Emergency Solutions Grants Program
Written Standards

Los Angeles Continuum of Care
2018

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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 United States Department of Housing and Urban Development (HUD) as part of the Annual Action Plan Process. The funds for the City and County of Los Angeles are directed to the CoC lead, the Los Angeles Homeless Services Authority (LAHSA). By receiving these funds from HUD, LAHSA is considered the ESG recipient. These funds are made available to service providers in the jurisdiction, thus making them the ESG subrecipients. Several other jurisdictions, which applied for and directly receive ESG funding, partnered with the Los Angeles CoC to create Written Standards, which they then adopt and follow when utilizing ESG funds.1

The ESG funds are distributed from LAHSA to the subrecipient service providers utilizing a competitive Request for Proposals (RFP) process which is designed to help subrecipients identify persons experiencing sheltered and unsheltered homelessness, 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: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and Homeless Management Information System (HMIS).

The ESG Written Standards were created in coordination with the cities of Compton, El Monte, Pomona, South Gate, and Los Angeles; the County of Los Angeles; and the general Los Angeles CoC, which includes housing and service providers and cities within the CoC geographic area. The Written Standards are in accordance with the Interim Rule for the ESG Program released by HUD on December 4, 2011.

The Standards serve as a guide to local government and service-providing entities participating in the Los Angeles CoC ESG Program. The following Written Standards describe the ESG program; the requirements of LAHSA and the subrecipient provider organizations to manage programs using these funds; and the Los Angeles CoC’s policies and procedures for administering the program. If any subrecipients in the County of Los Angeles also receive ESG funds from the State of California, they should ensure that they meet any state standards which differ from those listed here. The Written Standards will be adjusted to ensure proper ESG administration and federal compliance.

Purpose

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) amended the McKinney-Vento Homeless Assistance Act, including converting the Emergency Shelter Grants program to today’s ESG program. The new ESG has shifted away from covering shelter operating costs and has placed a stronger emphasis on homelessness prevention and rapid re-housing assistance.

1 The Los Angeles CoC coordinates annually with participating jurisdictions to ensure understanding and cooperation in implementing ESG-funded programs within the Los Angeles CoC.
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 those experiencing or at-risk of homelessness.

The ESG Program is designed to identify persons experiencing sheltered and unsheltered homelessness, 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.

These Standards serve to outline the specific guidelines and priorities used by service providers (subrecipients) in the Los Angeles CoC, and other jurisdictions adopting these Written Standards, when awarding and administering ESG funding. The goal of this document is to merge HUD’s federal standards for ESG funding with the local prioritization to serve those with long periods of homelessness and high service needs.

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**Standards Applicable to All Program Components**

**Eligibility**

1. 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 participants’ voluntary involvement, participants must be evaluated using the population-appropriate CES triage tools. The participant reviews and signs the HMIS consent form, which is kept on record with the Service Planning Area (SPA) of origin.

2. The Los Angeles CoC triage tools are used to assess, prioritize, and reassess participants through the Adult Coordinated Entry System (ACES), the Family Coordinated Entry System (CESF), and the Youth Coordinated Entry System (YCES).

3. All ESG subrecipients will use the coordinated entry systems and triage tools (ACES, CESF, YCES) to determine and/or prioritize participants’ need for emergency shelter or other ESG-funded housing interventions and assistance. Based upon these assessments, families and individuals should be referred to, and provided with, the services and housing intervention most appropriate for their situations and needs.

4. ESG-funded service providers are responsible for ensuring that the needs of all participants are assessed utilizing the Los Angeles CoC triage tools and coordinated assessment protocols described above. Each assessment must include a determination of eligibility for all potential sources of financial assistance, to ensure that limited ESG prevention or rapid re-housing resources available are prioritized for homeless individuals and families who are most in need of this assistance.

5. All subrecipients’ housing resources must be entered into, and assigned using, the Los Angeles Coordinated Entry System.

**Documenting and Re-Evaluating Program Eligibility**

While specific eligibility considerations for each program component are detailed in these Written Standards, within the relevant program component section, all ESG subrecipients will follow federal documentation guidelines to establish and re-evaluate, as needed, the program participant’s status as experiencing homelessness, or at-risk of homelessness, and to verify income eligibility. This includes:
1. Programs funded through the Los Angeles CoC must participate in CES, as required by the HUD HEARTH Act.

2. ESG subrecipients must re-evaluate program participant’s eligibility and the types and amounts of assistance the participant needs;
   a. Those receiving rapid re-housing must be re-evaluated annually
   b. Those receiving homelessness prevention assistance must be evaluated every 90 days
   c. Re-evaluation of program participants may be conducted more frequently than required and may be incorporated into the case management process

3. Regardless of which timeframe is used, re-evaluations must, at minimum, establish that:
   a. The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.
   b. Participants must be at or below 30% Area Median Income (AMI) to continue receiving assistance.
      i. Homelessness prevention assistance requires participants have lower than 30% AMI upon initial evaluation
      ii. There is no initial income threshold requirement for rapid re-housing clients
   c. When determining the annual income of an individual or family, the recipient or subrecipient must use HUD’s standards to ensure precision and eligibility.
      i. Providers should utilize HUD’s CPD Income Eligibility Calculator (https://www.hudexchange.info/incomecalculator/)
   d. 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 that the program participant needs.

Coordination with Mainstream Supportive Services

1. Subrecipients must assist each program participant, as needed, to obtain appropriate supportive 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 stabilizing benefits from programs including, but not limited to:
   a. HUD Housing Choice Voucher
   b. HUD - Veterans Affairs Supportive Housing (VASH) Voucher
   c. Emergency Food and Shelter Program
   d. Medicaid
   e. Supplemental Nutrition Assistance Program (SNAP)
   f. Women, Infants and Children (WIC)
   g. Federal-State Unemployment Insurance Program
   h. Social Security Disability Insurance (SSDI)
   i. Supplemental Security Income (SSI)
   j. California Work Opportunity and Responsibility to Kids (CalWORKs)
   k. General Assistance Program (GA)
   l. Los Angeles County First 5
   m. 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
Program Facilitation

1. All service-providing subrecipients shall employ a Housing First approach to their work, which seeks to quickly connect people experiencing a housing crisis with permanent housing without preconditions (such as sobriety, treatment, or service participation requirements) and the supports needed to maintain housing. The Housing First mindset will involve:
   a. A housing-crisis focus, with rapid intervention when a household is homeless or at imminent risk of becoming homeless
   b. Client self-determination and choice, including housing choice and client-centered goals
   c. Low-barrier housing and service accessibility
   d. Acceptance into programs or housing, regardless of sobriety, mental health history, criminal history, or low/no income
   e. Service or compliance issues not being used as criteria to determine tenancy in housing
   f. Progressive engagement techniques focused on delivering the right resources to the right people at the right point in time, for the correct duration
   g. Programs which are client-ready, in that they recognize that all clients are housing-ready with the correct supports

2. Service providers must maintain a written set of Grievance and Termination Policies and Procedures. The said policies and procedures must satisfy what LAHSA requires of all service providers in its LAHSA Participant Termination and Grievance Policies and Procedures Contractor Requirements (Appendix C). These policies and procedures must be freely available to all program participants and staff. Copies of the grievance and termination policies and procedures must be clearly marked and made available to the program participants during intake.

3. All subrecipients of ESG funding must follow the requirements and protocols laid out in the LAHSA Participant Termination and Grievance Policies and Procedures Contractor Requirements (Appendix C) when handling client grievances or termination of clients from programs.

4. The subrecipients shall participate in the Los Angeles CoC Homeless Management Information System (Los Angeles CoC HMIS) and shall also comply with the HMIS requirements outlined below.
   a. If the program is exempt from participation in the Los Angeles CoC HMIS, subrecipients 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. Subrecipients shall report all required participant data to LAHSA in the manner prescribed for manual reporting by the due dates contained in this agreement.
   b. Providers must ensure the completion of an assessment using the Los Angeles CoC adopted assessment tool for all program participants who either request case management services or are identified by an alert in the Los Angeles CoC HMIS system as a high priority for assessment.
      i. 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.
      ii. 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.
iii. All completed assessments must be entered into HMIS, with appropriate HMIS consent, within 3 days.

c. 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 (https://www.lahsa.org/training/home).

d. Reporting and Data Quality Requirements: subrecipients will make Data Quality an integral part of the Program’s intake reporting policies and procedures. Therefore, subrecipients shall perform the following daily, weekly, and quarterly data input and reporting responsibilities:

i. Daily:
   1. Client data entered into HMIS; and
   2. Occupancy Reports (OR) must be conducted

ii. Weekly:
   1. Subrecipients are expected to run at least one Data Integrity Report (DIR), taught in LAHSA HMIS courses, to identify and correct errors in input and reporting

iii. Quarterly/Annual: Subrecipients are required to submit a quarterly and annual progress report designated by LAHSA for analysis.

e. 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.

5. All providers will abide by the procedures regarding safety and privacy, which are outlined in the LA HMIS Policies and Procedures (https://www.lahsa.org/documents?id=1128-la-hmis-policies-and-procedures.pdf).

Housing Standards

1. ESG subrecipients must adhere to the following ESG shelter and housing standards 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 the age of six, or a pregnant woman, resides or is expected to reside 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 (as defined by HUD’s Housing Quality Standards) 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 facility’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 facility must have any necessary heating/cooling equipment in proper operating condition.

i. Illumination and Electricity: The 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 facility.

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 facility 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 facility. In addition, smoke detectors should be located near sleeping areas, where possible. The fire alarm system should be designed for hearing-impaired residents.

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

2. All facilities shall be compliant with relevant nondiscrimination and accessibility laws, including providing 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:
   a. Americans with Disabilities Act of 1990
   b. Americans with Disabilities Act Amendments Act of 2008
   c. Rehabilitation Act of 1973
   d. Uniform Federal Accessibility Standards (UFAS)
   e. Federal Fair Housing Act of 1968 (FHA)
   f. Subsequent amendments of these acts.

3. All facilities shall make accommodations for clients with mental disabilities, or those accompanied by service and/or emotional support animals. Clarification of both categories of animals can be found here: https://www.hud.gov/sites/documents/SERVANIMALS_NTCFHEO2013-01.PDF.

4. Subrecipients will not discriminate against persons with disabilities or against persons due to their relationship to, or association with, a person with a disability pursuant to:
   a. UFAS and 24 CFR 40
   c. FHA, 42 U.S.C. §3601 et sec., its implementing regulations at 24 CFR Parts 100, 103, and 104.

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**Standards Specific to Outreach**

**Eligibility**

1. ESG subrecipients must determine an individual or family’s vulnerability and willingness or ability to access emergency shelter, housing, or an appropriate health facility. Subrecipients
should make this determination prior to providing essential services to ensure that ESG funding is used to assist those with the greatest need for street outreach assistance.

**Services**

1. ESG funding may be used to cover the costs of providing essential services to people experiencing unsheltered homelessness, who are unwilling or unable to access emergency shelter, housing, or an appropriate health care facility. These outreach funds can be used to connect persons experiencing unsheltered homelessness with emergency shelter, housing, or critical services; or to provide urgent, non-facility-based care.

2. 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
   f. Services for special populations

**Standards Specific to Emergency Shelter**

**Eligibility**

1. ESG subrecipients must determine that individuals and families meet one or more of HUD’s categories of homelessness, and assess their vulnerability to ensure that only those with the greatest need for emergency shelter receive ESG-funded assistance.

2. Shelter stays, when deemed necessary, should be limited to the shortest time possible 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 or diverted to other interventions such as rapid re-housing, homelessness prevention assistance, or other non-ESG resources.

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.

4. All persons exited from emergency shelters will have their exit status entered into HMIS – or a comparable database for victim service providers – and will be provided discharge paperwork as applicable or upon request.

**Program Facilitation**

1. ESG funding may be used to provide essential services to individuals and families who are housed in an emergency shelter. Essential services are outlined as “supportive services” in Appendix A (term number 20) of these Standards.
   a. ESG funding may be used to provide such services for special populations, including youth experiencing homelessness; survivors of domestic violence, sexual battery, stalking, and/or human trafficking; and/or services for people living with HIV/AIDS, during time spent in emergency shelter.

2. Safety and Shelter Needs of Special Populations
   a. ESG subrecipients follow procedures to guarantee the confidentiality of records concerning program participants, listed in the LA HMIS Policies and Procedures
All records containing personally identifiable information (as defined in HUD’s standards for participation, data collection, and reporting in a local HMIS) of anyone receiving ESG assistance will be kept secure and confidential.

i. Ensure that the address or location of any domestic violence, dating violence, sexual assault, human trafficking 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.

ii. Ensure that 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 are never shared with other persons or organizations; except as provided under the LA HMIS Policies and Procedures (https://www.lahsa.org/documents?id=1128-la-hmis-policies-and-procedures.pdf).

b. 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.

**Shelter Standards**

1. All shelters must fulfill the requirements stated in the Minimum Interim Housing Standards as determined by LAHSA.

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**Standards Specific to Rapid Re-Housing and Prevention**

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**Eligibility**

1. ESG subrecipients must determine the type, maximum amount, and duration of housing stabilization and relocation services for individuals and families in need of homelessness prevention or rapid re-housing assistance through the initial evaluation, re-evaluation, and ongoing case management processes.

2. 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 time covered by the URA payments.

**Program Facilitation**

1. Participants will meet with case managers throughout their participation in the program, and have regular re-assessments, per the “Program Facilitation” subsection of the “Standards Specific to Rapid Re-Housing” section of these Standards.

2. ESG-funded agencies providing prevention or rapid re-housing assistance must develop a plan to assist the program participant in retaining permanent housing after the ESG assistance ends. Relevant considerations include 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.

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

   a. Subrecipients must implement an active Customer Service Program in order to secure feedback from participants regarding their experiences with the program.
i. The Customer Service Program must be approved by LAHSA and recommended changes to the Program must be made allowing a minimum of ten (10) business days for review.
b. LAHSA and/or the City of Los Angeles will monitor for the quality of the subrecipients’ Customer Service with randomly selected participants for telephone and/or site surveys.
i. LAHSA and/or the City or County of Los Angeles at its sole discretion may change the means of measuring this standard via a Change Notice.

 Standards Specific to Rapid Re-Housing

Eligibility

1. There is no initial income threshold for rapid re-housing participants. They must remain at, or below, 30% Area Median Income (AMI) to continue receiving assistance.
2. The need for ongoing rapid re-housing assistance must be assessed at least annually.
3. To fulfill the housing stability case management requirement for rapid re-housing clients, service providers must:
   a. Require the participant to meet with a case manager at least once per month to assist in securing long-term housing stability; and
   i. Develop a plan to assist the program participant in retaining permanent housing after the ESG assistance ends, taking into account all relevant considerations. (e.g., 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.)
   b. Monthly case management meetings should be conducted in person, unless such a meeting is impossible (due to employment time constraints, etc.). In these extraordinary circumstances, a phone or electronic meeting may be utilized.
4. Per the Violence Against Women Reauthorization Act of 2013, and the Family Violence Prevention and Services Act, participants covered by these acts are exempt from the requirement to meet with a case manager monthly.
   a. Such participants are exempt because, in these cases, subrecipients are forbidden from making shelter or housing conditional on the participant’s acceptance of services.

Program Facilitation

1. Rapid re-housing programs should institute a progressive engagement model that provides the minimum assistance necessary to assist a household in establishing permanent housing and reassessing their needs for financial assistance on a routine basis.
2. In this model, assistance may be increased when initial assistance proves inadequate in helping the participant to stabilize in permanent housing. The progressive engagement model also includes a tapering or “stepped-down” rental assistance structure 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.
   a. This financial assistance includes both move-in assistance and monthly rental assistance to assist the participants in being able to maintain their housing while working to increase their income.
b. Financial assistance must be flexible and individualized utilizing a progressive support and engagement approach and ensure the participant can maintain the housing once the temporary financial assistance ends.

c. The goal of financial assistance must be to assist the participant in achieving the goals identified in the housing stability plan with the ultimate goal of achieving housing sustainability.

3. Rental assistance should be based on the household’s income, situation, and barriers. These factors must be re-examined at least once per year. During these reassessments, subrecipients will determine if the ESG financial assistance can and should be extended.
   a. After receiving one consistent year of ESG funding, if a client is still below the 30% AMI, part of their annual re-assessment involves judging whether ESG assistance should be continued, or if the client should be served through other funding streams.
      i. Service providers should consider extensions on a case-by-case basis, keeping in mind the goals of the progressive engagement model and the ESG maximum subsidy period of 24 months within a (3) three-year time frame.
   b. If, after (1) one year of ESG assistance, the client is above the 30% AMI threshold, they will no longer be eligible for ESG assistance.

4. Standards for determining the share of rent and utilities costs that each rapid re-housing program participant must pay are based on the following:
   a. There must be a formal signed rental or lease agreement between the property owner/manager and the tenant.
   b. ESG subrecipients should work with rapid re-housing program participants and follow the guidance listed in number two of this subsection to determine appropriate levels of assistance.
   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.

5. Subrecipients may use ESG funding to pay housing owners, utility companies, and other third parties for any portion of the following costs:
   a. Rental application fees
   b. Security deposits
   c. Previous month’s rent
   d. Utility deposits
   e. Utility payments
   f. Moving costs
   g. Some limited services costs

Participant Protections

1. Rental assistance cannot be provided for a unit unless the unit meets the minimum habitability standards, as outlined in the “Housing Standards” subsection of the “Standards Applicable to All Program Components” section.

2. 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 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. All rapid re-housing programs and victim service providers shall be in compliance with the Violence Against Women Reauthorization Act of 2013, which provides various protections to persons experiencing domestic violence, dating violence, sexual assault, stalking, and/or human trafficking under the CoC Program and other HUD programs.
   a. As stipulated in the Violence Against Women Reauthorization Act 2013, any notice of eviction must be accompanied with a Notice of Occupancy Rights under VAWA and a Certification of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and/or Human Trafficking.
   b. If a self-certified person experiencing domestic violence, dating violence, sexual assault, stalking, and/or human trafficking requests an emergency transfer, the recipient or subrecipient must relocate the participant and affiliated individuals to an available, safe unit, pursuant to the Violence Against Women Reauthorization Act 2013.
   c. Pursuant to the Violence Against Women Reauthorization Act 2013, a recipient or subrecipient may bifurcate a lease if a participant has self-certified as a person experiencing domestic violence, dating violence, sexual assault, stalking, and/or human trafficking.
   d. Pursuant to the Violence Against Women Reauthorization Act 2013, the rental assistance agreements between recipients, subrecipients, participants, and/or housing providers must include a lease addendum outlining the housing protections provided by VAWA, which are outlined above.

Additional Guidelines

1. 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.
2. 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 exceed rents currently being charged by the owner for comparable unassisted units.
3. Clients may receive both ESG and non-ESG rental assistance funds, but non-ESG rental assistance may not be provided to a participant during the same timeframe that ESG funds are being used to provide a participant rental assistance.

Standards Specific to Prevention

Eligibility

1. ESG homelessness prevention assistance is available to individuals and families whose income is below 30% of Area Median Income (AMI), who are at imminent risk of becoming homeless.
2. Those receiving homelessness prevention assistance must be evaluated every 90 days.

Program Facilitation

1. ESG funds can be used to prevent an individual or family from becoming homeless or having to enter an emergency shelter. Prevention funds may also be used to assist them in regaining stability in current housing or other permanent and stable housing.
2. Homelessness prevention eligible activities include:
   a. Housing stabilization services
      i. Rental assistance, rental arrears, utility payments, and last month’s rent
   b. Housing relocation services
      i. Rental application fees, security/utility deposits, and moving costs
c. Supportive services
   i. Housing search/placement, housing stability case management, landlord-tenant mediation, tenant legal services, and credit repair
Appendix A: Definitions

1. The definition for the four categories of homelessness listed below are defined in Appendix B 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
      i. Special note for 2015 and beyond: HUD guidance has solidified that HUD considers human trafficking, including sex trafficking, to be “other dangerous or life-threatening conditions that relate to violence against the individual or family member,” and therefore qualifies as homeless under paragraph 4 of the HUD definition.

2. Chronically Homeless:
   a. An individual who:
      i. Is experiencing homelessness and lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; AND
         1. Has been experiencing homelessness and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter continuously for at least twelve months or on at least four separate occasions (separated by breaks in homelessness of at least seven days) in the last three years where those occasions cumulatively total at least twelve months; AND
         2. Can be diagnosed with one or more of the following conditions: substance use disorder, serious mental illness, developmental disability (as defined in section 102 of the Developmental Disabilities Assistance Bill of Rights Act of 2000 [42 U.S.C. 15002]), post-traumatic stress disorder, cognitive impairments resulting from brain injury, or chronic physical illness or disability;
      ii. An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraphs (a-a.ii) of this definition, before entering that facility; or
   b. A family that:
      i. Has an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraphs (a-a.ii) of this definition, including a family whose composition has fluctuated while the head of household has been experiencing homelessness.

3. Consolidated plan: a document that jurisdictions submit to HUD if they receive funding under any of HUD’s Community Planning and Development formula grant programs. The consolidated plan also serves as the jurisdiction’s five-year planning document for the use of the funds received under these programs.

4. Continuum of Care: the group composed of representatives of relevant organizations, which generally includes nonprofit homeless service 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. A continuum of care is organized to plan for and provide, as necessary, a system of outreach, engagement, assessment, emergency shelter, rapid re-housing, transitional housing, permanent housing, supportive services, and prevention strategies to address the various needs of persons experiencing, and at risk of, homelessness for a specific geographic area.

5. Coordinated Entry System (CES): Coordinated Entry System is a countywide system that brings together new and existing programs and resources in order to connect people experiencing homelessness, or at risk of homelessness, to the most appropriate housing and services to end or prevent their homelessness.

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

7. Day shelter: a shelter whose primary purpose is to provide temporary shelter for persons experiencing homelessness in general or specific subpopulations of those experiencing homelessness. 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 facility’s features should reflect its purpose as a shelter; at a minimum, persons experiencing homelessness must be able to stay in the facility for as many hours as it is open.

8. Emergency shelter: per 24 CFR 576.2, an emergency shelter is “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.” 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 Los Angeles CoC has adopted the term ‘crisis housing’ to refer to Emergency Shelter.

9. 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 possess 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): the information system designated by the Continuum of Care to comply with HUD’s data collection, management, and reporting standards. HMIS also tracks client-level data regarding the provision of housing and services to individuals and families experiencing homelessness, and persons at risk of homelessness.

11. Interim Housing: encompasses various forms of temporary shelter, including crisis and bridge housing.

12. Metropolitan city: a city that meets the qualifications of 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available.

13. People/person experiencing unsheltered homelessness: individuals or families who have a primary nighttime residence that is a public or private place not meant for human habitation.
14. Permanent housing: community-based housing without a designated length of stay, and includes both permanent supportive housing and permanent housing without supportive services.

15. Private nonprofit organization: a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986, 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.

16. Program income: gross income received by the grantee or subgrantee directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period.

17. Program participant: an individual or family who is assisted under the ESG program.

18. Program year: the consolidated program year established by the jurisdiction. The program shall run for a twelve-month period and begin on the first calendar day of a month.

19. Recipient: 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 regarding ESG.

   a. For the purposes of this document, LAHSA will be considered the ESG recipient.

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

   a. For the purposes of this document, service providers that are LAHSA-contracted and receiving ESG funding will be considered subrecipients.

21. Supportive Services: services that address the 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 substance abuse treatment services;
   m. the provision of:
      i. transportation services that facilitate an individual's ability to obtain and maintain employment and health care;
   n. Other supportive services necessary to obtain and maintain housing.
22. Transitional Housing: housing which aims 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: any city, county, town, township, parish, village, or other general purpose political subdivision of a State.

24. Urban county: 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: a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking. This term includes rape crisis centers, battered women’s shelters, domestic violence transitional housing programs, and other programs.
## Appendix B: Homeless Definitions

### Homeless Definition

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<th>CRITERIA FOR DEFINING HOMELESS</th>
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<th>Imminent Risk of Homelessness</th>
<th>Homeless under other Federal statutes</th>
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1. **Literally Homeless**: Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
   - Has a primary nighttime residence that is a public or private place not meant for human habitation;
   - Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or
   - Is exiting an institution where he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

2. **Imminent Risk of Homelessness**: Individual or family who will imminently lose their primary nighttime residence, provided that:
   - Residence will be lost within 14 days of the date of application for homeless assistance;
   - No subsequent residence has been identified; and
   - The individual or family lacks the resources or support networks needed to obtain other permanent housing.

3. **Homeless under other Federal statutes**: Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
   - Are defined as homeless under the other listed federal statutes;
   - Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;
   - Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and
   - Can be expected to continue in such status for an extended period of time due to special needs or barriers.

4. **Fleeing/ Attempting to Flee DV**: Any individual or family who:
   - Is fleeing, or is attempting to flee, domestic violence;
   - Has no other residence; and
   - Lacks the resources or support networks to obtain other permanent housing.

Source: HUD Exchange
Appendix C: LAHSA Participant Termination and Grievance Policies and Procedures Contractor Requirements

1. Participant Termination Policies and Procedures
   a. Contractor must maintain a written set of Termination Policies and Procedures. Contractor must submit a copy of said policies and procedures as required by this agreement. These policies and procedures must be freely available to all program participants and staff. Copies of the grievance policies and procedures must be clearly marked and made available to the program participants during intake. A summary of the program grievance resolution policies and procedures must be prominently displayed in common area(s) in the facility.

2. Termination Policies and Procedures
   a. If a Program participant violates Program requirements, Contractor may terminate that participant pursuant to its Termination Policies and Procedures. Contractor must exercise judgment and examine all extenuating circumstances in determining when violation of a program participant warrant termination, so that a program participant’s assistance is terminated only in the most severe cases. Contractor’s Termination policy and procedures must include, at a minimum, the following:
      i. Contractor must provide a Program participant with a written Termination Notice, when terminating that participant from the program. The Termination Notice must contain a clear statement of the reason(s) for the termination.
      ii. Contractor must have a procedure through which the Program participant may request a review of the termination. The review must give the program participant the opportunity to present written and/or oral objections before a person other than the person (or a subordinate of the person) who made or approved the termination decision.
      iii. After the review, Contractor must provide the Program participant with a prompt written Final Decision. In no event, must the written final decision take longer than 5 calendar days. The final decision should contain a clear statement of the outcomes of the review.
      iv. Termination of a Program participant does not bar the Contractor from providing further assistance at a later date to the same individual or family previously terminated from the program.
      v. Contractor must provide the participant with a written copy of the program rules and termination process before the participant begins to receive assistance.

3. Grievance Policies and Procedures
   a. Policies and Procedures must include, but are not limited to, the following:
      i. The name and title of the individual designated by Contractor to handle all grievances. Contractor must clearly indicate how this individual can be contacted. Contractor must also name an alternative individual responsible for handling Grievances, in the event that the designated individual is unavailable or is the subject of the grievance.
      ii. A procedure for the hearing of all grievances within 72 hours of a grievance having been made. This procedure must include the gathering of facts, including
a statement from the grievant and/or other participants and staff, and issuance of a written decision in response to the grievance.

iii. The identification of a confidential area where grievances may be heard. To the extent possible and when appropriate, Contractor must engage in face-to-face communications with the grievant.

iv. A centralized and organized system of documenting grievances. The documentation must contain a copy or description of the grievance and a written resolution or disposition of said grievance. Said documentation must be retained in a central dispute or grievance file, which must be made available to LAHSA, along with grievant Program file, immediately upon LAHSA’s request. Contractor’s failure to provide such documentation within five (5) business days may result in a material breach of this Agreement.

v. A procedure indicating that if Contractor’s designated or alternative individual is unable to resolve a grievance, the grievant can request that Contractor’s management meet with the grievant, and review the grievance and related documentation in order to resolve the grievance.

b. Contractor must provide grievant with a written decision in response to the grievance. Concurrently, the Contractor must do all the following:
   i. Explain Grievant right to a review of the written decision through a mediation or dispute resolution service.
   ii. Assist the Grievant with a referral to a mediation or dispute resolution service.
   iii. Contractor must attend any dispute resolution service summons.
   iv. Grievant may elect to use the following “cost free” resolution service.

Dispute Resolution Services: Office of the Los Angeles City Attorney Dispute Resolution Program
City Hall
200 N Spring Street, 14th Floor
Los Angeles, CA 90012
Office: (213) 978-1880
Fax: (213) 978-1312
Email: Mediate@lacity.org

4. LAHSA Due Process Appeal
   a. Contractor must explain Grievant right to a due process appeal with LAHSA and provide a copy of the LAHSA Grievance Resolution Appeal Form, which is attached hereto as Exhibit X.1 and incorporate.
   b. If the grievant believes that the agency has not followed their established Grievance Policy and Procedure in hearing and attempting to resolve the grievance, grievant may choose to file a due process appeal with LAHSA. The purpose of the LAHSA appeal will be for LAHSA to determine whether Contractor has provided due process by following the procedures within its own grievance policy.
   c. If the grievant chooses to file a due process appeal with LAHSA, the Contractor must assist the grievant in completing the LAHSA Grievance Resolution Appeal Form. Contractor shall then process the appeal form within 48 hours of giving grievant the written decision in response to the grievance. Contractor shall process the appeal form in one of the following manners of grievant choosing:
      a. Contractor may supply grievant with a stamped envelope addressed to LAHSA at the address listed below.
b. Contractor may fax the form directly to LAHSA using the fax number indicated below. Contractor shall provide grievant the printed confirmation sheet indicating that the fax was successful.

c. All completed LAHSA Grievance Resolution Appeal Forms must be submitted to the following contact person:

Grievance Coordinator  
Los Angeles Homeless Services Authority (LAHSA)  
811 Wilshire Blvd., Suite 600  
Los Angeles, California 90017  
LAHSA Fax Number: (213) 892-0093  
grievances@lahsa.org