Emergency Solutions Grants Program
Written Standards
Los Angeles Continuum of Care
2015

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I. Introduction

In accordance with 24 CFR 91.220(l)(4)(i) and 567.400(e)(1), the Los Angeles Continuum of Care (Los Angeles CoC) has developed the following written standards for the provision of services with, and prioritization of Emergency Solutions Grant (ESG) funding.

The Los Angeles CoC is awarded ESG funds annually from the Department of Housing and Urban Development as part of the Annual Action Plan Process. These funds, provided to several cities within the Los Angeles CoC, including the Cities of Compton, El Monte, Pomona, South Gate, Los Angeles, and the County of Los Angeles, which are distributed as part of a competitive Request for Proposals (RFP) process, are designed to identify sheltered and unsheltered homeless persons, as well as those at risk of homelessness, and provide the services necessary to help those persons quickly regain stability in permanent housing. The ESG Interim rule allows ESG funds to be used for five program components including; street outreach, emergency shelter, homelessness prevention, rapid rehousing assistance, and HMIS.

The ESG Program Written Standards serves as a guide to units of local government and private non-profit organizations interested in participating in the Los Angeles CoC ESG Program. These Written Standards describe the ESG program; the requirements of recipients and subrecipients to manage programs using these funds; and outline the Los Angeles CoC’s policies and procedures for administering the program.

These Standards were created in coordination with the Cities of Compton, El Monte, Pomona, South Gate and Los Angeles, and the County of Los Angeles, the Los Angeles CoC Coordinating Council, and Los Angeles CoC which includes housing and service providers and cities within the CoC geographic area. They are in accordance with the interim rule for the ESG Program released by the U.S. Department of Housing and Urban Development on December 4, 2011 and the final rule for the definition of homelessness also released by the U.S. Department of Housing and Urban Development on December 4, 2011.

The Standards serve as the guiding principles for funding programs and the operations and process for carrying out each program component for the Los Angeles CoC. It is expected that the Standards will adjust as Los Angeles CoC acquires more knowledge and collects and analyzes data from services provided with the ESG program.

II. Purpose

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) amended the McKinney-Vento Homeless Assistance Act, including major revisions to the Emergency Shelter Grants program, now the Emergency Solutions Grants (ESG) program. The HEARTH Act incorporated many of the lessons learned from the implementation of the Homelessness Prevention and Rapid Re-Housing Program (HPRP) into the new ESG program, including placing a stronger emphasis on homelessness prevention and rapid re-housing assistance.

While still an eligible cost-type under these funds, the new ESG places less of an emphasis on providing shelter operating costs or essential shelter services to subrecipients. In line with HUD’s national policy as outlined in Opening Doors: Federal Strategic Plan to Prevent and End Homelessness, federal programs aimed at ending homelessness have shifted away from providing shelter support and are now geared towards providing stable, permanent housing opportunities for the homeless and at-risk of homelessness.
The new ESG Program is designed to identify sheltered and unsheltered homeless persons, as well as those at risk of homelessness, and provide the services necessary to help those persons to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness.

The new ESG program allows each city administering these funds and the County of Los Angeles to set priorities based on the individualized needs of the community. These Standards serve to outline the specific guidelines and priorities that will be used by the Los Angeles CoC in awarding and administering ESG funding.

III. Definitions

1. The definition for each of the homeless categories listed below are defined in Attachment A of these Standards.
   a. Category 1 – Literally Homeless
   b. Category 2 – Imminent Risk of Homelessness
   c. Category 3 – Homeless Under Other Federal Statutes
   d. Category 4 – Fleeing/Attempting to Flee Domestic Violence

2. Chronically Homeless: A person who is “chronically homeless” is an unaccompanied homeless individual with a 
disabling condition; who has either been continuously homeless for a year or more; OR has had at least four (4) episodes of homelessness in the past three (3) years. In order to be considered chronically homeless, a person must have been sleeping in a place not meant for human habitation (e.g., living on the streets) and/or in an emergency homeless shelter. A disabling condition is defined as:
   - Diagnosable substance use disorder,
   - Serious mental illness,
   - Developmental disability,
   - Chronic physical illness,
   - Or disability including the co-occurrence of two or more of these conditions. A disabling condition limits an individual’s ability to work or perform one or more activities of daily living.

3. Consolidated plan means a plan prepared in accordance with 24 CFR part 91. An approved consolidated plan means a consolidated plan that has been approved by HUD in accordance with 24 CFR part 91.

4. Continuum of Care means the group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area.

5. Coordinated Entry System (CES): The Coordinated Entry System (CES) brings together existing programs into a no-wrong-door system, connecting homeless adults to the best resources for them. This system
was developed to coordinate providers efforts, create a real-time list of individuals experiencing homelessness in communities, and a means to quickly and efficiently match people to available housing resources and services that best fit their needs.

6. Crisis Housing: emergency shelter in the coordinated homeless system.

7. Day Shelter: a shelter whose primary purpose is to provide temporary shelter for the homeless in general or specific subpopulations of the homeless. The day shelter does not require occupants to sign leases or occupancy agreements. The day shelter meets the emergency shelter definition and may be funded as an emergency shelter under ESG. Also, the primary purpose must be evident in the shelter's features; at a minimum, homeless people must be able to stay in the facility for as many hours as it is open.

8. Emergency Shelter: The term Emergency Shelter was revised by 24 CFR Part 576.2 to mean “any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. Any project funded as an emergency shelter under a Fiscal Year 2010 Emergency Solutions grant may continue to be funded under ESG. This definition excludes transitional housing. However, projects that were funded as an emergency shelter (shelter operations) under the FY 2010 Emergency Shelter Grants program may continue to be funded under the emergency shelter component under the Emergency Solutions Grants program, regardless of whether the project meets the revised definition. The LA CoC has adopted the term short-term crisis housing to refer to Emergency Shelter.

9. The definition of a family:
   a. Households consisting of one or more minor children (17 or under) in the legal custody of one or two adults who are living together and working cooperatively to care for the children. This includes 2-parent and 1-parent families, including those with same sex partners, families with intergenerational or extended family members, unmarried couples with children, families that contain adults who are not the biological parents of the children, and other family configurations.
   b. Households currently without minor children, in which the mother is in her last trimester of pregnancy, or mothers who have been medically diagnosed as having a “high risk” pregnancy.

10. Homeless Management Information System (HMIS) means the information system designated by the Continuum of Care to comply with the HUD’s data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at-risk of homelessness.

11. Metropolitan city means a city that was classified as a metropolitan city under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available. This term includes the District of Columbia.

12. Permanent Housing: The term ‘permanent housing’ means community-based housing without a designated length of stay, and includes both permanent supportive housing and permanent housing without supportive services.

13. Private nonprofit organization means a private nonprofit organization that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices
nondiscrimination in the provision of assistance. A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.

14. *Program income* shall have the meaning provided in 24 CFR 85.25. Program income includes any amount of a security or utility deposit returned to the recipient or subrecipient.

15. *Program participant* means an individual or family who is assisted under ESG program.

16. *Program year* means the consolidated program year established by the recipient under 24 CFR part 91.

17. *Recipient* means any State, territory, metropolitan city, or urban county, or in the case of reallocation, any unit of general purpose local government that is approved by HUD to assume financial responsibility and enters into a grant agreement with HUD to administer assistance under this part.

18. *State* means each of the several States and the Commonwealth of Puerto Rico.

19. *Subrecipient* means a unit of general purpose local government or private nonprofit organization to which a recipient makes available ESG funds.

20. Supportive Services: The term ‘supportive services' means services that address the special needs of people served by a project, including:
   a. the establishment and operation of a child care services program for families experiencing homelessness;
   b. the provision of employment assistance, including job training;
   c. the provision of outpatient health services;
   d. the provision of food assistance and nutritional counseling;
   e. the provision of case management services;
   f. the provision of assistance in obtaining permanent housing, including housing search;
   g. the provision of outreach services;
   h. the provision of life skills training;
   i. the provision of mental health services, trauma counseling, and victim services;
   j. the provision of benefits assistance in obtaining other Federal, State, and local assistance available for residents of supportive housing (including mental health benefits, employment counseling, and medical assistance, but not including major medical equipment);
   k. the provision of legal services for purposes including requesting reconsiderations and appeals of veterans and public benefit claim denials and resolving outstanding warrants that interfere with an individual's ability to obtain and retain housing;
   l. the provision of— (i) transportation services that facilitate an individual's ability to obtain and maintain employment; and (ii) health care; and
   m. Other supportive services necessary to obtain and maintain housing.

21. *Territory* means each of the following: the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.
22. Transitional Housing: The term ‘transitional housing’ means housing the purpose of which is to facilitate the movement of individuals and families experiencing homelessness to permanent housing within 24 months or a longer period approved by HUD.

23. *Unit of general purpose local government* means any city, county, town, township, parish, village, or other general purpose political subdivision of a State.

24. *Urban county* means a county that was classified as an urban county under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available.

25. *Victim service provider* means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term includes rape crisis centers, battered women’s shelters, domestic violence transitional housing programs, and other programs.

### IV. Standard policies and procedures for evaluating individuals’ and families’ eligibility for assistance under ESG

1. Per 24 CFR 576.401: ESG subrecipients must conduct an initial evaluation to determine each individual or family’s eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. With the participant’s voluntary participation in the assessment process, participants are assessed using the LA CoC assessment tool, (unless otherwise exempt from HMIS, such as survivors of domestic violence providers in order to protect victim safety.)¹. The participant reviews and signs the CES consent form which is kept on record with the SPA of origin.

2. All ESG subrecipients will follow federal documentation guidelines to establish the participant’s status as homeless or at-risk of homelessness and their income eligibility. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under §576.400(d).
   a. Programs funded through the LA CoC must participate in the coordinated assessment and access system as required by the HUD HEARTH Act. Re-evaluation of program participants may be conducted more frequently than required by 24 CFR 576.401 and may be incorporated into the case management process.
   b. Case management must occur not less than monthly for homeless prevention and rapid re-housing participants – See 24 CFR 576.401(e)(i).
   c. ESG subrecipients must re-evaluate program participant’s eligibility and the types and amounts of assistance the participant needs;
      i. Not less than once every 3 months for participants who are receiving homelessness prevention assistance, and rapid re-housing assistance.
   d. Regardless of which timeframe is used, re-evaluations, must at minimum, establish that:
      i. The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.
      ii. At 12 months, participants must be at 30% or below to continue receiving assistance.

¹ Please note: HUD re-opened the comment period on the ESG regulations and this section will be revised if and when appropriate.
iii. When determining the annual income of an individual or family, the recipient or
subrecipient must use the standard for calculating annual income under 24 CFR 5.609

iv. When the program participant's income or other circumstances change, such as change
in household composition, that affects the program participant's need for assistance
under ESG, the subrecipient must then re-evaluate the program participant's eligibility
and the amount and types of assistance the program participant needs.

e. Subrecipients must assist each program participant, as needed, to obtain appropriate
services, including assistance in obtaining permanent housing, medical health treatment, mental
health treatment, counseling, monitoring and evaluation, and other services essential for
achieving independent living; housing stability and case management; and other Federal, State,
local, or private assistance available to assist the program participant in obtaining housing
stability includes, but is not limited to:
   i. HUD Housing Choice Voucher
   ii. HUD - Veterans Affairs Supportive Housing (VASH) Voucher
   iii. Emergency Food and Shelter Program
   iv. Medicaid
   v. Supplemental Nutrition Assistance Program (SNAP)
   vi. Women, Infants and Children (WIC)
   vii. Federal-State Unemployment Insurance Program
   viii. Social Security Disability Insurance (SSDI)
   ix. Supplemental Security Income (SSI)
   x. California Work Opportunity and Responsibility to Kids (CalWORKs)
   xi. General Assistance Program (GA)
   xii. LA County First 5
   xiii. Other mainstream resources such as housing, health, social services, employment,
education services and youth programs that an individual or family may be eligible to
receive

V. Standards for targeting and providing essential services related to Street Outreach

1. ESG funding may be used to cover the costs of providing essential services necessary to reach out to
unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and
provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to
access emergency shelter, housing, or an appropriate health care facility. For the purposes of this
section, the term “unsheltered homeless people” means individuals and families who qualify as
homeless under paragraph (1) (i) of the “homeless” definition under 24 CFR Part 576.2. As outlined in
24 CFR Part 576.101, essential services consist of:
   a. Engagement;
   b. Case management;
   c. Emergency health services – only when other appropriate health services are inaccessible or
      unavailable within the area;
   d. Emergency mental health services – only when other appropriate mental health services are
      inaccessible or unavailable within the area;
   e. Transportation; and
   f. Services for special populations.
ESG subrecipients must determine an individual or family’s vulnerability and willingness or ability to access emergency shelter, housing, or an appropriate health facility, prior to providing essential services under this component to ensure that ESG funding is used to assist those with the greatest need for street outreach assistance.

2. Per 24 CFR 576.401, below is the housing stability Case Management requirement.
   1) When providing rapid re-housing assistance to a program participant, the recipient or subrecipient must:
      i. Require the program participant to meet with a case manager not less than once per month to assist the program participant in securing long-term housing stability; and
      ii. Develop a plan to assist the program participant in retaining permanent housing after the ESG assistance ends, taking into account all relevant considerations. (i.e., program participant’s current or expected income and expenses; other public or private assistance for which the program participant may be eligible and is likely to receive; and the relative affordability of available housing in the area.)
   2) The recipient or subrecipient is exempt from the requirement(s) under paragraph (e)(1)(i) of this section if the Violence Against Women Act of 1994 or the Family Violence Prevention and Services Act prohibits the recipient or subrecipient from making its shelter or housing conditional on the participant’s acceptance of services.

VI. Standards for admission, diversion, referral, and discharge by emergency shelters

1. Shelter stays should be avoided if at all possible. If deemed necessary, however, they should be limited to the shortest time necessary to help participants regain permanent housing. ESG subrecipients must conduct an initial evaluation of all individuals or families to determine if they should be admitted to an emergency shelter, diverted to a provider of other ESG-funded housing interventions, such as rapid re-housing or homelessness prevention assistance, or referred for other mainstream resources.

2. ESG subrecipients must determine that individuals and families meet one or more of HUD’s Criteria for Defining Homelessness and assess the individual’s or family’s vulnerability to ensure that only those individuals or families that have the greatest need for emergency shelter assistance receive ESG funded assistance.

3. ESG subrecipients must also reassess emergency shelter participants on an ongoing basis, to determine the earliest possible time that a participant can be discharged to permanent housing. All persons discharged from emergency shelters will have their exit status entered into HMIS and will be provided discharge paperwork as applicable or upon request.

4. Safety and Shelter Needs of Special Populations
   a. ESG funding may be used to provide services for homeless youth, survivors of domestic violence, sexual battery or stalking, and/or services for people living with HIV/AIDS, as long as the costs of providing these services are eligible under the regulations for the emergency shelter component found at 24 CFR Part 576.102.
   b. Consistent with ESG recordkeeping and reporting requirements found at 24 CFR Part 576.500, ESG subrecipients must develop and implement written policies and procedures to ensure the safety of program participants through the following actions:
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i. All grantees and sub-grantees will take appropriate measures to provide for participant confidentiality. Grantees and sub-grantees will develop and implement procedures to guarantee the confidentiality of records concerning program participants. All records containing personally identifying information (as defined in HUD’s standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and receives ESG assistance will be kept secure and confidential.

ii. The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter, and

iii. The address or location of any housing of a program participant, including youth, individuals living with HIV/AIDS, victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing will not be made public, except as provided under a preexisting privacy policy of the subrecipient and consistent with State and local laws regarding privacy and obligations of confidentiality.

VII. Standards for assessing, prioritizing, and reassessing individuals’ and families’ and youth needs for essential services related to emergency shelter

1. The LA CoC assessment tool is used to assess, prioritize, and reassess participants through the Coordinated Entry System (CES) for individuals, the Homeless Family Solutions System (HFSS) for families and the Youth Coordinated Entry System (YCES) (unless otherwise exempt from HMIS, such as survivors of domestic violence providers in order to protect victim safety) All ESG subrecipients will use the coordinated assessment systems (CES, HFSS, YCES) to help determine and prioritize the participant need for emergency shelter or other ESG-funded housing interventions and assistance.

2. ESG funding may be used to provide essential services to individuals and families who are housed in an emergency shelter. Essential services can include case management, child care, education services, employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, transportation, and services for special needs population.

3. Shelters that serve families must serve all eligible families and may not refuse services based on the age of children or the size of the family.

4. Participants will meet with case managers throughout their participation in the program, and have regular progress evaluations. The service provider will re-assess participants.

5. Participants should have the opportunity to provide feedback and assessment about programs and services.

VIII. Standards for coordination among emergency shelter providers, essential service providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers
In order to ensure effective coordination among agencies that assist homeless people and prevent homelessness, collaboration is necessary among housing and service providers within the LA CoC, local homeless coalitions for each SPA, LA City and County staff, and the Coordinating Council.

Subrecipients of ESG funding should actively engage in the LA Continuum of Care by attending and participating in the LA CoC Quarterly Community Meetings, Coordinating Council Meetings, and local Homeless Coalition Meetings.

IX. Standards for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance

1. A key component to the successful implementation of a coordinated assessment system within the LA CoC is the CES and HFSS’s screening and assessment processes. Screening and assessment thoroughly explores a family’s or individual’s situation and pinpoints their unique housing and service needs. Based upon the assessment, families and individuals should be referred to and provided with the services and housing intervention most appropriate to their situations and needs.

2. ESG-funded service providers are responsible for ensuring that the needs of all participants are assessed utilizing the LA CoC coordinated assessment protocols described under numbers 3 and 4 below. Each assessment must include a determination of eligibility for all potential sources of financial assistance to ensure that limited ESG prevention or rapid rehousing resources available are prioritized for homeless individuals and families who are most in need of this assistance.

3. The LA CoC assessment tools aid the matching of individuals and families with the most appropriate assistance.

4. Under homelessness prevention, ESG assistance is available to individuals and families whose income is below 30% of Area Median Income (AMI) who, are imminently at risk of becoming homeless. ESG funds can be used to prevent an individual or family from becoming homeless and to assist them in regaining stability in current housing or other stable housing.

5. Rapid re-housing funds can be used to assist individuals and families who are literally homeless progress toward permanent housing and achieve housing stability.
   a. Rapid Re-Housing individuals or families will be re-certified annually for program eligibility.

X. Standards for determining the share of rent and utility costs that program participants must pay while receiving homelessness prevention or rapid re-housing assistance

1. Rapid re-housing programs should institute tapering or “stepped-down” rental assistance structures so participants being served will be prepared to assume full responsibility of the monthly contracted rent, monthly utility costs, and other essential household costs at the end of the rental assistance period.

2. Eligible homeless participants may receive rental assistance for up to six months without an extension. Rental subsidies up to 100% of the contracted rent amount may be provided in months 1-3. Rental subsidies provided in months 4-6 should not exceed 75% of the contracted rent. This maximum subsidy level is designed to allow rapid re-housing service providers flexibility in setting rental assistance subsidies based on progressive engagement strategies.
3. ESG rental assistance may be provided in conjunction with rental assistance available from other funding sources by being issued prior to or just following another rapid re-housing subsidy. ESG assistance should be coordinated with the other subsidy by being issued at the same assistance level or by beginning a step-down approach in conjunction with the other subsidy.

4. The need for ongoing assistance must be assessed every 90 days for program participants receiving homelessness prevention and rapid re-housing assistance.

### XI. Standards for determining how long a particular program participant will receive rental assistance and whether and how the amount of that assistance will be adjusted over time

1. Standards for determining the share of rent and utilities costs that each rapid rehousing program participant must pay will be based on the following:
   a. Participants receiving rental assistance are expected to contribute a portion of their income toward the unit’s rent. Rental subsidies up to 100% of the contracted rent amount may be provided in months 1-3. Rental subsidies provided in months 4-6 should not exceed 75% of the contracted rent.
   b. There must be a formal signed rental or lease agreement between the property owner/manager and the tenant.
   c. No rental assistance may be made to an individual or family that is receiving rental assistance from another public source for the same time period.
   d. Rental assistance may not be provided to a participant who is currently receiving replacement housing payments under the Uniform Relocation Assistance Act.

2. Per 24 CFR 576.106 (e), ESG subrecipients may make rental assistance payments only to an owner with whom the subrecipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the subrecipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.

3. Extensions for assistance may be issued when extenuating circumstances arise that require additional assistance. Service providers should consider extensions on a case-by-case basis for extensions of rental assistance in three-month increments up to an additional 18 months for a maximum subsidy period of 24 months. Requests for extensions must include a clear plan to ensure that participants remain stably housed after the rental assistance period ends.

### XII. Standards for determining the type, amount, and duration of housing stabilization and relocation services to provide a program participant.

1. Subject to the general conditions under 24 CFR 576.103 and 24 CFR Part 576.104, subrecipients may use ESG funding to pay housing owners, utility companies, and other third parties for some or all of the following costs, as allowed under 24 CFR 576.105:
   a. Rental application fees
   b. Security deposits
   c. Last month’s rent
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d. Utility deposits
e. Utility payments
f. Moving costs, and
g. Some limited services costs

2. Consistent with 24 CFR 576.105 (c), ESG subrecipients determine the type, maximum amount and duration of housing stabilization and relocation services for individuals and families who are in need of homelessness prevention or rapid re-housing assistance through the initial evaluation, re-evaluation and ongoing case management processes.

3. Consistent with 24 CFR 576.105(d), financial assistance for housing stabilization and relocation services cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the Uniform Relocation Act (URA) during the period of time covered by the URA payments.

4. ESG funded agencies providing prevention or rapid rehousing assistance must develop a plan to assist the program participant in retaining permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligible and likely to receive; and the relative affordability of available housing in the area.

XIII. Standards for Habitability and Rent Reasonableness

1. ESG subrecipients must adhere to the following ESG shelter and housing standards found at 24 CFR Part 576.403 to ensure that shelter and housing facilities are safe, sanitary, and adequately maintained:
   a. **Lead-Based Paint Requirements.** The Lead-Based Paint Poisoning Prevention Act applies to all shelters assisted under the ESG program and all housing occupied by program participants. All ESG subrecipients are required to conduct a Lead-Based Paint inspection on all units receiving assistance under the rapid re-housing and homelessness prevention components if the unit was built before 1978 and a child under age of six or a pregnant woman resides in the unit.
   b. **Structure and Materials.** There should be a Certificate of Occupancy and the shelter building should be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.
   c. **Access.** The shelter must be accessible, and there should be a second means of exiting the facility in the case of emergency or fire.
   d. **Space and Security.** Each resident should have adequate space and security for themselves and their belongings. Each resident must have an acceptable place to sleep.
   e. **Interior Air Quality.** Each room or space within the shelter/facility must have a natural or mechanical means of ventilation. The interior air should be free of pollutants at a level that might threaten or harm the health of residents.
   f. **Water Supply.** The shelter's water supply should be free of contamination.
   g. **Sanitary Facilities.** Each resident should have access to sanitary facilities that are in proper operating condition. These facilities should be able to be used in privacy, and be adequate for personal cleanliness and the disposal of human waste.
   h. **Thermal Environment.** The shelter/facility must have any necessary heating/cooling facilities in proper operating condition.
i. **Illumination and Electricity.** The shelter/facility should have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There should be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.

j. **Food Preparation.** Food preparation areas, if any, should contain suitable space and equipment to store, prepare and serve food in a safe and sanitary manner.

k. **Sanitary Conditions.** The shelter should be maintained in a sanitary condition.

l. **Fire Safety-Sleeping Areas.** There should be at least one working smoke detector in each occupied unit of the shelter facility. In addition, smoke detectors should be located near sleeping areas where possible. The fire alarm system should be designed for a hearing-impaired resident.

m. **Fire Safety-Common Areas.** All public areas of the shelter must have at least one working smoke detector.

2. Rental assistance cannot be provided for a unit unless the unit meets the minimum habitability standards found at 24 CFR 576.403(c).

3. Rental assistance cannot be provided for a unit unless the rent for that unit is at or below the current Fair Market Rent limit as established annually by HUD.

4. The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. See 24 CFR 574.320.

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**XIV. Compliance with the American with Disabilities Act (ADA)**

All shelters shall be in compliance with the Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. §12101 et seq., its implementing regulations at 24 C.F.R. Part 8, and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) Pub. L. 110-325 and all subsequent amendments. Shelters shall provide reasonable accommodations to allow qualified individuals with disabilities to have access to and fully participate in its programs, services and activities in accordance with the provisions of the ADA, the ADAAA, the Rehab Act, the UFAS and the FHA and all subsequent amendments. This includes accommodations for disabled clients with mental impairments or those accompanied by designated service animals. Contractor will not discriminate against persons with disabilities or against persons due to their relationship to or association with a person with a disability; the Uniform Federal Accessibility Standards (UFAS), 24 C.F.R. Part 40; §504 of the Rehabilitation Act of 1973 (Rehab. Act), as amended, 29 U.S.C. 794 and implementing regulations at 24 C.F.R. Parts 8 and 9; and the Fair Housing Act (FHA), 42 U.S.C. §3601 et seq., its implementing regulations at 24 C.F.R. Parts 100, 103, and 104.

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**XV. Standards for Termination of Participant Services under ESG programs**

1. All subrecipients of ESG funding must exercise judgment and examine all extenuating circumstances in determining when violations of a program participant warrant termination so that a program participant's assistance is terminated only in the most severe cases. The subrecipient's termination policy and procedures must include the following:
   a. A written notice to the program participant containing a clear statement of the reasons for termination.
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ii. The review of the decision must give the program participant the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision.

iii. Prompt written notice of the final decision to the program participant.

2. Termination of a program participant does not bar the subrecipient from providing further assistance at a later date to the same individual or family previously terminated from the program.

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**XVI. Standards for Grievances under ESG programs**

1. All subrecipients of ESG funding shall maintain a written set of policies and procedures for the resolution of all grievances (made by participants against subrecipient or their staff or by subrecipient staff against the subrecipient). These policies and procedures shall be freely available to all program participants and subrecipient's staff.

2. Copies of the grievance policies shall be clearly marked and made available to the program participants during intake. A summary of the program grievance resolution policies and procedures shall be prominently displayed in common areas in the program locations.

3. Recipients shall identify an individual to whom all grievances arising between program participants and provider staff and/or grievances regarding operations of the program shall be referred for resolution. This individual shall be clearly identified to management, staff, and program participants.

4. Grievance resolution policies and procedures shall include, but are not limited to the following:
   i. The name and title of the staff person responsible for grievance resolution and how he/she can be contacted.
   ii. A procedure for hearing all grievances within 72-hours of a complaint being filed, including the gathering of facts, testimony from other participants and staff and issuing a decision about the resolution of the grievance.
   iii. A confidential area where grievances may be heard.
   iv. A centralized and coherent system of documenting grievances. The documentation shall contain a description of the grievance and the resolution or disposition of said grievance. Said documentation shall be retained in a central dispute or grievance file as well as the program participant's file.
   v. A procedure for the participant to use to appeal to the local funding source if dissatisfied with the (grievance) determination made by the service provider.

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**XVII. Standards for Homeless Management Information System (HMIS) Participation**

1. Unless otherwise exempt for reasons of participant safety and confidentiality, Contractor shall participate in the Los Angeles Continuum of Care Homeless Management Information System (LA CoC HMIS) and shall also comply with all the HMIS requirements as required of the Contractor under the terms of this Agreement.
a. If the program is exempt from participation in the LA CoC HMIS, Contractor shall use an equivalent system to record, track and maintain all required data under the U.S. Department of Housing and Urban Development (HUD) Universal Data Standards including, but not limited to: demographic information, dates of participation in the program, benefits and services provided, outcomes achieved and placement destinations upon exit from the program. Contractor shall report all required participant data to LAHSA in the manner prescribed for manual reporting by the due dates contained in this agreement.

2. Providers must ensure the completion of an assessment using the LA CoC adopted assessment tool for all program participants who either request case management services or are identified by an alert in the LA CoC HMIS system as a high priority for assessment. Assessments may be completed by case management or other trained staff, or by Coordinated Entry System (CES) staff, or partner agencies responsible for CES operations in the region where the program is located. Assessments must be scheduled and completed as soon as possible for all participants who meet the criteria above and who have stayed for at least five (5) consecutive nights in the shelter. All completed assessments must be entered into HMIS, with appropriate HMIS consent, within 3 days and all participants with a score of 3 or 4 must be referred and connected to the regional CES lead agency.

3. Training Responsibilities: All staff using HMIS are required to complete basic HMIS training(s). Those running and maintaining reports must also complete other HMIS data quality training. Dates and times are available on the LAHSA training website (http://training.lahsa.org).

4. Reporting and Data Quality Requirements: Contractors will make Data Quality an integral part of the Program’s intake reporting policies and procedures. Therefore, Contractors shall perform the following daily, weekly, and quarterly data input and reporting responsibilities.
   a. **Daily:**
      i. Client data entered into HMIS;
      ii. Occupancy Reports (OR) must be conducted;
   b. **Weekly:**
      Contractors are expected to run at least one Data Integrity Report (DIR), taught in HMIS-200, to identify and correct errors in input and reporting.
   c. **Quarterly/Annual:**
      Contractors are required to submit a quarterly and annual progress report designated by LAHSA for analysis.
   d. **Progress Notes:** Case managers must routinely document the content and outcome of case management meetings with Participants and document their progress in achieving the desired housing outcomes and include this documentation in the clients’ files not less than once per month. HMIS is the tool to be used for this process.