

Written Standards for Provision of ESG Assistance In the City of Duluth

1. Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under ESG

- a. The City of Duluth does not prioritize who is assisted through the ESG program. Clients are served as received.
- b. Per 24 CFR 576.401: ESG sub-recipients must conduct an initial evaluation to determine each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. All ESG sub-recipients will follow federal documentation guidelines to establish the client's status as homeless or at-risk of homeless and their income eligibility. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under §576.400(d).
 - i. The City of Duluth is currently working with the St. Louis County Continuum of Care (CoC) to develop common intake and assessment tools and protocols to be used by all agencies that receive ESG, CoC and other homeless program funding within the Continuum. The tools and protocols will create consistency in client intake and assessment and provide basis for appropriate agency referral and to develop targeting and prioritization protocols.
 - ii. ESG sub-recipients must re-evaluate program participant's eligibility and the types and amounts of assistance the participant needs;
 1. Not less than once every 3 months for participants who are receiving homelessness prevention assistance, and
 2. Not less than once annually for participants who are receiving rapid re-housing assistance.
 - iii. Re-evaluation of program participants may be conducted more frequently than required by 24 CFR 576.401 and may be incorporated into the case management process which must occur not less than monthly for homeless prevention and rapid re-housing participants – See 24 CFR 576.401(e) (i). Regardless of which timeframe is used, re-evaluations, must at minimum, establish that:
 1. The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and the program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance. To determine if an individual or family is income eligible, the sub-recipient must examine an individual or family's annual income to ensure that it does not exceed the most current HUD income limits applicable to the City of Duluth. Note: Annual income must be below 30% at the time of the initial evaluation.
 2. When the program participant's income or other circumstances change, such as change in household composition, that affects the program participant's need for assistance under ESG, the sub-recipient must then re-evaluate the program

participant's eligibility and the amount and types of assistance the program participant needs.

- iv. Sub-recipients must assist each program participant, as needed, to obtain appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; housing stability case management; and other Federal, State, local, or private assistance available to assist the program participant in obtaining housing stability including:
 1. Medicaid
 2. Supplemental Nutrition Assistance Program
 3. Women, Infants and Children (WIC)
 4. Federal-State Unemployment Insurance Program
 5. Social Security Disability Insurance (SSDI)
 6. Supplemental Security Income (SSI)
 7. Child and Adult Care Food Program,
 8. Minnesota Family Investment Program (MFIP),
 9. General Assistance Program (GA), and
 10. Other mainstream resources such as housing, health, social services, employment, education services and youth programs that an individual or family may be eligible to receive

2. Standards for targeting and providing essential services related to street outreach

- a. The City of Duluth does not target ESG funding to any geographic area or client population. ESG sub-recipients are selected through a request for proposal process based on service provision. No duplication of service by sub-recipients is anticipated in the Duluth area of operation.
- b. ESG funding may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term “unsheltered homeless people” means individuals and families who qualify as homeless under paragraph (1) (i) of the “homeless” definition under 24 CFR Part 576.2. As outlined in 24 CFR Part 576.101, essential services consist of:
 - i. Engagement;
 - ii. Case management;
 - iii. Emergency health services – only when other appropriate health services are inaccessible or unavailable within the area;
 - iv. Emergency mental health services – only when other appropriate mental health services are inaccessible or unavailable within the area;
 - v. Transportation; and
 - vi. Services for special populations.

- c. ESG sub-recipients must determine an individual's or family's vulnerability and unwillingness or inability to access emergency shelter, housing, or an appropriate health facility, prior to providing essential services under this component to ensure that ESG funding is used to assist those with the greatest need for street outreach assistance.

3. Policies and procedures for admission, diversion, referral, and discharge by emergency shelters

- a. Emergency Shelter Definition

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

- b. Admission, Diversion, Referral and Discharge

Shelter stays should be avoided, if possible, and when not possible, limited to the shortest time necessary to help participants regain permanent housing. Consistent with Section (a) of this document, ESG sub-recipients must conduct an initial evaluation of all individuals or families to determine if they should be admitted to an emergency shelter, diverted to a provider of other ESG-funded components, such as rapid re-housing or homeless prevention assistance, or referred for other mainstream resources.

- c. ESG sub-recipients must determine that individuals and families meet category (1), (2), (3), or (4) of the Homeless Definitions listed below and rate the individual's or family's vulnerability to ensure that only those individuals or families that have the greatest need for emergency shelter assistance receive ESG funded assistance.

- i. Category 1 – Literally Homeless
- ii. Category 2 – Imminent Risk of Homeless
- iii. Category 3 – Homeless Under Other Federal Statutes
- iv. Category 4 – Fleeing/Attempting to Flee DV

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

- e. Safety and Shelter Needs of Special Populations

- i. ESG funding may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under the regulations for the emergency shelter component found at 24 CFR Part 576.102.

ii. Consistent with ESG recordkeeping and reporting requirements found at 24 CFR Part 576.500, ESG sub-recipients must develop and apply written policies to ensure the safety of program participants through the following actions:

1. All grantees and sub-grantees will take appropriate measures to provide for client confidentiality. Grantees and sub-grantees will develop and implement procedures to guarantee the confidentiality of records concerning program participants. All records containing personally identifying information (as defined in HUD's standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and receives ESG assistance will be kept secure and confidential.
2. The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter, and
3. The address or location of any housing of a program participant, including youth, individuals living with HIV/AIDS, victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing will not be made public, except as provided under a preexisting privacy policy of the sub-recipient and consistent with state and local laws regarding privacy and obligations of confidentiality

iii. In addition, ESG sub-recipients must adhere to the following ESG shelter and housing standards found at 24 CFR Part 576.403 to ensure that shelter and housing facilities are safe, sanitary, and adequately maintained:

1. Lead-Based Paint Requirements. The Lead-Based Paint Poisoning Prevention Act applies to all shelters assisted under ESG program and all housing occupied by program participants. All ESG sub-recipients are required to conduct a Lead-Based Paint inspection on all units receiving assistance under the rapid re-housing AND homelessness prevention components if the unit was built before 1978 and a child under age of six or a pregnant woman resides in the unit.
2. Structure and Materials. The shelter building should be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.
3. Access. The shelter must be accessible, and there should be a second means of exiting the facility in the case of emergency or fire.
4. Space and Security. Each resident should have adequate space and security for themselves and their belongings. Each resident must have an acceptable place to sleep.
5. Interior Air Quality. Each room or space within the shelter/facility must have a natural or mechanical means of ventilation. The interior air should be free of pollutants at a level that might threaten or harm the health of residents.
6. Water Supply. The shelter's water supply should be free of contamination.

7. Sanitary Facilities. Each resident should have access to sanitary facilities that are in proper operating condition. These facilities should be able to be used in privacy, and be adequate for personal cleanliness and the disposal of human waste.
8. Thermal Environment. The shelter/facility must have any necessary heating/cooling facilities in proper operating condition.
9. Illumination and Electricity. The shelter/facility should have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There should be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
10. Food Preparation. Food preparation areas, if any, should contain suitable space and equipment to store, prepare and serve food in a safe and sanitary manner.
11. Sanitary Conditions. The shelter should be maintained in a sanitary condition.
12. Fire Safety-Sleeping Areas. There should be at least one working smoke detector in each occupied unit of the shelter facility. In addition, smoke detectors should be located near sleeping areas where possible. The fire alarm system should be designed for a hearing-impaired resident.
13. Fire Safety-Common Areas. All public areas of the shelter must have at least one working smoke detector.

4. **Policies and procedures for assessing, prioritizing, and reassessing individuals' and families' needs for essential services related to emergency shelter**

- a. ESG providers and the City of Duluth, Community Development staff are currently working with the St. Louis County CoC to develop common intake and assessment tools and protocols to be used by all agencies that receive ESG, CoC and other homeless program funding within the Continuum. The tools and protocols will create consistency in client intake and assessment and provide basis for appropriate agency referral and to develop targeting and prioritization protocols.
- b. Upon completion of the common intake and assessment tools and protocols, all ESG sub-recipients will use that system to help determine the individual or family need for emergency shelter or other ESG-funded assistance.
- c. ESG funding may be used to provide essential services to individuals and families who are in an emergency shelter. Essential services for participants of emergency shelter assistance can include case management, child care, education services, employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, transportation, and services for special populations.
- d. ESG sub-recipients are responsible to assess an individual or family's initial need for emergency shelter and must re-assess their need on an ongoing basis to ensure that only those individuals or families with the greatest need receive ESG-funded emergency shelter assistance. Shelters that serve families must serve all eligible families and may not refuse services based on the age of children or the size of the family.

- e. Client re-assessment will take place at the participant level and at the service provider level. Clients meet with case managers throughout their participation in the program, and have regular progress evaluations. Clients have opportunity to provide feedback and assessment about programs and services as well.
 - f. The City of Duluth is working with the St. Louis County CoC to develop criteria and protocols for system-wide program and service evaluation and improvement to be implemented through the Heading Home St. Louis County Leadership Council—the governing group for the St. Louis County Continuum—and the Affordable Housing Coalition’s Homeless Response Committee, which is comprised of all the homeless housing and service providers in Duluth and serves as one of the working groups for the HHSLC Leadership Council. Case managers and administrative staff from all of the homeless housing and service organizations, along with City and County staff participate in the Homeless Response Committee meetings as this is the forum for discussion and implementation of system related protocols, activities, best practices, evaluation and changes that occur.
5. **Policies and procedures for coordination among emergency shelter providers, essential service providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers**
- a. Coordination to assist the homeless and prevent homelessness comes through collaboration among housing and service providers within the City of Duluth and the St. Louis County CoC, the Homeless Response Committee and Affordable Housing Coalition, the Heading Home Leadership Council, St. Louis County and City of Duluth Community Development staff and St. Louis County Health and Human Services staff. Active engagement in the Continuum of Care through the Homeless Response Committee, the Affordable Housing Coalition, and the HHSLC Leadership Council is strongly encouraged.
6. **Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance**
- a. ESG-funded agencies will be responsible for ensuring that potential participants are served, with provisions for targeting some services to eligible households who meet prioritization criteria established through the Continuum of Care using coordinated assessment protocols.
 - b. A key component to successful implementation of a coordinated assessment system within the St. Louis County CoC is a common screening and assessment process developed through the CoC. Screening and assessment thoroughly explores a family’s or individual’s situation and pinpoints their unique housing and service needs. Based upon the assessment, families and individuals should be referred to the kinds of housing and services most appropriate to their situations and need.
 - c. The common assessment tool aids matching individuals and families with the most appropriate assistance. Under homelessness prevention, ESG assistance is available to individuals and families below 30% of Area Median Income (AMI), and are homeless or at risk of becoming homeless.

- d. ESG funds can be used to prevent an individual or family from becoming homeless and regain stability in current housing or other permanent housing. Rapid re-housing funds can be used to assist individuals and families who are literally homeless progress toward permanent housing and achieve housing stability.
 - i. Homeless Prevention Households will be re-certified for continued eligibility every 3 months.
 - ii. Rapid Re-Housing Households will be re-certified annually.

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

- a. Standards for both homelessness prevention and rapid re-housing for determining the share of rent and utilities costs that each program participant must pay, if any, will be based on the following:
 - i. Clients receiving rental assistance are expected to contribute 30% of their income toward the unit's rent. The City of Duluth ESG Program does not require a minimum client contribution.
 - ii. Rental assistance cannot be provided for a unit unless the rent for that unit is at or below the current Fair Market Rent limit, established by HUD.
 - iii. The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units. See 24 CFR 574.320.
 - iv. The rental unit must meet minimum habitability standards found at 24 CFR 576.403.
 - v. There must be a rental assistance agreement and lease between the property manager and tenant as well as the owner of property and ESG sub-recipient.
 - vi. No rental assistance may be made to an individual or family that is receiving rental assistance from another public source for the same time period.
 - vii. Rental assistance may not be provided to a participant who is currently receiving replacement housing payments under Uniform Relocation Assistance
- b. Per 24 CFR 576.106 (e), ESG sub-recipients may make rental assistance payments only to an owner with whom the sub-recipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the sub-recipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.

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

- a. Subject to the general conditions under 24 CFR 576.103 and 24 CFR Part 576.104, ESG sub-recipients may provide a program participant with up to 24 months of rental assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination of this assistance.

- i. Short-term rental assistance is assistance for up to 3 months of rent.
 - ii. Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.
 - iii. Payment of rental arrears may consist of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.
 - b. The maximum amount of rental assistance provided, and an individual or family's level of responsibility for rent payments, over time, shall be determined by the ESG sub-recipient and shall be reflective of the individual or family's need for rental assistance and the level of financial resources available to the ESG sub-recipient.
 - c. Rental assistance will end if and when other subsidy begins, such as Section 8 Housing Choice Voucher, public housing, or project based rental subsidy.
 - d. Guidance from the St. Louis County CoC, through Homeless Response Committees, Affordable Housing and Rural Housing Coalition meetings and through the Heading Home SLC Leadership Council, will establish, evaluate and modify rental assistance parameters based on data such as community need, outcomes and available funding within the HUD guidelines.
9. **Standards for determining the type, amount, and duration of housing stabilization and relocation services to provide a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participants receives assistance; or the maximum number of times the program participants may receive assistance**
- a. Subject to the general conditions under 24 CFR 576.103 and 24 CFR Part 576.104, sub-recipients may use ESG funding to pay housing owners, utility companies, and other third parties for some or all of the following costs, as allowed under 24 CFR 576.105:
 - i. Rental application fees
 - ii. Security deposits
 - iii. Last month's rent
 - iv. Utility deposits
 - v. Utility payments
 - vi. Moving costs, and
 - vii. Some limited services costs
 - b. Consistent with 24 CFR 576.105 (c), ESG sub-recipients determine the type, maximum amount and duration of housing stabilization and relocation services for individuals and families who are in need of homeless prevention or rapid re-housing assistance through the initial evaluation, re-evaluation and ongoing case management processes.
 - c. Consistent with 24 CFR 576.105(d), financial assistance for housing stabilization and relocation services cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the Uniform Relocation Act (URA) during the period of time covered by the URA payments.