



HOPWA/COVID-19: A Review of Notice CPD-20-05 CARES Act Instructions and Related Flexibilities for HOPWA

May 15, 2020



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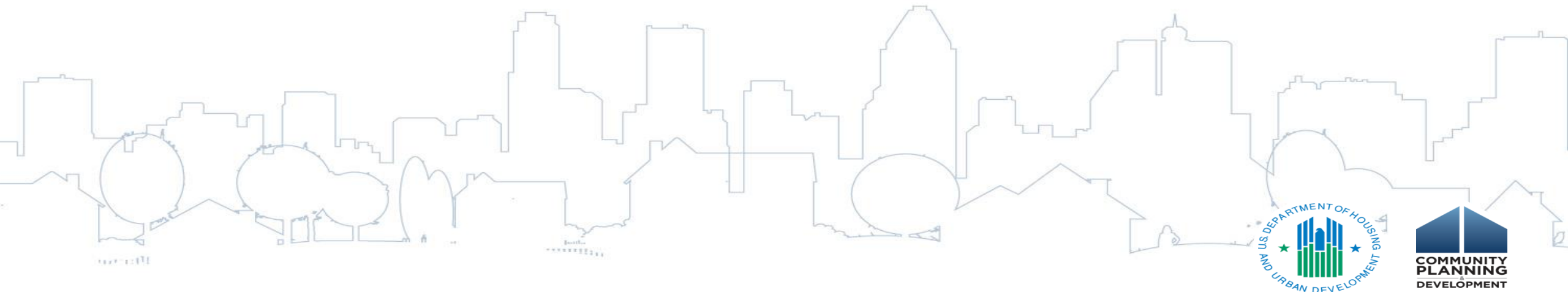
Webinar Objectives

- Review Major Provisions of HOPWA Notice CPD-20-05, issued May 8, 2020, on CARES Act Implementation Instructions and Related Flexibilities for HOPWA
- Provide information about the May 4, 2020 Memo related to substantial amendments
- Identify where webinar participants can go for additional information and assistance
- Answer questions



HOPWA/COVID19 Webinar Reminders

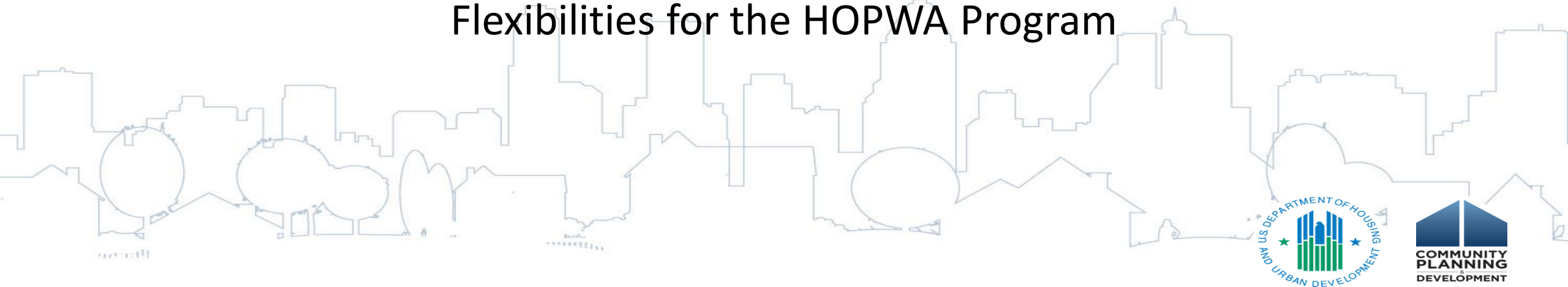
Guidance related to funding and implementation of COVID-19 activities is evolving as new information and requirements emerge. HOPWA grantees and project sponsors should stay tuned to the [HOPWA Listserv](#) and the HOPWA guidance for COVID-19 page on the HUD Exchange. [HOPWA COVID-19 Guidance](#)



HOPWA Notice: CPD-20-05

Issued: May 8, 2020

CARES Act Implementation Instructions and Related
Flexibilities for the HOPWA Program



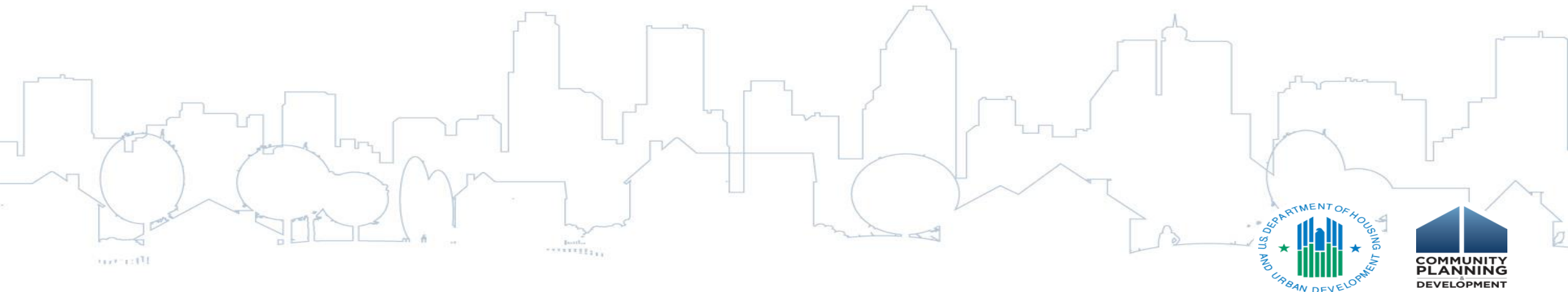
CPD-20-05 Notice

- Purpose
- Award Information
- Eligible Activities
- Formula Grant Agreement Execution
- Con Plan Amendments for Formula Grantees
- Competitive Grant Agreement Execution
- Expectations for Competitive Grantees
- Project sponsor Agreements
- Technical Assistance
- Reporting and Additional CARES Act Reporting
- Waivers
- Further Information



I. Purpose

The purpose of the Notice is to provide instructions for implementing the CARES Act, Public Law 116-136, provisions to the HOPWA program, and provide additional information for HOPWA grantees and project sponsors related to coronavirus disease 2019 (COVID-19) response.



II. Award Information

- CARES Act provides \$65M in supplemental funding for HOPWA
 - \$53.7M for formula grantees using the same data elements to determine their FY2020 HOPWA formula allocations
 - \$10M in one-time, non-renewable funding for competitive grantees that is proportionate to their existing grants
 - Note: Competitive Grantees are not required to use their supplemental grant funds on permanent supportive housing activities
 - \$1.3M to TA providers as an increase to prior award
- This is a “one-time” award and must be directly related to the COVID-19 crisis.



III. Eligible Activities: General Use

- CARES Act funds are to be used to “maintain operations and for rental assistance, supportive services, and other necessary actions in order to **prevent, prepare for, and respond to COVID-19.**”
- Funds may be used to provide eligible HOPWA activities identified at 24 CFR Part 574 in a manner that addresses the needs of each grantee community related to COVID-19 preparedness and response.
- CARES Act funds may also be used to self-isolate, quarantine, or provide other coronavirus infection control services as recommended by the CDC for household members not living with HIV/AIDS.
- CARES Act funds may be used to cover or reimburse allowable costs incurred by a grantee or project sponsor for allowable activities **regardless of the date on which such costs were incurred.**



Types of Eligible Activities

- Stays at **hotels**, motels, or other locations to quarantine HOPWA-eligible individuals or their family members;
- Providing **transportation** services for eligible households, including costs for privately-owned vehicle transportation when needed, to access medical care, supplies, and food or to commute to places of employment;
- Assisting HOPWA eligible households in **accessing essential services and supplies** such as food, water, medications, medical care, and information;
- Providing **nutrition services** for eligible households in the form of food banks, groceries, and meal deliveries;
- **Educating** assisted households on ways to reduce the risk of getting sick or spreading infectious diseases such as COVID-19 to others; and
- Costs related to **infection control measures** such as cleaning and disinfectant supplies, gloves and other safety-related supplies for staff and assisted households.



Eligible Activities – Dates of Coverage

- CARES Act funds may be used to cover or reimburse allowable costs **as of the date a grantee or project sponsor began preparing for COVID-19**
- The start date for eligible activities may be no earlier than **January 21, 2020**, the date of the first confirmed case in the U.S.

Required documentation:

Grantees and project sponsors must maintain documentation to demonstrate when they began preparing for COVID-19, such as notes on formal planning meetings or calls, and must maintain documentation to support any costs incurred that the grantee plans to cover or reimburse with CARES Act grant funding.



Eligible Activities – Prohibition on Duplication

- The **duplication of benefits** for programs that provide financial assistance to people as a result of a Federally-declared disaster/emergency is prohibited (by Section 312, Robert T. Stafford Disaster Relief and Emergency Assistance Act 42 U.S.C.5155)
- **Duplication occurs when:** a program provides assistance to a person when the person has received (or would receive, by acting reasonably to obtain available assistance) financial assistance for the same costs from any other source and the total amount received exceeds the total need for those costs.
- HOPWA grantees must **establish and maintain adequate procedures** to prevent any duplication of benefits with CARES Act funds. HUD will issue additional guidance to facilitate compliance with this requirement.



Eligible Activities – Important Update

- **HOPWA Notice CPD-20-05 includes an important new option for HOPWA formula grantees:** Grantees may use a portion of their FY 2020 allocations on allowable activities to prevent, prepare for, and respond to COVID-19, including the provision of PPE, **provided such activities are identified and approved in their FY 2020 AAPs and that all CARES Act funding has been expended.**
- Designating a portion of FY 2020 allocations for COVID-19 response will allow communities to meet COVID-19 related needs that exceed funding through the CARES Act, when needed
- Also note: All FY 2020 formula funds used for COVID-19 response will receive the same benefits and flexibilities as the CARES Act funding described in this Notice for Admin, STRMU and Hotel/Motel stays



Administrative Costs

- The Act increases the caps on administrative expenses for both grantees and project sponsors.
 - A grantee may use up to 6% of CARES Act funding for administrative purposes
 - A project sponsor may use up to 10% of its CARES Act subaward for administrative purposes

Note: The admin cost limits are applicable to the supplemental grant funds received under the CARES Act **AND to any portion of a grantee's FY 2020 formula funds that have been approved under its Annual Action Plan (AAP) for allowable activities to prevent, prepare for and respond to COVID-19.** All other HOPWA awards limit admin expenses to 3% of the grant amount for grantees and 7% for project sponsors.

STRMU

- CARES Act funds may be used to provide Short-Term Rent, Mortgage, and Utility (STRMU) assistance payments to prevent homelessness of a tenant or mortgager of a dwelling for up to 24 months.
- The 24-month limit on STRMU is only applicable to supplemental funds received under the CARES Act **AND any portion of a grantee's FY 2020 formula funds that have been approved under its AAP for allowable activities to prevent, prepare for and respond to the COVID-19 pandemic**
- Note: STRMU assistance provided under all other HOPWA awards are limited to no more than 21 weeks of any 52-week period.
- All other STRMU provisions remains in effect, including:
 - STRMU payments must be provided in a manner appropriate to maintain the assisted household in their residence; and
 - Each assisted household must be provided an opportunity to receive case management services from appropriate social service agencies



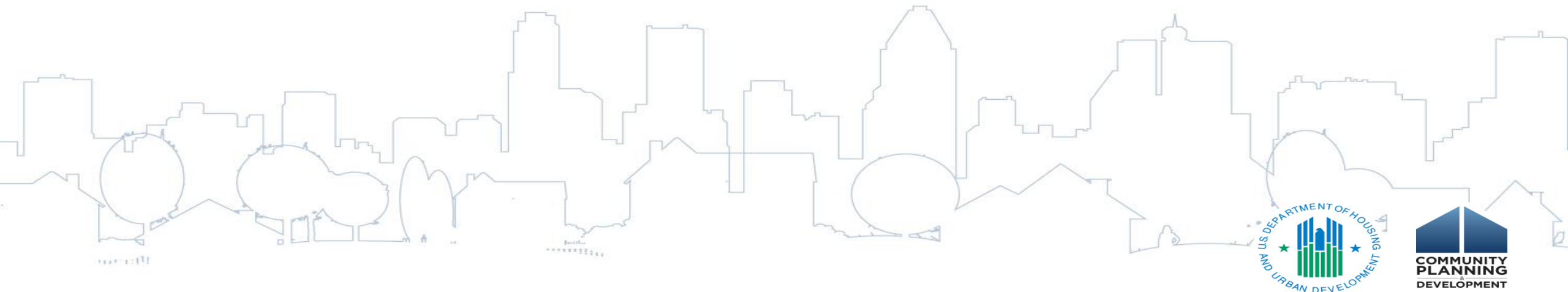
Hotel/Motel Stays

Hotel/Motel Stays

- CARES Act funding **AND any portion of a grantee's FY 2020 formula funds that have been approved under its AAP for allowable activities to prevent, prepare for and respond to the COVID-19 pandemic** may be used to pay for relocation services including lodging at hotels, motels, or other locations for eligible PLWHA as well as household members who are not living with HIV/AIDS.
- The funding may also be used to lodge one or more household members who may need to temporarily isolate from other members of the household.
- Members of households that currently reside in HOPWA-subsidized units are not precluded from receiving additional assistance for hotel/motel stays if isolation is needed.
- HOPWA program guidance recommends limiting hotel/motel stays to no more than 60 days in a six-month period. Assistance may be provided for a period exceeding this limit if there are COVID-19 related health and safety concerns for household members.

IV. Formula Grant Agreement Execution

Formula grantees will sign a grant agreement in order to accept the supplemental grant funds from HUD. Each Field Office will inform their respective grantees of the process for executing the grant agreement.



V. Plan Amendments-Formula Grantees

NEW

Request/Amendment Process:

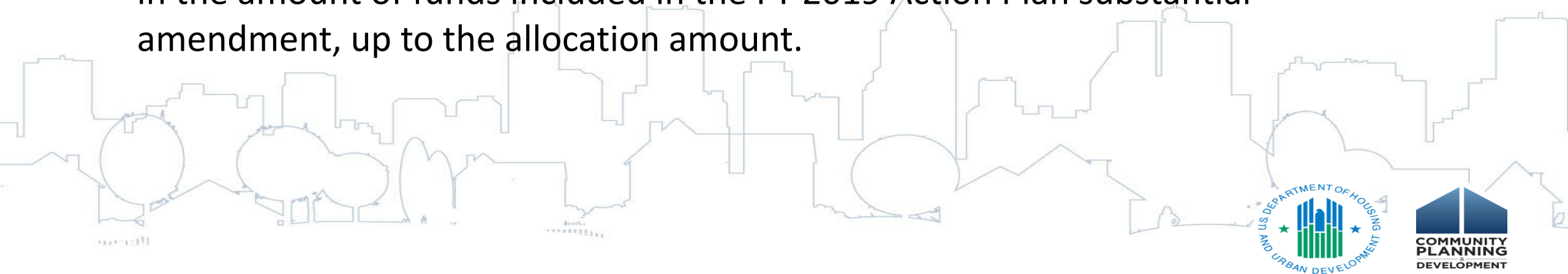
- To receive its supplemental CARES Act allocation, a grantee must submit to HUD for review the following:
 - A signed form SF-424, SF-424D;
 - The certifications at 24 CFR 91.225(a) and (e) or 24 CFR 91.325(a) and (e); and
 - A substantial FY 2019 Action Plan amendment that meets the requirements of 24 CFR part 91 and this Notice (CPD-20-05).
- The waivers provided allow the grantee to provide no fewer than 5 calendar days for citizen comment (rather than 30 days) for its substantial amendment. **Grantees should post the approved substantial amendment on its official website along with a summary of citizen comments received within the comment period.**



V. Plan Amendments-Formula Grantees

HUD Review Process:

- Each substantial amendment submitted to HUD will be subject to the review process set forth in 24 CFR 91.500. HUD intends to **expedite its review**.
- If the substantial amendment is not disapproved, both HUD and the grantee will sign the **grant agreement** and then HUD will establish the grantee's **line of credit** in the amount of funds included in the FY 2019 Action Plan substantial amendment, up to the allocation amount.



V. Plan Amendments-Formula Grantees

NEW

Option to Designate FY 2020 Funds to COVID-19:

- **HOPWA formula grantees may use a portion of their FY 2020 allocations** on allowable activities to prevent, prepare for, and respond to COVID-19, including the provision of PPE, provided the following actions are carried out:
 1. The COVID-19 activities are identified and approved in their FY 2020 AAPs; and
 2. All CARES Act funding has been expended.
- Grantees with previously approved FY 2020 AAPs may amend their AAPs to include such activities and resubmit for approval.
- All FY 2020 formula funds used for COVID-19 response will receive the same benefits and flexibilities as the CARES Act funding for Administrative costs, STRMU and Hotel/Motel stays (as described in Notice CPD-20-05)



VI. Competitive Grant Agreement Execution

Request/Grant Agreement Process:

- Competitive grantees will sign a grant agreement in order to accept the CARES Act grant funds from HUD. To initiate this process, each competitive grantee should submit a descriptive package, including:
 1. A brief description of planned uses for the grant funds to OHH **within 15 business days** of publication of Notice CPD-20-05 (June 1, 2020), via the HOPWA email box: HOPWA@HUD.gov ; and
 2. A completed HOPWA budget form HUD-40110-B and completed forms SF-424 and SF-424D.
- The brief description should include the following information:
 - List type and amount of each eligible activity grantee anticipates providing with the funding'
 - The process grantee will use to carry out the work quickly;
 - How eligible households will access the assistance during any time(s) the grantee's main operations are closed due to local public health directives



VI. Competitive Grant Agreement Execution

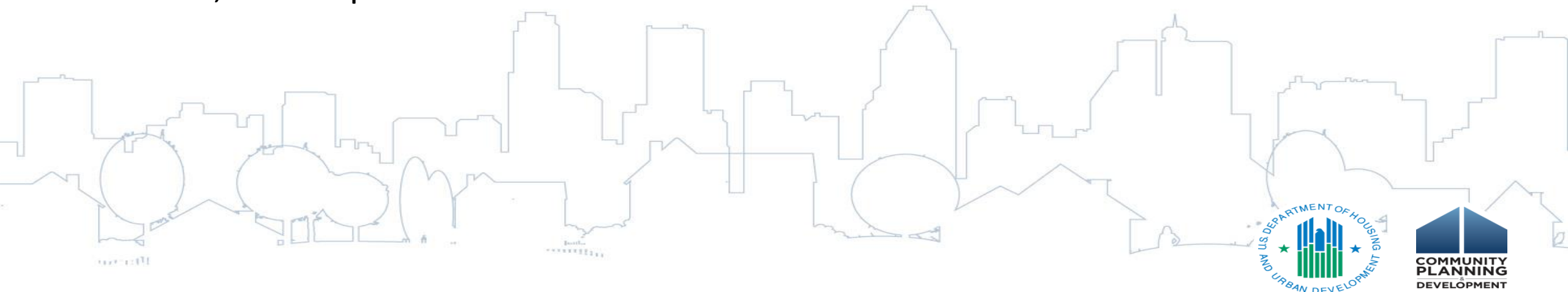
HUD Review Process:

- HUD will review the descriptive packages using the following process:
 - HUD will expedite its approval or disapproval of the descriptive packages;
 - HUD recommends that jurisdictions with disapproved descriptions revise and resubmit within 15 business days after HUD sends the first notification of its disapproval; and
 - HUD will expedite its approval or disapproval of the revised descriptions after receiving the resubmission.
- Next steps for approved submissions:
 - OHH forwards approved submissions to respective field offices;
 - OHH informs field offices when the grant agreement may move forward for execution;
 - Local HUD field offices will inform grantees of the process for executing the grant agreement after the grantee description is submitted, reviewed and approved by OHH.



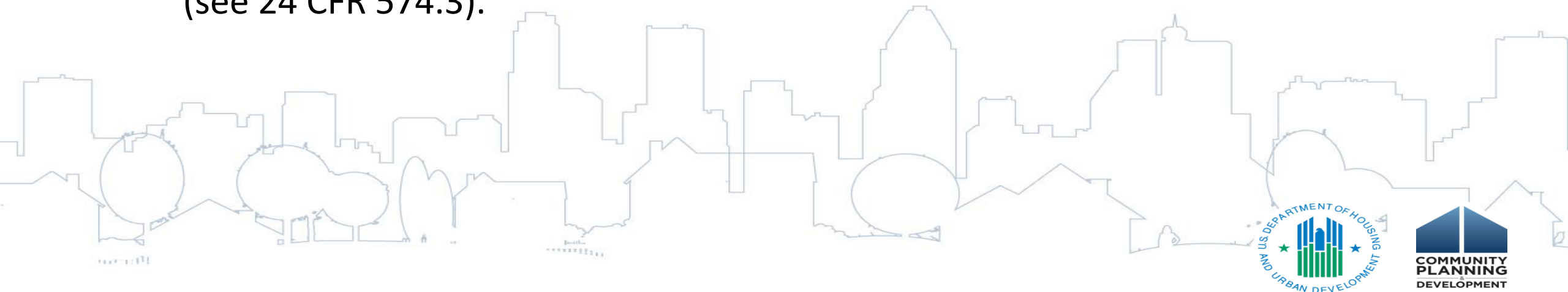
VII. Expectations for Competitive Grantees

Competitive grantees are expected to continue implementing their current grant as approved. The supplemental grant funding provided under the CARES Act is not required to be spent on permanent supportive housing activities, but rather can be used for eligible activities under 24 CFR part 574, in accordance with the CARES Act and as set forth in section III.A of this Notice that are necessary actions in order to prevent, prepare for, and respond to COVID-19.



VIII. Project Sponsor Agreements

- Grantees are expected to execute new or amend existing project sponsor agreements for the supplemental funds **within fourteen calendar (14) days of execution of the formula or competitive grant agreements.**
- The selection of project sponsors under the HOPWA program is not subject to the procurement requirements of 2 CFR part 200, subpart D (see 24 CFR 574.3).



IX. Technical Assistance

- The TA funding provided under the CARES Act will be used for the development of webinars, resource guides, and other TA materials to assist grantees in administering the supplemental grant funds and implementing activities related to COVID-19 preparedness and response.
- Grantees in need of individualized TA related to responding to COVID-19 or regular HOPWA program administration should submit a TA request via the “Request Program Assistance” webpage on the HUD Exchange portal: <https://www.hudexchange.info/program-support/technical-assistance/> . In the TA request submission process select “HOPWA: Housing Opportunities for Persons With AIDS” as the topic and write “Health Preparedness and Response” in the subject line.



X. Reporting

Reporting Requirements for CARES Act Funds:

- **Grantees will report information to HUD on the use of the funds, including:**
 - The number of individuals assisted; and
 - The types of assistance provided.
- **Reporting will be through the HOPWA CAPER/APR OR** through a similar combined data collection instrument to be specified by HUD.
- **APR/CAPER Submission Extensions:** Any HOPWA grantee with a CAPER or APR due to HUD within 6 months of the date of the Notice may have up to a 90-day extension to submit their reports. The extension will allow a grantee to submit their APR or CAPER within 180 days of the end of their program/operating year. Grantees wanting to utilize the extension should submit an email to HOPWA@hud.gov and notify their local HUD Field Office.



XI. Additional CARES Act Reporting

CARES Act Reporting Requirements:

- All recipients of \$150,000 or more of CARES Act funding must submit a quarterly report containing information regarding:
 - The amount of funds received;
 - The amount of funds obligated or expended for each project or activity;
 - A detailed list of all such projects or activities, including a description for each project or activity; and
 - Detailed information on any subcontracts or subgrants awarded by the recipient
- The content and format for this reporting is still under development. HUD will work with OMB to ensure this requirement can be fulfilled by recipients of CARES Act funding in a manner that utilizes existing reporting streams to the greatest extent possible



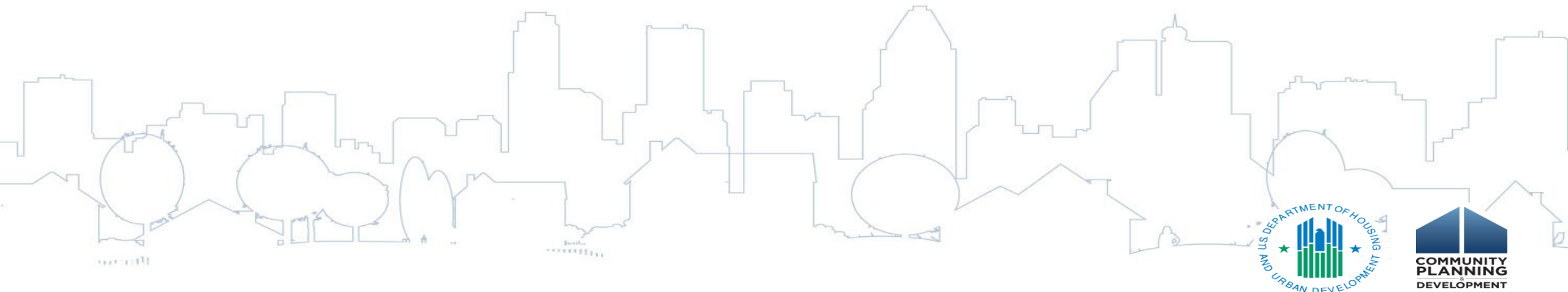
XII. Waivers

- Grantees may make use of the regulatory waivers of certain HOPWA program requirements that were issued in a Memorandum by HUD on April 1, 2020. by notifying their local CPD Director, by email to their COVID-19 specific email address, 2 days before they anticipate using the waiver flexibility. [Waiver Memo](#)
- **Additional Waivers:** It is expected that HUD will issue further waivers addressing identified needs by grantees and guidance on the administrative flexibilities provided under OMB Memo M-20-17. These waivers will be made available online at:
https://www.hud.gov/program_offices/comm_planning/hopwa_covid-19



XIII: Further Information

- Questions related to the HOPWA Notice, waivers or HOPWA program guidance related to implementation of COVID-19 activities should be directed to the [HOPWA Ask A Question \(AAQ\) Portal](#)
- In Step 2 of the question submission process, select “HOPWA: Housing Opportunities for Persons With AIDS”



HUD Memorandum on CARES Act Flexibilities for ESG and HOPWA Funds Used to Support Coronavirus Response and Plan Amendment Waiver

Issued: May 4, 2020

[Memorandum May 4 2020](#)



Memo: CARES Act Flexibilities for ESG and HOPWA Funds

- **On May 4, 2020**, HUD issued a new memo related to the CARES Act Flexibilities for ESG and HOPWA Funds used to Support Coronavirus Response and Plan Amendment Waiver
- HOPWA grantees are advised to amend or prepare their plans as soon as possible. Grantees have the option of incorporating CARES Act funding into their FY20 Consolidated Plans currently being drafted.
- HUD **recommends** that grantees submit a substantial amendment to their most recent annual Action plan to expedite their access to CARES Act funding.



Setting up a Substantial Amendment for CARES Act Funds

- The May 4, 2020 memo includes an attachment with detailed instructions on preparing Substantial Amendments:

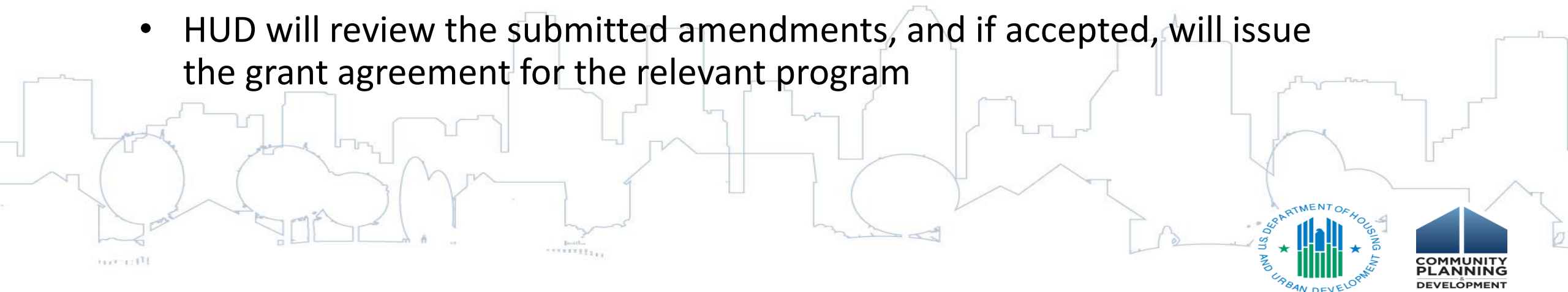
[Setting Up a Substantial Amendment for CARES Act Funding](#)

- Grantees are advised to review the attachment, even if they have completed amendments before
- A formula grantee webinar was held on May 14, 2020 – CARES Act Grant Submission and Review – link will be available soon



Substantial Amendment Submission and Field Office Review

- Grantees are encouraged to work with their CPD field office to ensure that the correct plan is being amended
- A grantee with more than one CARES Act grant (e.g. HOPWA-CV and ESG-CV or CDBG-CV) may submit an amendment for all grants at the same time or separately as they are ready
- HUD will review the submitted amendments, and if accepted, will issue the grant agreement for the relevant program



Forms and Certifications must be submitted with the Amendment

- Upload and attach executed SF-424 and SF-424D (for formula and competitive grantees) forms and Certifications for CARES Act funding awards in IDIS
- Upload and attach a Summary of Citizen Participation Efforts, including a Summary of Comments or Views Submitted and Reasons Comments or Views Were Not Accepted in IDIS
- Detailed instructions for attachments can be found in the Consolidated Plan in IDIS Desk Guide

<https://www.hudexchange.info/resource/2641/econ-planning-suite-desk-guide-idis-conplan-action-plan-caper-per/>



SF-424 Forms

Grantees should submit the SF-424 for each separate CARES Act grant . ESG-CV and HOPWA-CV grants should not be combined on the same SF-424)

Box 1 – Application

Box 2 – New

Box 11: CFDA # and Title: 14.241 Housing Opportunities for Persons With AIDS

Box 12: Funding Opportunity # and Title: CPD Notice 20-05: CARES Act Implementation Instructions and Related Flexibilities for the HOPWA Program

Box 17: Proposed Project Dates:

- **Start:** Estimated grant term start date (with funds in place)
- **End:** 3 years after the estimated start date

Box 18: Estimated Funding: Lines “A” and “G” should both reflect the full amount of the HOPWA CARES Act grant

Signing - Electronically signed and dated by elected official or designee (maintain one original “wet signature” copy locally)



IDIS Screens for Submitting Substantial Amendments

- Review the Memo Attachment for a detailed walk-through of the IDIS amendment process for CARES Act funding
- Instructions are included as an Addendum to the attachment for grantees wishing to include CARES Act funding in the Program Year 2020 plans they are preparing now
- Please keep in mind, HUD recommends using the most expeditious method – either amending a 2019 plan or including funds in a 2020 plan that is being prepared
- More detail will be forthcoming in future webinars



Stay Informed

- All guidance for HOPWA grantees and project sponsors related to infectious disease preparedness and response and COVID-19 will be sent to the HOPWA Mailing List:
<https://www.hudexchange.info/mailinglist/subscribe/>
- To subscribe, enter the requested contact information, select “HOPWA – Housing Opportunities for Persons With AIDS” then select Subscribe.
- Updates on HOPWA Guidance for COVID-19 is also available on the HUD Exchange: <https://www.hudexchange.info/programs/hopwa/covid-19/#resources-and-guidance>



Resources

HOPWA Guidance for COVID- 19 Webpage on the HUD Exchange

Waiver Memorandum

Available waiver flexibilities and notification process

CPD Director Contact Information For Waiver Notification

Email addresses that must be utilized by grantees to notify CPD Directors of intent to utilize available waivers

CPD Program Formula Allocations and CARES Act Supplemental Funding for FY2020

HOPWA Notice CPD-20-05



AAQ and TA Requests

GET ANSWERS!

GET ASSISTANCE!

Answers:

Grantee and Sponsors may ask program, policy and COVID-related questions through the HOPWA AAQ:

HOPWA Ask A Question (AAQ) Portal

Technical Assistance:

HUD is making additional technical assistance (TA) available to grantees to support HOPWA/COVID-19 planning, program development, problem-solving. Those needing TA assistance in managing COVID-19-related program issues may submit an online request through the HUD Exchange at:

<https://www.hudexchange.info/program-support/technical-assistance/>

