



CoC Housing Requirements

May 16th & 23rd, 2023

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HOUSING INNOVATIONS



Introductions

Introduce yourself in the chat box:

- Name
- Agency
- Title
- How long have you been involved in CoC programs?



CT Balance of State Continuum of Care (CT BOS CoC) Onboarding Webinars

- [Introduction to CT BOS CoC: 5/10/23](#)
- [Participant Eligibility Documentation: 2/28/23](#)
- Housing Requirements Session #1: 5/16/23
- Housing Requirements Session #2: 5/23/23, 10-11:30 am
- Fiscal Requirements Session #1: 6/6/23, 10-11am
- Fiscal Requirements Session #2: 6/13/23, 10-11am
- [CoC Policies and Administrative Requirements](#)
- [DMHAS Training Catalog](#)

Agenda

Session #1 - TODAY

- Project Entry Requirements
- Unit Search & Approval Requirements
- Leasing Requirements
- VAWA Requirements

Session #2

- *Income Determination & Rent Calculation*
- *Re-Determination*
- *Project Exit Requirements*
- *DMHAS Specific Requirements*





Why is compliance with housing requirements important?

- Requirements protect participants' rights.
- Non-compliance can result in recapture of HUD funds.





Rapid Rehousing (RRH) Requirements

CT DOH Statewide RRH Operations Guide

Statewide Rapid Rehousing Operations Guide Webinar:

- Slides: [DOH RRH Ops Guide Webinar 2022.03.30 – PDF](#)
- Recording: https://youtu.be/ohjoYQPs_7E

ACT RRH Training

RRH Utility Allowances and Reimbursements Webinar:

- Slides: [DOH RRH Utility Allowances Webinar](#) – PDF
- Recording: <https://youtu.be/9gdrQye5SLw>



Permanent Supportive Housing (PSH) Requirements

Currently applies to all DMHAS CoC Rental Assistance Projects:

[DMHAS CoC Rental Assistance Operating Guide](#)

Pending Adoption for all CT BOS PSH

[Proposed 2023 CT BOS PSH Operations Guide](#)

Webinar: PSH Requirements & Operations Guide
6/21, 10am to Noon

- [Join via Zoom](#)





RRH & PSH Forms & Documentation Checklists

Forms:

- DMHAS CoC Rental Assistance Documents
- DOH Rapid Rehousing Documents
- DMHAS/DOH forms on [CT BOS Website Resources Page](#)
- For YHDP Diversion/Rapid Exit contact CCEH (afreeman@cceh.org)

Checklists:

DMHAS CoC Rental Assistance:

[Required Documents Checklist](#)

RRH

[1 – CT RRH File Checklist](#)

All CoC Projects

[Participant Chart Requirements by Project Type](#)

Participant Chart Documentation

Requirements by Project Type

- May be most helpful for projects that are not subcontracted through DMHAS or DOH
- Indicates which documents should be in CoC Program Participants' charts for:
 - Permanent Supportive Housing
 - Rapid Rehousing: includes DV Bonus, YHDP RRH and YHDP Diversion/Rapid Exit
 - Transitional Housing: includes YHDP Crisis Housing
 - YHDP Youth Navigator
- Links to forms and other guidance



Keep Current – Sign Up for CT BOS Emails

Email Lists

☐

General

☒

HUD Grantees

☐

Steering Committee

☒

YHDP

Coming Soon: SNOFO Option

- Self-Register on CT BOS homepage (www.ctbos.org)
- To receive important information about policies and processes that impact CT BOS funded projects select either HUD Grantees or YHDP
- Be sure new staff register



Project Entry Requirements

Highlights: For a complete list see Operations Guides



Participant Eligibility Documentation

Required for all project types

Most common recapture risk

Eligibility Webinar:

- [Webinar Slides](#)
- Recording: [https://youtu.be/ Cj7jlcK6jY](https://youtu.be/Cj7jlcK6jY)

Also Required: [CAN Referral Form](#)

New: [Self-Certification Guidance](#)

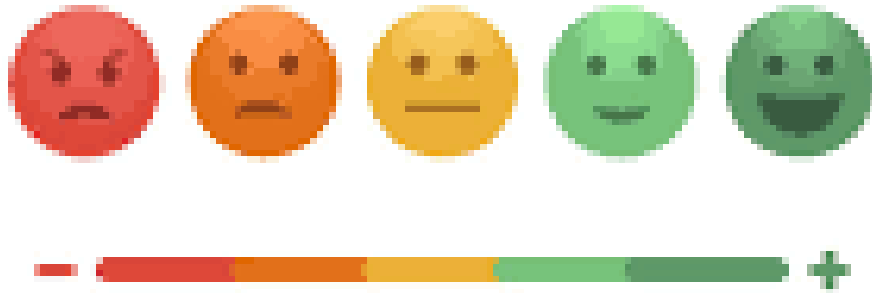
Notification of Grievance Rights

CT BOS funded projects and Coordinated Access Networks (CANs) are required upon application, at project entry and at a minimum annually to:

- Provide participants with a [notice](#) summarizing grievance rights ([notice-Spanish](#)); and
- Review the notice with participants/applicants to help them understand their grievance rights.

Knowledge
is power 

WEBINAR: Participant Grievances



- [Webinar Slides](#)
- Webinar Recording:
<https://youtu.be/3Nensj9hXUM>



CT BOS Participant Bill of Rights: [CT BOS Participant Bill of Rights](#); [Spanish Version](#) – *Updated Feb 2023*

Acknowledgment of Receipt of Rights Notices

Sample form to obtain participant sign-off for the following CT BOS Notices:

1. Participant Bill of Rights
2. VAWA Emergency Transfer
3. Grievance

Providers can opt to use a different method to document notification.

- [Acknowledgment of Receipt of Rights Notices](#)
- [Spanish Acknowledgment of Receipt of Rights Notices](#)

See also these required forms:

- [DOH: 6 – Participant Docs Received](#)
- [DMHAS: Participant docs received sign off list](#)





Zoom Poll

Select the accurate statements below:

- All RRH projects are required to follow the policies & procedures outlined in the RRH Operations Guide
- All PSH projects will be required to follow the policies and procedures outlined in the PSH Operations Guide, once it's adopted by the Steering Committee
- Only DOH and DMHAS subrecipients need to pay attention to the Operations Guides
- To sign up for emails pertaining to my CoC project I register at www.ctbos.org
- I only need to notify participants of their Grievance rights when they have a complaint.



Unit Search & Approval Requirements

Highlights: For a complete list see Operations Guides

Housing Search & Support

Participants are not responsible for finding their own units.

Essential considerations:

- Participant preferences ([Tool: Housing Preferences](#))
- In RRH, affordability when assistance ends:
 - ✓ Consider employment history and near-term, feasible income goals
 - ✓ Units that are not affordable within the reasonable, anticipated budget are not a good fit.



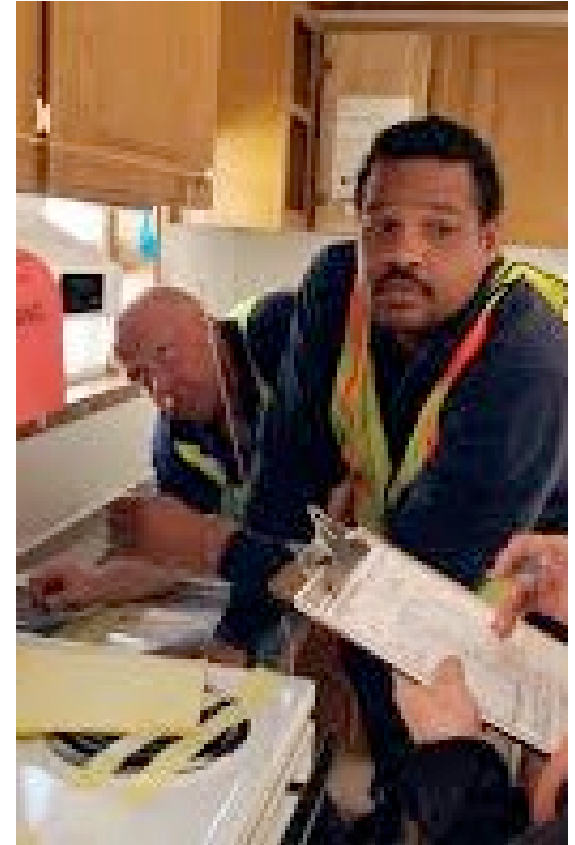
Housing Quality Standards (HQS) Inspections

Must be performed **prior to occupancy** and **every 12 months**

- HUD [HQS Inspection checklist](#)
- Units assisted with rental assistance or leasing must be inspected prior to occupancy and must be reinspected annually or when unit is considered at risk of failing – units may not be subsidized prior to passing inspection.
- No specific requirement on who is qualified to do HQS inspections
- All participant files where the participant is receiving rental assistance or leasing assistance must have a current HQS inspection form
- Costs of HQS inspections should be charged to rental assistance or leasing budget lines

Housing Quality Standards (HQS) Inspections (2)

- Acceptability criteria
- Be sure HQS form is signed and dated.
- Be sure unit indicated on HQS form matches lease.
- Be sure lead-based paint visual inspection is documented if applicable.
- PSH projects without CoC Leasing or Rental Assistance funds: HUD's Emergency Solutions Grant minimum habitability standards for permanent housing.



Lead-Based Paint

Units constructed prior to 1978 may have lead-based paint

Prior to occupancy, a lead-based paint visual assessment **must be conducted** in any unit that will be occupied by children under 6 or a pregnant mom

Inspectors must take HUD's Lead-Based Paint Visual Assessment Training and maintain certificate on file

Document participant receipt of Lead Hazard Information Pamphlet via the Lead Paint Disclosure Form

Fair Market Rents (FMR)



Annually HUD evaluates rents in market areas to determine the costs of decent, non-luxury housing

FMRs by bedroom size:

- Are the maximum that can be applied for in projects using leasing or rental assistance
- Are the maximum rents that can be paid for in units assisted with leasing

FMR levels are inclusive of utility costs at the PHA utility allowance schedule.

Rent Reasonableness



For projects using **rental assistance**, the maximum rent that can be paid is the reasonable rent

For projects using **leasing**, maximum rent is the lessor of the Fair Market Rent or reasonable rent

Rent is reasonable if the rent is equal or less than that of three comparable units (size, location, amenities)

- Must be determined at initial occupancy and annually
- Must be documented in participant files

Rent Reasonableness Checklist

	Proposed Unit	UNIT #1	UNIT #2	UNIT #3
ADDRESS				
NUMBER OF BEDROOMS				
SQUARE FEET				
TYPE OF UNIT/CONSTRUCTION				
HOUSING CONDITION				
LOCATION/ACCESSIBILITY				
AMENITIES				
UNIT:				
SITE:				
NEIGHBORHOOD:				
AGE IN YEARS				
UTILITIES (TYPE)				
UNIT RENT				
UTILITY ALLOWANCE				
GROSS RENT				
HANDICAP ACCESSIBLE?				



Project Occupancy and Spending

- Maintain occupancy at least at the level committed in your project application.
- Do not spend more than what is in your grant.
- Take prompt action to correct any under-spending:
 - Serve more households than indicated in your project application if budget is sufficient - does not require a grant agreement amendment.
 - Seek a HUD grant agreement amendment to shift funds among budget line items (if more than 10%) – Subrecipients must work with DMHAS/DOH
 - Identify any amount that the project is regularly unable to spend and that should be returned to the CoC to fund new projects.

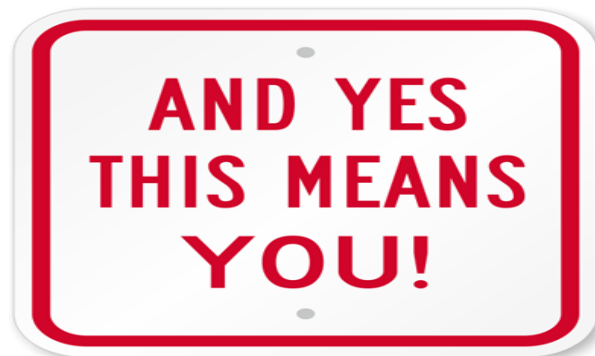
Conflicts of Interest

- Financial interests/benefit from assisted activity during tenure with organization and one year following tenure are prohibited. Applies to:
 - ✓ Staff
 - ✓ Person with whom the staff member has immediate family or business ties
 - ✓ Board
 - ✓ Consultants
- Examples:
 - ✓ May not lease units/structures owned by the recipient, subrecipient, their parent organization(s), a staff or board member relative, or business associate
 - ✓ Owner of a unit or his/her subordinate may not conduct HQS, rent reasonableness, or lead-based paint visual inspection.



Environmental Review (ER – 1)

- All CoC projects are required to update ER at least every 5 years or when environmental conditions change.
- Most CT BOS projects completed ER in 2018 – expiring in 2023
- Check the date that your last ER was signed by the Responsible Entity to determine when your project's ER expires.
- [Environmental Review FAQ](#)



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 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 (ER – 2)

Choice limiting actions

Limits participants' choices of reasonable alternatives

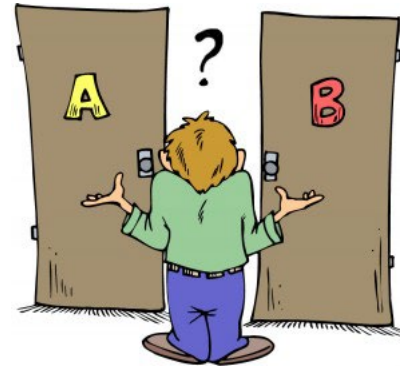
- Includes signing a lease as well as acquisition, rehabilitation, new construction
- In CoC includes leasing, sponsor and project based rental assistance
- Requires a unit/site specific environmental review
- Use [CEST Form](#) (Categorically Excluded Subject to Section 58.5)
- [Sample Completed CEST](#) Form for a CoC Project
- For DHMAS funded projects that require a CEST review, DHMAS has contracted a consulting firm to complete the environmental review

Environmental Review (ER – 3)

Non-Choice
limiting actions:

Are categorically excluded not subject to 58.5

- Tenant based rental assistance
- Leasing assistance where tenant chooses unit
- Environmental review conducted on a project not a unit/site
- Use [CENST Form](#) (Categorically Excluded Not Subject to Section 58.5)
- [Sample Completed CENST](#) Form for a CoC Project



Exempt projects must still verify on a project basis

Not within the scope of:

- Airport Runway Clear Zones – cannot lease units in these areas
- Coastal Barrier Resources – cannot lease units in these areas (maps here: [CBRS Mapper \(usgs.gov\)](https://www.usgs.gov/land-resources/mapping/national-atlas/cbrs-mapper))
- Flood insurance – If in a zone where flood insurance is required, can only lease if insurance is in place



Environmental Review – DOH RRH



Environmental Review

- ✓ DOH maintains the principal documentation
- ✓ For units in a coastal community (see list on [Form #19](#)), the Case Management or Housing Location Provider is responsible for checking unit addresses against the [US Fish and Wildlife Service's Coastal Barrier Resource System Mapper](#) and retaining a copy of the Coastal Barrier Resource System (CBRS) map documenting that the unit is not within a Coastal Barrier Resource Unit. Rental assistance cannot be provided to units within the Coastal Barrier Resources System.



Zoom Poll

- You don't need to worry about rent reasonableness if the rent is below FMR?
- To be considered comparable a unit must be:
 - *Located in a place that is comparable to the assisted unit; and*
 - *Comparable in size to the assisted unit; and*
 - *Of comparable quality & have comparable amenities to the assisted unit*
- A project needs a new environmental review whenever there is a grant agreement amendment.
- Dogs have owners. Cats have staff.



Leasing & Occupancy Agreement Requirements

Highlights: For a complete list see Operations Guides

Leases/Occupancy Agreements

Must have signed occupancy agreements or leases with program participants residing in housing –samples on [CT BOS Resources Page](#) & [Youth Page](#)

All households receiving rental assistance and all PSH tenants must pay rent; In TH those assisted by leasing or in projects assisted with operating costs may be charged rent (except YHDP crisis housing)

For rental assistance, initial lease term must be at least one year and automatically renewable.

For transitional housing, occupancy term must be at least one month and automatically renewable for a maximum term of 24 months.

Participant files must contain copies of leases/occupancy agreements.



Lease Arrangements

Tenant-based and Project-based Leases



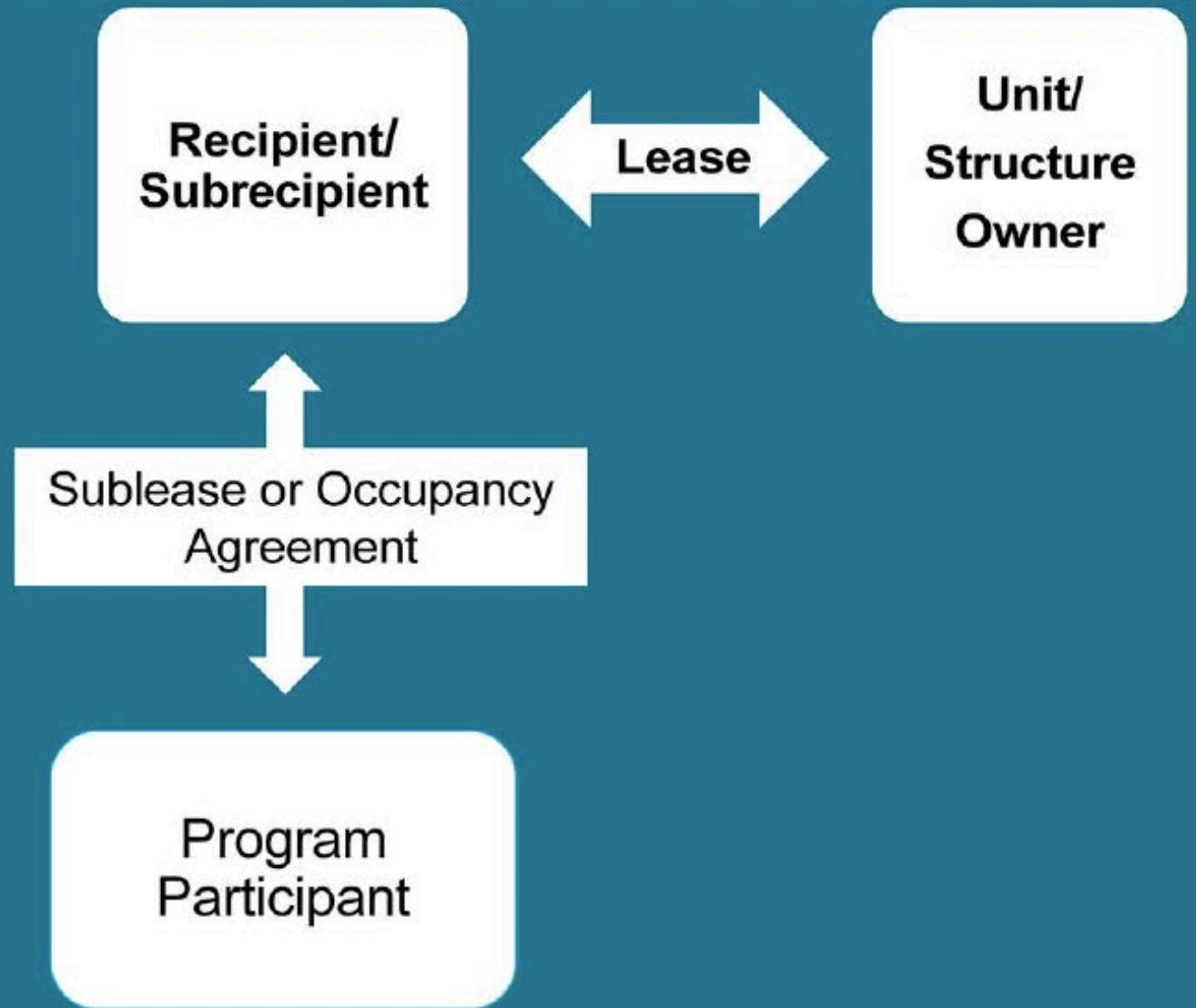
Housing Assistance Payment (HAP) Agreements

- Contract between the property owner and the agency administering Rental Assistance
- HAP required for all Tenant-based Rental Assistance in PSH projects
- Term must be identical to lease term
- Establishes, for example:
 - Amount paid by subsidy and tenant – subject to change
 - Prohibition of side deals
 - Conditions under which the subsidy may be terminated
 - Right to inspect and withhold subsidy if the unit does not pass HQS
 - Procedures for charges against and return of security deposit
- RRH Requires RRH Rental Assistance Agreement



Leasing Agreements

Applies to Projects with CoC
Leasing Budget Line Item



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 can access a new security deposit
- Change order required for DMHAS projects
- RRH projects must follow procedures of the Fiduciary Agency

Zoom Poll



Which of the following types of CoC projects requires that participants have a signed lease or occupancy agreement (select all that apply)? (Permanent Supportive Housing, Transitional Housing, Rapid Rehousing, YHDP Crisis Housing)

True or False?:

- Projects that use the CoC Leasing Budget Line Item can opt either to sublease units to project participants or have participants sign leases directly with the property owner.
- Participants who wish to move to a different unit are required to find their own security deposit.

VAWA and the CoC Program



All people have the right to a home without fear of violence

Expansion of housing protections increases safe housing

Safe housing reduces the risk of homelessness

Protections can decrease evictions, denials of housing assistance, and instances of survivors experiencing violence in their homes

VAWA Protections



Victimization cannot be used as a reason to deny access to housing or to evict from housing

Applicants cannot be denied based only on their status as a survivor

Applicants cannot be denied based on factors directly related to victimization – job history, credit history, criminal record

People cannot be evicted because of factors that were a result of victimization

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

- 1. Date the written request is received by victim: _____
- 2. Name of victim: _____
- 3. Your name (if different from victim’s): _____
- 4. Name(s) of other family member(s) listed on the lease: _____

- 5. Residence of victim: _____
- 6. Name of the accused perpetrator (if known and can be safely disclosed): _____

- 7. Relationship of the accused perpetrator to the victim: _____
- 8. Date(s) and times(s) of incident(s) (if known): _____

- 10. Location of incident(s): _____

In your own words, briefly describe the incident(s):

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____ Signed on (Date) _____

Documentation of Survivor Status HUD Form 5382 Victim Self-Certification

Must be accepted without requiring
third party documentation unless there
is other conflicting information

Notice of Occupancy Rights – HUD 5380

MUST BE PROVIDED:

When admitted to
CoC housing

When denied CoC
housing

When a participant
receives notice of
eviction

When a participant
is notified of
termination of
assistance

In TBRA must also
be given by owner
when tenant
receives an eviction



Emergency Transfer

Survivors of a VAWA defined crime must be allowed to transfer to a safe dwelling unit if:

The survivor requests a transfer

AND reasonably believes they are threatened with imminent harm in that unit

OR, in the case of sexual assault, it occurred on premises within 90 days of request



Participants who qualify for emergency transfer must be allowed to move to another unit in same project – if available – where none are available, help participant move to new project and have priority over all other applicants for CoC funded projects



All CANs and CoC/ESG funded projects are required upon application, at project entry, and at annual recertification to Inform individuals & families, regardless of known DV survivor status, of their rights under the emergency transfer plan and of the process to seek a transfer.

Emergency Transfer Plan

[Info for Residents -
Emergency Transfer
Plan](#)

[CT BOS Emergency
Transfer Plan](#)

Required VAWA Lease Addendum

All CoC assisted leases must contain a VAWA addendum:

- Right for the lease to be broken without penalty if tenant qualifies for emergency transfer
- Protects individuals from being denied access to housing or evicted on the basis of or as a direct result of being a survivor

Lease Bifurcation

- Bifurcation allows the offender to be evicted while preserving the lease and housing rights of the survivor



What items from today's training will you follow up on?

PUT IN CHAT OR UNMUTE TO SHARE



**LEARNING
NEVER ENDS**

Additional Resources

Additional Trainings

All trainings available at www.ctbos.org/training:

- Onboarding Series (details on slide #2)
- CoC Monitoring
- Equal Access
- RRH Utility Allowances and Reimbursements
- CoC Policy and Administrative Requirements
- CoC Indirect Costs





Final Questions & Suggestion?

THANK YOU FOR PARTICIPATING

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