move to another subsidized unit to protect safety, including outside of CoC.
- Participants who cannot make an immediate internal emergency transfer (i.e., within the inventory of the agency currently assisting them) must be provided with priority over all other applicants for a new unit elsewhere.
- All projects are required to comply with the CoC's emergency transfer plan (available at www.ctbos.org/policies)
- Must retain records for all emergency transfer requests and outcomes.



Housing Stabilization Services

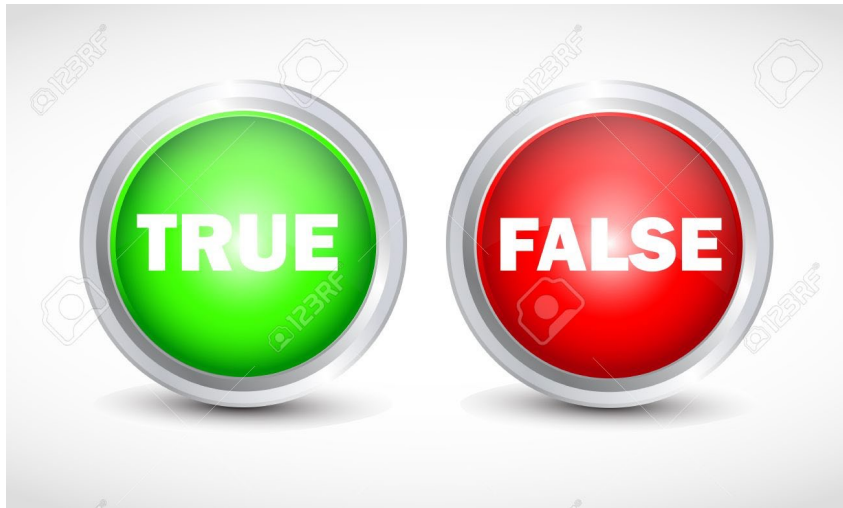
- Owners are responsible for lease enforcement.
- Service/Housing Providers are responsible for helping participants to understand and comply with lease, including:
 - Assist to avoid/correct violations and reduce eviction risk
 - Educate participants regarding lease terms
 - Coordinate with owner to encourage proactive lease enforcement – must have defined process for communicating with owners
 - Meet with participants in their apartments as often as necessary (at least once in first 30 days of tenancy and every 6 months thereafter)
 - Health and Safety Checklist at least annually approximately 6 months following HQS (Service Provider requirement)





Eviction

- Owner may evict only through court action.
- Owner must notify Housing Provider at commencement of any process to terminate tenancy.
- Negotiations to avoid formal eviction are strongly encouraged.



Participants who are evicted need not be terminated from the CoC Rental Assistance Project.

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Retention of Assistance and Re-housing



- Eviction/unit loss does not result automatically in termination from the CoC RA project.
- Maintain enrollment and re-house whenever possible.
- If not possible, re-enroll at a later date - eligibility criteria apply.

Preventing Termination

Housing Provider responsible for ensuring a collaborative approach to problem solving:

- Leverage all available resources –includes service provider, HHSU, CAN, mainstream resources, etc..
- Notify CAN at earliest possible point – CAN will convene a case conference.
- Make every effort to help participants to retain rental assistance and remain stably housed.
- Housing Provider determines when violations are serious enough and all avenues to correct have been exhausted and termination of CoC Rental Assistance is warranted.



Warning Letter

Prior to commencing termination , Housing Provider must notify participant in writing:

- Specific reason
- Instructions to contact Housing Provider immediately to discuss steps to remedy.
- Send by mail
- Copy case manager
- Maintain in chart



Other Termination Requirements

Must be consistent with Housing First

Must notify CAN

Must provide formal due process:

- Written copy of program rules
- Written notice of reason for termination
- Right to appeal (using DMHAS process)
- List of advocates who can attend the appeal conference
- Review by someone other than the person or subordinate of the person who made or approved the termination decision
- Written notice of the final decision



Other Termination Requirements

- Advise of VAWA rights - Include VAWA Notification of Occupancy Rights and Incident Self-Certification form with termination notice
- Requirements apply regardless of whether termination is voluntary or involuntary (only exception is when participant is deceased)
- Termination of Payment via Change Order - Always required.
- Housing Provider must ensure documentation is maintained



More Information on Appeals

Whenever a participant has a dispute, grievance, or complaint about the administration of the CoC RA Program he/she may use the DMHAS appeal process:

1. Informal Conference with CAN
2. Hearing with DMHAS Appeal Panel
3. Final Review by Review Panel

At all stages of the appeal process, any deadlines for the participant should be liberally construed.



Vacancies and Retention of Assistance

- Assistance may continue:
 - ✓ A maximum of 30 days from the end of the month in which the unit was vacated, unless unit is occupied by another eligible person.
 - ✓ When a participant is staying in an institution for 90 days or less.
- If the qualifying household member has died or been institutionalized for more than 90 days, assistance may continue until lease expiration.





Property Damage

- May use CoC RA funds in an amount not to exceed 1 month's rent to pay for unit damages caused by participant
- Limited to one-time cost per participant
- Only allowable at the time of exit from a housing unit



Who is responsible for ensuring full expenditure of project funds?

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Tracking Under Spending



Housing & Service Providers are responsible for closely monitoring spending on all CoC grants:

- Review reports provided by DMHAS and/or the CoC, ensuring data accuracy, and supplement the information with more current data whenever such data is available.
- Promptly determine reason for under spending and whether the under spending is anticipated to continue and result in funds not being fully spent at the end of the grant term.
- Track spending over time to identify patterns that may indicate that the project is regularly unable to fully spend allocated funds.

Reducing Under Spending -



Housing & Service Providers are responsible for taking prompt action to correct any under-spending:

- Serve more households than indicated in your project application - does not require a grant agreement amendment.
- Work with HHSU to seek a HUD grant agreement amendment to shift funds among budget line items (if more than 10%)
- Identify any amount that the project is regularly unable to spend and that should be returned to the CoC to fund new projects.
- Promptly provide any information requested by DMHAS and/or the CoC related to spending.



Monitoring

OVERVIEW OF CT BOS AND DMHAS RENTAL ASSISTANCE MONITORING – 2020 AVAILABLE AT: [HTTP://WWW.CTBOS.ORG/TRAININGS/](http://www.ctbos.org/trainings/)

New Requirements and 2020 Monitoring



- DMHAS recognizes that projects need time to implement new requirements.
- To help identify necessary changes, reports will note where practice is not consistent with new requirements.
- Reports will also note that the requirement is new.



Additional Resources

Federal Requirements



CoC Program Interim Rule:

<https://www.hudexchange.info/resource/2033/hearth-coc-program-interim-rule/>

Uniform Administrative Requirements, Cost Principles, & Audit Requirements for Federal Awards:

<https://www.govinfo.gov/app/details/CFR-2014-title2-vol1/CFR-2014-title2-vol1-part200>

HUD CoC Program Notices:

<https://www.hudexchange.info/coc/coc-program-law-regulations-and-notices/#notices>

Local Requirements

Available at www.ctbos.org:

- CT BOS Policies
- CT CAN Policies
- CT RRH Model Guidelines
- DMHAS CoC Rental Assistance Operations Guide
- CT BOS YHDP Requirements



CoC Monitoring Guide

- Includes criteria used during monitoring
- Cites regulations, notices, and policies
- Includes links to resources
- Available at:
<http://www.ctbos.org/resources>



Other Resources

Available at www.ctbos.org/resources:

- Participant Chart Monitoring Prep Guidance
- CT BOS Monitoring Links to Helpful resources

Be sure staff:

- Attend DMHAS Quarterly Meetings
- Sign up to receive CT BOS emails -be sure to select “HUD Grantees”





Final Questions & Suggestions?

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