



COVID-19 Office Hours for ESG Recipients

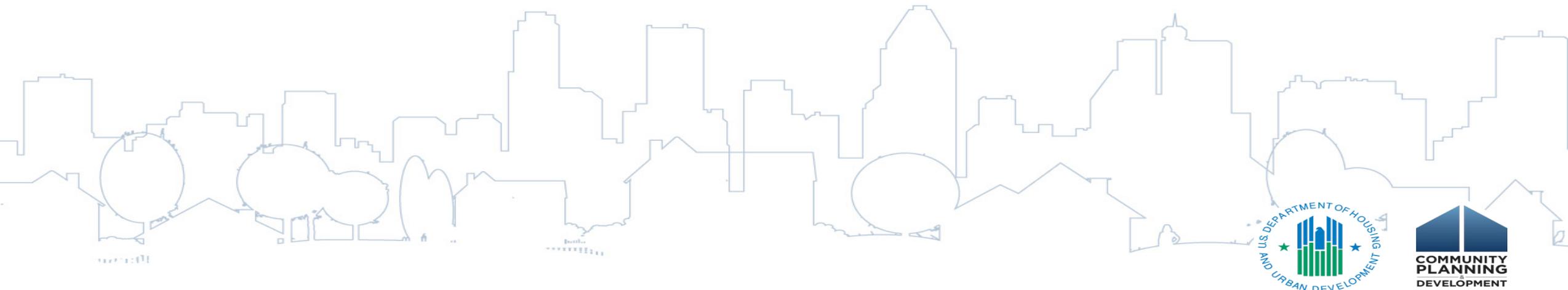
April 27, 2020



Reminders

- A recording of today's session, along with the slide deck and a copy of the Chat and Q&A content will be posted to the HUD Exchange within 2-3 business days
- Event information for upcoming Office Hours, along with copies of all materials can be found here:

<https://www.hudexchange.info/homelessness-assistance/diseases/#covid-19-webinars-and-office-hours>

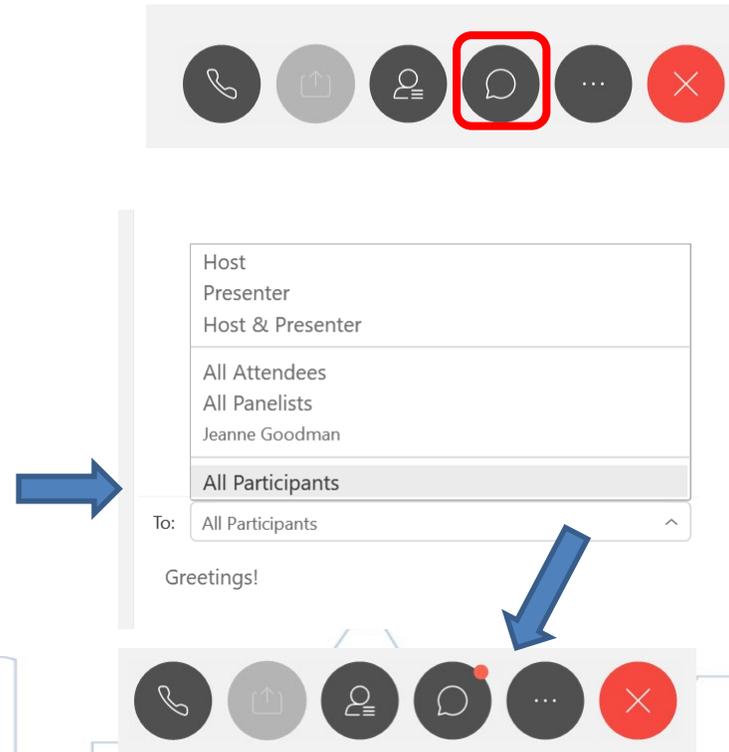


Chat Feature

Select the Chat icon to make a comment or ask a question.

Be certain the To field is set to **All Participants**

An orange dot on the Chat icon indicates that you have unread messages.



Panelists/Resource Advisors

- **Norm Suchar** – Office of Special Needs Assistance Programs (SNAPS)
- **Lisa Coffman** – SNAPS
- **Marlisa Grogan** – SNAPS
- **Aaron Weaver** – Office of Community Planning and Development, Chicago
- **Brett Esders** – SNAPS
- **William Snow** – SNAPS
- **Abby Miller** – SNAPS

Agenda

- ESG Recipients Involvement in COVID Response
- ESG Program – Supplemental COVID-19 Allocation (ESG-CV)
 - Funding Overview
 - Strategic/Innovative Investments
 - Rehousing Strategy
 - Consolidated Planning
- Mega-Waiver
- Eviction Moratorium
- Learning Opportunities & Resources

ESG Recipient Involvement in COVID Response

If you are not already, get involved in the public health response immediately.

- Connect with your state/local Office of Emergency Management, to understand the sheltering and safety response for people who are COVID positive, symptomatic and at high risk of severe illness.
- Coordinate with Continuum(s) of Care in your geography to find out how they are working with their local public health departments.
- Complement these efforts; don't duplicate them.
- Support efforts to provide safe temporary housing, including isolation and quarantine options offered through non-congregate settings.

Prioritize COVID-19 Response

- SNAPS understands your #1 priority right now is responding to COVID-19
- Don't stress about performance metrics, subrecipient monitoring
- HUD will take these extraordinary circumstances into strong consideration for future monitoring
- Encouraged to be as flexible as possible when thinking through local evaluation metrics

Re-Housing Investment Priorities

- To prevent the further spread of COVID-19 among people experiencing homelessness, start housing people in unsheltered locations and congregate shelters
- For communities that have non-congregate shelter, start housing people as they exit so they don't return to unsheltered or congregate settings
- Start planning prevention activities and focus on coordinating with the many other CARES Act resources
- Engage property owners and landlords

Re-Housing Strategies

- Update Coordinated Entry policies and procedures and Written Standards.
- Identify subsidy models that are easy to execute.
- Roll out re-housing assistance in stages.
- Target outreach based on how much funding is available (if you put out a call to apply to everybody who needs help, you could be overwhelmed by requests).

Re-Housing Strategies

- Include people with lived experience, Black people, people of color, young people and LGBTQ identified people on resource allocation and decision-making groups.
- Look at your current data (disaggregated by race, by gender, and the intersection of race and gender). Determine where there are the greatest racial inequities. Allocate funds to address the inequities at both programmatic and systems level.

Re-Housing Strategies

- Contract with organizations that are experts in reaching and engaging with underserved and marginalized populations (e.g. YWCAs, Urban Leagues, CDCs, local NAACP chapters, communities of faith, Housing Justice Alliance local chapters)
- Collect data on placements, type of placement, type and length of assistance, geography of placement, and returns to homelessness and monitor it by race, gender and the intersection of race and gender.

ESG-CV Consolidated Planning – Start NOW

Amend or prepare plans even before the notice or the second ESG-CV allocation—subsequent allocations will need additional amendments

ESG-CV Alternate Requirements

- No matching requirement
- No spending cap on Emergency Shelter and Street Outreach
- Up to 10% of the grant can be spent on Administrative activities
- Income eligibility 50 percent AMI for Homelessness Prevention
- Allows deviation from applicable procurement standards

All programmatic activities must either prepare for, respond to, or prevent coronavirus



ESG-CV Alternate Requirements

- Allows deviation from applicable procurement standards
- Citizen participation/consultation requirements not required
- No minimum period of use for Emergency Shelters
- May not require program participants to receive treatment or perform any other prerequisite activities as a condition for receiving shelter, housing, or services

All programmatic activities must either prepare for, respond to, or prevent coronavirus



Basic Process to Receive ESG-CV Grant Agreement

To access ESG-CV funding, communities must first complete a **Substantial Amendment** to their most recent **Annual Action Plan** in IDIS to add ESG-CV as an available resource

The following five elements are required:

- **Expected Resources (AP-15)**
- ***Annual Goals and Objectives (AP-20)***
- ***Projects (AP-35)***
- **SF-424 (AD-25 (CP); AD-26 (AAP))**
- **Certifications – new certifications for States (PR-15 (CP); AP-12 (AAP))**

Expected Resources (AP-15)

ESG-CV funding should be added as an “Other” funding source on the Sources table:

- 1) Click the “Add” link at the bottom-right of the table on the screen
- 2) For Anticipated Resource, select “Other”
- 3) For Other Funding Source, enter “FY2020 ESG-CV”
- 4) Enter total ESG-CV available and complete the rest of the screen

Annual Goals and Objectives (AP-20)

Adding a new goal is **not required** for the first allocation, but should be updated when completing the amendment for the second allocation of ESG-CV funds

If adding a **new goal** (as opposed to updating an existing goal):

- **Amend Consolidated Plan** using the **SP-45 Goals** screen to create the new goal
- Once created in SP-45, it will be available on the **AP-20 Annual Goals and Objectives** screen

Projects (AP-35)

- **Create a single new FY 2020 Project** using the **Add Projects** screen and then use the **AP-35 Projects** table to add that project to the 2019 Annual Action Plan Amendment
- **One project** for FY20 and ESG-CV allocations:
- On the **Add Project** screen:
 - Program Year: 2020
 - Project Title: **“ESG20 Jurisdiction Name”**
 - Project Description: Provide a **high-level description of all eligible activities** (e.g., SO, ES, RRH, HP, HMIS, Admin) that will be funded
 - Estimated Amount for HESG: initially ESG-CV first allocation, but total will eventually include FY 2020 allocation and ESG-CV second allocation

Projects (AP-35)

- Return to 2019 AAP amendment, AP-35 Projects screen
- “Add a Project” link at the bottom of the Projects table
- Search for 2020 ESG project and then click "Add" in the Action column
- Update the following on Edit Project screen
 - Estimated Amount and Expected Resources
 - Associate the project to annual goals and priority needs
 - Enter the project description and target completion date
 - Select goal outcome indicators
 - Click Save - project is added to AP-35 table

Recipients **do not** have to:

- × Specify an **amount for each activity**, or
- × Identify **subrecipients**

SF-424 and Certifications

Complete the **new forms** using the appropriate link(s) on the **AD-25/26 Administration** screen

Do not overwrite the 2019 forms that are already uploaded – either:

- **Remove** the 2019 forms, **rescan and combine** as a PDF both the 2019 forms **AND** the new 2020 ESG-CV forms and **re-upload**; or
- Upload the 2020 form to the Unique Grantee Appendices **only if the attachment link is empty**

Approval Process

Following community submission, the appropriate **HUD Field Office** will:

- 1) Review the Substantial Amendment and mark the amended plan as “Review Complete” in the eCon Planning Suite
- 2) Issue ESG-CV grant agreements

Citizen Participation and Consultation

Citizen Participation and Consultation requirements are:

- **Not applicable** to **ESG-CV** funding (although must publish how the allocation will be used on Government web site)
- **Applicable** to **CDBG-CV** funding

Citizen Participation and Consultation

If a community is simultaneously completing **Substantial Amendments to both ESG-CV and CDBG-CV**, then the Substantial Amendments are subject to CDBG-CV Citizen Participation and Consultation Requirements and the community will have to provide **public notice** and **reasonable opportunity to comment for no less than 5 days**

Mega-Waiver Highlights – ESG (FY20 & older)

- HMIS Lead Activities
24 CFR 576.107(a)(2)
- Re-Evaluations for Homelessness Prevention Assistance
24 CFR 576.401(b)
- Housing Stability Case Management
24 CFR 576.401(e)
- Restriction of Rental Assistance to Units with Rent at or Below FMR
24 CFR 576.106(d)(1)

These waivers are **not currently applicable** to ESG-CV funds.



Changes to FY20 (or earlier) ESG Funds

To Substantially Amend FY20 (or earlier) ESG Funds:

- Notify the HUD Field Office of your intent to waive the Citizen Participation Public Comment and Reasonable Notice (and any other applicable ESG Mega-Waiver provision(s))
- Follow Substantial Amendment process for ESG

Consolidated Plan Waivers

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Citizen Participation Public Comment Period for Consolidated Plan Amendment

24 CFR 91.105(c)(2) and (k); 24 CFR 91.115(c)(2) and (i); 24 CFR 91.401

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Citizen Participation Reasonable Notice and Opportunity to Comment

24 CFR 91.105(c)(2) and (k); 24 CFR 91.115(c)(2) and (i); 24 CFR 91.401

Waiver of Public Comment Period for Con Plan Amendment

Requirement	Applicability	Other Provisions
<p>A CPD grantee may amend an approved consolidated plan in accordance with 24 CFR 91.505. Substantial amendments to the consolidated plan are subject to the citizen participation process in the grantee's citizen participation plan.</p> <p>The citizen participation plan must provide citizens with 30 days to comment on substantial amendments.</p>	<p>Through the end of the recipient's 2020 program year, the 30-day minimum for the required public comment period is waived for substantial amendments</p>	<p>Grantees must provide no less than 5 days for public comments on each substantial amendment</p> <p>Any recipient wishing to undertake further amendments to prior year plans following the 2020 program year can do so during the development of its FY 2021 Annual Action Plan</p>

Waiver of Comment Period for Con Plan Amendment

Suggested Recipient Documentation

- 1) Documentation of the need to expedite the amendment and demonstrating both publication and 5-day comment period;
- 2) A record of all comments received, and responses must be submitted with the amendment;
- 3) Copy of waiver notification sent to HUD;
- 4) Emergency recordkeeping policies and procedures

Waiver of Reasonable Notice & Opportunity to Comment

Requirement	Applicability
<p>As noted above, the regulations at 24 CFR 91.105 (for local governments) and 91.115 (for States) set forth the citizen participation plan requirements for recipients.</p> <p>For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment.</p> <p>The citizen participation plan must state how reasonable notice and opportunity to comment will be given.</p>	<p>HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances</p>

Waiver of Reasonable Notice & Opportunity to Comment

Suggested Recipient Documentation

- 1) Policies and procedures including the definition of “reasonable notice and opportunity to comment”
- 2) Copy of waiver notification sent to HUD

Available ESG Program Waivers

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HMIS Lead Activities

24 CFR 576.107(a)(2)

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Re-Evaluations for Homelessness Prevention Assistance

24 CFR 576.401(b)

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Housing Stability Case Management

24 CFR 576.401(e)

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Restriction of Rental Assistance to Units with Rent at or Below FMR

24 CFR 576.106(d)(1)

HMIS Lead Activities

Requirement	Applicability
<p>ESG funds may be used to pay the costs of managing and operating the HMIS, provided that the ESG recipient is the HMIS Lead.</p>	<p>For the 6-month period beginning on the date of the waiver memorandum (3/31/2020), the condition that the recipient must be the HMIS Lead to pay costs under 24 CFR 576.102(a)(2) is waived to the extent necessary to allow any recipient to use ESG funds to pay costs of upgrading or enhancing its local HMIS to incorporate data on ESG Program participants and ESG activities related to COVID-19</p>

HMIS Lead Activities

Suggested Recipient Documentation

- 1) Documentation of the need to upgrade or enhance the HMIS as a result of COVID-19 and that it met the “necessity” threshold established in the policies and procedures
- 2) Copy of waiver notification sent to HUD

Re-Evaluations for Homelessness Prevention Assistance

Requirement	Applicability	Other Provisions
Homelessness prevention assistance is subject to re-evaluation of each program participant's eligibility need for assistance not less than once every 3 months.	For up to the 2-year period beginning on the date of the waiver memorandum (3/31/2020), the required frequency of re-evaluations for homelessness prevention assistance under section 576.401(b) is waived	The recipient or subrecipient must conduct the required re-evaluations not less than once every 6 months

Re-Evaluations for Homelessness Prevention Assistance

Suggested Recipient Documentation	Suggested Client Level Documentation
<ol style="list-style-type: none">1) Documentation demonstrating need to keep participant housed during COVID-19 pandemic2) Copy of waiver notification sent to HUD3) Emergency recordkeeping policies and procedures	<ol style="list-style-type: none">1) A note in the files of affected clients2) Documentation demonstrating compliance with the 6-month requirement.

Housing Stability Case Management

Requirement	Applicability
<p>Program participants receiving homelessness prevention or rapid re-housing assistance must meet with a case manager not less than once per month, unless certain statutory prohibitions apply.</p>	<p>For the 2-month period beginning on the date of the waiver memorandum (3/31/2020), this waiver is in effect</p>

Housing Stability Case Management

Suggested Recipient Documentation	Suggested Client Level Documentation
<ol style="list-style-type: none">1) Documentation of limited staff capacity, shelter-in-place order, or similar COVID-19 related impediment2) Copy of waiver notification sent to HUD3) Emergency recordkeeping policies and procedures	<ol style="list-style-type: none">1) A note in the files of affected clients.

Restriction of Rental Assistance to Units At or Below FMR

Requirement	Applicability	Other Provisions
Under 24 CFR 576.106(d)(1), rental assistance cannot be provided unless the total rent is equal to or less than the FMR established by HUD, as provided under 24 CFR Part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507.	For the 6-month period beginning on the date of the waiver memorandum (3/31/2020), the FMR restriction is waived for any individual or family receiving Rapid Re-housing or Homelessness Prevention assistance who executes a lease for a unit	The ESG recipient or subrecipient must still ensure that the units in which ESG assistance is provided to these individuals and families meet the rent reasonableness standard

Restriction of Rental Assistance to Units At or Below FMR

Suggested Recipient Documentation	Suggested Client Level Documentation
<ol style="list-style-type: none">1) Documentation that FMR limits are impeding grantee's ability to find units for clients as a result of COVID-19;2) Copy of waiver notification sent to HUD;3) Emergency recordkeeping policies and procedures	<ol style="list-style-type: none">1) A copy of the lease clearly displaying the date of execution;2) A note to file noting the date of this memo and its application to the client's lease; and3) A completed rent reasonableness analysis.

CARES Act Eviction Moratorium: Applicability

Section 4024 of the CARES Act provides a temporary moratorium on eviction filings for nonpayment of rent for tenants:

- 1) that participate in certain federal assistance programs, including CoC, ESG, HOPWA
- 2) in dwellings for 1 to 4 families with a federally backed mortgage loan
- 3) in dwellings with 5 or more units (i.e., multifamily) with a federally backed multifamily mortgage loan

Eviction Moratorium: Parameters

Duration of Eviction Moratorium

- Protections begin on March 27, 2020
- Extends for 120 days (until July 24, 2020)

Eviction Moratorium DOES NOT apply in the following cases:

- No cause evictions
- Evictions filed before the moratorium took effect (March 27, 2020) – though no extra fees or penalties can be made during this time
- Evictions based on other reasons besides non-payment of rent

Eviction Moratorium: Intended Impact

Protections are designed to:

- Alleviate the public health consequences of tenant displacement during the COVID-19 outbreak
- Stabilize renters during an economically precarious time

Eviction Moratorium: Protections

What types of eviction claims and fees are prohibited?

- New eviction actions for nonpayment of rent
- Fees, penalties, or other charges to the tenant related to nonpayment of rent - for someone in a covered property
- Issuing a notice to vacate during the 120-day period
- Evicting a tenant after the moratorium expires except on 30-day notice—which may not be given until after the moratorium period.

Eviction Moratorium: Considerations

- Share eviction moratorium information with homeless prevention programs
- Connect local legal aid services to people who are at risk of homelessness due to eviction:
- People facing eviction often are unfamiliar with:
 - the source of funding for their housing subsidies
 - the types of federal loans or funding programs that landlords use that apply to this moratorium

[New Q&A's posted on the HUD Exchange](#)



Intensive TA Workshops: CARES Act Funding Utilization

- 5-week workshop series featuring group video conferencing, working sessions, and individual support
- Action oriented
- Supportive of current community efforts
- Example Topics: COVID Response Coordinated Investment Planning, Housing Problem Solving

Additional ESG-CV Learning Opportunities

- May 4 -- Office Hours, COVID-19 Disaster and Response, **ESG State Recipients**
- Additional tools for investment planning, grant management, administrative process

Resources

- HUD Exchange Infectious Disease Prevention and Response Page:
<https://www.hudexchange.info/programs/consolidated-plan/>
- HUD Exchange Consolidated Planning:
<https://www.hudexchange.info/programs/consolidated-plan/>
- HUD Exchange Ask-A-Question (AAQ) Portal:
<https://www.hudexchange.info/program-support/my-question/>

Q & A

