

**ESG-CV Notice Office Hours
for Urban Counties, Metro Cities &
Territories: Chat and Q&A Log
October 6, 2020**

Please note that this document should not be considered formal HUD guidance; the HUD Ask A Question Desk should be leveraged for official HUD responses to questions. Additionally, this document has not been edited. The content reflects the language used by participants and panelists during the meeting.

October 6, 2020 2:44 PM from Jeanne Goodman to host & presenter: Should we make her presenter temporarily and let her share her screen?

October 6, 2020 3:01 PM from Thomas Bednar to everyone: Call +1-415-655-0002 or +1-855-797-9485 use the meeting id 171 898 8978

October 6, 2020 3:02 PM from Nicole Aguilar to everyone: Dont see slides

October 6, 2020 3:03 PM from Jennifer O'Reilly-Jones to everyone: Can we have the link for the 09/3 webinar in the chat?

October 6, 2020 3:03 PM from Taylor Kiely to everyone: 9/3/ webinar can be found here: <https://www.hudexchange.info/trainings/courses/esg-cv-notice-webinar/>

October 6, 2020 3:04 PM from Thomas Bednar to everyone: @Nicole, we're sorry to here that. You may need to refresh the webinar if viewing via browser or log back into Webex

October 6, 2020 3:04 PM from Nicole Aguilar to everyone: Yes just did that thank you

October 6, 2020 3:06 PM from Cheryl Mathis to everyone: Are we all muted?

October 6, 2020 3:06 PM from Susan Scott to everyone: Just making sure all participants are muted? Not seeing that icon in my participant box.

October 6, 2020 3:06 PM from David Stevens to everyone: Yes

October 6, 2020 3:07 PM from tami bailey to everyone: What happened if we submitted our substantial amendment long before 9/1/20, but the field office still has it listed as "in review"

October 6, 2020 3:08 PM from Julie Montgomery to everyone: If our substantial amendment was approved prior to September 1, is there a different deadline for emergency shelter activities?

October 6, 2020 3:10 PM from Nora Lally to everyone: @Tami Recipients should reach out to the local field office to determine the actual status of the substantial amendment review. HUD's review is documented via an internal review checklist. The status in IDIS may not always reflect an accurate review status.

October 6, 2020 3:13 PM from Katryna Gonzalez to everyone: So in IDIS if the ESG-CV grant is there and it says the obligation date is 07/08/2020, that would qualify as prior to 09/01/2020 - correct?

October 6, 2020 3:15 PM from Nora Lally to everyone: @Katryna Yes. If you received your ESG-CV grant agreement prior to 9/1/2020, then that is solid confirmation that HUD completed its review prior to that date. HUD cannot issue grant agreements and obligate funds in IDIS until after it has completed its review.

October 6, 2020 3:16 PM from Jeannette Rodriguez (privately): Confirmation that Round 1 agreement (executed before 9/1) performance end date (24 mos post performance start date) is correct and still in effect (6/22/2022)? I.e. this date precedes 9/30/22 date.

October 6, 2020 3:20 PM from jazmyn thomas to everyone: We have awarded 2019 rapid rehousing funds to a subrecipient. They're having a hard time housing people because of FMR restrictions. Could we use the waiver in the Notice so that FMR doesn't need to apply? Without housing the clients are more prone to contracting COVID. Would we need to somehow reprogram the funding even though it's already awarded? Could we just document the COVID connection in the client file?

October 6, 2020 3:26 PM from Patricia Longua to everyone: No Audio?

October 6, 2020 3:27 PM from Ashley Miller to everyone: Did I hear correctly that each household assisted through a rental assistance program does not have to have a personal COVID-19 hardship as long as the recipient's community started responding to COVID-19 at the time the household applies?

October 6, 2020 3:29 PM from Diana Trejo to everyone: When does 180 - 240 day obligation deadline begin? From the date of funding award from HUD? Or the date on our agreement?

October 6, 2020 3:30 PM from Emma Petrie Barcelona to everyone: Re: link to Covid- it is at the program level not household? So we do not have to have household level

evidence for Covid-related need for RA for short- or medium-term rental assistance for homelessness prevention?

October 6, 2020 3:31 PM from Betty Liu to everyone: Re: most recent waiver flexibilities updates (9/30/20), if sub-recipients have previously e-mailed notification to local CoC and HUD Field Office of intent to use these waivers/flexibilities, do sub-recipients need to send another email notification in order to use these updated waivers/flexibilities?

October 6, 2020 3:31 PM from Nora Lally to everyone: @Diana -- the obligation deadline begins the date that HUD signs the grant agreement for ESG-CV1 funds (that date is used for both ESG-CV1 and ESG-CV2)

October 6, 2020 3:31 PM from Diana Trejo to everyone: Thanks Nora!

October 6, 2020 3:32 PM from Thomas Bednar to everyone:
<https://files.hudexchange.info/resources/documents/Homeless-System-Response-Increasing-Equity-in-the-Homeless-Response-System-Through-Expanding-Procurement.pdf>

October 6, 2020 3:34 PM from Stephanie Burgess to everyone: Is a grantee required to issue a RFP for ESG-CV funds. A specific critical need has been identified by the local CoC. We want to award all of our ESG-CV funds to the subrecipient that is capable to address that need in a timely manner.

October 6, 2020 3:36 PM from Thomas Bednar to Marlisa Grogan (privately):
Pause for questions?

October 6, 2020 3:36 PM from Amanda Sternberg to everyone: Can we use ESG-CV funds to pay for landlord incentives even if the tenant who will be residing in the unit is having their rental assistance provided by another source (CoC PSH, CoC RRH, HCV, etc)?

October 6, 2020 3:37 PM from Thomas Bednar to all panelists: Are we pausing here for questions?

October 6, 2020 3:40 PM from Linda Caldwell to everyone: If a ESG participant has an eviction notice right now, and they qualify for assistance, can we pay for 6 months of rental arrears now?

October 6, 2020 3:41 PM from Diana Trejo to everyone: Does the extension of the obligation deadline from 180 to 240 days only apply when you're looking to identify new subrecipients to administer the funding? I'm concerned about the 180 day obligation deadline being the same for both round 1 and round 2 allocations if we have to go through an RFP process

October 6, 2020 3:42 PM from Mikelle Daily to everyone: is the expenditure deadline of Sept 30, 2022 the date that all funds must be drawn down in IDIS by?

October 6, 2020 3:42 PM from Jennifer O'Reilly-Jones to everyone: Can you give an example of temporary emergency shelter that would be a "portion of a structure" that also "provides cover on all sides and overhead?"

October 6, 2020 3:43 PM from Angel Macchia to everyone: I'm confused about the two dates being discussed; Jan 2022 and Sept 2022. Can you clarify?

October 6, 2020 3:44 PM from Jennifer Fabbrini (privately): With the 12 month cap on medium-term rental assistance, are there any exceptions, as in if a participant needs an extension?

October 6, 2020 3:44 PM from Ashley Miller to everyone: Is there a limit to the amount of assistance for arrears that can be provided funded by an ESG-CV?

October 6, 2020 3:44 PM from Jennifer Fabbrini to everyone: With the 12 month cap on medium-term rental assistance, are there any exceptions, as in if a participant needs an extension?

October 6, 2020 3:46 PM from Karen Kuipers to everyone: Our period of performance end date on our grant agreement for ESG-CV (round 1) funds specifies 7/13/2022, which is 24 months after the federal award date in box 16. Confused by which date we need to go by - the grant agreement date or the expenditure deadline noted in the earlier slides of 9/30/2022?

October 6, 2020 3:47 PM from Elizabeth Daniels-Totten to everyone: Can you give an example of documentation from the local public health office determining that temporary emergency shelter is necessary for coronavirus response?

October 6, 2020 3:47 PM from Gabriel Lemus to everyone: So would providing Emergency Shelter at a hotel/motel be temporary emergency shelter or emergency shelter?

October 6, 2020 3:48 PM from Amanda B to everyone: With these guidelines wouldn't a tent structure meet the temporary ES category if there is access to a portable hygiene facility

October 6, 2020 3:49 PM from Gabriel Lemus to everyone: Does Acquisition also include long-term or master leases?

October 6, 2020 3:49 PM from Patricia Hennessy to everyone: To clarify, if a shelter structure meets habitability and could be considered a (non-temporary) emergency shelter, can ESG and ESG-CV funds be used for acquisition?

October 6, 2020 3:50 PM from Karen Kuipers to everyone: If multiple ESG funders join together to PURCHASE an emergency shelter facility, is it 2.5 million threshold PER FUNDER, or 2.5 million PER FACILITY?

October 6, 2020 3:51 PM from Kim Murillo to everyone: Does the title transfer option from 200.311 (c)(3) not apply for TES?

October 6, 2020 3:52 PM from Diana Trejo to everyone: Can you clarify if a covered parking garage with open sides would qualify under temporary emergency shelter?

October 6, 2020 3:52 PM from Joiann Galiano to everyone: what if you don't have a local public health authority?

October 6, 2020 3:52 PM from Nora Lally to everyone: @Mikelle September 30, 2022 is the date by which ESG-CV funds must be expended.

October 6, 2020 3:54 PM from Amanda Best to everyone: Will a landlord be able to receive multiple incentives if they have multiple units?

October 6, 2020 3:54 PM from Jim Cain to everyone: What type of documentation does the subrecipient need to document signing bonus?

October 6, 2020 3:54 PM from Tim West to everyone: So if we use ESG CV \$ to rehab shelter to add ES space but don't call it "Temp ES", do we still have to repay the funds?

October 6, 2020 3:55 PM from Amanda B to everyone: Would landlord incentives then still be reported as RRH if they are standalone incentives that support multiple other projects (e.g. CoC RRH)

October 6, 2020 3:55 PM from Sarita Harcourt to everyone: We still need to ensure that the landlord is in compliance with California landlord-tenant laws concerning security deposits. A landlord may charge a renter the equivalent of two months' rent for the security deposit if the residence is unfurnished, and three months' rent if the residence is furnished. Please clarify. Thanks.

October 6, 2020 3:57 PM from Emily Burgos to everyone: Does ESG for Homeless Prevention include diversion?

October 6, 2020 3:58 PM from Nora Lally to everyone: @Diana - Yes, the extension of the obligation deadline provides further flexibility for recipients to provide additional time to identify entities that have capacity and expertise to mitigate the impacts of coronavirus, including those who have not previously or recently received ESG funding, so it only applies when looking to identify new subrecipients.

October 6, 2020 3:58 PM from Mikelle Daily to everyone: More detail about volunteer incentives? What about pro bono legal services - eligible for volunteer incentives?

October 6, 2020 3:59 PM from Nora Lally to everyone: @Ashley -- The ESG regulations establish that up to 6-months of rental arrears are eligible, which is the case for ESG-CV funded rental arrears as well

October 6, 2020 4:00 PM from Nora Lally to everyone: @Karen All ESG-CV funds (both first and second allocations) must be expended for eligible activity costs by September 30, 2022. Your grant agreement was issued prior to the Notice being published, and that may explain the discrepancy.

October 6, 2020 4:00 PM from Ashley Miller to everyone: Thank you Nora

October 6, 2020 4:01 PM from Susan Scott to everyone: arrears apply to previously rented units or is this a prevention activity for folks who are still housed?

October 6, 2020 4:01 PM from Amanda Sternberg to everyone: How would we be able to use landlord incentives to cover costs to improve a unit to meet habitability, if we also have to have an executed lease for that unit, considering that we wouldn't execute a lease with a landlord unless it already met the habitability standards?

October 6, 2020 4:02 PM from Ashley Miller to everyone: when does the ability to assist with over FMR, but reasonable unit end?

October 6, 2020 4:02 PM from Jessica Reed to everyone: Re: expenditure deadline of 9/30/2022 regardless of when grant agreement was issued, our state (CA) has imposed an expenditure deadline of one month earlier 8/31/2022. Is this date rendered moot by the notice or do we need to abide by state's earlier deadline? Thank you!

October 6, 2020 4:02 PM from Erica Moniz to everyone: Can you elaborate on income calculation being retrospective in terms of calculating annual household income specifically?

October 6, 2020 4:03 PM from Ashley Miller to everyone: If an applicant for ESG-CV funds has enough money to pay rent, but not enough for other household bills, is that client considered "at risk" and eligible for assistance? If so, how is that documented?

October 6, 2020 4:03 PM from Erica Moniz to everyone: *prospective

October 6, 2020 4:04 PM from Emma Petrie Barcelona to everyone: Which guidance should we be using for income and asset calculations for program eligibility? not the

online calculator- but income calculation guidance for this program. Or can we waive an income calculation for those household types in homeless prevention (like facing eviction, etc)?

October 6, 2020 4:04 PM from John Niffenegger to everyone: Has HUD given any indication of waiving the 21 days until eviction for homelessness prevention given moratorium?

October 6, 2020 4:07 PM from Jennifer O'Reilly-Jones to everyone: If a landlord issues a written notice to pay or quit that is not legal under local or state moratorium, can they still qualify for HP assistance?

October 6, 2020 4:07 PM from Nora Lally to everyone: @Stephanie, there is no requirement that ESG recipients utilize an RFP process to select subrecipients. HUD does require that the process for selecting subrecipients follows local policies and procedures (which includes mechanisms for avoiding conflicts of interest).

October 6, 2020 4:08 PM from tami bailey to everyone: Refusal to renew the lease qualifies under Risk Category 1 or 2 depending upon timing correct? We have cases where they won't renew the lease, change the locks and lock the person out when they are behind on rent and lease expired

October 6, 2020 4:08 PM from Mandy Wampler to everyone: @amanda- Will a landlord be able to receive multiple incentives if they have multiple units? Yes. Landlord incentives are on a per-unit basis.

October 6, 2020 4:09 PM from Jennifer O'Reilly-Jones to everyone: If we would like to use our annual ESG allocation for coronavirus response, do we need to do a substantial amendment to our Annual Action Plan to update the project descriptions or can we just make the changes in IDIS?

October 6, 2020 4:10 PM from Karen Kuipers to everyone: There is a chicken and egg dynamic with "At-Risk". Are households facing non-payment eviction really under reasonable expectation that the household will lose their residence if the Eviction Moratoria says they can't be evicted for non-payment? And how do the tenants affidavit that they have tried to get government assistance (e.g. ESG) when that funding hinges on whether they are truly going to lose their residence.... back to the eviction moratoria...

October 6, 2020 4:10 PM from Mandy Wampler to everyone: recipient. They're having a hard time housing people because of FMR restrictions. Could we use the waiver in the Notice so that FMR doesn't need to apply? Without housing the clients are more prone to contracting COVID. Would we need to somehow reprogram the funding even though it's already awarded? Could we just document the COVID connection in the client file? @jazmyn thomas The requirement that rent not exceed the Fair Market Rent is waived so long as

the rent complies with HUD's standards of rent reasonableness. The FMR requirement was initially waived (per Mega Waiver #1), and this flexibility is included in the ESG-CV Notice. If the 2019 ESG annual funds are being used for an activity that prepares for, prevents, or responds to COVID (as documented in the activity description), then the flexibility can be applied. The recipient should make any necessary amendments to the 2019 Action Plan, and should revise the subrecipient agreement to reflect rent reasonableness (versus FMR).

October 6, 2020 4:10 PM from Tiffany Leung to everyone: Where in the notice does it highlight the 60 day grace period?

October 6, 2020 4:11 PM from Mandy Wampler to everyone: @ jazmyn thomas regarding FMRS: The requirement that rent not exceed the Fair Market Rent is waived so long as the rent complies with HUD's standards of rent reasonableness. The FMR requirement was initially waived (per Mega Waiver #1), and this flexibility is included in the ESG-CV Notice. If the 2019 ESG annual funds are being used for an activity that prepares for, prevents, or responds to COVID (as documented in the activity description), then the flexibility can be applied. The recipient should make any necessary amendments to the 2019 Action Plan, and should revise the subrecipient agreement to reflect rent reasonableness (versus FMR).

October 6, 2020 4:12 PM from Linda Caldwell to everyone: Will the slides be available immediately afterwards, and where?

October 6, 2020 4:14 PM from Susan Scott to everyone: Can you please elaborate on when arrears can be paid? Current landlords (homeless prevention) or past landlord to remove barriers to new housing (RRH)?

October 6, 2020 4:14 PM from Nora Lally to everyone: @Jessica -- Recipients have the ability to set requirements that are stricter than the HUD standard, so the state's 8/31/2022 would apply to your funds.

October 6, 2020 4:15 PM from Christopher McGadney to everyone: When will the slides for the webinar be available on HUD Exchange?

October 6, 2020 4:15 PM from Julie Montgomery to everyone: Is there a cap on hazard pay? Can it be retroactive?

October 6, 2020 4:16 PM from Patty Mullen to everyone: Is there a link to information about how to set up a subrecipient?

October 6, 2020 4:16 PM from Linda Caldwell to everyone: Where can I find a copy of Waiver 3 that came out September 30th

October 6, 2020 4:17 PM from Taylor Kiely to everyone: Megawavier #3 can be found here: <https://www.hud.gov/sites/dfiles/CPD/documents/CPD-COVID-19-Waiver-3-Final-Clean.pdf>

October 6, 2020 4:17 PM from jihye yoon to everyone: MegaWaiver 3 notification timeline question. we are working on the notificaiton to HUD filed office but can we still use the extending waivers or do we need to wait/hold all waivers until we have submitted the notice plus 2 days?

October 6, 2020 4:20 PM from Karen Kuipers to everyone: Would a transition from "temporary emergency shelter" for COVID-19 response to "emergency shelter" post COVID-19 be considered a different use for purposes of triggering disposition?

October 6, 2020 4:22 PM from Nathan Salter to host (privately): Can you go into more detail regarding At-Risk and the eviction moratorium? It is hard to follow the conversation on the chat.

October 6, 2020 4:24 PM from Tim West to everyone:
Repayment/disposition still not clear on ESG CV \$ for shelter renovation/acquisition. What are the triggers for repayment? ES vs. TES? meets habitability vs. does not meet habitability?

October 6, 2020 4:24 PM from Alicia Baughman to everyone: Would emergency shelter covid19 esg funding need to end Jan 30 2022 like temporary shelter or when?

October 6, 2020 4:24 PM from Carol Racz to everyone: so hotels still meet the requirement when shelters have been limited or closed to new intakes

October 6, 2020 4:25 PM from Gabriel Lemus to everyone: So, what if a health order from the public health officer directed all emergency shelter operations be moved to non-congregate setting, such as a hotel/motel, and the entire hotel/motel is being used to move existing participants from a congregate emergency shelter to a hotel? I've heard that is actually Emergency Shelter not Temporary E

October 6, 2020 4:26 PM from Gabriel Lemus to everyone: ...Temporary ES. Is that correct that it is ES not Temp. ES?

October 6, 2020 4:28 PM from Karen Kuipers to everyone: Is repayment of legal fees incurred by landlord to begin eviction process eligible as a landlord incentive to reconsider proceeding with eviction utilizing other incentives?

October 6, 2020 4:28 PM from Diana Trejo to everyone: I haven't been able to find previous FAQ documents on ESG-CV funding. Can HUD provide a link to where we can find answers to previously asked questions?

October 6, 2020 4:29 PM from Nora Lally to everyone: @mikelle -- Volunteer incentives must be reasonable; provided to those who have been/are currently helping to “provide necessary street outreach, emergency shelter, essential services, and housing relocation and stabilization services during the coronavirus outbreak.” Pro bono legal services that meet the eligibility requirements of those activities would be eligible.

October 6, 2020 4:30 PM from Taylor Kiely to everyone: @Diana- an official FAQ hasnt been posted just yet. However, when I am looking for answers to specific questions, I search the transcripts from the previous webinars and SNAPS Friday Office Hours

October 6, 2020 4:31 PM from Natalie Ramey to everyone: When will this webinar be posted?

October 6, 2020 4:31 PM from Diana Trejo to everyone: Thanks Taylor!