Emergency Housing Voucher Policy Guidelines

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1. Program Overview

1.1 Background

On March 11, 2021, President Biden signed the American Rescue Plan Act (ARPA) of 2021 (P.L. 117-2) into law, which provides over $1.9 trillion in relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses.

Emergency Housing Vouchers are tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)). The ARPA further provides that the U.S. Department of Housing and Urban Development (HUD) may waive any provision of any statute or regulation used to administer the amounts made available under section 3202 (except for requirements related to fair housing, nondiscrimination, labor standards and the environment) upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available for the EHV.

Section 3202 of the ARP A appropriates $5 billion for new incremental Emergency Housing Vouchers (EHV), the renewal of those EHV's, and fees for the cost of administering the EHV's and other eligible expenses defined by notice to prevent, prepare, and respond to coronavirus to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners.

1.2 Required Partnerships

EHVs are one of several resources that communities can use to house individuals and families who are experiencing homelessness or have unstable housing. To ensure that the EHV's assist families who are most in need, HUD is requiring Public Housing Authorities (PHAs) to work with community partners to determine the best use and targeting for the vouchers along with other resources available in the community.

Additionally, HUD has established an alternative requirement under which the PHA must enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of the EHV's. The primary responsibility of the CoC under the MOU is to make direct referrals of qualifying individuals and families to the PHA. Our CoC accomplishes this through the use of Coordinated Entry.

1.2.1 Required Memorandum of Understanding

HUD requires the MOU to be a complete statement of the responsibilities of the parties and evidence of a commitment of resources to the EHV program. Further, HUD allows that the MOU may be subsequently amended to add or change the services that the CoC may provide but must always retain the direct referral responsibility of the CoC. For more details on HUD’s requirements for the MOU, please see Notice PIH 2021-15 (HA)\(^1\).

See Appendix for a copy of all Pierce County CoC fully executed EHV MOUs.

1.2.2 Required Participation in Coordinated Entry

As a condition of the required MOU, any EHV service providers must accept referrals for EHV services directly from the Coordinated Entry (CE) System. Accepting direct referrals from the CE System will help ensure households are able to get assistance quickly and eliminate the administrative burden on the PHA regarding the determination as to whether the household meets the definition of a qualifying individual or family for EHV assistance.

1.3 Additional Regulations & Guidelines

Service providers must also abide by all program rules and regulations that govern the Emergency Housing Voucher Program as detailed in Chapter 20 of THA’s Administrative Plan.

1.3.1 Nondiscrimination and Equal Opportunity Requirements

In administering the EHV program, service providers must follow all applicable nondiscrimination and equal opportunity requirements at 24 CFR 5.105(a) and 24 CFR 982.53, including but not limited to the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act, HUD’s Equal Access Rule, and Title II of the Americans with Disabilities Act of 1990. These requirements prohibit discrimination on the basis of race, color, religion, sex, familial status, national origin, disability, age, sexual orientation, gender identity, and marital status. Service providers should also comply with Title III of the Americans with Disabilities Act of 1990 (see 28 CFR 35.160 and 28 CFR 36.303).

1.3.2 Reasonable Accommodations

When an EHV household is or includes a person with disabilities, reasonable accommodations may be necessary. A reasonable accommodation is a change, exception or adjustment to rules, policies, practices or services that may be necessary in order to enable an applicant or resident with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common areas, or to participate in or access programs and activities. This extends to various aspects of EHV program implementation including for example, denial or termination of assistance, initial search term of the EHV, initial lease term, and informal reviews and hearings, as well as reasonable accommodations that may be necessary during one’s tenancy. Under Section 504, reasonable accommodations may also include a structural change to a unit.

In addition, the service provider must also provide effective communication to persons with disabilities, including those with vision, hearing, and other communication related disabilities, which includes ensuring that information is provided in appropriate accessible formats as needed, e.g., Braille, audio, large type, assistive listening devices, and sign language interpreters, accessible website and other accessible electronic communications. See 24 CFR 8.6. The service provider must also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP). LEP guidance and LEP information is available here: https://www.federalregister.gov/documents/2007/01/22/07-217/final-guidance-tofederalfinancial-assistance-recipients-regarding-title-vi-prohibition-against

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2 https://www.tacomahousing.org/resources/administrative-plan/
2. Administrative Requirements

2.1 Changes to Guidelines

Pierce County may revise these guidelines at any time. All service providers will be notified of updates to this guide and will receive via email the latest version. The most recent version will also be posted on Pierce County’s website.

2.2 Monitoring

Pierce County will monitor grant activities. Service providers will be given a minimum of 30 days advance notice of monitoring, unless there are special circumstances that require immediate attention. The notice will specify the monitoring components.

2.3 Reimbursements

Service providers must bill the County monthly for reimbursement of allowable costs. Contract Payment Requests are due 21 working days following the month in which the grantee has incurred expenditures. The County shall issue payment no later than twenty-five working days after the receipt of complete and accurate billing information as determined by the County. The submission of incomplete or inaccurate billing information may delay the reimbursement process. Exceptions to billing procedures can be negotiated with Pierce County on a case-by-case basis. Invoices must be submitted electronically to PCCCHMLSInv@piercecountywa.gov.

2.4 Budget Revisions

Budget revisions must be requested by contacting the service provider’s assigned Contract Monitor and submitted using the Technical Submission form. Budget revisions requesting to move funds across Categories or Components will require a contract amendment.
3. Participant Eligibility

3.1 Categories of Eligibility Set by HUD

In order to be eligible for an EHV, a household must meet one of four eligibility categories:

1. Homeless
2. At risk of homelessness
3. Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
4. Recently homeless and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

The service provider must provide supporting documentation to the PHA of verification that the household meets one of the four eligible categories for EHV assistance. The following definitions always apply with respect to EHV eligibility, regardless of whether the PHA may have established another definition for any of these terms in its PHA administrative plan.

3.1.1 Individuals and Families Who Are Homeless

The meaning of “homeless” is as such term is defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:

**Category 1 – Literally Homeless:** An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground, OR
- An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals), OR
- An individual who is exiting an institution where he or she resided for 120 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution

**Category 2 – Imminent Risk of Homelessness:** Individual or family who will imminently lose their primary nighttime residence, provided that:

- Residence will be lost within 14 days of the date of application for homeless assistance
- No subsequent residence has been identified, AND
- The individual or family lacks the resources or support networks needed to obtain other permanent housing

**Category 3 – Homeless Under Other Federal Statutes:** Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
• Are defined as homeless under the other listed federal statutes\(^3\)
• Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days immediately preceding the date of application for homeless assistance
• Have experienced persistent instability as measured by two moves or more during in the preceding 60 days, and
• Can be expected to continue in such status for an extended period of time due to special needs or barriers\(^4\)

3.1.2 Individuals or Families Who Are At-Risk of Homelessness

The meaning of “at-risk of homelessness” is as such term is defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:

**Category 1 – Individuals and Families:** An individual or family who:

- Has an annual income below 30 percent of median family income for the area, as determined by HUD, **AND**
- Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in category 1 of the Homeless definition above, **AND**
- Meets one of the following conditions:
  - Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance
  - Is living in the home of another because of economic hardship
  - Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days of the date of application for assistance
  - Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals
  - Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons, or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau
  - Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution), OR
  - Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient’s approved consolidated plan.

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4 Includes chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or child abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment
Category 2 – Unaccompanied Children and Youth: A child or youth who does not qualify as homeless under the homeless definition but qualifies as homeless under another Federal statute.\(^5\)

Category 3 – Families with Children and Youth: A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

3.1.3 Individuals Or Families Who Are Fleeing, Or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking or Human Trafficking

This category is composed of any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This includes cases where a HUD-assisted tenant reasonably believes that there is a threat of imminent harm from further violence if they remain within the same dwelling unit, or in the case of sexual assault, the HUD-assisted tenant reasonably believes there is a threat of imminent harm from further violence if they remain within the same dwelling unit that they are currently occupying, or the sexual assault occurred on the premise during the 90-day period preceding the date of the request for transfer.

Domestic violence includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship)
- a person with whom the victim shares a child in common
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, OR
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence means violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim, AND
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship
  - The type of relationship, AND
  - The frequency of interaction between the persons involved in the relationship.

Sexual assault means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s individual safety or the safety of others, OR
- Suffer substantial emotional distress.

Human trafficking includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7102). These are defined as:

- **Sex trafficking** means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.
- **Labor trafficking** means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

### 3.1.4 Individuals or Families Who Are Recently Homeless

This category is composed of individuals and families determined by the CoC or its designee to meet the following definition:

**Recently homeless** is defined as individuals and families who have previously been classified by a member agency of the CoC as homeless but are not currently homeless as a result of homeless assistance (financial assistance or services), temporary rental assistance or some type of other assistance, and where the CoC or its designee determines that the loss of such assistance would result in a return to homelessness or the family having a high risk of housing instability. Examples of households that may be defined as recently homeless by the CoC include, but are not limited to, participants in rapid rehousing, and permanent supportive housing.

### 3.2 Established Local Preference

The PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV or, or may simply choose to not establish any local preferences for the EHV waiting list. In establishing any local preferences for the EHV waiting list, the preference may not prohibit EHV admissions from any of the four qualifying categories of eligibility. The preference system prioritizes the order in which families on the EHV waiting list are assisted but does not allow the PHA to refuse to accept a referred family that meets one of the four EHV eligibility categories, or otherwise delay issuance of an available voucher to that eligible family in order to “hold” the voucher for a future referral of a preference holder.

Any established local preferences are described as part of the PHA’s MOU with the CoC. Please see Appendix for a copy of all Pierce County CoC fully executed EHV MOUs.

### 3.3 Additional Household Eligibility Requirements

The service provider must verify and document housing status eligibility at project enrollment. Please see documentation requirements for each housing status in Section 5.1.
The core statutory protections of the Violence Against Women Act (VAWA) that prohibit denial or termination of assistance or eviction solely because an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking apply.

3.3.1 Income Eligibility

The household must be at or below 50% Area Median Income (AMI) for their household size at the time they are admitted to the program. Service providers should use HUD’s published income limit for Tacoma, WA⁶, which is the HUD Metro FMR Area for Pierce County.

Additionally, the service provider must determine income eligibility for EHV households in accordance with § 982.201. However, the income targeting requirements of section 16(b) of the United States Housing Act of 1937 and § 982.201(b)(2) are waived and do not apply for EHV families so that participating PHAs can effectively serve individuals and families in all the eligibility categories under the ARPA who may be at a variety of income levels, including low-income families.

3.3.2 Eligibility Determination: Social Security Number (SSN) & Citizenship Verification

Social Security Number
EHV applicants must disclose and document, and service providers must verify the social security numbers (SSN) of each applicant. Generally, a PHA may not admit an applicant until the required documentation is provided to verify the SSN of each household member.

Citizenship Verification
Service providers also must verify evidence of U.S. citizenship or eligible immigration status for noncitizens claiming eligibility for assistance. Since eligibility for assistance is limited to U.S. citizens and noncitizens who have eligible immigration status, households in which not all members are U.S. citizens or have eligible immigration status are only eligible to receive pro-rated housing assistance based on the percentage of household members who qualify for assistance.

3.3.3 Mandatory Prohibitions

The PHA, and by extension the service provider, must apply the standards it established under § 982.553(a)(1)(ii)(C) that prohibit admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing to EHV applicants.

The PHA, and by extension the service provider, must apply the standards it established under § 982.553(a)(2)(ii) that prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program to EHV applicants.

3.3.4 Determinations of Ineligibility

For each participant determined ineligible to receive EHV assistance, the record must include documentation of the reason for that determination.

4. Eligible Activities

The eligible uses are designed to prevent and respond to coronavirus by facilitating the leasing of the EHV, which will provide vulnerable individuals and families a much safer housing environment to minimize the risk of coronavirus exposure or spread. Individuals and families who are homeless or at-risk of homelessness are often living in conditions that significantly increase the risk of exposure to coronavirus in addition to other health risks.

The services fees fall into four main components comprised of specific activities:

- Housing Search Assistance
- Security Deposit/Utility Deposit/Rental Application/Holding Fee Uses
- Owner-Related Uses
- Other Eligible Uses

The following section details eligible activities under each component.

4.1 Housing Search Assistance

Housing Search Assistance can help EHV participants successfully move to areas of higher opportunity, as well as broaden the pool of landlords participating in the EHV program, including culturally or racially diverse landlords and landlords with smaller numbers of units. HUD has established as an alternative requirement that Housing Search Assistance must be made available to EHV households during their initial housing search.

Housing Search Assistance is a broad term which can include many activities, but with respect to this requirement it must at a minimum:

- Help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods
- Provide transportation assistance and directions to potential units
- Conduct owner outreach
- Assist with the completion of rental applications and PHA forms, and
- Help expedite the EHV leasing process for the family

Other recommended, but not required, Housing Search activities include:

- Helping individual families identify barriers to leasing (e.g., low credit score, evictions history) and strategies to address these barriers
- Workshops on how to conduct an effective housing search
- Enhanced support for portability processing
- Regular proactive check-ins for households searching with a voucher
- Regular reminders to the household of their voucher expiration date and extension policies, and
- A dedicated landlord liaison for EHV voucher households
4.2 Security Deposit/Utility Deposit/Rental Application/Holding Fee Uses

4.2.1 Application Fees/Non-Refundable Administrative or Processing Fees/Refundable Application Deposit Assistance

In some markets, non-refundable administrative fees are becoming more common as jurisdictions pass laws limiting application fees, or as an alternative to refundable deposits. Any or all of these expenses are eligible.

4.2.2 Holding Fees

In some markets, it is not uncommon for an owner to request a holding fee that is rolled into the security deposit after an application is accepted but before a lease is signed. The service provider may cover part or all of the holding fee for units where the fee is required by the owner after a tenant’s application has been accepted but before the lease signing. The service provider and owner must agree how the holding fee gets rolled into the deposit, and under what conditions the fee will be returned. In general, owners need to accept responsibility for making needed repairs to a unit required by the initial housing quality standards (HQS) inspections and can only keep the holding fee if the EHV participant is at fault for not entering into a lease.

4.2.3 Security Deposit Assistance

The service provider may provide security deposit assistance for the household. The amount of the security deposit assistance may not exceed the lesser of two months’ rent to owner, the maximum security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner. The service provider may choose to pay the security deposit assistance directly to the owner or may pay the assistance to the household, provided the service provider verifies the household paid the security deposit. Additionally, security deposits may be made installments, as appropriate.

4.2.4 Utility Deposit Assistance/Utility Arrears

The service provider may provide utility deposit assistance for some or all of the household’s utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The service provider may choose to pay the utility deposit assistance directly to the utility company or may pay the assistance to the household, provided the service provider verifies the family paid the utility deposit. In addition, some households may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. The service provider may also provide the household with assistance to help address these utility arrears to facilitate leasing.

4.3 Owner-Related Uses

4.3.1 Owner Recruitment and Outreach

The service provider may use funding to conduct owner recruitment and outreach specifically for EHV’s. In addition to traditional owner recruitment and outreach, activities may include conducting pre-inspections (see Section 6.2.2 below) or otherwise expediting the inspection process, providing enhanced customer service, and offering owner incentive and/or retention payments (see section 4.3.2 that follows below).
4.3.2 Owner Incentive and/or Retention Payments

The service provider may make incentive or retention payments to owners that agree to initially lease their unit to an EHV household and/or renew the lease of an EHV household. The service provider may design the owner incentive payment to meet its specific needs (such as, for example, limiting the incentive payments to new owners or owners in high opportunity neighborhoods, or structuring all or part of the payment as a damages or unpaid rent mitigation fund, where the owner receives the mitigation payment only if the security deposit is insufficient to cover damages and other amounts owed under the lease). The service provider may condition the offer of the owner incentive payment on the owner’s agreement to abide by certain terms and conditions. For example, the service provider could require the owner to agree to contact and work with the household’s CoC case manager or other intervention services (assuming such services are available) should lease violations or other tenant-related issues arise during the assisted tenancy before taking action to evict the tenant.

HUD anticipates that owner incentive/retention payments would typically be made as a single payment at the beginning of the assisted lease term (or lease renewal if a retention payment). However, regardless of the frequency that the service provider chooses to make such payments, owner incentive/retentions payments are not housing assistance payments and are not part of the rent to owner. Owner incentive/retention payments are not taken into consideration when determining whether the rent for the unit is reasonable.

4.4 Other Eligible Uses

4.4.1 Moving Expenses (Including Move-In Fees and Deposits)

The service provider may provide assistance for some or all of the household’s reasonable moving expenses when they initially lease a unit with the EHV. The service provider may not provide moving expenses assistance for subsequent moves unless the household is required to move for reasons other than something the household did or failed to do (e.g., the PHA is terminating the Housing Assistance Payment (HAP) contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the household the opportunity to enter a new lease after the initial lease term, as opposed to the household choosing to terminate the tenancy in order to move to another unit), or a household has to move due to domestic violence, dating violence, sexual assault, or stalking, for example.

4.4.2 Tenant-Readiness Services

The service provider may use the funding to help create customized plans to address or mitigate barriers that individual households may face in renting a unit with an EHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the household to other community resources (including COVID-related resources) that can assist with rental arrears.

4.4.3 Essential Household Items

The service provider may use the funding to assist the household with some or all of the costs of acquiring essential household items as defined by the service provider (e.g., tableware, bedding, etc.).

4.4.4 Renter’s Insurance

The service provider may use the funding to assist the household with some or all of the cost of renter’s insurance, but only in cases where the purchase of renter’s insurance is a condition of the lease.
4.5 Indirect Costs

EHV funds may not be used to pay Indirect Costs.
5. Documentation

Grantees must have policies and procedures to ensure the requirements of this section are met, including those required by 2 CFR part 200. The policies and procedures must be established in writing and implemented by the grantee to ensure that ESG-CV funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable the County and HUD to determine whether ESG-CV requirements are being met.

5.1 Homeless Status Documentation Standards

Service providers must maintain and follow written intake procedures to ensure compliance with the homeless definition provided in this Policy Manual. Documentation of the evidence relied upon to establish and verify homeless status must be collected at intake and follow the order of priority for obtaining evidence as indicated in Section 5.1.1 below. However, lack of third-party documentation must not prevent an individual or family from being immediately admitted to the program.

Records contained in an HMIS or comparable database used by Victim Service or Legal Service Providers are acceptable evidence of third-party documentation. Intake worker observations are also acceptable, if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made and if the HMIS prevents overrides or changes of the dates on which entries are made.

5.1.1 Preferred Order of Documentation Type

Service providers may use any of the following methods to document homeless status:

1) Third-Party Verification
   a) Written
   b) Oral
2) Intake Staff Observations
3) Self-Certification

In general, service providers should always seek third-party verification first. If third-party verification cannot be obtained, service providers should document the efforts taken to obtain third-party verification and move on to intake staff observation. Likewise, if intake staff observation cannot be obtained, efforts to obtain such observation should be documented, and staff should move on to participant self-certification. This practice applies to all components and categories, unless otherwise noted.

5.1.2 Documentation Standards for Homeless Categories

Category 1 – Literally Homeless

If the participant qualifies as homeless under paragraph (1)(i) (a place not designed for regular sleeping accommodation) or (ii) (publicly or privately operated Emergency Shelter) of the homeless definition in § 576.2, acceptable evidence includes a written observation by an Outreach worker of the conditions where the individual or family was living, a written referral by another housing or service provider, or a certification by the individual or head of household seeking assistance.

If the participant qualifies as homeless under paragraph (1)(iii) of the homeless definition § 576.2, because he or she resided in an Emergency Shelter or place not meant for human habitation and is...
exiting an institution where he or she resided for 90 days or less, acceptable evidence includes the evidence described in the previous paragraph AND one of the following:

- Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution. All oral statements must be recorded by the intake worker; or
- If such discharge paperwork is not obtainable, a written record of the intake worker’s due diligence in attempting to obtain the evidence described in the above bullet and a certification by the individual seeking assistance that states he or she is exiting or has just exited an institution where he or she resided for 90 days or less.

**Category 2 – Imminent Risk of Homelessness**

If the participant qualifies as homeless under paragraph (2) of the homeless definition in § 576.2, because the individual or family will imminently lose their housing, the evidence must document all three of the following conditions:

1. **Housing Loss Within 14 Days**
   - **If participant is a tenant or homeowner:**
     - A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance; or the equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law
   - **If participant is in hotel/motel not paid for by charitable organizations or government programs:**
     - Evidence that the individual or family lacks the resources necessary to reside there for more than 14 days after the date of application for homeless assistance (e.g. bank statements showing funds available)
   - **If participant is in another housing situation (i.e. doubled up with other tenants):**
     - An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance.
     - The intake worker must record the statement and certify that it was found credible. To be found credible, the oral statement must either:
       - Be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker’s recording of the owner or renter’s oral statement; or
       - If the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete

2. **No Subsequent Residence**
   - Appropriate documentation includes self-certification, supported by other documentation when practical
   - Self-certification alone is adequate, but standardized assessment form is recommended to document that this condition is met
3. **Lack of Resources & Support Networks to Obtain Other Permanent Housing**
   - Appropriate documentation includes self-certification, supported by other documentation when practical
   - Self-certification alone is adequate, but standardized assessment form is recommended to document that this condition is met

**Category 3 – Homeless Under Other Federal Statutes**
If the participant qualifies as homeless under paragraph (3) of the homeless definition in § 576.2, because the individual or family does not otherwise qualify as homeless under the homeless definition but is an unaccompanied youth under 25 years of age, or homeless family with one or more children or youth, and is defined as homeless under another Federal statute or section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), the evidence must document all four of the following conditions:

1. **Defined as Homeless Under Other Federal Statutes**
   - Verification of homeless status must be from the agency administering the federal program.

2. **No Lease, Ownership Interest, or Occupancy Agreement in Permanent Housing during the Preceding 60 Days**
   - Referral by a housing or service provider, written observation by an outreach worker, or certification by the homeless individual or head of household seeking assistance.

3. **Persistent Instability (two or more moves during preceding 60 days)**
   - Certification by the individual or head of household and any available supporting documentation that the individual or family moved two or more times during the 60-day period immediately preceding the date of application for homeless assistance, including:
     - Recorded statements or records obtained from each owner or renter of housing, provider of shelter or housing, or social worker, case worker, or other appropriate official of a hospital or institution in which the individual or family resided; or
     - Where these statements or records are unobtainable, a written record of the intake worker's due diligence in attempting to obtain these statements or records.
     - Where a move was due to the individual or family fleeing domestic violence, dating violence, sexual assault, or stalking, then the intake worker may alternatively obtain a written certification from the individual or head of household seeking assistance that they were fleeing that situation and that they resided at that address.

4. **Expected to Retain Status for Extended Period due to Special Needs or Two or More Employment Barriers**
   - If participant has special needs:
     - Appropriate documentation is third party written verification only
     - Written diagnosis from a professional licensed by the state to diagnose and treat the condition is required
If the condition is observable, staff observation is an acceptable form of documentation, as long as written diagnosis from licensed professional is obtained within 45 days

- **If participant has two or more employment barriers:**
  - Appropriate documentation is third party written or oral verification
  - Third party written examples include:
    - Employment records
    - Department of correction records
    - Literacy, English proficiency tests
  - Self-certification is not acceptable

**Category 4 – Fleeing/Attempting to Flee Domestic Violence**

If the individual or family qualifies under paragraph (4) of the homeless definition in § 576.2, because the individual or family is fleeing domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence, then acceptable evidence includes an oral statement by the individual or head of household seeking assistance that they are fleeing that situation, that no subsequent residence has been identified and that they lack the resources or support networks (e.g., family, friends, faith-based or other social networks), needed to obtain other housing.

If the individual or family is receiving shelter or services provided by a victim service provider, the oral statement must be documented by either a certification by the individual or head of household or a certification by the intake worker. Otherwise, the oral statement that the individual or head of household seeking assistance has not identified a subsequent residence and lacks the resources or support networks (e.g., family, friends, faith-based or other social networks, needed to obtain housing) must be documented by a certification by the individual or head of household that the oral statement is true and complete, and, where the safety of the individual or family would not be jeopardized, the domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening condition must be verified by a written observation by the intake worker or a written referral by a housing or service provider, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or any other organization from whom the individual or head of household has sought assistance for domestic violence, dating violence, sexual assault, or stalking. The written referral or observation need only include the minimum amount of information necessary to document that the individual or family is fleeing, or attempting to flee domestic violence, dating violence, sexual assault, and stalking.

**5.2 Income Documentation Standards**

**5.2.1 Definition**

Income is money that is paid to, or on behalf of, the head of household or spouse (even if temporarily absent) or to any other household member 18 years or older. (Victims fleeing domestic violence do not have to report the abuser’s income.) Income includes the current (not projected) gross income (annualized) of all adult (18 years and older) household members and unearned income paid to an adult attributable to a minor.

**Sources of Income and Examples of Acceptable Documentation**

- **Earned Income:** Payment statement (pay advice), statement of income from employer
- **Self-employment/Business Income:** Most recent financial statement
- **Interest and Dividend Income:** Most recent interest or dividend income statement
• **Pension/Retirement Income**: Most recent benefit notice, pension statement, or other payment statement from pension provider

• **Armed Forces Income**: Payment statement (pay advice/pay stub), statement of income from a government official or agency

• **Unemployment and Disability Income**: Most recent benefit or disability income notice from SSI, statement from SSI

• **Public Assistance, including TANF**: Most recent benefit or income notice from public assistance administrator, statement from public assistance administrator

• **Alimony and Child Support**: Court order, cancelled checks

• **No Income Reported**: Self-certification

**Exclusions**

• Income of children (under 18)

• Inheritance and insurance income

• Medical expense reimbursement

• Income of live-in aides

• Certain state payments regarding disability

• Student financial aid

• Armed Forces Hostile Fire pay

### 5.2.2 Annualizing Wages and Periodic Payments

When calculating income based on hourly, weekly, or monthly payment information, add the gross amount earned in each payment period that is documented and divide by the number of payment periods. This provides an average wage per payment period. Depending on pay periods used by the employer or the schedule of periodic payments, the following calculations convert the average wage into annual income:

- Hourly Wage multiplied by Hours Worked per Week multiplied by 52 weeks
- Weekly Wage multiplied by 52 weeks
- Bi-Weekly (every other week) Wage multiplied by 26 bi-weekly periods
- Semi-Monthly Wage (twice a month) multiplied by 24 semi-monthly periods
- Monthly Wage multiplied by 12 months

The definition of income reflects a household’s income at the time they are seeking assistance. Accordingly, documents and information collected to verify income should be recent. Documentation dated within 60 days is acceptable. However, for public assistance benefits, (e.g., SSI, food stamps), a benefits statement received any time within the twelve months prior to the time of application and reflecting current benefits received by a household is allowed. A copy of a recent bank statement indicating direct deposit is also acceptable.

### 5.2.3 Income Documentation Types in Order of Preference

HUD is waiving the third-party income verification requirements for EHV applicants and, alternatively, allowing service providers to consider self-certification as the highest form of income verification at admission. Applicants must submit a signed statement attesting to reported income, assets, expenses and other factors which would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation which represents the applicant’s income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days.
of the service provider’s request. For example, a Supplemental Security Income (SSI) benefit letter that was issued in November 2020 to represent the applicant’s benefit amount for 2021 and was provided to the service provider in September 2021 would be an acceptable form of income verification. As a reminder, the service provider may also use the SSI benefit letter as proof of disability.

Service providers are encouraged to incorporate additional procedures to remind households of the obligation to provide true and complete information. Service providers that conduct eligibility determinations under this waiver/alternative requirement will be responsible for addressing any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later and must take necessary enforcement actions if the tenant was never eligible due to their income, as well as initiate HUD-compliant payment plans for those whose unreported income was unintentional and do not make the tenant ineligible for the program accordingly.

5.2.4 Use of Recent Income Determinations

Some households who were recently homeless but are now currently residing in rapid rehousing or are receiving other time-limited housing assistance may have had their income recently verified under that housing assistance program. Furthermore, households who are eligible for EHV assistance as victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking may be currently assisted through other subsidized housing programs such as public housing.

Consequently, service providers may accept income calculations and verifications from third-party providers or from an examination that a PHA conducted on behalf of the household for another subsidized housing program in lieu of conducting an initial examination of income as long as the income was (1) calculated in accordance with rules outlined at 24 CFR Part 5 and within the last three months and (2) the household certifies there has been no change in income or family composition in the interim.

5.2.5 Verifying Date of Birth & Disability Status (if claimed)

Additionally, service providers must verify each household member’s date of birth to verify identity and determine age and disability status per 24 CFR § 5.403, if claimed. These characteristics impact the income and tenant rent calculations.

Service providers may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available.

5.3 SSN & Citizenship Verification Documentation Standards

HUD has waived the requirement to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the household to the EHV program. PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination.

As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the household or confirmation from the CoC or other partnering agency that the household has made a good-faith effort to obtain the documentation.

Service providers are encouraged to incorporate additional procedures to remind households of the obligation to provide true and complete information. Service providers that conduct eligibility
determinations under this waiver/alternative requirement will be responsible for addressing any material discrepancies (i.e., erroneous SSNs) that may arise later and must take necessary enforcement actions accordingly. The adoption of this waiver does not authorize any ineligible household to receive assistance under these programs. PHAs must accept self-certification and allow a delay in providing documentation, but individuals must provide the required documentation within 180 days of admission, or they will be terminated.

5.3.1 Social Security Number
Applicant documentation may include a valid SSN card issued by the Social Security Administration; an original document issued by a federal or state government agency which contains the individual’s name, SSN and other identifying information; or other evidence of the SSN as prescribed by HUD.

5.3.2 Citizenship Verification
Each eligible household member must sign a declaration of their status⁷ and eligible noncitizens must also provide supporting documentation⁸, which must be submitted by the time of the eligibility determination. Documentation verifying U.S. citizenship may also be requested.

5.4 Service Documentation Standards
In addition to documentation requirements above, records must be kept for each participant that document:

- Determination for the amount and type of assistance provided, as described in Section 4, as applicable, including:
  - Housing Search Assistance
  - Security Deposit/Utility Deposit/Rental Application/Holding Fee Uses
  - Owner-Related Uses
  - Other Eligible Uses
- Where applicable, compliance with the termination of assistance requirement in Section 9

5.4.1 Confidentiality of Participant Records
Service providers must develop and implement written procedures to ensure:

- All records containing personally identifying information (as defined in HUD’s standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives EHV assistance will be kept secure and confidential
- The address or location of any housing of a participant will not be made public, except as provided under a pre-existing privacy policy of the service provider and consistent with State and local laws regarding privacy and obligations of confidentiality

Service providers must have policies and/or procedures to ensure that participant records are maintained in a confidential manner and keep written records or files pertaining to households under lock and key with designated personnel granted access to those files.

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⁷ This document is included in the referral packet provided by THA. See Appendix.
⁸ The Declaration of Status form lists acceptable forms of supporting documentation. Please see form for more details.
5.5 Other Documentation Requirements

The service provider must also keep the following records:

- Documentation of compliance with the organizational conflicts-of-interest requirements in Section 7.1
- Copy of the personal conflicts of interest policy or codes of conduct developed and implemented to comply with the requirements in Section 7.2
- Documentation supporting exceptions to the personal conflicts of interest prohibitions (Section 7.3)
- Compliance with the faith-based activities requirement in 24 CFR 5.109
- Compliance with the Federal requirements in 24 CFR 576.407 and 24 CFR 576.409, as applicable, including:
  - Records demonstrating compliance with the nondiscrimination and equal opportunity requirements under § 576.407(a) and the affirmative outreach requirements in § 576.407(b), including:
    - Data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with EHV funds; and
  - Records demonstrating compliance with the uniform administrative requirements in 2 CFR part 200.
  - Records demonstrating compliance with the environmental review requirements, including flood insurance requirements.
  - Certifications and disclosure forms required under the lobbying and disclosure requirements in 24 CFR part 87.
  - Data on emergency transfers requested under § 576.409, pertaining to victims of domestic violence, dating violence, sexual assault, or stalking, including data on the outcomes of such requests.
- Documentation showing that EHV funds were spent on allowable costs in accordance with the requirements for eligible activities under Section 4, financial management in 2 CFR 200.302, and the cost principles in 2 CFR part 200, subpart E

5.5.1 Period of Record Retention

All records pertaining to each fiscal year of EHV funds must be retained for the greater of 5 years or the period specified below. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.

Documentation of each participant's eligibility and other participant records must be retained for 5 years after the expenditure of all funds from the grant under which the participant was served.

Notwithstanding the confidentiality procedures established in Section 8, the service provider must comply with the requirements for access to records in 2 CFR 200.336.
6. Service Standards

These Service Standards shall provide guidance for the implementation of all services and activities. Service providers are responsible for ensuring all applicable Service Standards for their projects are followed. As well, service providers are responsible for developing their own procedures that align with the policy in this section. This includes domestic violence service providers, which should also adhere to statewide standards for provision of services. The VAWA regulatory requirements under 24 CFR part 5, subpart L, apply to all eligibility and termination decisions that are made with respect to EHV assistance. At a minimum, these policies must be person-centered, trauma-informed, and follow Housing First principles.

6.1 General Requirements

Households must not be required to receive treatment or perform any other prerequisite activities as a condition for receiving housing or other services for which EHV funds are used — even though the service provider is required to offer such services. Program policies should not place a burden on persons accessing housing and maintaining their placement in the program.

6.1.1 Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

For the EHV program, “covered housing provider,” as such term is used in HUD’s regulations in 24 CFR part 5, subpart L, refers to:

- The service provider that administers the Rental Assistance for the purposes of 24 CFR 5.2005(e)
- The housing owner for the purposes of 24 CFR 5.2005(d)(1), (d)(3), and (d)(4) and 5.2009(a)
- The housing owner and the grantee that administers the Rental Assistance for the purposes of 24 CFR 5.2005(d)(2)
- The housing owner and the grantee that administers the Rental Assistance for the purposes of 24 CFR 5.2007. However, the County may limit documentation requests under 24 CFR 5.2007 to only the grantee, provided that:
  - This limitation is made clear in both the notice described under 24 CFR 5.2005(a)(1) and the Rental Assistance Agreement
  - The entity designated to receive documentation requests determines whether the participant is entitled to protection under VAWA and immediately advise the participant of the determination
  - If the participant is entitled to protection, the entity designated to receive documentation requests must notify the owner in writing that the participant is entitled to protection under VAWA and work with the owner on the participant’s behalf. Any further sharing or disclosure of the participant's information will be subject to the requirements in 24 CFR 5.2007.

6.2 Housing Unit Requirements

The following policies apply for all housing units receiving EHV assistance.

6.2.1 Housing Quality Standards (HQS) Inspection

In addition to the household being eligible, the unit must also meet certain habitability requirements. Service providers are required to request a HUD Housing Quality Standards (HQS) inspection from the HA for all permanent housing units for participants, prior to move-in. The unit must pass the HQS inspection prior to move-in and should be documented in the participant file.
6.2.2 Optional Pre-Inspection of Units

To expedite the leasing process, the service provider may request the PHA pre-inspect available units that EHV households may be interested in leasing in order to maintain a pool of eligible units. If an EHV household selects a unit that passed a HQS inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval (form HUD-525179), the unit may be approved as long as it meets all other conditions under § 982.305. However, the household must be free to select their unit and cannot be required to accept a pre-screened unit.

6.2.3 Initial Housing Search Term

While the EHV program provides funding designed to help increase the success rate of EHV households in obtaining housing (such as security deposit assistance, landlord incentives, and housing search assistance), these households may still face significant challenges with their housing search. Consequently, HUD has waived § 982.303(a), which provides that the initial search term must be at least 60 days and is establishing an alternative requirement that the initial term for an EHV must be at least 120 days.

As a reminder, a PHA must grant reasonable accommodation requests to extend the housing search term that may be necessary for individuals with disabilities to find a unit that meets their disability-related needs. For example, it may be challenging to find a unit that includes specific accessibility features, is close to accessible transportation, or close to supportive services or medical facilities.

6.2.4 Initial Lease Term

The initial lease term for an EHV household may be less than 12 months regardless of whether the shorter term is a prevailing market practice.

6.2.5 Payment Standard

The PHA’s schedule of payment standards is used to calculate housing assistance payments for EHV households. The establishment and revision of THA’s payment standard schedule is covered in Chapter 16 of THA’s Administrative Plan10. The payment standard is defined as “the maximum monthly assistance payment for a family assisted in the voucher program (before deducting the total tenant payment by the family)” 24 CFR 982.4(b).

THA’s Payment Standards are located here: https://www.tacomahousing.org/resources/payment-standards-utility-allowances/. THA will use the same payment standard for Housing Choice Vouchers and EHV; THA will not establish a higher payment standard amount for EHV.

6.2.6 Rent Reasonableness

Rent Reasonableness means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable unassisted units.

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10 https://www.tacomahousing.org/resources/administrative-plan/
To make this determination, the service provider should consider:

- The location, quality, size, type, and age of the unit; and
- Any amenities, housing services, maintenance, and utilities to be provided by the owner.

Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). NOTE: not every element in the suggested list of nine things to check for must be known to establish a comparable unit.

Once a unit is selected, service providers must perform a Rent Reasonableness determination. This determination must be made before assistance can be provided for a unit.

### 6.3 Service Requirements

#### 6.3.1 Lease Agreement

As described in 24 CFR 982.308(d), the assisted dwelling lease must contain all of the required information as listed below:

- The names of the owner and the tenant
- The unit rented (address, apartment number, and any other information needed to identify the contract unit)
- The term of the lease (initial term and any provisions for renewal)
- The amount of the monthly rent to owner
- A specification of what utilities and appliances are to be supplied by the owner, and what utilities and appliances are to be supplied by the family

Each participant receiving Rental Assistance must have a legally binding, written lease for the rental unit. The lease must be between the owner and the participant. The lease must not limit the condition of the occupancy to receipt of assistance from the service provider. As well, each lease must include a lease provision or incorporate a lease addendum that includes all requirements that apply to tenants, the owner or lease under 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), as supplemented by 24 CFR 576.409, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c). If the housing is not assisted under another “covered housing program,” as defined in 24 CFR 5.2003, the lease provision or lease addendum may be written to expire at the end of the Rental Assistance period.

#### 6.3.2 Housing Search Assistance

Service providers are required to provide housing search assistance during the initial housing search. Service providers may continue to provide housing search assistance until the first HAP payment is sent to the landlord.

#### 6.3.3 Other Eligible Uses

Service providers should offer to households as appropriate, based on household need.
7. Conflicts of Interest

Service providers must avoid any conflict of interest in carrying out activities funded by the EHV program and must maintain written standards of conduct covering organizational conflicts of interest required under 2 CFR 200.318.

7.1 Organizational Conflicts of Interest

The provision of any type or amount of EHV assistance may not be conditioned on an individual’s or family’s acceptance or occupancy of housing owned by the service provider or a parent or subsidiary of the service provider.

7.2 Individual Conflicts of Interest

For procurement of goods and services, service providers must comply with 2 CFR 200.318. For all other transactions and activities (including all service provider contractors):

- Conflict-of-interest provisions of this policy apply to any person who is an employee, agent, consultant, officer, or elected or appointed officials of the service provider.
- No person (as described above) who exercises or has exercised any functions or responsibilities with respect to activities assisted under the EHV program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.

7.3 Exceptions

HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in HUD’s Factors to be Considered for Exceptions (24 CFR 576.404(b)(3)(ii)), provided that the County has satisfactorily met the threshold requirements. To seek an exception, contact the County in writing, to discuss whether your agency/situation may be eligible. For more information on HUD’s Conflict of Interest policy, please see 24 CFR 576.404.
8. Compliance with HUD Data Standards

All service providers shall collect data on participants receiving EHV assistance and enter it into the HMIS run by the CoC. Data collection must in accordance with the most current [HUD HMIS Data Standards](#).

8.1 Data Collection in the HMIS

Projects are required to provide quality data to the best of their ability. Maintaining good data quality is important for effective program evaluation. Data quality has four elements: completeness, timeliness, accuracy, and consistency.

8.1.1 Data Completeness

Completeness of data is measured by the percentage of incomplete fields in required data elements. Agencies are expected to collect all data in the standard HMIS assessment for every participant. Agencies should attempt to collect first name, last name, date of birth, race, and ethnicity from participants that give consent on the HMIS consent form. Agencies should never require a participant to provide this information, even if they have consented, but should gather it to the best of their ability. All participant, consenting and non-consenting, must have complete prior living situation and exit destination data.

8.1.2 Data Timeliness

Participant data should be entered into HMIS as close to the date of collection as possible. Entering data as soon as possible supports data quality by avoiding backlogs of pending data and allowing near real time analysis and reporting. Projects must enter/update project participant/household data in HMIS within five business days following the date of project enrollment/exit.

8.1.3 Data Accuracy

Data entered into HMIS must reflect the real situation of the participant/household as closely as possible. Accurate data is necessary to ensure any project reporting fairly represents the work of the project and each participant’s story. Some examples of data accuracy include:

<table>
<thead>
<tr>
<th>Elements of Data Accuracy</th>
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</thead>
<tbody>
<tr>
<td><strong>Date of Birth and Project Start Date</strong></td>
</tr>
<tr>
<td>• Prior Living Situation</td>
</tr>
<tr>
<td>• Length of Stay in Prior Living Situation</td>
</tr>
<tr>
<td>• Approximate Date Homelessness Started</td>
</tr>
<tr>
<td>• Number of Times the Client has Experienced Homelessness in the Last 3 Years</td>
</tr>
<tr>
<td>• Number of Months Experiencing Homelessness in the Last 3 Years</td>
</tr>
<tr>
<td>Ensure responses for these items do not conflict with each other.</td>
</tr>
<tr>
<td><strong>Disabling Condition</strong></td>
</tr>
<tr>
<td>Ensure the Yes/No answer does not conflict with the specific types of disabling conditions.</td>
</tr>
<tr>
<td><strong>Health Insurance</strong></td>
</tr>
<tr>
<td>Ensure the Yes/No answer does not conflict with the specific types of health insurance.</td>
</tr>
<tr>
<td><strong>Monthly income</strong></td>
</tr>
<tr>
<td>Ensure the Yes/No answer does not conflict with the specific sources of monthly income.</td>
</tr>
<tr>
<td><strong>Non-Cash Benefits</strong></td>
</tr>
<tr>
<td>Ensure the Yes/No answer does not conflict with the specific sources of non-case benefits.</td>
</tr>
<tr>
<td>Relationship to Head of Household</td>
</tr>
<tr>
<td>----------------------------------</td>
</tr>
<tr>
<td>Veteran Status</td>
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<tr>
<td>Project Population Specifics</td>
</tr>
</tbody>
</table>

This is not an exhaustive list of data accuracy examples. Service providers should review all data for accuracy.

### 8.1.4 Data Consistency

Consistent data helps ensure that any reporting generated by a project is understood. Data consistency is important for effectively communicating the processes and outcomes of a project. All data will be collected, entered, and stored in accordance with the Agency Partner Agreement. All data elements and responses will be entered per the [HUD HMIS Data Standards Manual](https://www.piercecountywa.gov/DocumentCenter/View/67920/2018_6_Client-ROI-and-Informed-Consent?bidId=).

To avoid inconsistency, agencies should use language on intake forms that closely matches the elements and responses in HMIS. Participants who refuse consent must be made anonymous per Pierce County and Department of Commerce Guidance.

### 8.2 Consent for Entry of Personally Identifying Information

#### 8.2.1 Identified Records

Personally Identifying Information (PII)\(^\text{11}\) must not be entered into HMIS unless all adult household members have provided informed consent. Informed consent must be documented with a signed copy of the Client Release of Information and Informed Consent form\(^\text{12}\) in the participant file. If electronic consent has been received, a copy does not need to be printed for the participant file but must be available in HMIS. If telephonic consent has been received, complete the consent form the first time the household is seen in person.

#### 8.2.2 Anonymous Records

The following types of records must be entered anonymously:

- Households in which one adult member does not provide informed consent for themselves or their dependents
- Households entering a domestic violence program or currently fleeing or in danger from a domestic violence, dating violence, sexual assault, human trafficking or a stalking situation

\(^{11}\) PII includes names, social security number, birth date, address, phone number, email, and photo.

• Minors under the age of 13 with no parent or guardian available to consent to the minor’s information in HMIS
• Households in programs which are required by funders to report HIV/AIDS status

If the reporting of the HIV/AIDS status of participants is not specifically required, the HIV/AIDS status must not be entered in HMIS. If a combination of race, ethnicity, gender, or other demographic data could be identifying in the community, those data should not be entered for anonymous records.
9. Termination of Participation, Denial and Appeals

Service providers must have written termination, denial, and appeal policies and/or procedures. The policies and/or procedures should be readily available to participants upon entry into the program. It is important to effectively communicate these policies and/or procedures to households and ensure that they are fully understood.

Additionally, the core statutory protections of the Violence Against Women Act (VAWA) that prohibit denial or termination of assistance or eviction solely because an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking apply.

9.1 Termination of Participation and Denial of Assistance

All participants have due process rights if facing program termination. Termination and denial procedures must include:

- Written notice to the household containing a clear statement of the reasons for termination/denial
- A review of the decision, in which the household 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/denial decision. This may include the household’s right to question or confront staff involved; and
- Prompt written notice of the final decision to the household.

If a participant violates program requirements, the service provider may terminate the assistance in accordance with a formal process established by the service provider that recognizes the rights of individuals affected.

Service providers must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a participant’s assistance is terminated only in the most severe cases. Causes for termination may include, but are not limited to, failure to abide by any agreed-upon requirements and participant fraud. Termination does not bar the service provider from providing further assistance at a later date to the same household.

Causes of denial of assistance include, but are not limited to, the household’s ineligibility or failure to provide verifiable evidence of eligibility.

9.2 Appeal Process

The appeal process shall provide a fair and impartial due process for participants that believe they have been unjustly terminated from or denied program assistance. Participants may contest and appeal any decision that denies (for any reason), limits eligibility of participant or terminates or modifies levels of assistance. The appeal process will be triggered by a written appeal or verbal via telephone following the notification of service termination or denial of service by the service provider to the participant. Appeal procedures must include:

- Written description of the appeal from the participant including any documentation demonstrating that they should not be termination/denied assistance. Such information can be taken via telephone if necessary.
- Review of the appeal before a person other than the person (or a subordinate of that person) who made or approved the termination/denial decision.
- Prompt written notification of the decision to the household.
The appeal process shall be communicated to each participant at program entry, and a copy of the procedures shall be provided for their reference. A signed acknowledgement of the grievance and appeal process is included in each participant record.