



Connecticut Balance of State Continuum of Care

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

CT Balance of State (CT BOS) Continuum of Care (CoC) *Policy and Administrative Requirements*

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Agenda

- Welcome & Introductions
- Overview of Federal and Local Requirements
- Buy America Preference (NEW)
- Equity & Equal Access
- Participant Rights & Notices
- Additional Required Policies
- Other Administrative Requirements
- Final Suggestions & Questions



Key Terms



Recipient:

The agency that enters into a grant agreement with and receives CoC funds from HUD. Can be DMHAS, DOH, a Public Housing Authority, or a non-profit agency

Subrecipient:

An agency that is listed on the project application as a subrecipient and receives CoC funds through a subaward from the recipient. All subrecipients in CT BOS are non-profit agencies.

**WE WEAR
MANY HATS.**



Who Is With Us Today? – Zoom Poll

What type of CoC project(s) do you work in?

What role(s) does your agency play in those projects?



Overview: Federal & Local Requirements

Federal Requirements



- [CoC Program Interim Rule](#)
- [Uniform Administrative Requirements, Cost Principles, & Audit Requirements for Federal Awards](#)
- [HUD CoC Program Notices](#)
- [HUD CoC Program NOFA](#)
- [HUD CoC FAQs](#)
- [YHDP HUD Resources for Youth Service Providers](#)

Local Requirements

Available on [CT BOS Policies Page](#):

- CT BOS Policies
- CT CAN Policies
- CT BOS YHDP Requirements
- Statewide Outreach Guidelines – implementation required for CT BOS funded outreach projects



Rapid Rehousing (RRH) & Permanent Supportive Housing (PSH) Requirements

- [CT Statewide RRH Operations Guide](#)
- [CT Statewide PSH Operations Guide](#)
- Visit [CT BOS Training Page](#) for related trainings



Required Forms & Documentation Checklists

Available on [CT BOS Resources Page](#)

Forms:

- DMHAS CoC Rental Assistance Documents
- DOH Rapid Rehousing Documents

Checklists:

- DMHAS CoC Rental Assistance – Required Documents Checklist
- RRH – CT RRH File Checklist
- All CoC Projects - Participant Chart Requirements by Project Type



CoC Monitoring Guide - No Surprises!

- Compiles federal, state, & CT BOS requirements into one document
- Includes criteria used during monitoring
- Cites regulations, notices, and policies
- Includes links to resources
- 2024 Monitoring Webinar





Buy America Preference



Build America, Buy America (BABA) Act

- Requires iron, steel, manufactured products, and construction materials used in “infrastructure” projects to be produced in the United States.
- Requirement to purchase materials made in America is called the “Buy American Preference” (BAP).
- Applies only to certain CoC Activities
- See [Notice CPD 2023-12](#) for more details

CoC Activities that may be subject to BAP

In buildings and “real property” (land and everything attached to the land):

- Construction
- Alteration
- Maintenance
- Repair

Applies to construction materials and manufactured products for grants executed on or after 8/23/24.

Generally, only CT BOS projects with an Operating Budget Line Item will be subject to BAP





Activities that are not subject to BAP:

- Supportive Services
- Rental Assistance
- Administrative Activities

BAP Next Steps

Pass down BAP requirements to subrecipients, contractors and vendors – Add BAP language into contracts and agreements:

“The Grantee must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee’s infrastructure project. Pursuant to HUD’s Notice, “Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance” (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver. ”





BAP Next Steps (2)

- Review your agency's procurement policies and procedures and update them to implement BAP requirements.
- If you have an Operating Budget Line Item, use HUD's [CoC BABA Quick Guide](#) to determine:
 - ✓ If BAP applies to your project
 - ✓ For which classification of materials
 - ✓ Whether a waiver may apply.
- Where BAP applies, be sure project records document compliance, including records kept by third parties (subrecipients, contractors, vendors, etc.)

See also [ESG BABA Quick Guide](#)

Equity & Equal Access



Participation by Homeless People

Each recipient and subrecipient must:

- Have at least one person with lived experience of homelessness (PLEH) on the board of directors or equivalent policy making entity
 - Advisory Committees are not a suitable substitution
 - Should be within past 7 years
- To the maximum extent practicable involve PLEH through employment, volunteer services or other means in maintaining, operating, and providing supportive services.



Race Equity and Involvement of PLEH (Best Practice)

- Recruiting, retaining and promoting people with lived experience of homelessness (PLEH) and people who identify as Black, Indigenous, People of Color (BIPOC) and Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual (LGBTQIA+) in staff and Board positions
- Creating and maintaining an inclusive organizational culture that promotes equity
- Engaging PLEH in meaningful opportunities to shape homeless services programs
- Reviewing consumer survey results and taking action accordingly



Race Equity and Consumer Involvement (2) (Best Practice)

- Developing partnerships with local organizations that focus on work with marginalized populations
- Analyzing who gets access to your agency's homeless services programs and program outcomes by race/ethnicity/sexual orientation/gender identity to determine if access and/or outcomes are disparate
- Planning and or implementation of steps to address any disparate access and/or outcomes





LGBTQIA+ Policy

Provide a safe, healthy, inclusive, affirming and discrimination-free environment, includes:

- Using participants' chosen titles, names and language to describe their identities
- Prohibiting disclosure of information regarding LGBTQIA+ identities without participants' authorization
- Promptly documenting and addressing all incidents of harassment, bullying, discrimination, and/or violence
- Connecting clients to gender affirming healthcare providers

LGBTQIA+ Policy (2)

- Making single access restrooms available to people of all genders
- When gender specific programs, activities and facilities are allowable, enabling access consistent with gender identity regardless of gender expression or sex assigned at birth
- Ensuring that any dress codes apply equally to all genders and do not include gender-specific elements.



Creating Safe Spaces and Practices

When trying to access services, people will ask:

- *Is this a place where I can be myself, or will I have to hide who I am?*
- *Is this a place where I will experience violence from people around me—employees, volunteers, or other residents?*
- *Will the people who work here understand what I need?*
- *Am I safe enough here to stay off the streets tonight?*

Make sure you have visible materials that communicate “all are welcome here”



**ASK ME MY
PRONOUNS.**



LGBTQIA+ Policy (3)

- Establishing and publicly displaying LGBTQIA+ anti-discrimination policies
 - SAMPLE POLICY

For more information:

- Equal Access Training Slides
- Video Recording



Quick Poll



For each practice listed in the poll, has your agency:

- ☐ Fully implemented the practice
- ☐ Begun implementation of the practice
- ☐ Not yet begun

Responses are anonymous!

Immigration Status



- CT BOS Policy: Agencies not required federally to verify immigration status will not do so for CoC Projects.
- Nonprofits are not required to verify immigration status of CoC applicants.

HUD has determined that:

- Rapid Re-Housing assistance is not subject to immigration-based restrictions
- Transitional House must be provided without regard to immigration status
- See *SNAPS 8/16/16 Fact Sheet PRWOA of 1996 and HUD's Homeless Assistance Programs*

Non-discrimination Policies

Recipient and subrecipient must have policies indicating:

- Full compliance with federal non-discrimination laws and with the rules and regulations governing fair housing and equal opportunity in housing and employment, including reasonable accommodation provisions; and
- That they do not discriminate against a program participant or prospective participant on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.



Equal Access to HUD Programs

- Programs must be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status.
- “Any group of people that present together for assistance and identify themselves as a family... are considered to be a family and must be served together as such.” (*HUD FAQ ID 1913*)
- Families cannot be separated because of age or gender of household members.
- When projects serve ANY families with children, they must serve ALL families with children (single dad, single mom, same sex couple, multi-generational, non-romantic groups, etc.)



Limiting access based on gender

Projects may limit access based on gender only if:

- Project has shared bathing and/or sleeping accommodations
- Shared bathrooms = intended for use by more than one person at a time

(HUD AAQ Response – Question ID 75271)



Accommodating Changes to Family Composition – CT BOS Policy

- Allow participants to alter their family composition at any time during the admission process or post admission

EXCEPTIONS:

- Unit is not large enough by HUD standards
- Services required to meet needs of new family member are not available
- Housing the family together would present an imminent health and/or safety risk

When circumstances prevent accommodating family changes, projects must help families to access a different unit or work with their CAN to access a different project



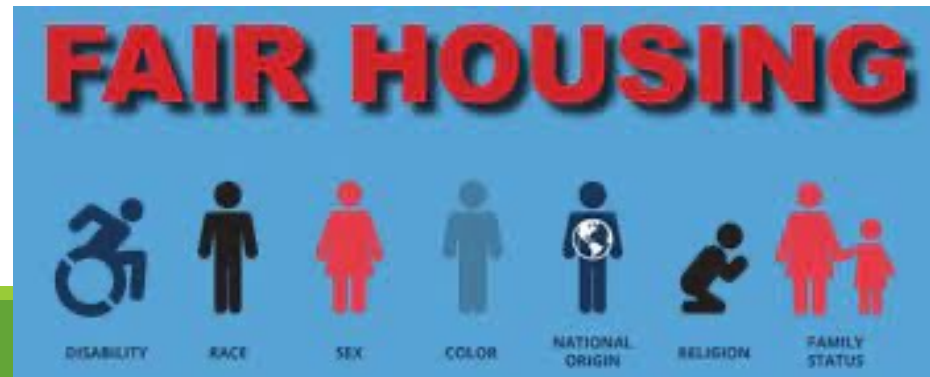


Fair Housing

- Housing discrimination is illegal – cannot deny housing to anyone because of their race, color, national origin, sex (gender), religion, family status, disability, ancestry, marital status, age (except minors), sexual orientation, gender identity or expression, legal source of income, Veteran status, DV survivor status
- Violations of the Fair Housing Act occur when policy or practice has an unjustified discriminatory effect, even when the provider had no intent to discriminate.
- Where a policy or practice that restricts access to housing on the basis of criminal history has a disparate impact on individuals of a particular race, national origin, or other protected class, such policy or practice is unlawful.

Affirmatively Furthering Fair Housing

1. Affirmatively market to persons who are least likely to apply in the absence of special outreach;
2. Maintain records of those marketing activities;
3. Report conditions or actions that impedes fair housing to DOH (or local Con Plan jurisdiction); and
4. Provide program participants with information on their rights and how they can make a complaint. This information is included in the [CT BOS Participant Bill of Rights](#).



Fair Housing - Tips



Applies to CoC funded projects and private market landlords:

- Retain all application records, including outcome and reason for denial
- Ensure your CAN is documenting marketing to persons least likely to apply in the absence of special outreach (e.g., to marginalized communities)
- Terminate any blanket policy against renting to persons with criminal records
- Use individualized and detailed assessments of criminal records
- Consider only convictions
- Ensure that any policy assists in ensuring the security of residents/property
- Ensure that any policy concerning a tenant's criminal record is absolutely necessary, and that no less discriminatory alternative is available

Fair Housing - Resources



TRAININGS



FACT SHEETS AND
BROCHURES

Reasonable Accommodations (504 of the Rehabilitation Act of 1973)

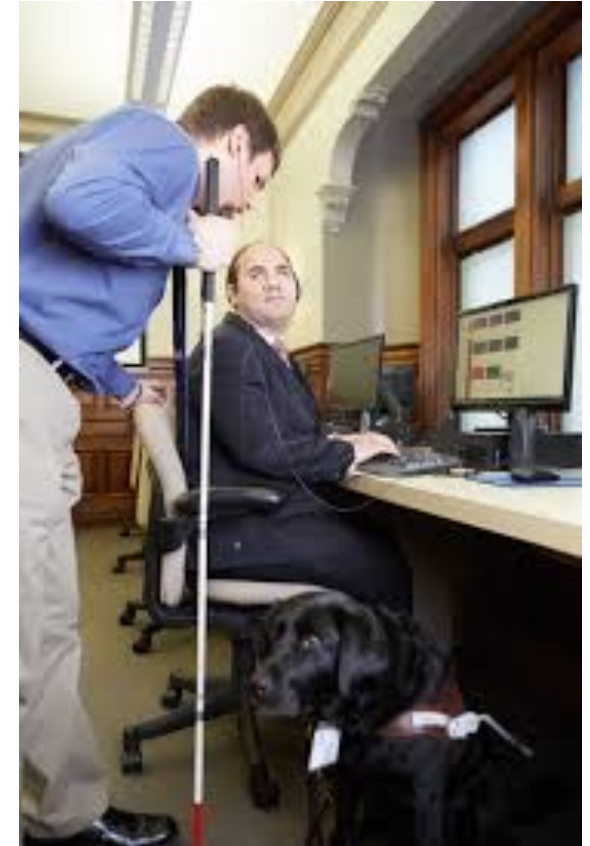
- Housing providers are required to make reasonable accommodations to enable people with disabilities to access housing
- Accommodations can include:
 - Increased payment standards/utility allowances
 - Larger units
 - Emotional Support animals (provide emotional support that alleviates one or more symptoms of an existing disability) – See [HUD Notice on Requests for an Animal](#)
 - Service animals (trained to do work or perform a task directly related to a disability)
 - Renting from family members
- Documentation can come from a physician, psychiatrist, social worker or other professional licensed to diagnose and treat the disability



Federal disability related requirements

Recipient and subrecipient must ensure:

- Physical accessibility of facilities
- Effective communication with applicants, beneficiaries, and members of the public
- To the maximum extent possible, ensure that individuals with disabilities receive the benefits and services of the CoC program or activity.



Accessibility of Electronic Documents Webinar

Presentation Slides:

[Accessibility Compliance Training \(Section 508\)](#)

Webinar Recording:

<https://youtu.be/jka7cRS2RGw>

Tools:

[Accessibility \(Section 508\) Guide with screenshots](#)

[Simple Steps to Create Accessible Materials](#)



Federal Limited English Proficiency (LEP) Requirements

Assess:

- Frequency of encounters with people with LEP
- Resources available

Determine:

- What language needs exist
- Reasonable steps to ensure access

Resources:

- [Sample Language Access Policy](#)
- [Final HUD Guidance – Prohibition Against Discrimination Affecting LEP Persons](#)





Zoom Poll Review



Participant Rights & Notices



Grievance Policy

- Have a written grievance policy and inform participants of that policy, including when someone is notified that assistance is being terminated.
- Designate a staff person assigned to help navigate the process (Required for PSH and RRH, best practice for others).



Grievance Notice

CoC projects and Coordinated Access Networks (CANs) required to:

- 1) Document provision of notice to all households seeking or receiving help upon application, at project entry and at a minimum annually; and
- 2) Review the notice to help people understand their grievance rights.

Webinar on CT BOS Grievance Process: [Slides](#), [Recording](#)

Emergency Transfer Notice

All CANs and CoC/ESG funded projects are required upon application, at project entry, and at annual recertification to:

- Inform all individuals/families seeking or receiving assistance, regardless of known DV survivor status, of their rights under the [CT BOS Emergency Transfer Plan](#) and of the process to seek a transfer.
- Provide a brief user-friendly notice that clearly explains the emergency transfer rights and process



Updated: Participant Bill of Rights



CT BOS Rights Notices - Acknowledgement of Receipt

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

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



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

Educational Rights

Applies to Children >18 and young adults 18-24

Grantees required to:

Inform homeless families and youth of their rights under McKinney-Vento Education Services (Now Every Student Succeeds Act – ESSA):

[Information for Parents – In English – PDF](#)

[Information for Parents – En Español – PDF](#)

[Information for School-Age Youth – In English – PDF](#)

[Information for School-Aged Youth – En Español – PDF](#)





Educational Rights

Grantee/subrecipient required to:

- Help children and young adults to enroll in school immediately
- Advocate for ability to attend school of origin while homeless and until end of academic year once housed
- Advocate to ensure students receive services to which they are entitled, including transportation and assistance from the school district's homeless liaison
- Have a staff person designated to ensure educational rights and connect to educational services
- Adopt [CT BOS sample policy](#) or similar policy



Additional Required Policies

Confidentiality

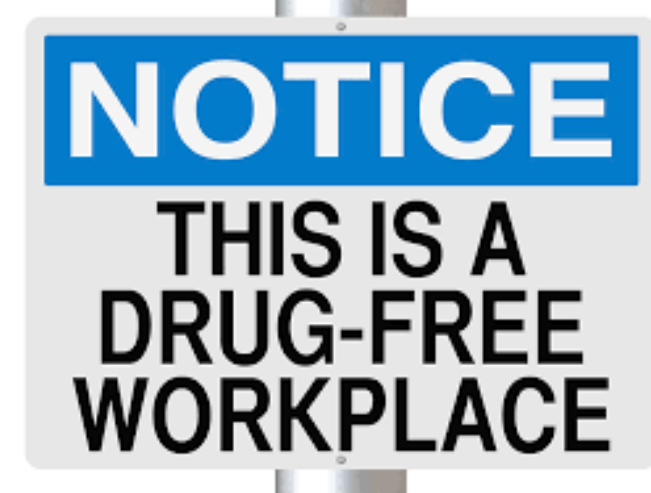
Recipients and subrecipients must have policies and procedures to ensure:

- Participant records containing identifying information are kept secure
- Information is handled in a manner that protects participant confidentiality

Policies must comply with federal HIPAA requirements, if applicable.



Drug-free workplace



Recipients and subrecipients must:

- Post a notice that the workplace is drug free.
- Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the applicant's workplace and such activities are prohibited.

Statement must:

- Specify the actions to be taken against employees for violations.
- Notify employees that they are required to abide by the terms of the statement and that employee must agree to notify the employer in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace, no later than 5 calendar days after such conviction.

Drug-free workplace (2)



Recipients and subrecipients must:

- Notify HUD and other federal funders in writing within 10 calendar days after receiving notice of an employee's drug abuse conviction.
- Establish an ongoing drug-free awareness program to inform employees about:
 - a) The dangers of drug abuse in the workplace;
 - b) The policy of maintaining a drug-free workplace;
 - c) Available drug counseling, rehabilitation, or employee assistance programs;
 - d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.



Code of Conduct

- All recipients and subrecipients must have a written code of conduct.
- Code must meet minimum HUD requirements & be on file with HUD.
- HUD periodically updates their records & your code of conduct may no longer be on file - to check go to: [Code of Conduct e-library](#)
- For additional details see this explanation of HUD's [minimum requirements and submission instructions](#)

Conflicts of Interest



- A conflict of interest is a situation in which a person has competing commitments, obligations, duties or goals.
- EXAMPLE: Staff of an agency that owns a property cannot conduct rent reasonableness determinations or housing quality inspections for that property.
- Recipients and subrecipients must have a Conflicts of Interest Policy
- Policy must apply to employees, agents, consultants, officers, and elected or appointed officials
- No financial interests or benefit from assisted activity on part of staff (or persons with whom staff has immediate family or business ties) during his/her tenure with organization and one year following his/her tenure.

Written Standards

Recipient and subrecipient must:

- Follow the written standards developed by the CoC (See Local Requirements Slide)
- Adopt those written standards (e.g., in a policy)
- **PSH Projects covered by [CT PSH Statewide PSH Operations Guide](#)**
- **RRH Projects Covered by [CT DOH Statewide RRH Operations Guide](#)**



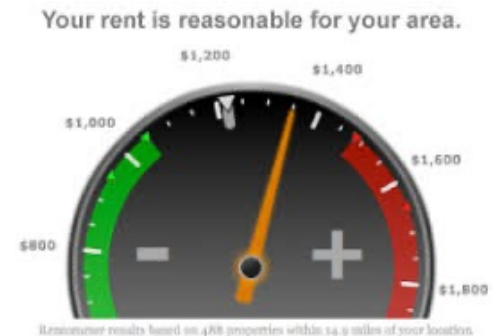
Rent Reasonableness Policies and Procedures

Recipients and Subrecipients must have written policies and procedures for:

- Documenting comparable rents
- Determining rent reasonableness
- Documenting rent reasonableness in case files
- **PSH Projects covered by** [CT PSH Statewide PSH Operations Guide](#)
- **RRH Projects Covered by** [CT DOH Statewide RRH Operations Guide](#)

[CoC Rent Reasonableness and Fair Market Rent](#)

[Rent Reasonableness Certification](#)



Written Intake Procedures— PSH and RRH projects covered by relevant operations guide, [sample](#)

Standards must establish order of priority for obtaining homelessness documentation as:

1. Third-party documentation, examples:

- ✓ Letter from a shelter
- ✓ Letter from an outreach team
- ✓ Letter from another “service provider”
- ✓ HMIS record

2. Intake worker observation - must include justification based on professional judgement

3. Self-certification – [LIMITS APPLY](#)

- ✓ must be accompanied by documentation of attempts to obtain third-party documentation



Emergency Preparedness and Response

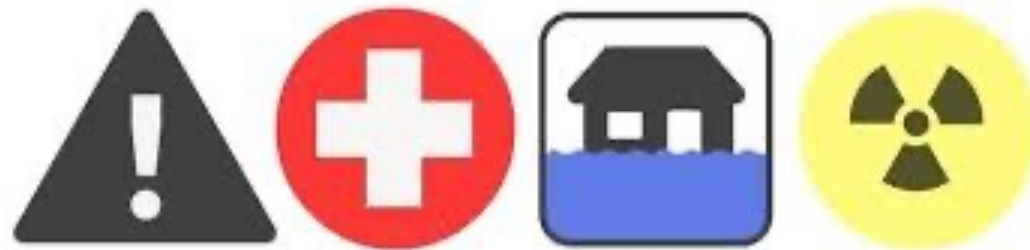
Agencies required to have an **Emergency/Disaster Preparedness and Response Plan** that includes:

- A risk assessment to identify the potential crises on which to focus
- Plan to coordinate with relevant partners (e.g., public health, emergency management, etc.)
- Emergency Protocols to minimize the impact and loss & ensure that time-sensitive and critical services can continue or be quickly resumed
- Plan to communicate with staff, clients, volunteers, board, funders, partners, public during an emergency

Emergency Preparedness and Response (2)

Plan must also include:

- Steps & timeline for post-crisis evaluation and plan revisions
- Protocols for training staff on executing and following the plan



ARE YOU PREPARED?

Infection Control Protocols



Protocols that align with recommendations by public health authorities for:

- Maintaining/resuming program operations
- Symptom Screening and Testing
- Building vaccine confidence and supporting access to vaccination
- Risk reduction/Universal precautions
- Hygiene
- Disinfection
- Staff Training



Zoom Poll



Other Administrative Requirements

Record Keeping Requirements

Supportive Services provided

- Types of services provided
- Case notes that show engagement; time records that support case notes
- Assessment of service needs

Housing Quality/Lead Based Paint

- Leased units or units assisted with rental assistance must be inspected annually for HQS
- Visual assessment for Lead Based Paint for applicable units

Rent Reasonableness

- At least three comparable units
- Rental assistance cannot exceed the reasonable rent
- Leasing assistance cannot exceed either the reasonable rent or Fair Market Rent

Record Retention

All records pertaining to CoC funds must be retained:

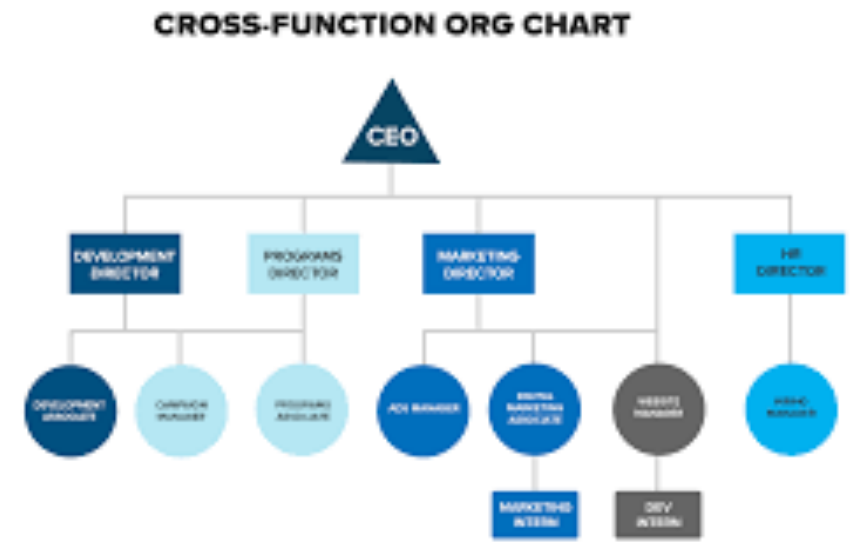
- Minimum of 5 years
- Participant eligibility documentation must be maintained for 5 years after the end date of the last grant period under which the participant was served.



Organization Chart and Job Descriptions

Recipient and subrecipient must have:

- Organization chart that illustrates the actual lines of authority/responsibility
- Written job descriptions defining duties for staff



Subrecipient Monitoring



Recipient must maintain documentation that they:

- Evaluated each subrecipient's risk of noncompliance to determine the appropriate subrecipient monitoring
- Monitored subrecipients at least annually
- Retained documentation of monitoring and sanction of subrecipients, including findings and corrective actions required
- Provided a monitoring report to the CoC
- Retained subrecipient(s) response to resolve monitoring deficiencies

Recipient vs. Subcontractor Guidance

Subrecipient Agreements & Payments



Recipient must have signed agreement with subrecipient(s):

- Requiring subrecipients to operate the project in accordance with CoC Program Interim Rule
- Certifying that the subrecipients will: maintain participant confidentiality; ensure the location of any family violence project assisted was not made public; establish the required educational policies and procedures; designate a staff person responsible for ensuring that children served are enrolled in school and connected to appropriate services in the community; provide information, data and reports as required by HUD; and employees are not debarred or suspended from doing business with the Federal Government
- BABA requirements (see slide #15)

Payments to subrecipients required within 45 days of receipt of an approvable fund request from the subrecipient.



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

PUT IN CHAT OR UNMUTE TO SHARE



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

[Onboarding Recommendations for New Staff](#)

Onboarding Webinars available on [CT BOS Training Page](#):

- Introduction to CT BOS CoC – Updates Coming Soon!
- Key Policies & Administrative Requirements – Updates Coming Soon!
- Participant Eligibility Documentation - Feb 2023
- Housing Requirements– 2 Sessions, May 2023
- Fiscal Requirements – 2 Sessions, June 2023
- Grant Management Requirements - TODAY!
- DMHAS Training Catalog

Keep Current – Sign Up for CT BOS Emails

Email Lists

- ☐ General
- ☐ HUD Grantees
- ☐ SNOFO Providers
- ☐ Steering Committee
- ☐ YHDP

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



Final Suggestions & Questions?

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