



REQUEST FOR APPLICATIONS

for

**Continuum of Care Domestic Violence Funding
for New Rapid Re-Housing (RRH) Projects**

INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY
30 South Meridian Street, Suite 900
Indianapolis, IN 46204
<http://www.in.gov/ihcda/>

317-232-7777

ISSUE DATE: October 18, 2022
RESPONSE DEADLINE: November 8, 2022, at 5:00 PM EST

Table of Contents

ABOUT THE INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY.....	4
Mission Statement.....	4
Vision.....	4
Overview	4
REQUEST FOR APPLICATION (“RFA”).....	4
Background	4
Project Requirements and Priorities.....	6
RFA Timeline	8
DV BONUS PROJECT APPLICATION.....	9
Instructions	9
Section 1: Project Applicant Information:.....	10
Section 2: Eligibility, Requirements, and Threshold Questions	11
Federal Requirements.....	11
Agency Eligibility*	11
Project Eligibility*	12
Section 3: Organization Experience and Project Information	13
Organization/Capacity Building Need:.....	14
Community Need: Number of Domestic Violence Survivors in Your Community	15
Section 5: Project Applicant Experience	19
Providing Housing to DV Survivor	19
Ensuring DV Survivor Safety–Project Applicant Experience.	19
Evaluating Ability to Ensure DV Survivor Safety–Project Applicant Experience.	20
Trauma-Informed, Victim-Centered Approaches–Project Applicant Experience.	21
Meeting Service Needs of DV Survivors–Project Applicant Experience.....	22
Trauma-Informed, Victim-Centered Approaches–New Project Implementation.	22
Providing Services through an Equity Lens	24
Section 6: HMIS Participation	25
Section 7: Project Budget.....	26
Rental Assistance Budget.....	26
Rental Assistance Units Detail.....	26
Supportive Services.....	26
Supportive Services Detail.....	27
Summary for Match Commitment:.....	27
Sources of Match Detail.....	28
Summary Budget	29
Section 8: Supporting Documentation Checklist	30
APPENDIX A: Additional Programmatic, Statutory and Regulatory Requirements.....	31

APPENDIX B: Participation of Homeless Individuals on Board of Directors Certification..... 49
APPENDIX C: MATCH LETTER REQUIREMENTS 50
APPENDIX D: DEFINITIONS OF KEY TERMS:..... 51

ABOUT THE INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY

Mission Statement

IHCDA's mission is to provide housing opportunities, promote self-sufficiency, and strengthen communities.

Vision

IHCDA's vision is an Indiana with a sustainable quality of life for all Hoosier in the community of their choice. To accomplish this we will:

- Create and preserve housing for Indiana's most vulnerable population.
- Enhance self-sufficiency initiatives in existing programs.
- Promote a value-driven culture of continuous improvement.
- Promote place-based initiatives that will allow Hoosiers opportunities to improve their quality of life.

Overview

(for more information visit <http://www.in.gov/ihcda/>)

IHCDA was created in 1978 by the Indiana General Assembly and is a quasi-public financially self-sufficient statewide government agency. IHCDA's programs are successful in large part because of the growing network of partnerships IHCDA has established with local, state, and federal governments, for-profit businesses, and not-for-profit organizations. For-profit partners include investment banks, mortgage lenders, commercial banks, corporate investment managers and syndicators, apartment developers, investors, homebuilders, and realtors. Not-for-profit partners include community development corporations, community action agencies, and not-for-profit developers.

REQUEST FOR APPLICATION ("RFA")

The Indiana Housing and Community Development Authority (IHCDA) requests innovative proposals from organizations who will serve as subrecipients to administer Continuum of Care (CoC) funds targeted towards assisting individuals fleeing domestic violence, dating violence, sexual assault, or stalking as defined in 24 CFR 578.3 and/or victims of human trafficking.

This RFA is designated for new projects for the 2022-2023 program year only.

If an organization has been awarded DV Bonus Funds under IHCDA the organization should submit a "renewal" application through IHCDA. This RFA is not intended for renewal projects, only organization with proposed new projects that have not received previous DV Bonus funding.

If an organization is attempting to apply for funds for the 2023-2024 program year, they should apply through the IHCDA NOFO process. This RFA is not intended for 2023-2024 funding.

For any DV Bonus Funds questions, including questions about this application, please contact Jenna Childress, CoC Grants Analyst at JChildress@ihcda.IN.gov or the IHCDA Community Services Grants Team at CommunityServices@ihcda.IN.gov.

Background

Each year, the Indiana Balance of State (BoS) CoC competes with other CoCs across the country to secure federal funds to help end homelessness through the U.S. Department of Housing and Urban Development's (HUD) CoC program. In addition to the usual funding awarded through this process, HUD

made additional resources available to fund Domestic Violence Bonus projects (DV Bonus). In FY2019, the IN BoS CoC received over \$1.4 million in Domestic Violence (DV) Bonus funding for Rapid Rehousing (RRH) and over \$580,000 in Joint Transitional Housing-Rapid Rehousing (TH-RRH). There is approximately \$200,000 in the DV Bonus funding for RRH available to new projects.

As the recipient of those funds, IHCD is currently seeking innovative proposals from organizations who will serve as subrecipients to administer CoC funds targeted towards assisting individuals fleeing domestic violence, dating violence, sexual assault, or stalking as defined in 24 CFR 578.3 and/or victims of human trafficking for the following DV project types:

- **Rapid Rehousing for DV Survivors:** RRH provides time-limited rental assistance and supportive services to people who have experienced homelessness. All RRH rules and policies apply to these projects. Survivors can receive supportive services and up to 24 months of tenant-based rental assistance.

- **Other Considerations**
 - Projects funded through the DV Bonus Funds may serve only individuals and/or family, including unaccompanied youth, who lacks a fixed, regular, and adequate nighttime residence, which may include those residing in emergency shelter, or a location not meant for human habitation AND who qualify under the domestic violence criteria in paragraph (4) of the HUD definition of homelessness, including persons fleeing or attempting to flee human trafficking.¹ (see Appendix B: Definition of Key Terms)
 - To be eligible for funding projects must commit to using the Housing First model (see Appendix B: Definition of Key Terms)

- **Capacity-Building Technical Assistance:** IHCD recognizes the need for additional support for new projects. IHCD, along with their training/technical assistance contractor, will provide intensive 1:1 support to sub-recipients. Awardees will spend the first three to six months of their agreement building or expanding their domestic violence survivor specific program. This will include the development of policies and procedures, training of staff, and other capacity building trainings. The second half will focus on the implementation of their housing assistance program with survivors. By the end of their first year, awardees should be able to continue on their own without the additional training/technical assistance. All new applicants without experience with CoC funding will be required to go through this process. If an organization has extensive successful experience with CoC funds, they may request a waiver to begin their program earlier.

The goals of the technical assistance are:

- To expand community response to homelessness as experienced by DV Survivors to include small, nontraditional, or other type of community-based providers, organizations, and coalitions.
- To build a bridge to housing and services for these individuals who are disconnected from their community's larger homeless and DV system of care.

¹ Homeless Category 4: Fleeing/Attempting to Flee Domestic Violence (§ 578.3) is any individual or family who: 1) Is fleeing, or is attempting to flee, domestic violence; 2) Has no other residence; and 3) Lacks the resources or support networks to obtain other permanent housing. Note: "Domestic Violence" includes dating violence, sexual assault, stalking, and other dangerous or life-threatening conditions that relate to violence against the individual or family member that either takes place in, or him or her afraid to return to, their primary nighttime residence (including human trafficking).

- To build organizational infrastructure for small organizations to access homelessness services funding from government sources.

Project Requirements and Priorities

Please see Appendix A for in-depth program requirements from HUD and IHCD.

- **Eligible activities/projects for the Funds:**
 - Projects must be focused on Rapid Rehousing;
 - Projects can request funds for
 - Rental assistance
 - Supportive Services
 - Project Administrative Costs
- **Additional information regarding Project Administrative Costs:**
 - HUD establishes a maximum rate of 10% for project administrative costs (i.e., admin costs may not exceed 10% of the aggregated amount requested for all other budget line items). For example, a project that requests \$500,000 annually for rental assistance and supportive services can request up to \$50,000 additional for admin. Total CoC budget = \$550,000 in this example.
 - Project Admin costs do not include staff time and overhead directly related to carrying out CoC Program eligible activities, because those costs are eligible on the relevant budget line item, not on the project administrative costs line. For example, the cost of conducting Housing Quality Standards (HQS) inspections and determining rent reasonableness are eligible on the rental assistance line, NOT the admin line. The costs of office supplies and supervision for case managers are eligible on the supportive service line, NOT the admin line.
 - Applicants should note that though admin is budgeted as a % of the total amount requested for the other CoC project budget line items, it cannot be **billed that way, and costs must be allocated only to these eligible activities:**
 - General management oversight and coordination
 - Salaries, wages, and related costs of recipient staff, sub recipient staff, or other staff engaged in program administration including:
 - Preparing program budgets and schedules and amendments to those budgets and schedules
 - Developing systems for assuring compliance with program requirements
 - Monitoring program activities for progress and compliance with program requirements
 - Preparing reports and other documents directly related to the program for submission to IHCD
 - Coordinating the resolution of audit and monitoring findings
 - Evaluating program results against stated objectives
 - Managing or supervising persons whose primary responsibilities with regard to the program include such assignments
 - Travel costs incurred for monitoring of sub recipients;
 - Administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; and

- Other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.
- Costs of providing training on CoC requirements and attending HUD-sponsored CoC trainings
- Costs of carrying out the HUD required environmental review responsibilities.
- **DV ClientTrack:** Projects, except as prohibited to protect victims of domestic violence, dating violence, sexual assault, or stalking, must agree to enter client data into the IN BoS CoC DV ClientTrack.
- **Homeless Counts and Coordinated Entry:** All projects must participate in the annual homeless count(s) and Coordinated Entry Networks and comply with all IN BOS CoC Policies and Procedures.
- **Applications must demonstrate:**
 - A plan to end homelessness for individual who qualify under the domestic violence criteria in paragraph (4) of the HUD definition of homelessness, including persons fleeing or attempting to flee human trafficking (see (see Appendix B: Definition of Key Terms)
 - A plan for rapid implementation of the program; the project narrative must document how and when the project will be ready to begin housing the first program participant, when the project will achieve full occupancy, and a detailed plan for how the project will ensure timely implementation.
 - A connection to mainstream service systems, specifically:
 - that demonstrate activities are in place to identify and enroll all Medicaid-eligible program participants; AND
 - whenever possible, that the project includes services, including case management, tenancy supports, behavioral health services, or other services important to supporting housing stability. Project applicants may include Medicaid-financed services either by the recipient receiving Medicaid coverage payments for services provided to project participants or through formal partnerships with one or more Medicaid billable providers (e.g., Federally Qualified Health Centers). Medicaid-financed health services provided in a hospital setting do not qualify. Where projects can demonstrate that there are barriers to including Medicaid-financed services in the project, they must demonstrate that the project leveraged non-Medicaid resources available in the CoC's geographic area, including mainstream behavioral health system resources such as mental health or substance abuse prevention and treatment block grants or state behavioral health system funding.
 - that demonstrate services are in place to connect participants to mainstream resources, including benefits, health insurance and employments services
 - Experience in operating a successful Housing First program and a program design that meets the definition of Housing First as adopted by the IN BOS CoC (see Appendix B: Definition of Key Terms) A plan for outreach to the eligible populations.
 - Project cost-effectiveness, including costs of operations and supportive services with such costs not deviating substantially from the norm in that locale for the type of structure or kind of activity.
 - Ability to meet HUD's match requirements (see Appendix B: Definition of Key Terms)

- **Eligible localities:**
 - Projects must be located within IN BOS CoC, which includes 91 of the 92 counties in Indiana (excluding Marion County)

- **Eligible populations:**
 - Projects may serve only individuals and/or families, including unaccompanied youth, who meet the following criteria:
 - residing in a place not meant for human habitation (i.e., unsheltered and living, for example, on the streets, in a park, or on public transportation); OR
 - residing in an emergency shelter; AND
 - qualify under the domestic violence criteria in paragraph (4) of the HUD definition of homelessness, including persons fleeing or attempting to flee human trafficking (see Appendix B: Definition of Key Terms)
 - Individuals coming from an institution where they have resided for 90 days or less AND have entered the institution from the streets or emergency shelter maintain their homeless status during that time.

- **Eligible applicants:**
 - Eligible project applicants are nonprofit organizations, local governments, and instrumentalities of local governments, and public housing agencies.
 - Applications shall only be considered from project applicants in good standing with HUD, which means that the applicant does not have any open monitoring or audit findings, history of slow expenditure of grant funds, outstanding obligation to the US Government that is in arrears or for which a payment schedule has not been agreed upon, or history of serving ineligible program participants, expending funds on ineligible costs, or failing to expend funds within statutorily established timeframes.

RFA Timeline

October 18, 2022	RFA released to the general public.
November 8, 2022	RFA responses are due to IHCD by 5:00 p.m. EST
November 9-11, 2022	Applications reviewed for completeness
November 14-16, 2022	Applications reviewed and scored
November 18, 2022	Selected applications will be notified by 5:00 p.m. EST
November 21-30, 2022	Subrecipients work with COC Grants Analyst to collect necessary documentation to execute grant agreements
December 1, 2022	Grant Agreement Start Date (Grant term: Dec 1, 2022-Nov 30, 2023, with potential option to renew)
December 1-31, 2022	Training and Orientation. One-on-one meetings as needed.

DV BONUS PROJECT APPLICATION

Instructions

Please complete this application for innovative projects to serve as subrecipients to administer Continuum of Care (CoC) funds targeted towards assisting individuals fleeing domestic violence, dating violence, sexual assault, or stalking as defined in 24 CFR 578.3 and/or victims of human trafficking. funding assistance for rapid rehousing, shelter operations, and/or street outreach and submit to: CommunityServices@ihcda.IN.gov.

All information requested in this application is required, and IHCD reserves the right not to review applications that:

- Are late
- Are incomplete
- Are submitted by ineligible applicants
- Do not indicate that the proposed project will meet all eligibility requirements
- Propose costs that deviate substantially from the norm in the locale for the type of structure or kind of activity proposed.

Applications are due by COB on Tuesday, November 8, 2022, and should be sent to: CommunityServices@ihcda.IN.gov.

Please contact Jenna Childress, CoC Grants Analyst at JChildress@ihcda.IN.gov, or IHCD at CommunityServices@ihcda.IN.gov for questions about the application or process. You may also request to meet with a member of the IHCD Community Services Grants Team to discuss your concept or plans.

Section 2: Eligibility, Requirements, and Threshold Questions

Your project must meet all the following criteria in order to be considered for funding.

Federal Requirements (1 point)

- Federal Education Requirements (Required for homeless individuals and families per 42 USC 11431 et seq.)
 - Are the proposed project policies and practices consistent with the laws related to providing education services to homeless individuals and families? Please attach a copy of this project's policies with relevant sections highlighted. YES NO
 - Does the project have a designated staff person to ensure that homeless children are enrolled in school and receive educational services as appropriate? Please attach a copy of this project's policies with relevant sections highlighted. YES NO
 - If applicable, describe the reasons for non-compliance with educational laws, and the corrective action to be taken prior to grant agreement execution.

- Does the agency maintain a drug-free workplace per HUD regulations (24CFR Subpart F)? YES NO
- Does the agency participate in any federal lobbying as prohibited by HUD regulations (24 CFR part 87)? YES NO
- Does the agency comply with Title VI of the Civil Rights Act with respect to Fair Housing and Equal Opportunity? YES NO
- Does this project use one or more properties that have been conveyed through the Title V Process? YES NO
- Does the project adhere to processes for conducting Housing Quality Standards inspections? YES NO
- Does the project identify properties built prior to 1978, and disclose the potential for Lead-Based Paint? YES NO

Agency Eligibility* (1 point)

- Is the agency registration current in SAM? Yes No
SAM: <https://www.sam.gov/portal/SAM/##11>
- Is the agency registration current with Indiana's Secretary of State? Yes No
Indiana SoS: <https://inbiz.in.gov/BOS/Home/Index>
- Does the agency have outstanding federal delinquent debt? Yes No
 - If yes, is there a negotiated repayment schedule? Yes No
 - If yes, is the repayment schedule not delinquent? Yes No
 - If yes, have you made other satisfactory arrangements? Yes No
- Is the agency a federally debarred contractor? Yes No
- Does the agency have Homeless participation on governing board? Yes No
(There is at least one person with a lived experience of homelessness on the governing board. (See Appendix A: Participation of Homeless Individual Form).)
- Does the agency have any outstanding findings on its annual financial audit? Yes No

If you have HUD funding, has your agency received a HUD audit in the last 12 months?

Yes No

- If yes, were there any findings from the audit? Yes No
- If there were findings, please describe the findings and your agency's corrective actions to satisfy the findings and attach a copy of the corrective action plan that you submitted to HUD.

Project Eligibility* (1 point)

- Project commits to using DV Bonus funds to serve only individuals and/or families, including unaccompanied youth, who are residing in emergency shelter, or a location not meant for human habitation AND qualify under the domestic violence criteria in paragraph (4) of the HUD definition of homelessness, including persons fleeing or attempting to flee human trafficking (see Appendix B: Definition of Key Terms). YES NO (note that projects indicating “no” are not eligible to apply under this RFA)
- Project commits to using the Housing First model (see Appendix B: Definition of Key Terms). YES NO (note that projects indicating “no” are not eligible to apply under this RFA)

*If your response to any of these questions is “No”, please provide additional information describing any circumstances that may have contributed to the outcome:

Section 3: Organization Experience and Project Information

1. Describe your organization's experience working with individuals experiencing homelessness, survivors of domestic violence, dating violence, sexual assault, stalking, or human trafficking and/or other vulnerable populations. Include information around how you have served each target population; how you provide trauma-informed and victim-centered approaches; how you assist survivors in meeting safety outcomes. **(4 points)**

Organization/Capacity Building Need:

2. Describe your organization's experience utilizing state/federal grant dollars. What was the amount and result of these funds? **(2 points)**

3. Describe your organization's experience serving survivors of domestic violence, human trafficking, and/or sex trafficking. **(3 points)**

4. Describe your organization's experience with utilizing data including but not limited to outcomes, performance measures, and theories of change. **(3 points)**

5. Describe your organization's experience in housing and homelessness. **(3 points)**

Section 4: Project Information

Community Need: Number of Domestic Violence Survivors in Your Community

1. Enter the number of survivors that need housing or services:	
2. Enter the number of survivors your community is currently serving:	
3. Unmet Need ² :	

1. Please describe:
 - a. how your community calculated the number of DV survivors needing housing or services in the above response for both element 1 and element 2 and the data source (e.g., comparable database, other administrative data, external data source, HMIS for non-DV projects); **and**
 - b. if your community is unable to meet the needs of all survivors, please explain in your response all barriers to meeting those needs. **(6 points)**

2. What geographic jurisdiction (city, county, counties, region, Congressional District) does this project propose to serve? **(1 point)**

Area(s) of Service:	
Total Proposed Number of Units:	
Total Proposed Number of Beds:	

² A negative number in the **Unmet Need** field indicates there is no unmet need for DV survivors in your community.

3. Please describe the proposed project. The project description should be complete and concise. It must address the entire scope of the project, including a clear picture of the community/target population(s) to be served, the plan for addressing the identified needs/issues of the CoC community/target population(s), projected outcome(s) and how they will be measured, and any coordination with other source(s)/partner(s). **(5 points)**

4. Describe the estimated timeline for the proposed activities, the management plan, and the method for assuring effective and timely completion of all work. Describe the timeframe in which project staff will be hired/expenses begin and when program participants will be housed. **(2 points)**

5. Describe your experience with Housing First principles and a plan for how they will be implemented in the program. **(2 points)**

6. Describe your plans to implement a system of Continuous Quality Improvement, program evaluation, and consumer satisfaction in order to ensure that your program provides a high quality of services. **(2 points)**

7. Please describe how outcomes related to improving employment rates and increasing income among participants will be measured. **(1 point)**

8. Describe your agency's existing mechanism(s) for client involvement and how that information is used. **(2 points)**

9. Describe how you would obtain client feedback in this new program. **(2 points)**

Section 5: Project Applicant Experience

Providing Housing to DV Survivor

1. Describe in the field below how the project applicant:
 - a. ensured DV survivors experiencing homelessness were assisted to quickly move into safe affordable housing;
 - b. prioritized survivors—you must address the process the project applicant used, e.g., Coordinated Entry, prioritization list, CoC's emergency transfer plan, etc.;
 - c. connected survivors to supportive services; and
 - d. moved clients from assisted housing to housing they could sustain—address housing stability after the housing subsidy ends. **(4 points)**

Ensuring DV Survivor Safety—Project Applicant Experience.

2. Describe in the field below examples of how the project applicant ensured the safety of DV survivors experiencing homelessness by:
 - a. training staff on safety planning;
 - b. adjusting intake space to better ensure a private conversation;
 - c. conducting separate interviews/intake with each member of a couple;
 - d. working with survivors to have them identify what is safe for them as it relates to scattered site units and/or rental assistance;
 - e. ensuring safety in congregate living spaces operated by the applicant (bars on windows, fixing lights in the hallways, etc.); and
 - f. keeping the location confidential for dedicated units and/or congregate living spaces set aside solely for use by survivors. **(6 points)**

Evaluating Ability to Ensure DV Survivor Safety-Project Applicant Experience.

- 3. Describe in the field below how the project evaluated its ability to ensure the safety of DV survivors the project served. **(3 points)**

Trauma-Informed, Victim-Centered Approaches–Project Applicant Experience.

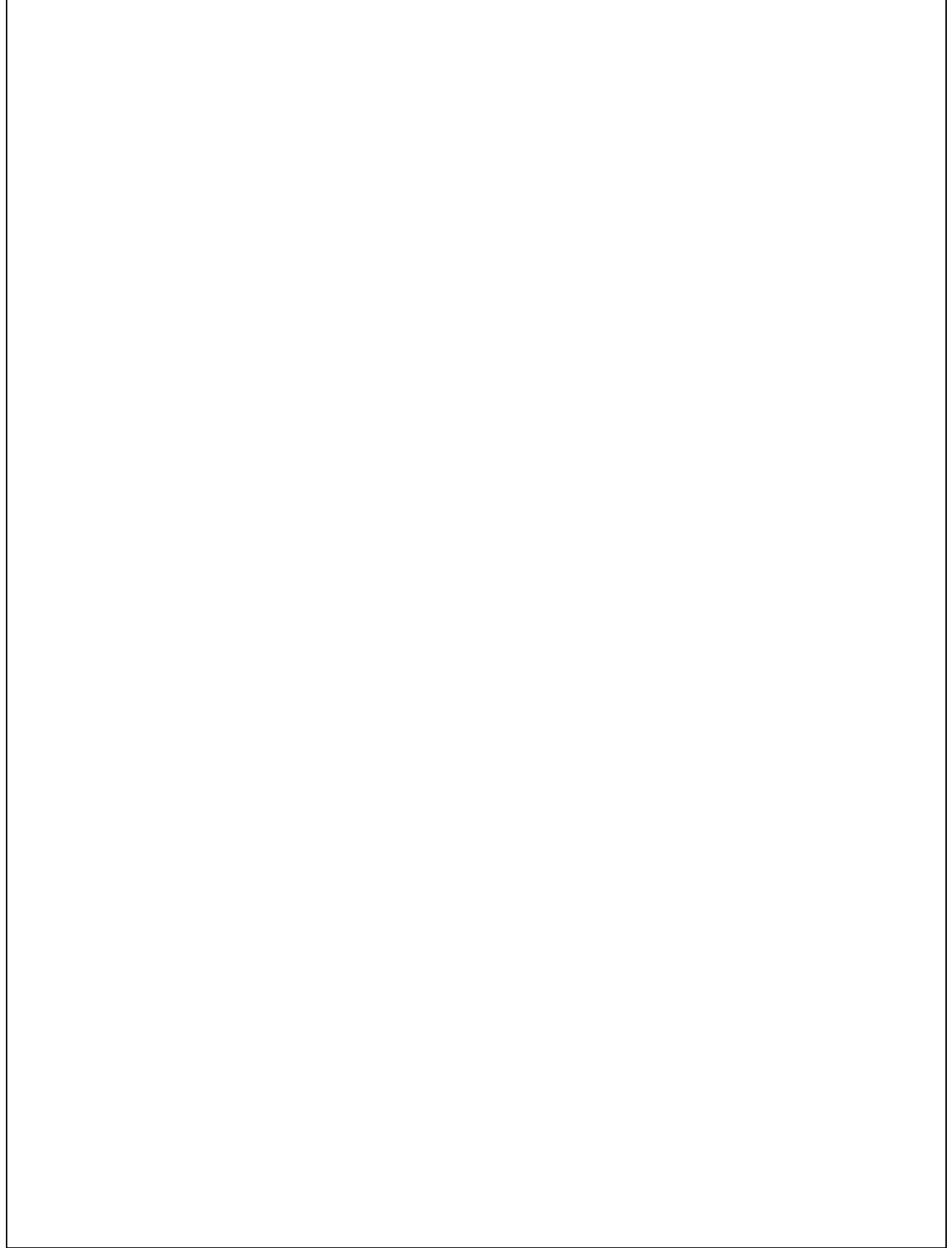
4. Describe in the field below examples of the project applicant’s **experience** in using trauma-informed, victim-centered approaches to meet needs of DV survivors in each of the following:
 - a. prioritizing program participant choice and rapid placement and stabilization in permanent housing consistent with participants’ preferences;
 - b. establishing and maintaining an environment of agency and mutual respect, e.g., the project does not use punitive interventions, ensures program participant staff interactions are based on equality and minimize power differentials;
 - c. providing program participants access to information on trauma, e.g., training staff on providing program participants with information on trauma;
 - d. emphasizing program participants’ strengths, e.g., strength-based coaching, questionnaires and assessment tools include strength-based measures, case plans include assessments of program participants strengths and works towards goals and aspirations;
 - e. centering on cultural responsiveness and inclusivity, e.g., training on equal access, cultural competence, nondiscrimination;
 - f. providing opportunities for connection for program participants, e.g., groups, mentorships, peer-to-peer, spiritual needs; and
 - g. offering support for parenting, e.g., parenting classes, childcare. **(7 points)**

Meeting Service Needs of DV Survivors–Project Applicant Experience.

- 5. Describe in the field below:
 - a. supportive services the project applicant provided to domestic violence survivors experiencing homelessness while quickly moving them into permanent housing and addressing their safety needs; and
 - b. provide examples of how the project applicant provided the supportive services to domestic violence survivors. **(4 points)**

Trauma-Informed, Victim-Centered Approaches–New Project Implementation.

- 6. Describe in the field below examples of how the new project will:
 - a. prioritize program participant choice and rapid placement and stabilization in permanent housing consistent with participants’ preferences;
 - b. establish and maintain an environment of agency and mutual respect, e.g., the project does not use punitive interventions, ensures program participant staff interactions are based on equality and minimize power differentials;
 - c. provide program participants access to information on trauma, e.g., training staff on providing program participants with information on trauma;
 - d. place emphasis on program participants’ strengths, e.g., strength-based coaching, questionnaires and assessment tools include strength-based measures, case plans include assessments of program participants strengths and works towards goals and aspirations;
 - e. center on cultural responsiveness and inclusivity, e.g., training on equal access, cultural competence, nondiscrimination;
 - f. provide opportunities for connection for program participants, e.g., groups, mentorships, peer-to-peer, spiritual needs; and
 - g. offer support for parenting, e.g., parenting classes, childcare. **(7 points)**



Providing Services through an Equity Lens

- 7. Please describe how your organization addresses diversity, equity, and inclusion.
 - a. describe how your board of Directors and in key leadership and management positions reflect the demographics in your community, including individuals of color, LGBTQIA+, and individuals with lived experience;
 - b. how you obtain feedback from people with lived experience or from other affected populations; and
 - c. how you structure your program outcomes using an equity lens to assess if race, ethnicity, gender identity, and/or age has led to disparate outcomes. **(3 points)**

Section 6: HMIS Participation

Projects, except as prohibited to protect victims of domestic violence, dating violence, sexual assault, or stalking, must agree to enter client data into the IN BoS CoC DV ClientTrack. **(3 points)**

1. Do you agree to use the IN BoS CoC DV ClientTrack? Yes No
2. Does your agency currently enter client data into a database that is comparable to HMIS and compliant with all HUD HMIS requirements? Yes No
3. Does your agency already have the capacity to share de-identified information from this database with the CoC? Yes No

If you responded no to any of the above questions, please describe how you will ensure that the proposed project will meet these requirements and your timeline for being able to meet both requirements.

Section 7: Project Budget

Rental Assistance Budget

The following list summarizes the rental assistance funding request for the total term of the project. If you plan to serve multiple counties please list each county and expected units. **(2 points)**

Total Request for Grant Term:			
Total Units:			
Type of Rental Assistance	FMR Area (County)	Total Units Requested	Total Request
RRH			
RRH			
RRH			

Rental Assistance Units Detail

Does the applicant request rental assistance funding for less than the area's per unit size fair market rent? YES NO **(2 points)**

Size of Units	# of Units (Applicant)	FMR Area*	12 Months	Total Request
SRO		X	X 12	=
0 Bedrooms		X	X 12	=
1 Bedroom		X	X 12	=
2 Bedrooms		X	X 12	=
3 Bedrooms		X	X 12	=
4 Bedrooms		X	X 12	=
5 Bedrooms		X	X 12	=
6 Bedrooms		X	X 12	=
7 Bedrooms		X	X 12	=
8 Bedrooms		X	X 12	=
9 Bedrooms		X	X 12	=
TOTAL Units Requested				TOTAL Annual Assistance Requested

*For FMR rates, go to:

https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2022_code/select_Geography.odn

Supportive Services **(2 points)**

Activity	Provider (applicant, partner, subcontractor or non-partner)	Frequency (daily, weekly, bi-weekly, monthly, bi-monthly, annually, bi-annually or as needed)	Amount Requested
Assessment of Service Needs			\$
Assistance with Moving Costs			\$
Case Management			\$

Child Care			\$
Education Services			\$
Employment Assistance and Job Training			\$
Food			\$
Housing Search and Counseling Services			\$
Legal Services			\$
Life Skills Training			\$
Mental Health Services			\$
Outpatient Health Services			\$
Outreach Services			\$
Substance Abuse Treatment Services			\$
Transportation			\$
Utility Deposits			\$
TOTAL			\$

Supportive Services Detail

Please answer the following questions with a Yes/No

Does the project provide transportation assistance to clients to attend mainstream benefit appointments, employment training, or jobs? (1 Point)	
Does the project complete annual follow-ups with participants to ensure mainstream benefits are received and renewed? (1 Point)	
Do project participants have access to SSI/SSDI technical assistance provided by the applicant, a subrecipient, or partner agency? (1 Point)	
Has the staff person providing the technical assistance completed SOAR training in the past 24 months? (1 Point)	

Summary for Match Commitment:

Describe your experience in identifying and securing matching funds and leveraging other Federal, State, local, and private sector funds. If the applicant has no experience, indicate "No experience leveraging other Federal, State, local or private sector funds." **(2 points)**

Total Value of Cash Commitments:	
Total Value of In-Kind Commitments:	
Total Value of All Commitments:	

- Will this project generate program income described in 24 CFR 578.97 to use as Match for this project? YES NO

Please describe below:

Type (Cash or In-Kind)	Source	Contributor	Value of Commitments

Sources of Match Detail (2 points)

Type of match commitment:	
Source	
Name of Source	
Amount of Written Commitment:	

Type of match commitment:	
Source	
Name of Source	
Amount of Written Commitment:	

Type of match commitment:	
Source	
Name of Source	
Amount of Written Commitment:	

Type of match commitment:	
Source	
Name of Source	
Amount of Written Commitment:	

Summary Budget (3 points)

Eligible Costs	Total Assistance Requested for 1 year Grant Term
1. Rental Assistance	
2. Supportive Services	
Sub-total Costs Requested:	
4. Admin (Up to 10%)	
Total Assistance plus Admin Requested:	
5. Cash Match	
6. In-Kind Match	
Total Match (must be 25% of funding requested):	
Total Budget (funding requested + match):	

Section 8: Supporting Documentation Checklist (3 points)

- IRS Determination Letter
- Articles of Incorporation(?)
- Bylaws
- Board of Directors List
- Homelessness Participation Certification (*See Appendix B*)
- Most recent audited financial statements
- Match commitment letters (cash match) or Memoranda of Agreement or Understanding (MOAs or MOUs) (in-kind match) (*See Appendix C*)
- Screenshot of SAM.gov registration – must show UEI
- Screenshot of Indiana Secretary of State Business registration
- Other Documentation, if applicable

Submission Notes (optional):

APPENDIX A: Additional Programmatic, Statutory and Regulatory Requirements

The Sub-recipient is bound by the contents of the Indiana Balance of State Continuum of Care Application, PH-RRH Regulations at 24 CFR Part 578, the Administration Manual, PH-RRH Program Memos, and any other IHCD policy, directives or memoranda that may be published from time to time.

1. Agreement Execution:

The Sub-recipient must execute and return this Agreement to IHCD no later than _____.

2. Homeless Prevention Prohibition:

PH-RRH funds cannot be used for the homeless prevention activity.

3. Homelessness and Human Trafficking Addition:

HUD has clarified that persons who are fleeing or attempting to flee human trafficking may qualify as homeless under paragraph (4) of the homeless definition at 24 CFR 578.3; and, therefore, the individuals may be eligible for certain forms of homeless assistance under the PH-RRH Program, subject to other restrictions that may apply. 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” under paragraph (4) of the definition of homeless at 24 CFR 578.3. HUD will consider an individual or family as homeless under paragraph 4 of the homeless definition under the following circumstances where an individual or family is fleeing or attempting to flee human trafficking that has:

- (a) either taken place within the individuals or family's primary night-time residence;
- (b) made the individual or family afraid to return to their primary night-time residence; and the individual or family has no other residence; or
- (c) the individual or family lacks the resources or support networks to obtain
- (d) other permanent housing.

4. Flexibility for Housing First with Service Participation Requirements:

The Sub-recipient must ensure that the Project uses a Housing First approach. A Housing First prioritizes rapid placement, with low barriers to entry and no preconditions regarding income, work effort, sobriety or any other factor. HOWEVER, after participants are stabilized service participation requirements can be added. PH-RRH funded projects should help individuals and families move quickly into permanent housing.

5. Confidentiality Certifications:

Sub-recipient hereby certifies that:

- (a) Sub-recipient will maintain the confidentiality of records pertaining to any individual or family that was provided family violence prevention or treatment services through the project;
- (b) The address or location of any family violence project assisted with grant funds will not be made public, except with written authorization of the person responsible for the operation of such project;
- (c) Sub-recipient will establish policies and practices that are consistent with, and do not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness.

6. Additional Certifications and Requirements:

The Sub-recipient agrees:

- (a) To ensure that PH-RRH is provided in accordance with the requirements set forth in this Agreement and 24 CFR 578;
- (b) To monitor and report the progress of the Project to IHCD;
- (c) To ensure, to the maximum extent practicable, that individuals and families experiencing homelessness are involved, through employment, provision of volunteer services, or otherwise, in constructing,

rehabilitating, maintaining, and operating facilities for the Project and in providing supportive services for the Project;

- (d) To certify and ensure:
- i. In the case of projects that provide housing or services to families, the Sub-recipient will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of the Act;
 - ii. The Sub-recipient, its officers, and employees are not debarred or suspended from doing business with the Federal Government; and
 - iii. The Sub-recipient will provide information, such as data and reports, as required by HUD;
 - iv. The Sub-recipient will establish policies and practices that are consistent with, and do not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness;
 - v. In the case of projects that provide housing or services to families, that Sub-recipient will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of the Act;
 - vi. The Sub-recipient will provide information, such as data and reports, as required by HUD;
- (e) Establish such fiscal control and accounting procedures as may be necessary to assure the proper disbursement of, and accounting for grant funds in order to ensure that all financial transactions are conducted, and records maintained in accordance with generally accepted accounting principles,
- (f) To monitor Sub-recipient match and report on match to IHCDA;
- (g) To take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education;
- (h) To use the centralized or coordinated assessment system established by the Continuum of Care as required by 24 CFR 578. A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system, provided that victim service providers in the area use a centralized or coordinated assessment system that meets HUD's minimum requirements and the victim service provider uses that system instead;

7. Rental Assistance Amounts and Payments:

The amount of rental assistance in each project is based upon the number and size of units proposed by the applicant to be assisted over the grant period. The amount of rental assistance in each project will be calculated by multiplying the number and size of units proposed by the FMR of each unit on the date the application is submitted to HUD, by the term of the grant.

The Sub-recipient must serve at least as many participants as shown in its application.

8. Monthly Claims:

The Sub-recipient is required to submit a Claim Form and a Special Needs Assistance Request Voucher for Grant Payment (LOCCS form) on a monthly basis (at least 12 claims per operating year) to IHCDA. The Sub-recipient is required to submit required documentation as recommended by IHCDA. The Claim Form for a given month is due no later than the 20th day of the following month.

9. Financial Management System:

The Sub-recipient must use a financial management system that provide for audits in accordance with the provisions of 24 CFR part 84-for non-profits or 24 CFR part 85-for governmental entities, as applicable.

10. Participation of Homeless Individuals on the Board of Directors or other Equivalent Policy Making Entity of Sub-recipient

In accordance with 24 CFR 578.75(g), the Sub-recipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of the Sub-recipient, to the extent that such entity considers and makes policies and decisions regarding any project, supportive services, or assistance provided with PH-RRH funds. This requirement is waived if the Sub-recipient is unable to meet such requirement and obtains HUD approval for a plan to otherwise consult with homeless or formerly homeless persons when considering and making policies and decisions.

11. Sub-recipient Requirements for Residents (Receiving Rental Assistance):

- (a) **Leases.** The Sub-recipient must ensure that participants enter into a lease agreement for a term of one (1) year, which is terminable for cause.
- (b) **Rent.** Each program participant on whose behalf rental assistance payments are made must pay a contribution toward rent in accordance with section 3(a)(1) of the U.S. Housing Act of 1937 (42 U.S.C. 1437a(a)(1)). Rental assistance can be short-term or medium-term. No program participant can receive rental assistance for more than one (1) year. Rental assistance cannot be provided to a program participant who is already receiving rental assistance or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources. The Sub-recipient may not provide supportive services for no longer than six (6) months after rental assistance stops.
- (c) **Calculation of Rental Assistance.** Each person receiving rental assistance under the PH-RRH Program or residing in any rental housing assisted under this program must pay as rent, including utilities, an amount which is the higher of they may not exceed the highest of:
 - (1) thirty percent (30%) of the family's monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child-care expenses);
 - (2) ten percent (10%) of the family's monthly income; or
 - (3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family's actual housing costs) is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated for housing costs.
- (d) **Security Deposit.** PH-RRH Funds may be used for security deposits in an amount not to exceed two (2) months of rent. An advance payment of the last month's rent may be provided to the landlord, in addition to the security deposit and payment of first month's rent.
- (e) **Income.** Calculations. Income of program participants must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a).
- (f) **Income Re-certifications.** The Sub-recipient must re-evaluate, not less than once annually, that the participants lacks sufficient resources and support networks necessary to retain housing without PH-RRH Funds and the types and amounts of assistance that the participant needs to retain housing. When notified of a relevant change, the Sub-recipient must re-evaluate the participant's eligibility and the amount and types of PH-RRH assistance that the program participant needs.
- (g) **Verification of Income.** The Sub-recipient must advise each program participant, as a condition of participation in the program, that he or she must agree to supply the information or documentation necessary to verify the program participant's income and notify the Sub-recipient of changes in the program participant's income or other circumstances (e.g., changes in household composition) that affect the program participant's need for assistance..

- (h) **Case Manager.** The Sub-recipient must require the participant to meet with a case manager not less than once per month as set forth in 24 CFR 578.37(a)(1)(ii)(F), to assist the participant in maintaining long-term housing stability. The Project is exempt from this requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13925 *et seq.*) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 *et seq.*) prohibits the Sub-recipient from making its housing conditional on the participant's acceptance of services.
- (i) **Rent Reasonableness.** The Sub-recipient must determine whether the rent charged for the unit receiving rental assistance is reasonable in relation to rents being charged for comparable unassisted units, taking into account the location, size, type, quality, amenities, facilities, and management and maintenance of each unit, as well as not in excess of rents currently being charged by the same owner for comparable unassisted units.
- (j) **Vacancies.** If a unit that receives rental assistance is vacated before the expiration of the lease, the assistance for the unit may continue for a maximum of thirty (30) days from the end of the month in which the unit was vacated, unless it is occupied by another eligible person. No additional assistance will be paid until the unit is occupied by another eligible person. Brief periods of stays in institutions, not to exceed ninety (90) days for each occurrence, are not considered vacancies.
- (k) **Other Assistance.** Rental assistance cannot be provided to a program participant who is already receiving rental assistance or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.
- (l) **Required Leasing Documents for TRA.** Sub-recipient must ensure that the following documents are being executed for tenant-based rental assistance (“TRA”):
- Lease between Participant and Landlord
 - Rental Assistance Payment Contract between Participant and Sub-recipient (Form drafted by IHCD)
 - Rental Assistance Payment Contract between Landlord and Sub-recipient (Form drafted by IHCD)
 - Lease Addendum (containing VAWA and provisions Prohibited by HUD) between Landlord and Sub-recipient (Form drafted by IHCD)

12. Housing Quality Standards:

Housing leased with PH-RRH Program funds, or for which rental assistance payments are made with Continuum of Care program funds, must meet the applicable housing quality standards (HQS) under 24 CFR 982.401. For housing rehabilitated with PH-RRH Funds, the lead-based paint requirements in 24 CFR part 35, subparts A, B, J, and R apply. For housing that receives project-based or sponsor-based rental assistance, 24 CFR part 35, subparts A, B, H, and R apply. For residential property for which PH-RRH Funds are used for acquisition, leasing, services, or operating costs, 24 CFR part 35, subparts A, B, K, and R apply.

- (a) Before any assistance will be provided on behalf of a program participant, the Sub-recipient, must physically inspect each unit to assure that the unit meets HQS. Assistance will not be provided for units that fail to meet HQS, unless the owner corrects any deficiencies within thirty (30) days from the date of the initial inspection and the Sub-recipient verifies that all deficiencies have been corrected.
- (b) Sub-recipient must inspect all units at least annually during the grant period to ensure that the units continue to meet HQS.

13. Suitable dwelling size: The dwelling unit must have at least one bedroom or living/sleeping room for each two persons.

- (a) Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.

- (b) If household composition changes during the term of assistance, Sub-recipient may relocate the household to a more appropriately sized unit. The household must still have access to appropriate supportive services.

14. Meals: Each Sub-recipient who provides supportive housing for homeless persons with disabilities must provide meals or meal preparation facilities for residents

15. Recordkeeping:

The Sub-recipient must maintain sufficient records to enable HUD to determine whether it is meeting the requirements of the PH-RRH Program, including: the following:

- (a) Homeless status. Acceptable evidence of the homeless as status is set forth in [24 CFR 576.500\(b\)](#).
- (b) Records of reasonable belief of imminent threat of harm. For each program participant who moved to a different Continuum of Care due to imminent threat of further domestic violence, dating violence, sexual assault, or stalking under 24 CFR 578.51(c)(3), the Sub-recipient must retain documentation specified in 24 CFR 578.103(5).
- (c) Annual income. For each program participant who receives housing assistance where rent or an occupancy charge is paid by the program participant, the Sub-recipient must keep documentation of annual income as specified in 24 CFR 578.103(6).
- (d) Program participant records. In addition to evidence of “homeless” status or “at-risk-of-homelessness” status, as applicable, the Sub-recipient must keep records for each program participant that document:
 - (i) The services and assistance provided to that program participant, including evidence that the Sub-recipient has conducted an annual assessment of services for those program participants that remain in the program for more than a year and adjusted the service package accordingly, and including case management services as provided in 24 CFR 578.37(a)(1)(ii)(F); and
 - (ii) Where applicable, compliance with the termination of assistance requirement in 24 CFR 578.91.
- (e) Housing standards. The Sub-recipient must retain documentation of compliance with the housing standards in 24 CFR 578.75(b), including inspection reports.
- (f) Services provided. The Sub-recipient must document the types of supportive services provided under the recipient's program and the amounts spent on those services. The Sub-recipient must keep record that these records were reviewed at least annually and that the service package offered to program participants was adjusted as necessary.
- (g) Match. The Sub-recipient must keep records of the source and use of contributions made to satisfy the match requirement in 24 CFR 578.73. The records must indicate the grant and fiscal year for which each matching contribution is counted. The records must show how the value placed on third party in-kind contributions or cash match was derived. To the extent feasible, volunteer services must be supported by the same methods that the organization uses to support the allocation of regular personnel costs. Notwithstanding 2 CFR 200.306(b)(5), the Sub-recipient may use funds from any source, including any other federal sources (excluding Continuum of Care program funds), as well as State, local, and private sources, provided that funds from the source are not statutorily prohibited to be used as a match.
- (h) Conflicts of interest. The Sub-recipient must keep records to show compliance with the organizational conflict-of-interest requirements in 24 CFR 578.95(c), the Continuum of Care board conflict-of-interest requirements in 24 CFR 578.95(b), the other conflict requirements in 24 CFR 578.95(d), a copy of the personal conflict-of-interest policy developed and implemented to comply with the requirements in 24 CFR 578.95, and records supporting exceptions to the personal conflict-of-interest prohibitions.

- (i) Homeless participation. The Sub-recipient must document its compliance with the homeless participation requirements under 24 CFR 578.75(g).
- (j) Faith-based activities. The Sub-recipient must document their compliance with the faith-based activities requirements under 24 CFR 578.87(b).
- (k) Affirmatively Furthering Fair Housing. The Sub-recipient must maintain copies of its marketing, outreach, and other materials used to inform eligible persons of the program to document compliance with the requirements in 24 CFR 578.93(c).
- (l) Other federal requirements. The Sub-recipient must document its compliance with the federal requirements in 24 CFR 578.99, as applicable.
- (m) The Sub-recipient must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in Subpart D of 2 CFR 200.
- (n) Other records specified by HUD. The Sub-recipient must keep other records specified by HUD.

Documentation of each program participant's qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be retained for five (5) years after the expenditure of all funds from the Award under which the program participant was served.

16. Adequate Supportive Services:

The Sub-recipient must assure that adequate supportive services are available to participants in the PH-RRH Program.

17. Ongoing Assessment of Housing and Supportive Services:

Each Sub-recipient must conduct an ongoing assessment of the supportive services needed by the residents of the project, the availability of such services, and the coordination of services needed to ensure long-term housing stability and must make adjustments, as appropriate.

Each Sub-recipient must provide residential supervision as necessary to facilitate the adequate provision of supportive services to the residents of the housing throughout the term of the commitment to operate supportive housing. Residential supervision may include the employment of a full- or part-time residential supervisor with sufficient knowledge to provide or to supervise the provision of supportive services to the residents.

18. Match Requirement:

As defined by 24 CFR 578.73 and identified in its approved application, the Sub-recipient hereby agrees that the Award, must be matched with no less than a **25 percent cash or in-kind contribution**. The match requirements apply to project administration funds and, rental assistance. Match must be met on an annual basis.

For an in-kind match, the Sub-recipient may use the value of property, equipment, goods, or services contributed to the project, provided that, if the sub-recipient had to pay for such items with grant funds, the costs would have been eligible. If third-party services are to be used as a match, the sub-recipient and the third-party service provider that will provide the services must enter into a memorandum of understanding (MOU) documenting that the third party will provide such services. Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in the Sub-recipient's organization.

19. Match Reports:

The Sub-recipient is required to submit Match Reports on the form provided for that purpose to IHCDA on an annual basis, beginning with the first quarter of each operating year. Each annual Match Report is

due no later than the 20th day of the month immediately following the end of the year. Failure to timely submit quarterly Match Reports may result in the reduction of some or all of the Sub-recipient Fees by IHADA, at its sole discretion.

20. Project Administration:

Sub-recipient may use up to 7 percent for project administrative costs. These costs include expenses related to the related to the planning and execution of PH-RRH Program activities such as management, coordination, monitoring, and evaluation activities and environmental review. This does not include staff and overhead costs directly related to carrying out activities eligible under 24 CFR 578.43 through 24 CFR 578.57, because those costs are eligible as part of those activities.

21. Indirect Cost Rate:

According to 2 CFR 200.414(f), the Sub-recipient may charge a de minimis rate of 10% of modified total direct costs (MTDC). As described in 2 CFR 200.403, Factors affecting allowability of costs, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as the Sub-recipient chooses to negotiate for a rate, which the Sub-recipient may apply to do at any time. A proposal to establish a cost allocation plan or an indirect (F&A) cost rate, whether submitted to a Federal cognizant agency for indirect costs or maintained on file by the Sub-recipient, must be certified by the Sub-recipient using the Certificate of Cost Allocation Plan or Certificate of Indirect Costs as set forth in Appendices III through VII, and Appendix IX in 2 CFR part 200. The certificate must be signed on behalf of the Sub-recipient by an individual at a level no lower than vice president or chief financial officer of the Sub-recipient.

22. Confidentiality:

In addition to meeting the specific confidentiality and security requirements for HMIS data, the Sub-recipient must develop and implement written procedures to ensure:

- (1) All records containing protected identifying information of any individual or family who applies for and/or receives Continuum of Care assistance will be kept secure and confidential;
- (2) The address or location of any family violence project assisted with Continuum of Care funds will not be made public, except with written authorization of the person responsible for the operation of the project; and
- (3) The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the Sub-recipient and consistent with State and local laws regarding privacy and obligations of confidentiality
- (4) The Sub-recipient must adopt procedures to ensure that all participant information is handled and maintained in a confidential manner and in compliance with the requirements of all applicable state or federal laws, rules, and regulations, including, but not limited to, those relating to the release of Social Security numbers in I.C. § 4-1-10 and the notice of security breach provisions in I.C. § 4-1-11.

Confidential information means any individually identifiable information, whether oral or written, about the participants who receive services and/or assistance from the PH-RRH Program. Employees, agents, contractors or others who require access to confidential participant information must sign a confidentiality agreement commensurate with the conditions set forth in this Agreement.

23. Termination of Assistance:

(1) Termination of assistance. According to 24 CFR 578.91, the Sub-recipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination does not bar the Sub-Recipient from providing further assistance at a later date to the same individual or family.

(2) Due process. In terminating assistance to a program participant, the Sub-recipient must provide a formal process that recognizes the rights of individuals receiving assistance under the due process of law. This process, at a minimum, must consist of:

- i. Providing the program participant with a written copy of the program rules and the termination process before the participant begins to receive assistance;
- ii. Written notice to the program participant containing a clear statement of the reasons for termination;
- iii. A review of the decision, in which the program participant is given 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; and
- iv. Prompt written notice of the final decision to the program participant.

(3) Hard-to-house populations. If Sub-recipient is providing PH-RRH for hard-to-house populations of homeless persons it must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant's assistance is terminated only in the most severe cases.

24. Uniform Relocation Act:

Consistent with the other goals and objectives of this part, Sub-recipient must ensure that it has taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of projects assisted under this part. "Project," as used in this section, means any activity or series of activities assisted with PH-RRH Program funds received or anticipated in any phase of an undertaking.

The Sub-recipient's commitment of funds to housing activities for any acquisition, rehabilitation, demolition, purchase assistance, and/or relocation activities is conditioned upon IHCD receiving the Sub-recipient's certification of compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended, and the implementing regulations at 49 CFR Part 24.

25. Maintenance of Effort:

No assistance received from the Award (or any State or local government funds used to supplement this assistance) may be used to replace State or local funds previously used, or designated for use, to assist homeless persons.

26. Homeless Management Information Systems:

The Sub-recipient must enter data on PH-RRH beneficiaries into the Homeless Management Information System "HMIS" on a regular and consistent basis. "Regular and consistent" means within current HMIS guidelines. Annual update of a client's status is also required. These updates should be completed at their annual recertification.

27. Victim Service Providers:

If Sub-recipient is a victim service provider it must enter data on PH-RRH beneficiaries into the ClientTrack database for domestic violence service providers on a regular and consistent basis. “Regular and consistent” means within current HMIS guidelines. Annual updates of a client’s status are also required. These updates should be completed at their annual recertification.

28. Coordinated Entry:

Sub-recipient must use the coordinated entry system established by the Continuum of Care as set forth in 24 CFR 578.7(a)(8). However, victim service providers may choose not to use the Continuum of Care’s coordinated entry system, provided that victim service providers in the area use a centralized or coordinated assessment system that meets HUD’s minimum requirements and the victim service provider uses that system instead.

29. Affirmatively Furthering Fair Housing:

A Sub-recipient must implement its programs in a manner that affirmatively furthers fair housing, which means that the Sub-recipient must:

- (1) Affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities;
- (2) Where a Sub-recipient encounters a condition or action that impedes fair housing choice for current or prospective program participants, provide such information to the jurisdiction that provided the certification of consistency with the Consolidated Plan; and
- (3) Provide program participants with information on rights and remedies available under applicable federal, State and local fair housing and civil rights laws.

30. Accessibility and Integrative Housing and Services for Persons with Disabilities:

Sub-recipient must comply with the accessibility requirements of the Fair Housing Act (24 CFR part 100), Section 504 of the Rehabilitation Act of 1973 (24 CFR part 8), and Titles II and III of the Americans with Disabilities Act, as applicable (28 CFR parts 35 and 36). In accordance with the requirements of [24 CFR 8.4\(d\)](#), Sub-recipient must ensure that their program's housing and supportive services are provided in the most integrated setting appropriate to the needs of persons with disabilities.

31. Outreach Activities:

The Sub-recipient must use its best efforts to ensure that eligible hard-to-reach persons are served by the PH-RRH Program. The Sub-recipient is expected to make sustained efforts to engage eligible persons so that they may be brought into the program. Outreach should be primarily directed toward eligible persons who have a nighttime residence that is an emergency shelter or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings (e.g., persons living in cars, streets, and parks). Outreach activities are considered to be a supportive service, and the value of such activities that occur after the execution of the grant agreement may be included in meeting the matching requirement.

32. Nondiscrimination and Equal Opportunity:

- (a) Nondiscrimination and equal opportunity requirements. The nondiscrimination and equal opportunity requirements set forth in [24 CFR 5.105\(a\)](#) are applicable.
- (b) Housing for specific subpopulations. The Sub-recipient may exclusively serve a particular homeless subpopulation in permanent housing if the housing addresses a need identified by the Continuum of Care for the geographic area and meets one of the following:

1. The housing may be limited to one sex where such housing consists of a single structure with shared bedrooms or bathing facilities such that the considerations of personal privacy and the physical limitations of the configuration of the housing make it appropriate for the housing to be limited to one sex;
2. The housing may be limited to a specific subpopulation, so long as admission does not discriminate against any protected class under federal nondiscrimination laws in [24 CFR 5.105](#) (*e.g.*, the housing may be limited to homeless veterans, victims of domestic violence and their children, or chronically homeless persons and families).
3. The housing may be limited to families with children.
4. If the housing has in residence at least one family with a child under the age of 18, the housing may exclude registered sex offenders and persons with a criminal record that includes a violent crime from the project so long as the child resides in the housing.
5. Sober housing may exclude persons who refuse to sign an occupancy agreement or lease that prohibits program participants from possessing, using, or being under the influence of illegal substances and/or alcohol on the premises.
6. If the housing is assisted with funds under a federal program that is limited by federal statute or Executive Order to a specific subpopulation, the housing may be limited to that subpopulation (*e.g.*, housing also assisted with funding from the Housing Opportunities for Persons with AIDS program under 24 CFR part 574 may be limited to persons with acquired immunodeficiency syndrome or related diseases).
7. The Sub-recipient may limit admission to or provide a preference for the housing to subpopulations of homeless persons and families who need the specialized supportive services that are provided in the housing (*e.g.*, substance abuse addiction treatment, domestic violence services, or a high intensity package designed to meet the needs of hard-to-reach homeless persons). While the housing may offer services for a particular type of disability, no otherwise eligible individuals with disabilities or families including an individual with a disability, who may benefit from the services provided may be excluded on the grounds that they do not have a particular disability.

33. Affirmative Outreach:

If the procedures that the Sub-recipient intends to use to make known the availability of the PH-RRH Program are unlikely to reach persons of any particular race, color, religion, sex, age, national origin, familial status, or handicap who may qualify for assistance, the Sub-recipient must establish additional procedures that will ensure that interested persons can obtain information concerning the assistance.

The Sub-recipient must adopt procedures to make available information on the existence and locations of facilities and services that are accessible to persons with a handicap and maintain evidence of implementation of the procedures.

The Sub-recipient must comply with the accessibility requirements, reasonable modification, and accommodation requirements of the Fair Housing Act and of section 504 of the Rehabilitation Act of 1973, as amended.

34. Meaningful Access to the PH-RRH Program for Limited English Proficient Persons:

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English (“limited English proficient persons” or “LEP”) may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter. In accordance with Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, the Sub-recipient agrees to take reasonable steps to ensure meaningful access to the activities funded hereunder for LEP persons. Any of the following actions could constitute “reasonable steps”, depending on the circumstances: acquiring translators to translate vital documents, advertisements, or notices, acquiring interpreters for face to face interviews with LEP persons, placing advertisements and notices in newspapers that serve LEP persons, partnering with other organizations that serve LEP populations to provide interpretation, translation, or dissemination of information regarding the project, hiring bilingual employees or volunteers for outreach and intake activities, contracting with a telephone line interpreter service, etc.

35. Violence Against Women Reauthorization Act of 2013 (“VAWA”).

The requirements set forth in 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), implementing the requirements of VAWA apply to all permanent housing and transitional housing for which PH-RRH funds are used for rental assistance.

a. **Notification Of Occupancy Rights Under VAWA And Certification Form**

The Sub-recipient must ensure that the notice of occupancy rights which is set forth in Form HUD 5380 and the certification form set forth in Form HUD 5382 is provided to each individual or family applying for permanent housing and transitional housing and each program participant receiving PH-RRH Funds assistance at the following times:

- i. When an individual or family is denied permanent housing or transitional housing;
- ii. When a program participant is admitted to permanent housing or transitional housing;
- iii. When a program participant receives notification of eviction;
- iv. When a program participant is notified of termination of assistance;
- v. With any of termination of rental assistance; and
- vi. **Immediately, for any existing tenant either during annual recertification or lease renewal, whichever is applicable, or, if there will be no recertification or lease renewal for a tenant, through other means.**

The Sub-recipient must ensure that, for each tenant receiving PH-RRH Funds, the owner or manager of the tenant's housing unit provides the notice of occupancy rights set forth Form HUD 5380 and the certification form set forth in Form HUD 5382 to the tenant with any notification of eviction.

b. **Request for VAWA protections**

If a tenant seeks VAWA protections set forth in 24 CFR part 5, subpart L, the tenant must submit such request to the Sub-recipient. The Sub-recipient must determine whether the tenant is entitled to protection under VAWA and immediately advise the tenant of the determination; and if the tenant is entitled to protection, the Sub-recipient must notify the owner in writing that the tenant is entitled to protection under VAWA and work with the owner on the tenants. Any further sharing or disclosure of the program participant's information will be subject to the requirements in 24 CFR 5.2007(c) as summarized in Subsection (d) below.

c. **Emergency Transfers**

The Sub-recipient must use and implement the emergency transfer plan set forth in Form HUD-5381 as modified for the PH-RRH Program and must make the determination of whether a tenant qualifies for an emergency transfer under the plan. The Sub-recipient must provide Form HUD -5383 to a tenant that is requesting an emergency transfer. With respect to tenants who qualify for an emergency transfer and who wish to make an external emergency transfer when a safe unit is not immediately available, the Sub-recipient the individual or family shall have priority over all other applicants for rental assistance, transitional housing, and permanent supportive housing projects funded under this part, provided that: The individual or family meets all eligibility criteria required by Federal law or regulation or HUD NOFA; and the individual or family meets any additional criteria or preferences established in accordance with 24 CFR 578.93(b)(1), (4), (6), or (7). The individual or family shall not be required to meet any other eligibility criteria or preferences for the project. The individual or family shall retain their original homeless or chronically homeless status for the purposes of the transfer.

d. **Confidentiality**

Any information submitted to the Sub-recipient regarding a tenant's protections under VAWA, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking (confidential information), shall be maintained in strict confidence by the owner and the Sub-recipient.

(1) The Sub-recipient shall not allow any individual administering assistance on behalf of the Sub-recipient or any persons within their employ (e.g., contractors) or in the employ of the Sub-recipient to have access to confidential information unless explicitly authorized by the Sub-recipient for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

(2) The Sub-recipient shall not enter any confidential information into any shared database or disclose such information to any other entity or individual, except to the extent that the disclosure is:

- (i) Requested or consented to in writing by the individual in a time-limited release
- (ii) Required for use in an eviction proceeding or hearing regarding termination of assistance from the PH- RRH Program; or
- (iii) Otherwise required by applicable law.

The Sub-recipient's compliance with the protections of 24 CFR 5.2005 and 24 CFR 5.2009, based on documentation received under this section shall not be sufficient to constitute evidence of an unreasonable act or omission by the Sub-recipient. However, nothing in this paragraph shall be construed to limit the liability of the Sub-recipient for failure to comply with 24 CFR 5.2005 and 24 CFR 5.2009.

e. **Remaining participants following bifurcation of a lease or eviction as a result of domestic violence, dating violence, sexual assault, or stalking.**

If a family who is receiving PH-RRH Funds separates under 24 CFR 5.2009(a), the family's tenant-based rental assistance and any utility assistance shall continue for the family member(s) who are not evicted or removed.

If a family living in permanent supportive housing separates under 24 CFR 5.2009(a), and the family's eligibility for the housing was based on the evicted individual's disability or chronically homeless status, the remaining tenants may stay in the project until the expiration of the lease in effect at the time of the qualifying member's eviction. Otherwise, if a family living in a project funded with PH-RRH Funds separates under 24 CFR 5.2009(a), the remaining tenant(s) will be eligible to remain in the project.

f. **Prohibited Denial/Termination**

Sub-recipient shall ensure that any applicant for or tenant of PH-RRH-assisted housing may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

g. **Construction Of Lease Terms**

Sub-recipient shall ensure that an incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as:

- i. A serious or repeated violation of a lease for PH-RRH-assisted housing by the victim or threatened victim of such incident; or
- ii. Good cause for terminating the assistance, tenancy or occupancy rights to PH-RRH-assisted housing of the victim of such incident.

h. **Termination On The Basis Of Criminal Activity**

Termination on the basis of criminal activity. A tenant in receiving PH-RRH may not be denied tenancy or occupancy rights solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking if:

- i. The criminal activity is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, and
- ii. The tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault or stalking.

i. **Lease Addendum**

The Sub-recipient is responsible for ensuring that the landlord or property manager uses the PH-RRH lease addendum with VAWA protections. The Sub-recipient must ensure that each tenant has the PH-RRH lease addendum created by IHADA that incorporates all requirements that apply to the landlord or lease of PH-RRH-assisted rental housing under 24 CFR part 5, subpart L, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c).

j. **Limited applicability of VAWA requirements:**

1. Nothing in this section limits the authority of the Sub-recipient or owner, when notified of a court order, to comply with a court order with respect to:
 - (i) The rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or
 - (ii) The distribution or possession of property among members of a household.
2. Nothing in this section limits any available authority of a Sub-recipient to evict or terminate assistance to a tenant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the tenant or an affiliated individual of the tenant. However, the Sub-recipient must not subject the tenant, who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, or is affiliated with an individual who is or has been a victim of domestic violence, dating violence, sexual assault or stalking, to a more demanding standard than other tenants in determining whether to evict or terminate assistance.
3. Nothing in this section limits the authority of a Sub-recipient to terminate assistance to or evict a tenant under a covered housing program if the Sub-recipient can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to property of the Sub-recipient would be present if that tenant or lawful occupant is not evicted or terminated from assistance. In this context, words, gestures, actions, or other indicators will be considered an “actual and imminent threat” if they meet the standards provided in the definition of “actual and imminent threat” in 24 CFR 5.2003.
4. Any eviction or termination of assistance, as provided in paragraph (d)(3) of this section should be utilized by a Sub-recipient only when there are no other actions that could be taken to reduce or eliminate the threat, including, but not limited to, transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety cannot be based on stereotypes but must be tailored to particularized concerns about individual residents.

36. HUD Guidance for Single-Sex Emergency Shelters or Other Facilities that Receive ESG, HOPWA, PHH-RRH, or CoC Funds

A. **Assignments**

HUD assumes that a recipient or subrecipient (“provider”) that makes decisions about eligibility for or placement into single-sex emergency shelters or other facilities will place a potential client (or current client seeking a new assignment) in a shelter or facility that corresponds to the gender with which the person identifies, taking health and safety concerns into consideration. A client’s or potential client’s own views with respect to personal health and safety should be given serious consideration in making the placement. For instance, if the

potential client requests to be placed based on his or her sex assigned at birth, HUD assumes that the provider will place the individual in accordance with that request, consistent with health, safety, and privacy concerns. HUD assumes that a provider will not make an assignment or re-assignment based on complaints of another person when the sole stated basis of the complaint is a client or potential client's non-conformance with gender stereotypes.

B. Appropriate and Inappropriate Inquiries Related to Sex

For temporary, emergency shelters with shared sleeping areas or bathrooms, the Equal Access Rule permits shelter providers to ask potential clients and current clients seeking a new assignment their sex. Best practices suggest that where the provider is uncertain of the client's sex or gender identity, the provider simply informs the client or potential client that the agency provides shelter based on the gender with which the individual identifies. There generally is no legitimate reason in this context for the provider to request documentation of a person's sex in order to determine appropriate placement, nor should the provider have any basis to deny access to a single-sex emergency shelter or facility solely because the provider possesses identity documents indicating a sex different than the gender with which the client or potential client identifies. The provider may not ask questions or otherwise seek information or documentation concerning the person's anatomy or medical history. Nor may the provider consider the client or potential client ineligible for an emergency shelter or other facility because his or her appearance or behavior does not conform to gender stereotypes.

C. Privacy

If a client expresses safety or privacy concerns, or if the provider otherwise becomes aware of privacy or safety concerns, the provider must take reasonable steps to address those concerns. This may include, for example: responding to the requests of the client expressing concern through the addition of a privacy partition or curtain; provision to use a nearby private restroom or office; or a separate changing schedule. The provider must, at a minimum, permit any clients expressing concern to use bathrooms and dressing areas at a separate time from others in the facility. The provider should, to the extent feasible, work with the layout of the facility to provide for privacy in bathrooms and dressing areas. For example, toilet stalls should have doors and locks and there should be separate showers stalls to allow for privacy. Note: ESG and HOPWA funds may be used to renovate an emergency shelter to maximize privacy and safety. The provider should ensure that its policies do not isolate or segregate clients based upon gender identity.

D. Training

It is the responsibility of the Subrecipient comply with the Equal Access Rule. In furtherance of such, the Subrecipient should provide this Notice to staff members and contractors so as to ensure that employees and contractors who interact directly with potential clients and current clients are aware of it and take prompt corrective action to address noncompliance. Moreover, they should provide training to staff on completing intakes consistent with this guidance. If HUD finds a recipient or subrecipient has failed to meet program requirements, HUD may take actions such as those described in 24 CFR 40 576.501 or 24 CFR 574.540.

E. Further information

In addition to complying with the requirements of the Equal Access Rule as described above, recipients and subrecipients must comply with all of HUD's nondiscrimination and equal opportunity provisions at 24 CFR 5.105.

37. Other Federal requirements:

In addition to the Federal requirements set forth in 24 CFR part 5, the following requirements apply to the PH-RRH Program:

- (a) Environmental review. Activities using PH-RRH Program funds are subject to environmental review by HUD under 24 CFR part 50 as noted in 24 CFR 578.31. The review must be completed prior to the use of the funds from IHCD. Please refer to the Environmental Review Record and Section 106 Historic Review User's Guide found on IHCD's website for policy and forms. <https://www.in.gov/myihcda/2650.htm>.
- (b) Section 6002 of the Solid Waste Disposal Act. State agencies and agencies of a political subdivision of a state that are using PH-RRH Program funds for procurement, and any person contracting with such an agency with

respect to work performed under an assisted contract, must comply with the requirements of Section 6003 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. In accordance with Section 6002, these agencies and persons must:

- (1) Procure items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired in the preceding fiscal year exceeded \$10,000;
 - (2) Procure solid waste management services in a manner that maximizes energy and resource recovery; and
 - (3) Must have established an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.
- (c) Applicability of Uniform Administrative Requirements. The Sub-recipient shall comply with 2 CFR 200, except where inconsistent with the provisions of the McKinney-Vento Act or 24 CFR 578.
- (d) Mandatory Disclosure. The Recipient must disclose, in a timely manner, in writing to IHCD A all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Award. The Sub-recipient's failure to make these disclosures may subject to the Sub-recipient to remedies of non-compliance set forth in 2 CFR 200.338, which includes suspension or debarment.
- (e) Lead-based paint. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations at 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to activities undertaken using PH-RRH Funds. Lead-based paint requirements apply to dwelling units built prior to 1978 that are occupied or can be occupied by families with children under six years of age, excluding zero-bedroom dwellings. Accordingly, the Sub-recipient must ensure that the following steps are being taken:
- A. For every unit:
 1. Providing all prospective families with the booklet entitled, "**Protect Your Family from Lead in Your Home**",
 2. Lead-Based Paint Exemption form is completed,
 3. HQS inspection is performed,
 4. Inspector uses **Form HUD-52580**, and
 5. Inspector must attend HUD Visual Assessment training at the following link: **<http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm>** and certificate of completion submitted to IHCD A.
 - B. If child under six is in unit and unit was built prior to 1978 (additional items):
 1. Disclosure of known lead-based paint hazards to prospective tenants before the lease is signed, **Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards (LBP Disclosure Form) is completed**,
 2. The Sub-recipient and Landlord must execute an "**Agreement for Ongoing Maintenance Activities related to Lead-Based Paint Requirements**", drafted by IHCD A,
 3. Visual assessment for deteriorated paint is performed,
 4. Deteriorated painted surfaces is stabilized and hazard reduction activities are performed,
 5. Tenants are notified each time such an activity is performed,
 6. All work is conducted in accordance with HUD safe practices,

7. Records are maintained concerning paint stabilization by owners of deteriorated paint,
8. Clearance examinations are performed after paint stabilization and before re-occupancy,
9. Ongoing lead-based paint maintenance is performed,
10. If the Sub-recipient is notified by a public health department or other medical health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than 6 years of age, living in an PH-RRH assisted unit has been identified as having an elevated blood lead level (“EBLL”), the Sub-recipient must complete an environmental investigation of the dwelling unit. The environmental investigation must be completed in accordance with program requirements, and the result of the environmental investigation must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner,
11. Records are maintained concerning a child with an EBLL in a covered unit,
12. Reevaluation shall be conducted and the Sub-recipient shall conduct interim controls of lead-based paint hazards found in the reevaluation.
13. As part of ongoing maintenance asking each family to report deteriorated paint.

(f) Audit. Sub-recipient must comply with the audit requirements of Subpart F of 2 CFR 200.

(g) Section 3 of the Housing and Urban Development Act. Any sub-recipient receiving an aggregate amount of \$200,000 or more from one (1) or more of the HUD CPD programs (i.e. CDBG, HOME, NSP, HOPWA, ESG, etc.) in a program year for housing construction or rehabilitation must comply with Section 3 requirements. Applicable housing and community development programs include but are not limited to Community Development Block Grant (CDBG), Community Development Block Grant – Disaster Recovery (CDBG-DR), HOME, HTF, Emergency Solutions Grants (ESG), Housing Opportunities for Persons with AIDS (HOPWA), Section 202 Direct Loan Program for Housing for the Elderly or Handicapped, Section 811 Supportive Housing for Persons with Disabilities, and other HUD Notice of Funding Opportunity (NOFO) grants. When triggered Section 3 requirements will apply to all hiring efforts made during construction, including efforts that are financed by other, non-HUD sources of funds. All contractors and subcontractors must be made aware of the need to comply with Section 3 requirements. Section 3 provides preference to low- and very-low-income residents of the local community (regardless of race or gender) and the businesses that substantially employ these persons, for new employment, training, and contracting opportunities resulting from HUD-funded projects.

(i) Indirect Cost Rate.

According to 2 CFR 200.414(f), the Sub-recipient may charge a de minimis rate of 10% of modified total direct costs (MTDC). As described in 2 CFR 200.403, Factors affecting allowability of costs, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as the Sub-recipient chooses to negotiate a rate, which the Sub-recipient may apply to do at any time.

A proposal to establish a cost allocation plan or an indirect (F&A) cost rate, whether submitted to a Federal cognizant agency for indirect costs or maintained on file by the Sub-recipient, must be certified by the Sub-recipient using the Certificate of Cost Allocation Plan or Certificate of Indirect Costs as set forth in Appendices III through VII, and Appendix IX in 2 CFR part 200. The certificate must be signed on behalf of the Sub-recipient by an individual at a level no lower than vice president or chief financial officer of the Sub-recipient.

(j). Internal Controls.

The Sub-recipient must:

- A. Establish and maintain effective internal control over federal funds that provides reasonable assurance that the Sub-recipient is managing federal funds in compliance with Federal statutes, regulations, and the terms and conditions of the federal funding. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- B. Comply with Federal statutes, regulations, and the terms and conditions of federal funds.
- C. Evaluate and monitor the Sub-recipient’s compliance with statutes, regulations and the terms and conditions of the federal funds.
- D. Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

Take reasonable measures to safeguard protected personally identifiable information and other information that IHCDA or HUD designates as sensitive or the Sub-recipient considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

(k). Conflict of Interest Disclosure.

The Sub-recipient must disclose in writing any potential conflict of interest to IHCDA.

(l). Mandatory Disclosure.

The Sub-recipient must disclose, in a timely manner, in writing to IHCDA all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Award. The Sub-recipient’s failure to make these disclosures may subject to the Sub-recipient to remedies of non-compliance set forth in 2 CFR 200.338.

If the total value of the Sub-recipient’s currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the Sub-recipient must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

30. Closeout.

- A. The Sub-recipient must submit, no later than thirty (30) days after the Expiration Date, all financial, performance information and other information as required by the terms and conditions this Agreement.
- B. The closeout of a Federal award does not affect any of the following:
 - 1. The right of IHCDA to disallow costs and recover funds on the basis of a later audit or other review.

2. The obligation of the Sub-recipient to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments.
3. Audit requirements in subpart F of 2 CFR part 200.
4. Recordkeeping and record retention requirements set forth herein.

APPENDIX B: Participation of Homeless Individuals on Board of Directors Certification

Agency Name: _____

Project name: _____

Address: _____

Phone and email: _____

Pursuant to 24 CFR 578.75(g) organizations receiving Continuum of Care Program (“CoC”) funding must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of the sub-recipient, to the extent that such entity considers and makes policies and decisions regarding any project, supportive services, or assistance. This requirement is waived if a sub-recipient is unable to meet such requirement and obtains HUD approval for a plan to otherwise consult with homeless or formerly homeless persons when considering and making policies and decisions.

I, _____, hereby certify that the above-listed agency:

- Does have a homeless/formerly homeless representation on our current Board of Directors or auxiliary board.
- Does NOT have a homeless/formerly homeless representation on our current Board of Directors or auxiliary board.*

* If the agency does not have a homeless/formerly homeless representation, has the agency received approval from HUD for an alternate plan to consult with a homeless or formerly homeless person when considering making policies and decisions?

- Yes; please submit a copy of the plan and the approval from HUD with this form.
- No; contact IHEDA immediately to discuss a plan to comply with 24 CFR 578.75(g).

I understand that any misrepresentation or failure to accurately respond to the questions contained in this form may disqualify me from receiving additional CoC funding, may be grounds for termination of CoC funding to the Agency and/or repayment of any CoC funding that the Agency received based on misrepresentation, an inaccurate or misleading response, fraud, or omission.

Agency Representative: _____

(Print name and title)

Signature: _____ Date: _____

APPENDIX C: MATCH LETTER REQUIREMENTS

All match commitment letters must be on agency letterhead and signed by an executive. Please follow the outlined requirements based on the type of match committed.

Cash Match
Amount Committed
Source
Date when source will be available
Grant year and fiscal year of contribution

In-Kind Match
Amount Committed
Source
Specific services provided (must be allowable as match)
Profession of the person providing services
Hourly cost of services
Total hours of service contributed during the grant term
Grant year and fiscal year of contribution

APPENDIX D: DEFINITIONS OF KEY TERMS:

Category 4 – HUD Homeless Definition: HUD defines four categories under which individuals and families may qualify as homeless. Category 4 is individuals and families who are fleeing, or are attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member. HUD has clarified that persons who are fleeing or attempting to flee human trafficking may qualify as homeless under paragraph 4, and therefore may be eligible for certain forms of homeless assistance under the CoC Program, subject to other restrictions that apply. HUD considers human trafficking, including sex trafficking, to be “other dangerous or life-threatening conditions related to violence against the individual or family member.” Where an individual or family is fleeing, or is attempting to flee human trafficking, that has either taken place within the individual’s or family’s primary night-time residence or has made the individual or family afraid to return to their primary night-time residence; and the individual or family has no other residence; and lacks the resources or support networks to obtain other permanent housing; HUD would consider that individual or family to qualify as homeless under paragraph 4 of the definition.

Housing First Principles

Housing First is a programmatic and systems approach centering on providing homeless people with housing quickly and then providing services as needed using a low barrier approach that emphasizes community integration, stable tenancy, recovery, and individual choice.

Low barrier approach to entry:

- Housing First offers individuals and families experiencing homelessness immediate access to permanent supportive housing without unnecessary prerequisites. For example:
- Admission/tenant screening and selection practices do not require abstinence from substances, completion of or compliance with treatment, or participation in services.
- Applicants are not rejected on the basis of poor or lack of credit or income, poor or lack of rental history, minor criminal convictions, or other factors that might indicate a lack of “housing readiness.”
- Blanket exclusionary criteria based on more serious criminal convictions are not applied, though programs may consider such convictions on a case-by-case basis as necessary to ensure the safety of other residents and staff.
- Generally, only those admission criteria that are required by funders are applied, though programs may also consider additional criteria on a case-by-case basis as necessary to ensure the safety of tenants and staff. Application of such additional criteria should be rare, and may include, for example, denial of an applicant who is a high-risk registered sex offender by a project serving children, or denial of an applicant who has a history of domestic violence involving a current participant.

Lease compliance and housing retention

Tenants are expected to comply with a standard lease agreement and are provided with services and supports to help maintain housing and prevent eviction. Leases do not include stipulations beyond those that are customary, legal, and enforceable under Indiana law. No program rules beyond those that are customary, legal, and enforceable through a lease are applied (e.g., visitor policies should be equivalent to those in other types of permanent, lease-based housing in the community). Services are designed to identify and reduce risks to stable tenancy and to overall health and well-being. Retention in housing is contingent only on lease compliance and is not contingent on abstinence from substances or compliance with services, treatment, or other clinical requirements.

For example: Tenants are not terminated involuntarily from housing for refusal to participate in services or for violating program rules that are not stipulated in the lease. Transitional housing programs offer participants due process to resolve issues that may result in involuntary discharge (unless immediate risk to health and safety) PH providers only terminate occupancy of housing in cases of noncompliance with the lease or failure of a tenant to carry out legal obligations as defined by local and state law. In order to terminate housing, PH providers are required to use the legal court eviction process.

Tenant Choice

Efforts are made to maximize tenant choice, including type, frequency, timing, location and intensity of services and whenever possible choice of neighborhoods, apartments, furniture, and décor. Staff accepts tenant choices as a matter of fact without judgment and provides services that are non-coercive to help people achieve their personal goals. Staff accepts that risk is part of the human experience and helps tenants to understand risks and reduce harm caused to themselves and others by risky behavior.

Staff understands the clinical and legal limits to choose and intervenes as necessary when someone presents a danger to self or others. Staff helps tenants to understand the legal obligations of tenancy and to reduce risk of eviction. Projects provide meaningful opportunities for tenant input and involvement when designing programs, planning activities, and determining policies.

Rental Assistance Budgets for RRH

HUD requires that all new rental assistance projects must budget their projects at 100% of FMR. New project applications may not request budgets at either more or less than FMR.

HUD requires all RRH project applications to budget each unit at the full annual amount (i.e., at 12 months for each year). For example, a RRH project requesting 3 years of funding for 10 units with an FMR of \$1000/month would be required to budget rental assistance at $10 \times 1,000 \times 12$ per year or \$120,000 annually and \$360,000 for the full 3-year project. This does not mean that you must provide rental assistance at full FMR or for a full year for all or any project participants.

RRH projects may anticipate serving more than one household during a year in a single budgeted unit. This does not mean that households are sharing units, rather that you are using the available budget to serve as many households as possible. For the purposes of the annual project budget, even if average length of rental assistance needed by participants is anticipated to be shorter or longer than 12 months, each unit included in the budget must be budgeted at 12 months.

For example, a project anticipating average length of rental assistance at full FMR for 4 months per household, would budget each unit included in the application at the full 12 months and anticipate serving 3 households in each budgeted “unit” during the year. If in reality the households you serve need less than the full FMR or fewer than 4 months of assistance, you may serve more households than indicated in your application. You should plan to serve at least the number of households proposed in your application but can serve as many households as possible.

Similarly, for the purposes of the annual project budget, even if average amount of rental assistance required by participants is anticipated to less than full FMR, each unit included in the budget must be budgeted at full FMR. Here’s another example: a project anticipating average length of rental assistance at 50% of FMR for 4 months per household, would budget each unit included in the application at the full 12 months and anticipate serving 6 households in each budgeted unit during the year. In this example, if FMR is \$1,000/month, each household would be anticipated to receive \$500/month in rental assistance

(i.e., 50% of full FMR) for 4 months. You would budget each unit at the full 12-month FMR (i.e., 12 X \$1,000 or \$12,000/unit/year). But you would anticipate serving, 6 households during the year in that "unit" (i.e. each household receives \$500/month for 4 months (or \$2,000 during the year) and six households per year receive \$2,000 (6 X 2,000= \$12,000 and thus you will have fully expended the \$12,000 you budgeted for one unit for one year. Again this does not mean, that households are sharing units, rather that you are using the available budget to serve as many households as possible.

In order to ensure cost effectiveness and maximize the number of participants who can be assisted, the IN BOS County CoC, encourages participants to design their projects in a manner that provides the least assistance necessary to prevent a return to homelessness. Some households may need a small amount of assistance for only one month. Others may need a deeper subsidy for a longer period of time. You may not provide rental assistance for longer than 24 months to any RRH participant.

Matching Requirements

Per the CoC Program Interim Rule (24 CFR 578.73), match must equal 25 percent of the total grant request. For example, if the 'total assistance requested' is \$100,000, then the project applicant must secure commitments for match funds equal to no less than \$25,000. The total match requirement can be met through cash, in-kind, or a combination of the two. Match must be used for eligible costs for the program component you are applying for, as set forth in the HEARTH Interim Rule (Subpart D of 24 CFR part 578).

Cash sources. A sub-recipient may use funds from any source, including any other federal sources (excluding Continuum of Care program funds), as well as State, local, and private sources, provided that funds from the source are not statutorily prohibited to be used as a match. The recipient must ensure that any funds used to satisfy the matching requirements of this section are eligible under the laws governing the funds in order to be used as matching funds for a grant awarded under this program.

The subrecipient may use the value of any real property, equipment, goods, or services contributed to the project as match, provided that if the recipient had to pay for them with grant funds, the costs would have been eligible. Any such value previously used as match, may not be used again.

If match is provided through in-kind sources from a third party, it must be documented by an MOU between the recipient or sub-recipient and the third party that will provide the services. Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in the recipient's or sub-recipient's organization. If the recipient or sub-recipient does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market. The MOU must establish the unconditional commitment, except for selection to receive a grant, by the third party to provide the services, the specific service to be provided, the profession of the persons providing the service, and the hourly cost of the service to be provided.

During the term of the grant, the sub-recipient must keep and make available, for inspection, records documenting the service hours provided. To qualify as match, funds must come to and be disbursed by the grantee. If benefits are paid directly to program participants, the funding is not going through the agency's books, and it cannot be counted as match. For example, rent paid directly to a private landlord does not come to the subrecipient and so cannot qualify as match. Benefits received by tenants such as SSI, GA do not go to the grantee and cannot be used as match.

Agencies providing the required match using volunteer time should indicate this as in-kind match. Agencies providing the match using paid staff time should indicate this as cash match and list the source of the funds used to pay for those staff salaries. Match is only in-kind if it is a donation of services, goods, materials, or equipment. Donations are typically from a third party. In-kind match from a third-party requires an MOU with the entity providing the match. An agency cannot sign an MOU with itself.

For more information see:

<https://www.hudexchange.info/resource/3113/importance-of-documenting-match-under-the-coc-program/>