



Department of Commerce

Guidelines

FOR THE

Consolidated Homeless Grant

July 1, 2017 – June 30, 2019

Version 3

Revised February 2018

Contents

1	Grant Basics	6
1.1	Overview.....	6
1.2	Authorizing Statute and Fund Sources.....	6
2	Administrative Requirements of Lead Grantees	7
2.1	Homeless System Responsibilities.....	7
2.1.1	Prioritize Unsheltered Homeless Households	7
2.1.2	System Wide Performance Requirements.....	7
2.1.3	Low Barrier Housing Project	7
2.1.4	Coordinated Entry System	8
2.1.5	Reporting Requirements.....	8
2.1.6	Training	9
2.2	Interested Landlord List.....	9
2.3	Outreach to Landlords.....	9
2.4	Grant Management	9
2.4.1	Changes to Guidelines	9
2.4.2	Commerce Monitoring.....	9
2.4.3	Subgrantee Requirements	10
2.5	Fiscal Administration	10
2.5.1	Budget Caps	10
2.5.2	For-Profit Budget Categories and Documentation	11
2.5.3	Reimbursements.....	11
2.5.4	Budget Revisions.....	11
3	Allowable Interventions	12
3.1	Temporary Housing Interventions.....	12
3.1.1	Emergency Shelter	12
3.1.2	Transitional Housing	12
3.2	Permanent Housing Interventions	12
3.2.1	Targeted Prevention	12
3.2.2	Rapid Re-Housing.....	12
3.2.3	Permanent Supportive Housing.....	12
3.3	Services Only Interventions	13
3.3.1	Outreach	13

4	Household Eligibility	14
4.1	Housing Status Eligibility.....	14
4.1.1	Homeless.....	14
4.1.2	At Imminent Risk of Homelessness.....	15
4.2	Documentation of Housing Status	15
4.3	Income Eligibility.....	15
4.3.1	Income Eligibility Exemptions	15
4.4	Documentation of Income Eligibility	16
4.4.1	Annualizing Wages and Periodic Payments.....	16
4.4.2	Documentation of HEN Referral or TANF Enrollment	17
4.5	Eligibility Recertification	17
4.5.1	Income Ineligible at Recertification	17
4.6	Additional Eligibility Requirements for Permanent Supportive Housing.....	17
4.6.1	Documentation of a Disability	18
4.6.2	Maintaining Homeless Status for Permanent Housing.....	18
5	Allowable Expenses	19
5.1	Rent.....	19
5.1.1	Rent Payments	19
5.1.2	Other Housing Costs	19
5.1.3	Special Circumstances.....	20
5.1.4	Ineligible Expenses.....	20
5.2	Facility Support (<i>not an allowable expense for HEN or TANF</i>).....	20
5.2.1	Lease Payments	20
5.2.2	Other Facility Costs	20
5.2.3	Ineligible Expenses.....	21
5.2.4	Maintenance Activities vs. Building Rehabilitation	21
5.3	Operations	21
5.3.1	Homeless Crisis Response System Expenses	21
5.3.2	Program Expenses.....	22
5.3.3	Flexible Funding	22
5.4	Administration	23
6	Requirements of all Lead Grantees and Subgrantees Providing Direct Service.....	24
6.1	Service Delivery	24
6.1.1	Access to Homeless Housing Assistance.....	24
6.1.2	Voluntary Services	24
6.1.3	Progressive Engagement.....	24

6.1.4	Assessment and Housing Stability Planning	24
6.2	HMIS	25
6.2.1	Data Timeliness	25
6.2.2	Data Quality	25
6.2.3	Consent for Entry of Personally Identifying Information	25
6.3	Habitability.....	26
6.3.1	For Rent Assistance.....	26
6.3.2	For Facilities	27
6.4	Lead Based Paint Assessment.....	27
6.4.1	For Rent Assistance.....	27
6.4.2	For Facilities	27
6.4.3	Exceptions to the Lead-Based Paint Visual Assessment Requirement.....	27
6.5	Additional Requirements.....	28
6.5.1	Ineligible Use of Funds.....	28
6.5.2	Grievance Procedure	28
6.5.3	Termination and Denial of Service Policy	28
6.5.4	Records Maintenance and Destruction	28
6.5.5	Client File Check List.....	28
6.5.6	Consent to Review Information in the Benefits Verification System	28
6.5.7	Prohibitions.....	28
6.5.8	Nondiscrimination.....	29
7	Additional Requirements of Lead Grantees and Subgrantees Providing Rent Assistance	30
7.1	Washington Residential Landlord-Tenant Act.....	30
7.2	Rental Agreements	30
7.2.1	Intent to Rent.....	30
7.2.2	Lease	30
7.2.3	Certification of Payment Obligation	30
7.3	Targeted Prevention.....	31
7.4	Rent Limit.....	31
7.5	Determining Rent Subsidy	31
8	Appendices.....	32
8.1	Appendix A: Required Forms.....	32
8.2	Appendix B: Required Policies and Procedures.....	33
8.3	Appendix C: Client File Documentation.....	34
8.4	Appendix D: Performance Measurements.....	35
8.4.1	Unsheltered Prioritization.....	35

8.4.2	System Wide Performance Requirements.....	36
8.5	Appendix E: Documentation of Housing Status	40
8.6	Appendix F: Examples of Maintenance Activities.....	41
8.7	Appendix G: Agency Partner HMIS Agreement.....	42
8.8	Appendix H: Lead-Based Paint Visual Assessment Requirements	48
8.9	Appendix I: Benefits Verification System Data Security Requirements	50

1 Grant Basics

1.1 Overview

The Consolidated Homeless Grant (CHG) provides resources to fund homeless crisis response systems to support communities in ending homelessness. Homeless crisis response systems respond to the immediacy and urgency of homelessness and make sure that everyone has a safe and appropriate place to live. The vision, principles and goals set forth in the State Homeless Strategic Plan guide the management and implementation of CHG.

The State Homeless Housing Strategic Plan and Annual Report of the Homeless Grant Programs are located on the Department of Commerce [website](#).

1.2 Authorizing Statute and Fund Sources

Chapter [RCW 43.185c](#) Homeless Housing and Assistance authorizes these funds.

2 Administrative Requirements of Lead Grantees

2.1 Homeless System Responsibilities

2.1.1 Prioritize Unsheltered Homeless Households

Homeless crisis response systems must prioritize unsheltered homeless households for services and programs. For more details, see Appendix D: Performance Measurements and the CHG Scope of Work.

2.1.2 System Wide Performance Requirements

System wide performance measures and targets specific to intervention type (HMIS project type) are outlined in Appendix D: Performance Measurements. Homeless crisis response systems must meet or demonstrate progress towards the targets of locally identified performance measures. For more details, see Appendix D: Performance Measurements and the CHG Scope of Work.

2.1.3 Low Barrier Housing Project

By July 2018, each county must have at least one low barrier project¹ serving homeless adults and at least one low barrier project serving homeless households with children.

All homeless housing projects adhere to state and federal anti-discrimination laws:

- ✓ All projects ensure equal access for people experiencing homelessness regardless of race, national origin, gender identity, sexual orientation, marital status, age, veteran or military status, disability, or the use of an assistance animal.
- ✓ Projects designed to serve families with children experiencing homelessness ensure equal access regardless of family composition and regardless of the age of a minor child.
- ✓ Projects that operate gender segregated facilities allow the use of facilities consistent with the person's gender expression or identity.

2.1.3.1 Intake & Project Eligibility

Low barrier projects have flexible intake schedules and require minimal documentation. At the minimum, homeless households are not screened out based on the following criteria:

- ✓ Having too little or no income
- ✓ Having poor credit or financial history
- ✓ Having poor or lack of rental history
- ✓ Having involvement with the criminal justice system
- ✓ Having active or a history of alcohol and/or substance use
- ✓ Having a history of victimization
- ✓ The type or extent of disability-related services or supports that are needed
- ✓ Lacking ID or proof of U.S. Residency Status
- ✓ Other behaviors that are perceived as indicating a lack of "housing readiness," including resistance to receiving services

2.1.3.2 Project Participation

Low barrier projects have realistic and clear expectations. Rules and policies are narrowly focused on

¹ Project types that can meet this requirement: Emergency Shelter, Transitional Housing, PH: Rapid Re-Housing, PH: Housing with Services (no disability requirement), and PH: Housing Only. Projects that operate seasonally do not meet this requirement.

maintaining a safe environment and avoiding exits to homelessness. Low barrier projects do not have work or volunteer requirements. Projects that require households to pay a share of rent allow reasonable flexibility in payment.

Households are not terminated from the project for the following reasons:

- ✓ Failure to participate in supportive services or treatment programs
- ✓ Failure to make progress on a housing stability plan
- ✓ Alcohol and/or substance use in and of itself is not considered a reason for termination

2.1.4 Coordinated Entry System

Each county must maintain a coordinated entry system (CES). Refer to the [Washington State Coordinated Entry Guidelines](#) for requirements.

2.1.5 Reporting Requirements

Lead grantees are responsible for submitting the following:

2.1.5.1 Local Homeless Housing Plan

Lead grantees must submit an updated county Local Homeless Housing Plan to Commerce at least every five years. Local plans must include performance goals and strategies. Performance in meeting the goals of the local plan should be assessed annually. Information from the Annual Homeless Housing County Inventory and Expenditure Report and the Annual Point in Time Count should help inform the local plan.

At a minimum, local plans should:

- ✓ Connect the needs of people experiencing homelessness, the current and future housing inventory, available resources, and community goals and priorities.
- ✓ Describe system and/or program inventory (both housing and services only) changes and its quantitative impact on reducing homelessness. Describe the costs of the associated with these changes.
- ✓ Describe implementation dates and names of responsible parties.

Participants involved in development of local plans should include representation of a person who has experienced homelessness, and all homeless housing providers including emergency shelters, outreach teams, transitional and permanent supportive housing agencies. Behavioral health and chemical dependency service providers, school liaisons and local jail administrators should also be included. Counties are encouraged to engage local DSHS community service offices, community colleges, public health, and local employment partners.

2.1.5.2 Annual County Expenditure Report

Lead grantees must submit an Annual County Expenditure Report to Commerce.

Commerce will annually score Annual County Expenditure Report data quality. This score will be reported on the [Homeless System Performance Report Card](#).

Grantees should work to increase their Annual County Expenditure Report data quality. Beginning July 2019, grantees must increase their data quality from their 2018 Report Card baseline.

2.1.5.3 Point-in-Time Count

Lead grantees must ensure the collection and reporting of the annual Point-in-Time Count of sheltered and unsheltered homeless persons for their county is in accordance with the Commerce Count Guidelines, which are posted at <http://www.commerce.wa.gov/serving-communities/homelessness/annual-point-time-count/>.

2.1.5.4 Essential Needs Report

Lead grantees must submit an HEN Essential Needs Report at the end of each state fiscal year, which is a count of the total instances of Essential Needs services.

2.1.6 Training

Lead/subgrantee staff that provide direct services and supervise staff who provide direct services and manage homeless grants should receive training and demonstrate competency in, at a minimum:

- ✓ Trauma Informed Services
- ✓ Mental Health First Aid
- ✓ Harm Reduction
- ✓ Supporting victims of domestic violence
- ✓ Local coordinated entry policies and procedures
- ✓ Fair Housing

In addition, Lead/subgrantee staff are highly encouraged to attend the annual [Washington State Conference on Ending Homelessness](#).

Costs to attend trainings are an eligible program expense (see Section 5.3 Operations).

Commerce will be providing free regional Trauma Informed Services and Mental Health First Aid training through June 2019.

2.2 Interested Landlord List

Lead grantees are responsible for ensuring that an interested landlord list is created and maintained. The interested landlord list must include information on rental properties (including buildings with fewer than 50 units). The list must be updated at least once per quarter, and distributed to households seeking assistance and homeless housing providers within the county. See [RCW 43.185c.240](#). Creation and maintenance of the list may be delegated to another entity.

2.3 Outreach to Landlords

Lead grantees are responsible for ensuring that outreach to private rental housing landlords is conducted and documented at least quarterly. Outreach to private landlords includes information about opportunities to provide rental housing to people experiencing homelessness. See [RCW 43.185c.240](#). Outreach and documentation may be delegated to another entity.

2.4 Grant Management

2.4.1 Changes to Guidelines

Commerce may revise the guidelines at any time. All lead grantees will be sent revised copies. Lead grantees are responsible for sending revisions to subgrantees in a timely manner.

2.4.2 Commerce Monitoring

Commerce will monitor lead grantees' CHG grant activities, including coordinated entry. Lead grantees

will be given a minimum of 30 days' notice unless there are special circumstances that require immediate attention. The notice will specify the monitoring components.

2.4.3 Subgrantee Requirements

The CHG Grant General Terms & Conditions Section 32 identifies subgrantee requirements. In addition, all subgrantee agreements must be time-limited and have defined roles and responsibilities for each party, detailed budgets and performance terms. Commerce reserves the right to directly contact subgrantees at any time for data quality, monitoring, fiscal and other issues.

Lead grantees may enter into an agreement with any other local government, Council of Governments, Housing Authority, Community Action Agency, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in the state of Washington, or regional or statewide nonprofit housing assistance organizations who operate programs to end homelessness within a defined service area.

Lead grantees must provide Commerce with copies of subgrant agreements (upon request) and notify Commerce if subgrants are terminated during the grant period.

Lead grantees must notify Commerce of any changes in selection of subgrantees funded with CHG, or changes in the interventions of those subgrantees.

2.4.3.1 Subgrantee Risk Assessment and Monitoring

Lead grantees are responsible for ensuring subgrantee compliance with all requirements identified in the CHG guidelines. The lead grantee must conduct a risk assessment and develop a monitoring plan for each subgrantee within six months of contracting CHG funds to the subgrantee. The risk assessment must inform the monitoring plan for each subgrantee. Monitoring plans must include monitoring dates, the type of monitoring (remote, on-site), and the program requirements being reviewed.

The lead grantee must maintain policies and procedures that guide the risk assessment, monitoring activities, and monitoring frequency.

Commerce reserves the right to require lead grantees to undertake special reviews when an audit or other emerging issue demands prompt intervention and/or investigation.

2.4.3.2 Subgrantee Performance Requirements

Locally developed performance measures and benchmarks specific to intervention type (HMIS project type), as outlined in the Scope of Work, must be included in subgrantee agreements. However, benchmarks may be customized for each subgrantee or funded project, based on facility type, past performance or other variables. Subgrantee agreements should include how frequently progress will be measured and the consequences for not meeting performance benchmarks.

2.5 Fiscal Administration

2.5.1 Budget Caps

- ✓ For-Profit Set Aside - At least 36 percent of the non-HEN CHG funds must be budgeted and spent on rent/lease payments to private for-profit entities.
- ✓ Administration - up to 15 percent of total non-HEN reimbursed costs may be used for administration.

- ✓ HEN Administration - up to 7 percent of total HEN reimbursed costs may be used for HEN administration.
- ✓ Temporary Assistance for Needy Families (TANF) households - the sum of TANF household budget categories must always be equal to the original TANF household allocation.
- ✓ HEN Households - the sum of HEN household budget categories must always be equal to the original HEN household allocation.

2.5.2 For-Profit Budget Categories and Documentation

- ✓ Expenses for non-profit, for-profit, and government ownership of properties is determined by the tax status of the entity that owns the property and are therefore billed according.
- ✓ Non-HEN rent payments made to for-profit entities must have the following documentation of ownership status on file (does not necessarily have to be in the client file):
 - Copy of lease/rental agreement
 - Proof of payment
 - Proof of ownership, in order of preference: For-Profit Certification Form signed by landlord OR Print out from county parcel website OR case note documenting oral verification from county assessor's office
 - Print-out from IRS non-profit search, if applicable

2.5.3 Reimbursements

Lead grantees must bill Commerce monthly for reimbursement of allowable costs. Invoices are due on the 20th of the month following the provision of services. Final invoices for a biennium may be due sooner than the 20th. If the lead grantee fails to submit an invoice within a three-month period, without a reasonable explanation, Commerce may take corrective action as outlined in the CHG grant Scope of Work. Exceptions to billing procedures can be negotiated with Commerce on a case-by-case basis.

Invoices must be submitted online using the Commerce Contract Management System (CMS) through Secure Access Washington (SAW).

2.5.3.1 Back-up Documentation

All submitted invoices must include the CHG Voucher Detail Worksheet (if grantee has subgrantees) and the required HMIS reports. Invoices may not be paid until the report(s) are received and verified. Commerce may require a lead grantee to submit additional documentation. Lead grantees must retain original invoices submitted by their subgrantees.

2.5.4 Budget Revisions

Revisions must be submitted using the Budget Revision Tool and approved by Commerce. Budget Caps must be maintained with each revision.

A contract amendment is required when revisions (in one or cumulative transfers) reach more than 10 percent of the grant total.

3 Allowable Interventions

3.1 Temporary Housing Interventions

Temporary housing interventions are those in which the household must leave the shelter or unit at the end of their program participation. Households are considered homeless while enrolled in temporary housing interventions.

3.1.1 Emergency Shelter

Emergency shelter provides short-term² temporary shelter (lodging) for those experiencing homelessness. Emergency Shelters can be facility-based, or hotel/motel voucher.

3.1.1.1 Drop-in Shelter

Drop-in Shelters offer night-by-night living arrangements that allow households to enter and exit on an irregular or daily basis.

3.1.1.2 Continuous-stay Shelter

Continuous-stay Shelters offer living arrangements where households have a room or bed assigned to them throughout the duration of their stay.

3.1.2 Transitional Housing

Transitional housing is subsidized, facility-based housing that is designed to provide long-term³ temporary housing and to move households experiencing homelessness into permanent housing.

3.2 Permanent Housing Interventions

Permanent housing is housing in which the household may stay as long as they meet the basic obligations of tenancy.

3.2.1 Targeted Prevention

Targeted Prevention resolves imminent homelessness with housing-focused case management and temporary rent subsidies.

3.2.2 Rapid Re-Housing

Rapid Re-Housing (RRH) quickly moves households from homelessness into permanent housing by providing move in assistance, temporary rent subsidies, and housing-focused case management.

3.2.3 Permanent Supportive Housing

Permanent Supportive Housing (PSH) is subsidized, non-time-limited housing with support services for homeless households that include a household member with a permanent disability. Support services must be made available but participation is voluntary. PSH may be provided as a rent assistance (scattered site) or facility-based model. The services and the housing are available permanently.

² Emergency Shelter programs are typically designed and intended to provide temporary shelter for short-term stays: up to three months. Clients are not required to exit after 90 days.

³ Transitional Housing programs are typically designed and intended to provide temporary housing for long-term stays: up to two years.

3.3 Services Only Interventions

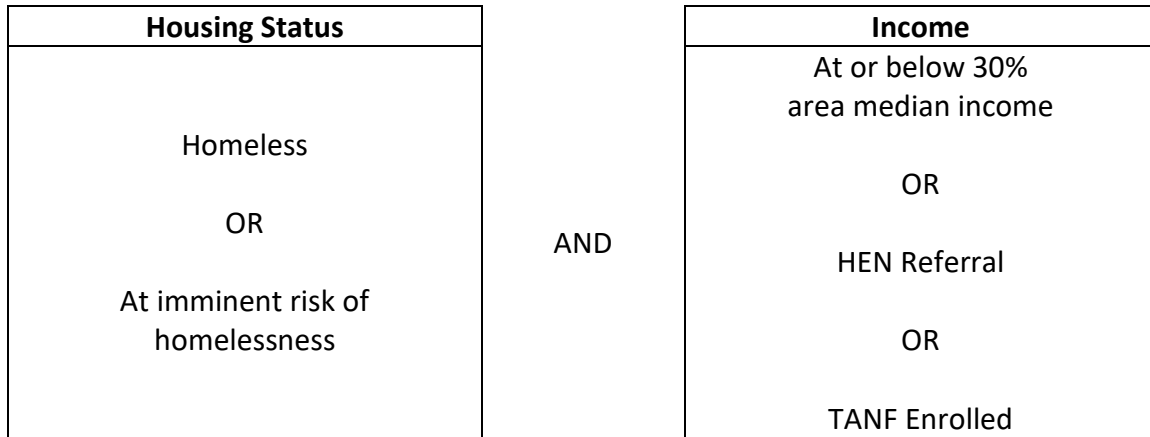
3.3.1 Outreach

Street outreach is a strategy for engaging people experiencing homelessness who are otherwise not accessing services for the purpose of connecting them with emergency shelter, housing, or other critical services.

4 Household Eligibility

A household is one or more individuals seeking to obtain or maintain housing together. The entire household must be considered for eligibility determination and services. A household does not include friends or family that are providing temporary housing.

Eligible households must meet both housing status and income requirements as detailed in the following sections.



4.1 Housing Status Eligibility

4.1.1 Homeless

Households are homeless if they are unsheltered or residing in a temporary housing program, as defined below.

4.1.1.1 Unsheltered Homeless:

- ✓ Living outside or in a place that is not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a vehicle, park, abandoned building, bus or train station, airport, or campground.
- ✓ Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking, or other dangerous or life-threatening conditions that relate to violence against the household member(s), including children, that have either taken place within the household's primary nighttime residence or has made the household member(s) afraid to return to their primary nighttime residence.

4.1.1.2 Sheltered Homeless:

- ✓ Residing in a temporary housing program including shelters, transitional or interim housing, and hotels and motels paid for by charitable organizations or government programs.
- ✓ Exiting a system of care or institution where they resided for 90 days or less AND who resided in an emergency shelter or place not meant for human habitation immediately before entering that system of care or institution.
- ✓ Residing in a trailer or recreational vehicle that is parked illegally or in a location that is not intended for long-term stays (i.e. parking lots).

4.1.2 At Imminent Risk of Homelessness

Households are at imminent risk of homelessness if they will lose their primary nighttime residence (including systems of care or institutions) within 14 days of the date of application for assistance, AND no subsequent residence has been identified, AND the household lacks the resources or support networks needed to obtain other permanent housing.

4.2 Documentation of Housing Status

Lead/subgrantees must verify and document eligible housing status prior to program entry. See Appendix E: Documentation of Housing Status.

Households entering emergency shelter are exempt from housing status requirements.

The *CHG Verification of Household Eligibility and Income Recertification Form* and housing status documentation must be kept in the client file. Documentation must be dated within 30 days of program entry.

4.3 Income Eligibility

The combined household income must not exceed 30 percent of area median gross income as defined by HUD. Income limits are based on Area Median Income (AMI) which can be located for each county at: www.huduser.gov (Data Sets, Income Limits).

Income is money that is paid to, or on behalf of, any household member. Income includes the current gross income (annualized) of all adult (18 years and older) household members and unearned income attributable to a minor. Income eligibility determinations are based on the household's income at program entry. Income inclusions and exclusions are listed in the Electronic Code of Federal Regulations, www.ecfr.gov, Title 24 – Housing and Urban Development: Subtitle A 0-99: Part 5: Subpart F: Section [5.609 Annual Income](#).

Gross Income is the amount of income earned before any deductions (such as taxes and health insurance premiums) are made.

Current Income is the income that the household is currently receiving. Income recently terminated should not be included.

4.3.1 Income Eligibility Exemptions

Income eligibility verification is never required for Drop-in Shelter or for households receiving only Flex Funding.

The following are exempt from income eligibility requirements for the first 90 days of program participation:

- ✓ Households entering Transitional Housing
- ✓ Households entering a Rapid Re-Housing program
- ✓ Households entering a Continuous-stay Shelter

For HEN and TANF household income eligibility, see the following:

Assistance for HEN households: In place of income verification, the HEN Referral from the Washington State Department of Social and Health Services (DSHS) as documented in the Benefits Verification

System (BVS) is required.

Assistance for TANF households: In place of income verification, proof of TANF Enrollment from DSHS is required.

INCOME ELIGIBILITY REQUIREMENTS		
Temporary Housing Interventions	Enrollment	Recertification
Drop-in Shelter	None	None
Continuous-stay Shelter	None	At or below 30% AMI
Transitional Housing	None	At or below 30% AMI
Permanent Housing Interventions		
CHG Rapid Re-Housing	None	At or below 30% AMI
CHG Targeted Prevention	At or below 30% AMI	At or below 30% AMI
TANF Rapid Re-Housing and Targeted Prevention	TANF Enrollment	TANF Enrollment
HEN Rapid Re-Housing and Targeted Prevention	DSHS HEN Referral	DSHS HEN Referral
Permanent Supportive Housing	At or below 30% AMI and a household member with a permanent disability	None

4.4 Documentation of Income Eligibility

Lead/subgrantees must verify and document income eligibility prior to program entry.

CHG Verification of Household Eligibility and Income Recertification Form, all allowable income documentation, and the *CHG Income Eligibility Worksheet* (or equivalent) must be kept in the client file. Documentation must be dated within 30 days.

Adult household members that have no income are required to complete a *CHG Self-Declaration Form*.

4.4.1 Annualizing Wages and Periodic Payments

Use the *CHG Income Eligibility Worksheet* (or equivalent) to calculate 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 the schedule of payments, use 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 *CHG Income Eligibility Worksheet* is not required for households that have no income.

4.4.2 Documentation of HEN Referral or TANF Enrollment

Lead/subgrantees must verify and document HEN Referral or TANF Enrollment prior to program entry.

Assistance for HEN households: The HEN Referral from the Washington State Department of Social and Health Services (DSHS) is required and must be kept in the client file.

Assistance for TANF households: Proof of TANF Enrollment from DSHS is required and must be kept in the client file.

4.5 Eligibility Recertification

Lead/subgrantees must document recertification of household income eligibility at least every three months using the *Consolidated Homeless Grant Verification of Household Eligibility and Income Recertification Form*. For HEN and TANF household recertification, see the following:

Assistance for HEN households: In place of income, recertification of the HEN Referral from DSHS as documented in the Benefits Verification System (BVS) is required at least every three months and must be kept in the client file.

Assistance for TANF households: In place of income, recertification of TANF Enrollment from DSHS is required at least every three months and must be kept in the client file.

4.5.1 Income Ineligible at Recertification

If households are determined income ineligible, they may remain in the program for an additional three months. Case management may continue for an additional six months after the determination of income ineligibility to support the household transition to self-sufficiency.

If the household is no longer eligible for the HEN program, the three additional months of rent assistance cannot be charged to HEN but may be charged to the CHG base funding.

If the household is no longer enrolled in TANF, the three additional months of rent assistance can be charged to the TANF budget or the CHG base funding.

4.6 Additional Eligibility Requirements for Permanent Supportive Housing

To be eligible for permanent supportive housing, a household must be homeless AND include at least one household member who has a disability that is expected to be long-continuing or of indefinite duration and substantially impedes the household member's ability to live independently.

Disability includes: a physical, developmental, mental, or emotional impairment, including impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury. A person will also be considered to have a disability if he or she has Acquired Immune Deficiency Syndrome (AIDS) or any conditions arising from the etiologic agent for 86 Acquired Immune Deficiency Syndrome, including infection with the Human Immunodeficiency Virus (HIV).

4.6.1 Documentation of a Disability

Lead/subgrantees must verify and document the disability prior to program entry. Acceptable documentation of the disability must include one the following:

- ✓ Written verification of the disability from a professional licensed by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long continuing or of indefinite duration and substantially impedes the individual's ability to live independently.
- ✓ Written verification from the Social Security Administration.
- ✓ Disability check receipt (Social Security Disability Insurance check or Veteran Disability Compensation).
- ✓ Other documentation approved by Commerce.

If unable to document disability at program entry with the above methods, program staff must record observation of disability. Required documentation (above) must be obtained within 45 days of program enrollment.

4.6.2 Maintaining Homeless Status for Permanent Housing

While receiving Rapid Re-Housing assistance, households maintain their homeless status for purposes of eligibility for other permanent housing placements.

5 Allowable Expenses

5.1 Rent

Rent Payments and Other Housing Costs must be paid directly to a third party on behalf of the household.

5.1.1 Rent Payments⁴

- ✓ Monthly rent and any combination of first and last months' rent. Rent may only be paid one month at a time, although rental arrears, pro-rated rent, and last month's rent may be included with the first month's payment.
 - Monthly rent is not time-limited for HEN households or households in a PSH program.
 - For all other households and programs, rent assistance is limited to 24 months per episode.
- ✓ Rental arrears and associated late fees for up to three months. Rental arrears may be paid if the payment enables the household to obtain or maintain permanent housing. If funds are used to pay rental arrears, arrears must be included in determining the total period of the household's rental assistance.
 - Rental arrears for HEN or TANF enrolled clients can be paid for a time period when the client was not HEN or TANF enrolled.
- ✓ Lot rent for RV or manufactured home.
- ✓ Costs of parking spaces when connected to a unit.
- ✓ Incentives paid to landlords, including reimbursement for damages.
- ✓ Security deposits for households moving into new units.
- ✓ Hotel/Motel expenses are allowable when a hotel/motel unit is used as emergency shelter OR when a hotel/motel unit is used as permanent housing.
- ✓ Utilities which are included in rent.

5.1.2 Other Housing Costs

- ✓ Utility payments for households also receiving rental assistance.
- ✓ Utility arrears (see utility-only assistance below) for up to three months. Utility arrears may be paid if the payment enables the household to obtain or maintain permanent housing. If funds are used to pay utility arrears, arrears must be included in determining the total period of the household's financial assistance.
- ✓ Utility-only assistance (including arrears) can be provided when no other [utility assistance](#), such as [LIHEAP](#), is available to prevent a shut-off, and documented using the *Utility-Only Assistance Form*.
- ✓ Utility deposits for a household moving into a new unit.
- ✓ Application fees, background, credit check fees, and costs of urinalyses for drug testing of

⁴ Non-HEN rent payments made to for-profit entities must have the following documentation of ownership status on file (does not necessarily have to be in the client file):

- Copy of lease/rental agreement
- Proof of payment
- Proof of ownership, in order of preference: For-Profit Certification Form signed by landlord OR Print out from county parcel website OR case note documenting oral verification from county assessor's office Print-out from IRS non-profit search, if applicable

- household members if necessary/required for rental housing.
- ✓ Other costs as approved by Commerce.

5.1.3 Special Circumstances

- ✓ Master-lease: Security deposit and monthly rent is allowable when an organization master-leases a unit, and then sub-leases the property to CHG eligible households in the context of a Rapid Re-Housing or Permanent Supportive Housing program.
- ✓ Temporary absence: If a household must be temporarily away from the unit, but is expected to return (such as temporary incarceration, hospitalization, or residential treatment), lead/subgrantees may pay for the household's rent for up to 60 days and charge the grant for eligible costs. While a household is temporarily absent, he or she may continue to receive case management. Any temporary absence must be documented in the client file.
- ✓ Subsidized housing: CHG rent/utility assistance may be used for move-in costs (security deposits, first and last month's rent) for subsidized housing (where household's rent is adjusted based on income), including project- or tenant-based housing.⁵ CHG may also be used for rental arrears or utility arrears for subsidized housing.

5.1.4 Ineligible Expenses

- Ongoing rent/utilities for subsidized housing.
- CHG rent and rent/utility assistance in combination with CHG-funded facility support.
- Phone, cable, satellite or internet deposits or services.
- Mortgage assistance and utility assistance for homeowners.

5.2 Facility Support *(not an allowable expense for HEN or TANF)*

5.2.1 Lease Payments⁶

- ✓ Lease or rent payment on a building used to provide temporary housing or permanent supportive housing.
- ✓ Hotel/Motel expenses for less than 90 days when no suitable shelter bed is available.
- ✓ Move-in costs (security deposits, first and last month's rent) for permanent housing.

5.2.2 Other Facility Costs

- ✓ Utilities (gas /propane, phone, electric, internet, water and sewer, garbage removal).
- ✓ Maintenance (janitorial/cleaning supplies, pest control, fire safety, materials and contract or staff maintenance salaries and benefits associated with providing the maintenance, mileage for maintenance staff).
- ✓ Security and janitorial (salaries and benefits associated with providing security, janitorial services).
- ✓ Essential facility equipment and supplies (e.g. common-use toiletries, food served in shelters, bedding, mats, cots, towels, microwave, etc.)

⁵ In this context tax credit units are not considered subsidized housing.

⁶ Non-HEN rent payments made to for-profit entities must have the following documentation of ownership status on file (does not necessarily have to be in the client file):

- Copy of lease/rental agreement
- Proof of payment
- Proof of ownership, in order of preference: For-Profit Certification Form signed by landlord OR print out from county parcel website OR case note documenting oral verification from county assessor's office
- Print-out from IRS non-profit search, if applicable

- ✓ Expendable transportation costs directly related to the transportation of eligible households (bus tokens and fuel for a shelter van).
- ✓ On-site and off-site management costs related to the building.
- ✓ Facility specific insurance (mortgage insurance is not allowable) and accounting.
- ✓ Costs for securing permanent housing including: application fees, background check fees, credit check fees, utility deposits, and costs of urinalyses for drug testing of household members if necessary/required for housing.
- ✓ Other expenses as approved by Commerce.

5.2.3 Ineligible Expenses

- ☒ Replacement or operating reserves.
- ☒ Debt service.
- ☒ Construction or rehabilitation of shelter facilities.
- ☒ CHG facility support in combination with CHG funded rent and rent/utility assistance.
- ☒ Mortgage payment for the facility.

5.2.4 Maintenance Activities vs. Building Rehabilitation

Building maintenance is an allowable facility support expenses.

Maintenance activities include cleaning activities; protective or preventative measures to keep a building, its systems, and its grounds in working order; and replacement of existing appliances or objects that are not fixtures or part of the building. Maintenance activities should fix, but not make improvements that would add value to the building.

Maintenance activities do not include the repair or replacement of fixtures or parts of the building. A fixture is an object that is physically attached to the building and cannot be removed without damage to the building. Fixtures also include, but are not limited to, kitchen cabinets, built in shelves, toilets, light fixtures, staircases, crown molding, sinks and bathtubs. Maintenance activities do not include the installment or replacement of systems designed for occupant comfort and safety such as HVAC, electrical or mechanical systems, sanitation, fire suppression, and plumbing.

Building rehabilitation and capital improvements are not allowable facility support expenses.

These typically include those items that are done building-wide or affect a large portion of the property such as roof replacement, exterior/interior common area painting, major repairs of building components, etc. See Appendix F: Examples of Maintenance Activities.

5.3 Operations

Operations expenses are directly attributable to a particular program or to the homeless crisis response system.

- ✓ Salaries and benefits for staff costs directly attributable to the program or to the homeless system, including but not limited to program staff, information technology (IT) staff, human resources (HR) staff, bookkeeping staff, and accounting staff.
- ✓ Office space, utilities, supplies, equipment (up to \$1,500 per grant period unless approved in advance by Commerce), telephone, internet, and training/conferences/travel and per diem.

5.3.1 Homeless Crisis Response System Expenses

- ✓ Point-in-Time counts
- ✓ Annual report/housing inventory

- ✓ Local homeless plans
- ✓ Coordinated entry planning, implementation and operations
- ✓ State data warehouse and Homeless Management Information System
- ✓ Interested landlord list and landlord outreach activities
- ✓ Participation in local Continuum of Care

5.3.2 Program Expenses

- ✓ Intake and assessment, including time spent assessing a household, whether or not the household is determined eligible.
- ✓ Housing Stability Services. This includes developing an individualized housing and service plan, monitoring and evaluating household progress, identifying creative and immediate housing solutions outside of the traditional homeless service system (diversion), [SSI/SSDI Outreach, Access, and Recovery \(SOAR\)](#), and assuring that households' rights are protected.
- ✓ Housing Search and Placement Services. This includes services or activities designed to assist households in locating, obtaining, and retaining suitable housing, tenant counseling, assisting households to understand leases, inspections, securing utilities, making moving arrangements, and representative payee services concerning rent and utilities.
- ✓ Mediation and outreach to property owners/landlords related to locating or retaining housing (landlord incentives).
- ✓ Outreach services.
- ✓ Optional support services for individuals in permanent supportive housing, including case management and connections to resources.
- ✓ Data collection and entry.
- ✓ General liability insurance and automobile insurance.
- ✓ Other costs as approved in advance by Commerce.

5.3.3 Flexible Funding

Flexible Funding includes expenses formerly categorized as HEN Essential Needs.

Flexible Funding is the provision of goods or payments of expenses not included in other allowable expense categories, which directly help a household to obtain or maintain permanent housing or meet essential household needs. Essential household needs means personal health and hygiene items, cleaning supplies, transportation passes and other personal need items (WAC 388-400-0065).

Households are eligible for Flexible Funding up to \$1,500 per household. Essential household need items are exempt from the \$1,500 cap.

Households eligible for CHG Standard, CHG TANF, and HEN are eligible for Flexible Funding. Households receiving only Flexible Funding and not ongoing assistance are exempt from income eligibility requirements. Verification of housing status is required. Flexible Funding payments must be paid directly to a third party on behalf of the household and noted in a household's housing stability plan.

5.3.3.1 Ineligible Expenses

- Retailer or merchant gift cards, vouchers, or certificates that can be exchanged for cash or that allow the recipient to purchase alcohol or tobacco products.

5.4 Administration

Up to 15 percent of total non-HEN reimbursed costs and up to 7 percent of total HEN reimbursed costs over the course of the grant period may be used for administration. This limit must be reconciled before the end of the grant period.

Allowable administrative costs benefit the organization as a whole and cannot be attributed specifically to a particular program or to the homeless crisis response system. Administrative costs may include the same types of expenses that are listed in program operations (such as IT staff and office supplies), in the case that these costs are benefiting the agency as a whole and are not attributed to a particular program or the homeless system. Administrative costs may include, but are not limited to, the following:

- ✓ Executive director salary and benefits.
- ✓ General organization insurance.
- ✓ Organization wide audits.
- ✓ Board expenses.
- ✓ Organization-wide membership fees and dues.
- ✓ Washington State Quality Award (WSQA) expenses.
- ✓ General agency facilities costs (including those associated with executive positions) such as rent, depreciation expenses, and operations and maintenance.

All amounts billed to administration must be supported by actual costs. If actual costs exceed the budgeted limit, they may be charged in equal monthly amounts. These costs must be charged to grant cost centers by one of the following three methods:

- ✓ Billed directly such as IT services that are billed by the hour.
- ✓ Shared costs that are allocated directly by means of a cost allocation plan.
- ✓ Costs related to executive personnel such that a direct relationship between the cost and the benefit cannot be established must be charged indirectly by use of an indirect cost rate which has been appropriately negotiated with an approved cognizant agency or by use of the 10 percent de minimus rate.

6 Requirements of all Lead Grantees and Subgrantees Providing Direct Service

6.1 Service Delivery

Commerce promotes evidence-based service delivery models that efficiently move people experiencing homelessness into permanent destinations.

6.1.1 Access to Homeless Housing Assistance

Coordinated entry intake must not require identification, social security cards, birth certificates, or other documentation not required by funders. Households experiencing homelessness should be provided temporary housing if available while documentation is being obtained. CHG Flexible Funding can be used to assist homeless households in obtaining required documentation to access housing.

Programs should limit eligibility criteria to those required by funders and/or facility structure (for example, funding for veterans or unit size suitable for families with children).

6.1.2 Voluntary Services

Programs must not terminate or deny services to households based on refusal to participate in supportive services. Supportive services are helping or educational resources that include support groups, mental health services, alcohol and substance abuse services, life skills or independent living skills services, vocational services and social activities.

Supportive services do not include housing stability planning or case management.

6.1.3 Progressive Engagement

Lead/subgrantees must employ a progressive engagement (PE) service model. Progressive Engagement includes the following components:

- ✓ Whenever possible, households experiencing a housing crisis should be diverted from entering homeless housing programs through problem-solving conversations, linkages to mainstream and natural supports, and/or flexible, and light-touch financial assistance.
- ✓ Initial assessment and services address the immediate housing crisis with the minimal services needed.
- ✓ Frequent re-assessment determines the need for additional services.
- ✓ Services are individualized and responsive to the needs of each household.
- ✓ Households exit to permanent housing as soon as possible.
- ✓ Having already received assistance does not negatively impact a household's eligibility if they face homelessness again.

6.1.4 Assessment and Housing Stability Planning

A problem-solving diversion conversation should occur prior to a full, standardized assessment. Lead/subgrantees must assess each household's housing needs and facilitate planning with the goal of obtaining or maintaining housing stability. Housing stability planning must be housing-focused and client-driven.

Assessments and housing stability planning must be documented.

Assessments and housing stability planning are not required for Drop-in Shelters.

6.2 HMIS

Lead/subgrantees providing direct service must enter client data into the Homeless Management Information System (HMIS) for all temporary and permanent housing interventions regardless of funding source.

Additionally, if the CHG lead grantee is a county government, all Emergency Shelter, Transitional Housing, Safe Haven, Homelessness Prevention or any Permanent Housing⁷ type programs funded with local document recording fees must enter client data in HMIS.

6.2.1 Data Timeliness

All counties using the State HMIS for direct data entry must enter/update project participant household data into HMIS within 14 calendar days following the date of project enrollment/exit.

Counties not using the State HMIS (data integration counties), must upload data to the State's HMIS data warehouse using XML or CSV schema compliant with current HUD HMIS Data Standards. Uploads must occur no later than the 30th calendar day following the end of each month.

Counties not able to export and upload data to the State HMIS data warehouse using an approved format must use the State HMIS for direct data entry.

6.2.2 Data Quality

Data quality is measured by the percent of valid data collected for each data element. "Client doesn't know", "Client refused", and "Data not collected" are considered invalid responses and will count against data quality.

Data quality is reviewed with each invoice submission.

DATA QUALITY REQUIREMENT: PERCENT OF RECORDS WITH VALID RESPONSES		
Data Element	Emergency Shelter ⁸	All Other Housing Project Types
Living Situation	85%	100%
Destination	60%	95%

Commerce will annually score county HMIS data quality. This score will be reported on the [Homeless System Performance Report Card](#).

Grantees should work to increase their HMIS data quality. Beginning July 2019, grantees must increase their data quality from their 2018 Report Card baseline.

6.2.3 Consent for Entry of Personally Identifying Information

6.2.3.1 Identified Records

- ✓ Personally identifying information (PII)⁹ must not be entered into HMIS unless all adult household members have provided informed consent.

⁷ PH – Permanent Supportive Housing, PH – Housing Only, PH – Housing with Services, PH – Rapid Re-Housing

⁸ Emergency Shelters using the night-by-night tracking method in HMIS are excluded from data quality measurement. Emergency Shelters with 100% beds categorized as voucher-based AND overflow may be excluded from the data quality measurement.

⁹ PII includes name, social security number, birthdate, address, phone number, email, and photo.

- ✓ Informed consent must be documented with a signed copy of the *Client Release of Information and Informed Consent Form* in the client file. If telephonic consent has been received, complete the consent form the first time the household is seen in person. See Appendix G: Agency Partner HMIS Agreement.

6.2.3.2 Anonymous Records

The following types of records must be entered anonymously:

- ✓ Households in which one or 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.
- ✓ Minors (under the age of 18) entering programs independently (without a parent or guardian).
- ✓ Households in programs which are required by funders to report HIV/AIDS status.

6.2.3.3 Special Circumstances

If the reporting of the HIV/AIDS status of clients 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 your community, those data should not be entered for anonymous records.

6.3 Habitability

6.3.1 For Rent Assistance

Documented habitability is required for all housing units into which households will be moving, except when a household moves in with friends or family or into a hotel/motel unit. Housing units must be documented as habitable prior to paying the rent subsidy. Documentation must be kept in the client file.

Habitability can be documented by the Landlord Habitability Standards Certification Form or inspection. Both methods are valid for the length of time the household is a tenant in the housing unit. If the housing unit is provided to a different household within 12 months of documented habitability, an additional certification/inspection is not required.

6.3.1.1 Allowable Methods for Unit Habitability Determination

The *CHG Landlord Habitability Standards Certification Form* references the state Landlord Tenant Act (RCW 59.18.060) and requires the landlord (as defined in RCW 59.18.030) to certify that the unit meets the safety and habitability standards detailed in the law. The landlord's failure to comply with the law may result in termination of the rent subsidy.

OR

Inspections: in lieu of (or in addition to) the above landlord certification, lead/subgrantees may choose to inspect all housing units. Lead/subgrantees may use the *Commerce Housing Habitability Standards (HHS) Form* or the *HUD Housing Quality Standards (HQS) Inspection Form*.

Documentation of habitability certification or inspection must be kept in the client file.

6.3.1.2 Habitability Complaint Procedure

Lead/subgrantee must have written procedures describing the response to complaints regarding unit safety and habitability.

This procedure must include:

- ✓ The method of informing each household of the habitability complaint process.
- ✓ Assurances that complaints regarding their housing unit's safety and habitability will not affect the household's program eligibility.
- ✓ Mandatory inspection when a complaint is reported using the HHS Form, HQS Inspection Form, or documenting the specific complaint in an alternate format that includes follow-up and resolution.

6.3.2 For Facilities

All facilities must conduct and document an inspection at least once a year using the HHS Form or HQS Inspection Form.

6.4 Lead Based Paint Assessment

To prevent lead poisoning in young children, lead/subgrantees must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R.

A visual assessment must be conducted on an annual basis thereafter (as long as assistance is provided.) Visual assessments must be conducted by a HUD-Certified Visual Assessor and must be documented on the HQS Inspection Form or HHS Form and maintained in the client file.

For a guide to compliance see Appendix H: Lead-Based Paint Visual Assessment Requirements.

6.4.1 For Rent Assistance

A lead-based paint visual assessment must be completed prior to providing rapid re-housing or prevention rent assistance if a child under the age of six or pregnant woman resides in a unit constructed prior to 1978.

6.4.2 For Facilities

All facilities that may serve a child under the age of six or a pregnant woman constructed prior to 1978 must conduct an annual lead-based paint visual assessment which is documented on the HQS Inspection Form or HHS Form, and readily accessible for review.

6.4.3 Exceptions to the Lead-Based Paint Visual Assessment Requirement

Visual assessments are not required under the following circumstances:

- ✓ Zero-bedroom or SRO-sized units;
- ✓ X-ray or laboratory testing of all painted surfaces by certified personnel has been conducted in accordance with HUD regulations and the unit is officially certified to not contain lead-based paint;
- ✓ The property has had all lead-based paint identified and removed in accordance with HUD regulations;
- ✓ The unit has already undergone a visual assessment within the past 12 months –obtained documentation that a visual assessment has been conducted; or
- ✓ It meets any of the other exemptions described in 24 CFR Part 35.115(a).

If any of the circumstances outlined above are met, lead/subgrantees must include the information in the client file.

6.5 Additional Requirements

6.5.1 Ineligible Use of Funds

Lead/subgrantees must inform Commerce if CHG funds are spent on ineligible households or expenses. Reasonable attempts must be made to prevent ineligible use of funds.

6.5.2 Grievance Procedure

Lead/subgrantees must have a written grievance procedure for households seeking or receiving services which includes the household's right to review decisions and present concerns to program staff not involved in the grievance.

This procedure must:

- ✓ Clearly describe how households can request a review or report concerns.
- ✓ Be accessible to all households seeking or receiving services.

6.5.3 Termination and Denial of Service Policy

Lead/subgrantees must have a termination and denial policy.

This policy must:

- ✓ Describe the reasons a household would be denied services and/or terminated from program participation.
- ✓ Describe the notification process.
- ✓ Ensure households are made aware of the grievance procedure.

6.5.4 Records Maintenance and Destruction

Lead/subgrantees must maintain records relating to this grant for a period of six years following the date of final payment. See CHG Grant General Terms and Conditions, Section 26 RECORDS MAINTENANCE.

Paper records derived from HMIS which contain personally identifying information must be destroyed within seven years after the last day the household received services from the lead/subgrantee.

6.5.5 Client File Check List

Lead/subgrantee must use the *CHG Client File Checklist* to record the contents of each client file. Programs may create their own checklist but the components of the *CHG Client File Checklist* must be included.

6.5.6 Consent to Review Information in the Benefits Verification System

All household members must provide informed consent for lead/subgrantees to review confidential information in the Benefits Verification System (BVS) on the form *DSHS 14-012(x)(REV 02/2003)*. See Appendix I: Benefits Verification System Data Security Requirements for more information. This form must be kept in the client file.

6.5.7 Prohibitions

- ✓ Lead/subgrantee may not require households to participate in a religious service as a condition of receiving program assistance.

- ✓ Lead/subgrantees may not deny emergency shelter to households that are unable to pay fees for emergency shelter.
- ✓ If a program serves households with children, the age of a minor child cannot be used as a basis for denying any household's admission to the program.
- ✓ If a program serves households with children, the program must serve all family compositions.
- ✓ If a program operates gender-segregated facilities, the program must allow the use of facilities consistent with the client's gender expression or identity.

6.5.8 Nondiscrimination

As stated in the CHG Grant General Terms and Conditions Section 9 and Section 22, lead/subgrantees must comply with all federal, state, and local nondiscrimination laws, regulations and policies.

Lead/subgrantees must comply with the Washington State Law against Discrimination, RCW 49.60, as it now reads or as it may be amended. RCW 49.60 currently prohibits discrimination or unfair practices because of race, creed, color, national origin, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained guide dog or service animal by a person with a disability.

Lead/subgrantees must comply with the Federal Fair Housing Act and its amendments as it now reads or as it may be amended. The Fair Housing Act currently prohibits discrimination because of race, color, national origin, religion, sex, disability or family status. The Fair Housing Act prohibits enforcing a neutral rule or policy that has a disproportionately adverse effect on a protected class.

Local nondiscrimination laws may include additional protected classes.

7 Additional Requirements of Lead Grantees and Subgrantees Providing Rent Assistance

7.1 Washington Residential Landlord-Tenant Act

Lead/subgrantees must provide information on the Washington Residential Landlord Tenant Act ([RCW 59.18](#)) to households receiving rent assistance.

For more information on this law, visit Washington Law Help, housing page, tenant rights at www.washingtonlawhelp.com.

7.2 Rental Agreements

Client files must contain one of the following types of agreements if rent assistance is paid on their behalf: Intent to Rent, Lease, or Certification of Payment Obligation.

If the rent assistance paid is move-in costs (security deposits, first and last month's rent) only, an Intent to Rent form is allowable. If the rent assistance will exceed move-in costs to include on-going rent, a lease or Certification of Payment Obligation is required.

7.2.1 Intent to Rent

At a minimum, an Intent to Rent form must contain the following:

- ✓ Name of tenant
- ✓ Name of landlord
- ✓ Address of rental property
- ✓ Rent rate
- ✓ Signature of landlord/date

7.2.2 Lease

At a minimum, the lease or rental agreement between the lead/subgrantee and the landlord OR the household and the landlord must contain the following:

- ✓ Name of tenant
- ✓ Name of landlord
- ✓ Address of rental property
- ✓ Occupancy (who gets to live at the rental)
- ✓ Term of agreement (lease start and end date)
- ✓ Rent rate and date due
- ✓ Deposits (if any and what for/term)
- ✓ Signature of tenant/date
- ✓ Signature of landlord/date

7.2.3 Certification of Payment Obligation

A *CHG Certification of Payment Obligation/Potential Eviction from Friend or Family Form* is required for rent subsidies paid to a friend or family member who is not in the business of property management. This form must be kept in the client file.

7.3 Targeted Prevention

Lead/subgrantees that provide targeted prevention must prioritize households most likely to become homeless, using the *CHG Targeted Prevention Eligibility Screening Form*. This form must be kept in the client file.

7.4 Rent Limit

Lead/subgrantees must set a rent limit policy for their service area using a percentage of HUD's Fair Market Rent (FMR). The rent limit is the maximum rent that can be paid for a unit of a given size. Rent calculations must include the cost of utilities as detailed on utility allowance schedules established by the local Housing Authority. The policy may also include a description of how exceptions are made to the rent limit when circumstances require a rent amount that exceeds the limit.

If a rent limit policy exceeds 120 percent FMR, lead/subgrantees must submit the rationale to Commerce for approval.

7.5 Determining Rent Subsidy

Lead/subgrantees must have a standardized procedure for determining the amount of rent subsidy for each household. The procedure should include a consideration of the household's resources and expenses. Although each household may receive a different amount of rent subsidy, the procedure for determining the subsidy must be standardized.

Client files must include documentation of the subsidy amount and the determination process. Rent subsidy should be adjusted when there is a change in household circumstance, income, or need.

8.1 Appendix A: Required Forms

The following forms are required, if applicable. Forms may be modified if all of the content is included. All CHG forms are posted on the Commerce CHG [website](#).

- ✓ Consolidated Homeless Grant Verification of Household Eligibility and Income Recertification (sections 4.2;4.4;4.5)
- ✓ Consolidated Homeless Grant Income Eligibility Worksheet (section 4.4.1)
- ✓ Consolidated Homeless Grant Utility-Only Assistance form (section 5.1.2)
- ✓ Client Release of Information and Informed Consent Form (section 6.2.3.1)
- ✓ Consolidated Homeless Grant Landlord Habitability Standards Certification Form OR Commerce Housing Habitability Standards (HHS) Form OR HUD Housing Quality Standards (HQS) Inspection Form– including Lead-based Paint Visual Assessment (section 6.3)
- ✓ Consolidated Homeless Grant Client File Checklist (section 6.5.5)
- ✓ DSHS 14-012(x)(REV 02/2003) for BVS(section 6.5.6)
- ✓ Consolidated Homeless Grant Certification of Payment Obligation/Potential Eviction from Friend or Family (section 7.2.3)
- ✓ Consolidated Homeless Grant Targeted Prevention Eligibility Screening (section 7.3)

8.2 Appendix B: Required Policies and Procedures

- ✓ Coordinated Entry Policies (section 2.1.4)
- ✓ Habitability Complaint Procedure (section 6.3.1.2)
- ✓ Grievance Procedure (section 6.5.2)
- ✓ Termination or Denial of Service Policy (section 6.5.3)
- ✓ Rent Limit Policy (section 7.4)
- ✓ Determining Rent Subsidy Procedure (section 7.5)

8.3 Appendix C: Client File Documentation

The following chart summarizes the documentation required in each client file, depending on the type of service provided. Details and specific information for each requirement are explained in the following sections. Other documentation may be required based on individual circumstances. CHG Required Forms are found on the Commerce CHG [website](#).

Documentation	Drop-in Shelter	Continuous Stay Shelter	Transitional Housing	Rapid Re-housing Rent Assistance	Permanent Supportive Housing	Prevention Rent Assistance
Client File Checklist		✓	✓	✓	✓	✓
HMIS Client Release of Information and Informed Consent Form (unless DV OR client refuses consent)	✓	✓	✓	✓	✓	✓
DSHS 14-012(x)(REV 02/2003) for BVS, if applicable		✓	✓	✓	✓	✓
CHG Verification of HH Eligibility and Income Recertification Form (with associated documentation)		If staying longer than 90 days	✓	✓	✓	✓
CHG Income Eligibility Worksheet (or equivalent, where applicable)		If staying longer than 90 days	✓	CHG standard only	✓	CHG standard only
Targeted Prevention Eligibility Screening Form						✓
Landlord Habitability Certification OR HHS or HQS			✓	✓	✓	
Lead-based Paint Assessment, if applicable			✓	✓	✓	✓
Utility-Only Assistance Form, if applicable						✓
Lease OR Certification of Payment Obligation (for friends/family)				✓	✓	✓
Intent to Rent, if applicable				✓		
Household Rent subsidy amount / Rent determination process				✓	✓	✓
Assessment and Housing Stability Planning		✓	✓	✓	✓	✓
Temporary Absence, if applicable				✓	✓	✓
The following is only required for non-HEN clients. Documentation does not necessarily need to be kept in client files.						
For-Profit Certification Form completed by landlord OR Print-out from county parcel website to document OR Case note documentation of oral verification from county assessor's office				✓	If scattered site	✓
Print-out from IRS non-profit search, if applicable				✓	If scattered site	✓

8.4 Appendix D: Performance Measurements

8.4.1 Unsheltered Prioritization

Homeless Crisis Response Systems must prioritize unsheltered homeless households for services and programs.

Fulfilling this requirement can be demonstrated in one of two ways:

- A. **Counties achieve functional zero¹⁰ unsheltered homelessness by September 30, 2018, for at least two subpopulations¹¹.**

Counties asserting functional zero unsheltered for subpopulations will be evaluated by the Department of Commerce based on state and local administrative data, and qualitative data gathered from key stakeholders.

To achieve functional zero, homeless systems will need to conduct outreach to identify unsheltered homeless households, engage them, and actively connect them to temporary and permanent housing solutions via coordinated entry.

-OR-

- B. **Counties increase from baseline the percent served of unsheltered homeless households in temporary or permanent housing projects by 10 percentage points by September 30, 2018.**

Data for the reporting period October 1, 2015 through September 30, 2016 as reported on the Washington State Homeless System Performance Reports found at <http://www.commerce.wa.gov/serving-communities/homelessness/homeless-system-performance/> will serve as the baseline for each county. The county baseline indicates the percent of those served who are or were unsheltered homeless (includes fleeing domestic violence) at any point in the last two years.

Counties that have not achieved functional zero, do not increase the percent served of unsheltered homeless household by 10 percentage points AND are serving high levels of unsheltered homeless households may assert that the county has met a high performance

¹⁰ Functional zero unsheltered is the number of unsheltered homeless households moving into temporary or permanent housing being equal to or greater than the number of current and newly identified unsheltered homeless households.

¹¹ Subpopulations are households with minor children, households without minors, veterans, households with only minors (unaccompanied youth), and chronically homeless households.

threshold which will be evaluated by the Department of Commerce based on state and local administrative data, and qualitative data gathered from key stakeholders.

The Unsheltered Prioritization measurement includes any person that was unsheltered in the last two years, as measured in HMIS by Living Situation (Place not meant for habitation, e.g. vehicle, abandoned building, bus/train/subway station/airport, park, camping ground or anywhere outside) OR people indicating that they are currently fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking or other dangerous or life-threatening conditions.

8.4.1.1 Reporting Specifications

Client Universe:

People who entered into emergency shelter, safe haven, transitional housing, homelessness prevention or any permanent housing type project (which includes rapid re-housing) during the report period.

Calculation:

Of the client universe, add up those were active in any emergency shelter, safe haven, transitional housing, homelessness prevention, street outreach, services only or any permanent housing type project (which includes rapid re-housing) within 24 months prior to the reporting period AND had a prior residence (917A living situation): Place not meant for habitation OR answered 4.11 Domestic Violence YES AND Are you currently fleeing? YES.

Divide the total from step 2 by the total from step 1 (client universe) to calculate the percent of people served with a recent history of unsheltered homelessness.

8.4.2 System Wide Performance Requirements

Performance measures are outcomes that help evaluate the effectiveness of Homeless Crisis Response Systems as they work towards reducing homelessness. Each performance measure has a **target** that is the level of desirable performance that each intervention type should reach to indicate a high performing Homeless Crisis Response System.

The **benchmark** is a short-term goal to improve performance. The benchmark is set by the grantee using local data and indicates acceptable progress toward the target within each year of the grant period (July 1, 2017 through June 30, 2018 and July 1, 2018 through June 30, 2019). Grantees develop benchmarks using local baseline data for the reporting period October 1, 2015 through September 30, 2016. For Balance of State Continuum of Care counties, the Department of Commerce provides baseline data.

Performance measures and benchmarks may be re-assessed and adjusted throughout the grant period using the amendment process.

Required and secondary performance measures, targets specific to intervention type (HMIS project type), acceptable levels of progress, and data sources are outlined in the table below. For each intervention type, grantees must adopt the required performance measure(s), and at least one secondary performance measure.

Performance will be measured annually against established baseline data. Grantees meeting locally developed benchmarks will have met the requirement to demonstrate progress towards the targets of performance measures as outlined in the CHG Statement of Work.

Intervention Type	Required	Performance Measure	Data Source	Acceptable Progress (Minimum Change from Baseline)	Performance Target
Emergency Shelter	x	Increase Percent Exits to Permanent Housing	HMIS: HUD Homeless System Performance Report Measure 7	Increase by at least 5 percentage points	At Least 50%
		Reduce Median Length of Time Persons Remain Homeless (Length of Stay)	HMIS: HUD Homeless System Performance Report Measure 1 B	Decrease by at least 5 days	20 Days or Less
		Reduce Average Length of Time Persons Remain Homeless (Length of Stay)	HMIS: HUD Homeless System Performance Report Measure 1 B	Decrease by at least 5 days	20 Days or Less
		Reduce Percent Return to Homelessness in 2 Years	HMIS: HUD Homeless System Performance Report Measure 2 A & 2 B	Decrease by at least 5 percentage points	Less than 10%
Transitional Housing	x	Increase Percent Exits to Permanent Housing	HMIS: HUD Homeless System Performance Report Measure 7	Increase by at least 5 percentage points	At Least 80%
		Reduce Median Length of Time Persons Remain Homeless (Length of Stay)	HMIS: HUD Homeless System Performance Report Measure 1 B	Decrease by at least 10 days	90 Days or Less
		Reduce Average Length of Time Persons Remain Homeless (Length of Stay)	HMIS: HUD Homeless System Performance Report Measure 1 B	Decrease by at least 10 days	90 Days or Less
		Reduce Percent Return to Homelessness in	HMIS: HUD Homeless System Performance Report	Decrease by at least 5 percentage points	Less than 5%

		2 Years	Measure 2 A & 2 B		
Rapid Re-Housing	x	Increase Percent Exits to Permanent Housing	HMIS: HUD Homeless System Performance Report Measure 7	Increase by at least 5 percentage points	At Least 80%
	x	Reduce Percent Return to Homelessness in 2 Years	HMIS: HUD Homeless System Performance Report Measure 2 A & 2 B	Decrease by at least 5 percentage points	Less than 5%
Targeted Prevention ¹²	x	Reduce Number of New Homeless	HMIS: HUD Homeless System Performance Report Measure 5	Reduce by any number	Reduce Number
		Increase Percent served with residence prior to project entry: institutional setting or temporarily staying with family or friends	HMIS: Of all people who entered a Homelessness Prevention Type project during the reporting period count of people with a prior residence of: Staying or living in a family member's room, apartment or house; Staying or living in a friend's room, apartment or house; Substance abuse treatment facility or detox center; Jail, prison or juvenile detention center; Hospital or other residential non-psychiatric medical facility; Psychiatric hospital or other psychiatric facility; Long-term care facility or nursing home; Foster care home or foster care group home. Count Last (if multiple) or Only Entries.	Increase by at least 5 percentage points	At Least 80%

¹² Targeted Prevention performance measures are exempted from the “Consequences of non-compliance” identified in the CHG Statement of Work.

		Increase Percent served with past homelessness (previously served in HMIS)	HMIS: Of all people who entered a Homelessness Prevention Type, project during the reporting period, count of people who exited from any project type two years prior to the reporting period. Count Last (if multiple) or Only Entries.	Increase by at least 5 percentage points	At Least 80%
Permanent Supportive Housing	x	Increase Percent Exits to or Retention of Permanent Housing	HMIS: HUD Homeless System Performance Report Measure 7	Increase by at least 5 percentage points	At Least 95%

8.5 Appendix E: Documentation of Housing Status

Homeless				At Imminent Risk of Homelessness (losing housing within 14 days)		
Unsheltered (Place Not Meant for Human Habitation)	Residing in a Temporary Housing Program	Exiting a System of Care and Previously Homeless	Fleeing Domestic Violence, Dating Violence, Sexual Assault, Stalking, etc.	All imminent risk households must also complete Section 4– No Subsequent Residence and Insufficient Resources/Support Networks, on the CHG Verification of Eligibility and Recertification Form.		
				Staying With Friends/Family or Hotel Motel	Renting	Exiting a System of Care
<p>Third party verification, including outreach workers.</p> <p>OR</p> <p>Signed and dated self-declaration by applicant stating what type of place they were staying the night before.</p>	<p>Letter signed and dated from the provider of the temporary housing.</p> <p>OR</p> <p>A telephone call to the provider of temporary housing that is documented, signed, and dated by the case manager making the call.</p> <p>OR</p> <p>Current HMIS record from homeless housing project, including dates of stay.</p>	<p>Letter signed and dated by system of care representative including:</p> <ul style="list-style-type: none"> a. Statement verifying current stay of household member(s), and b. Indicate household member(s) have no available housing option after exiting. c. Indicate that household was homeless prior to entering the system of care. 	<p>Signed and dated self-declaration by applicant.</p>	<p>Letter signed and dated from the provider of the temporary residence. Letter must include:</p> <ul style="list-style-type: none"> a. Statement verifying the applicant’s current living situation, and b. Date when the household must vacate the temporary housing. <p>OR</p> <p>Certification of Payment Obligation and Potential Eviction from Friend/Family form.</p> <p>OR</p> <p>A telephone call to the provider of temporary housing that is documented, signed, and dated by the case manager making the call.</p> <p>OR</p> <p>Self-declaration signed and dated by applicant stating where they are residing. <u>Self-declaration of housing status should be used very rarely and only when written third-party verification cannot be obtained.</u></p>	<p>Copy of lease naming household member as lease holder or other written occupancy agreement identifying them as legal tenant of unit.</p> <p>AND</p> <p>Written and signed notice from the landlord that includes the date when the household must vacate within 14 days.</p>	<p>Letter signed and dated by system of care representative including:</p> <ul style="list-style-type: none"> a. Statement verifying current stay of household member(s), and b. Indicate household member(s) have no available housing option after exiting.

8.6 Appendix F: Examples of Maintenance Activities

ALLOWABLE EXPENSES		
Cleaning Activities	Protective or Preventative Measures to Keep a Building, its Systems, and its Grounds in Working Order	Replacing Existing Appliances or Objects That Have Broken or are Clearly Past Their Useful Life, are not Fixtures or Part of the Building (See above for definition of "fixtures.")
<ul style="list-style-type: none"> • Cleaning gutters and downspouts • Lawn and yard care (mowing, raking, weeding, trimming/pruning trees and shrubs) • Cleaning a portion of interior or exterior of building, including graffiti removal • Washing windows • Litter pick up and trash collection • Removing snow/ice • Unclogging sinks and toilets 	<ul style="list-style-type: none"> • Fixing gutters • Mending cracked plaster • Patching roof • Caulking, weather stripping, re-glazing. • Replacing a broken window or screen • Reapplication of protective coatings • Fixing plumbing leaks • Repainting previously painted surface (including limited scraping)* • Waterproofing (sealant) • Servicing and maintenance of mechanical systems • Replacing a carpet square or patching carpet • Fixing alarm systems • Installing temporary fencing 	<p>Replacing:</p> <ul style="list-style-type: none"> • Kitchen appliances where removal would not cause any damage (for example dishwashers, stoves, refrigerators) • Light bulbs • Washing and drying machines • Air filters • Furniture
<p>* Non-destructive methods only (e.g., no sandblasting or high pressure spraying).</p>		

8.7 Appendix G: Agency Partner HMIS Agreement

The Homeless Management Information System (“HMIS”) is a client management system that maintains information regarding the characteristics and service needs of Clients for a variety of reasons, including the provision of more effective and streamlined services to Clients and the creation of information that communities can use to determine the use and effectiveness of services.

Ultimately, when used correctly and faithfully by all involved parties, the HMIS is designed to benefit multiple stakeholders, including provider agencies, persons who are homeless, funders and the community, through improved knowledge about people who are homeless, their services and service needs and a more effective and efficient service delivery system.

The Homeless Housing and Assistance Act of 2005 requires the Department of Commerce to collect HMIS data in the form of a data warehouse. Each homeless service provider will submit HMIS data to Commerce.

Lead grantees/ sub grantees and the Department of Commerce agree as follows:

General Understandings:

In this Agreement, the following terms will have the following meanings:

"Client" refers to a consumer of services;

"Partner Agency" refers generally to any Agency participating in HMIS.

"Agency staff" refers to both paid employees and volunteers.

"HMIS" refers to the HMIS system administered by Commerce.

"Enter(ing)" or "entry" refers to the entry of any Client information into HMIS.

"Shar(e)(ing)," or "Information Shar(e)(ing)" refers to the sharing of information which has been entered in HMIS with another Partner Agency.

"The Balance of State Continuum of Care Steering Committee" or "Steering Committee" refers to a Commerce advisory body that serves in a consultative and counseling capacity to Commerce as the system administrator. The Steering Committee is comprised of representatives from the State, the Balance of State Continuum of Care regions and at-large members.

"Identified Information" refers to Client data that can be used to identify a specific Client. Also referred to as "Confidential" data or information.

"De-identified Information" refers to data that has specific Client demographic information removed, allowing use of the data **without identifying** a specific Client. Also referred to as "non-identifying" information.

Agency understands that when it enters information into HMIS, such information will be available to Commerce staff who may review the data to administer HMIS; to conduct analysis in partnership with the Research and Data Analysis (RDA) division at the Department of Social and Health Services (DSHS); and to prepare reports that may be submitted to others in de-identified form **without** individual identifying Client information.

Agency understands that Agency will have the ability to indicate whether information Agency

entered into HMIS may be shared with and accessible to Partner Agencies in HMIS system. Agency is responsible for determining and designating in HMIS whether information may or may not be shared using the Interagency Data Sharing Agreement available through Commerce.

Confidentiality:

Agency will not:

enter information into HMIS which it is not authorized to enter; and will not designate information for sharing which Agency is not authorized to share, under any relevant federal, state, or local confidentiality laws, regulations or other restrictions applicable to Client information. By entering information into HMIS or designating it for sharing, Agency represents that it has the authority to enter such information or designate it for sharing.

Agency represents that: ***(check applicable items)***

it is; is not; a “covered entity” whose disclosures are restricted under HIPAA (45 CFR 160 and 164); More information about “covered entities” can be found here:

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/index.html>

it is; is not; a program whose disclosures are restricted under Federal Drug and Alcohol Confidentiality Regulations: 42 CFR Part 2;

If Agency is subject to HIPAA, (45 CFR 160 and 164) or 42 CFR Part 2, a fully executed Business Associate or Business Associate/Qualified Service Organization Agreement must be attached to this agreement before information may be entered. Sharing of information will not be permitted otherwise.

If Agency is subject to any laws or requirements which restrict Agency’s ability to either enter or authorize sharing of information, Agency will ensure that any entry it makes and all designations for sharing fully comply with all applicable laws or other restrictions.

Agency shall comply with the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA) and Washington State RCW 43.185C.030. No Identified Information may be entered into HMIS for Clients in licensed domestic violence programs or for Clients fleeing domestic violence situations.

Agency shall not enter confidential information regarding HIV/AIDS status, in accordance with RCW 70.02.220. If funding (i.e., HOPWA) requires HMIS use, those clients’ data shall be entered without Identifying Information.

To the extent that information entered by Agency into HMIS is or becomes subject to additional restrictions, Agency will immediately inform Commerce in writing of such restrictions.

Information Collection, Release and Sharing Consent:

Collection of Client Identified information: An agency shall collect client identified information only when appropriate to the purposes for which the information is obtained or when required by law. An Agency must collect client information by lawful and fair means and, where appropriate, with the knowledge or consent of the individual.

Obtaining Client Consent: In obtaining Client consent, each adult Client in the household must sign the ***HMIS Client Release of Information*** (or a Commerce-approved equivalent release document) to indicate consent to enter Client identified information into HMIS. If minors are

present in the household, at least one adult in the household must consent minors by writing their names on the **HMIS Client Release of Information**. If any adult member of a household does not provide written consent, identifying information may not be entered into HMIS for *anyone* in the household. Unaccompanied youth may not sign the consent form for themselves.

Do not enter personally identifying information into HMIS for clients who are in licensed domestic violence agencies or currently fleeing or in danger from a domestic violence, dating violence, sexual assault or stalking situation.

Do not enter HIV/AIDS status in HMIS. If funding (i.e, HOPWA) requires HMIS use, those clients' data shall be entered without personally identifying information.

Telephonic consent from the individual may temporarily substitute for written consent provided that written consent is obtained at the first time the individual is physically present at Agency.

A Client may withdraw or revoke consent for Client identified information collection by signing the **HMIS Revocation of Consent**. If a Client revokes their consent, Agency is responsible for immediately contacting Commerce and making appropriate data modifications in HMIS to ensure that Client's personally identified information will not be shared with other Partner Agencies or visible to the Agency staff within the system.

This information is being gathered for the collection and maintenance of a research database and data repository. The consent is in effect until the client revokes the consent in writing.

No Conditioning of Services: Agency will not condition any services upon or decline to provide any services to a Client based upon a Client's refusal to allow entry of identified information into HMIS.

Re-release Prohibited: Agency agrees not to release any Client identifying information received from HMIS to any other person or organization without written informed Client consent, or as required by law.

Client Inspection/Correction: Agency will allow a Client to inspect and obtain a copy of his/her own personal information except for information compiled in reasonable anticipation of, or for use in, a civil, criminal or administrative action or proceeding. Agency will also allow a Client to correct information that is inaccurate. Corrections may be made by way of a new entry that is in addition to but is not a replacement for an older entry.

Security: Agency will maintain security and confidentiality of HMIS information and is responsible for the actions of its users and for their training and supervision. Among the steps Agency will take to maintain security and confidentiality are:

Access: Agency will permit access to HMIS or information obtained from it only to authorized Agency staff who need access to HMIS for legitimate business purposes (such as to provide services to the Client, to conduct evaluation or research, to administer the program, or to comply with regulatory requirements). Agency will limit the access of such staff to only those records that are immediately relevant to their work assignments.

User Policy: Prior to permitting any user to access HMIS, Agency will require the user to sign a **User Policy, Responsibility Statement & Code of Ethics** ("User Policy"), which is found on the Commerce web page (www.commerce.wa.gov/hmiswa) and is incorporated into this agreement and may be amended from time to time by Commerce. Agency will comply with, and enforce the User Policy and will inform Commerce immediately in writing of any breaches

of the User Policy

Computers: Security for data maintained in HMIS depends on a secure computing environment. Computer security is adapted from relevant provisions of the Department of Housing and Urban Development's (HUD) "Homeless Management Information Systems (HMIS) Data and Technical Standards Notice" (Docket No. FR 4848-N-01; see <https://www.hudexchange.info/resource/1318/2004-hmis-data-and-technical-standards-final-notice/>). Agencies are encouraged to directly consult that document for complete documentation of HUD's standards relating to HMIS.

Agency agrees to allow access to HMIS only from computers which are:
owned by Agency or approved by Agency for the purpose of accessing and working with HMIS;
protected from viruses by commercially available virus protection software;
protected with a software or hardware firewall;
maintained to insure that the computer operating system running the computer used for the HMIS is kept up to date in terms of security and other operating system patches, updates, and fixes;

accessed through web browsers with 256-bit encryption (e.g., Internet Explorer, version 11.0). Some browsers have the capacity to remember passwords, so that the user does not need to type in the password when returning to password-protected sites. This default shall **not** be used with respect to Commerce' HMIS; the end-user is expected to physically enter the password each time he or she logs on to the system;

staffed at all times when in public areas. When computers are not in use and staff is not present, steps should be taken to ensure that the computers and data are secure and not publicly accessible. These steps should minimally include: Logging off the data entry system, physically locking the computer in a secure area, or shutting down the computer entirely.

Passwords: Agency will permit access to HMIS only with use of a User ID and password, which the user may not share with others. Written information pertaining to user access (e.g. username and password) shall not be stored or displayed in any publicly accessible location. Passwords shall be at least eight characters long and meet industry standard complexity requirements, including, but not limited to, the use of at least one of each of the following kinds of characters in the passwords: Upper and lower-case letters, and numbers and symbols. Passwords shall not be, or include, the username, or the HMIS name. In addition, passwords should not consist entirely of any word found in the common dictionary or any of the above spelled backwards. The use of default passwords on initial entry into the HMIS application is allowed so long as the default password is changed on first use. Passwords and user names shall be consistent with guidelines issued from time to time by HUD and/or Commerce.

Training/Assistance: Agency will permit access to HMIS only after the authorized user receives appropriate confidentiality training including that provided by Commerce. Agency will also conduct ongoing basic confidentiality training for all persons with access to HMIS and will train all persons who may receive information produced from HMIS on the confidentiality of such information. Agency will participate in such training as is provided from time to time by Commerce. Commerce will be reasonably available during Commerce defined weekday business hours for technical assistance (i.e. troubleshooting and report generation).

Records: Agency and Commerce will maintain records of any disclosures of Client identifying information either of them makes of HMIS information for a period of **seven** years after such

disclosure. On written request of a Client, Agency and Commerce will provide an accounting of all such disclosures within the prior **seven**-year period. Commerce will have access to an audit trail from HMIS so as to produce an accounting of disclosures made from one Agency to another by way of sharing of information from HMIS.

Retention of paper copies of personally identifying information: Agencies must develop and adopt policies governing the retention of paper records containing personally identifying information derived from a Homeless Management Information system. The policy must define how long paper records are retained after they are no longer being actively utilized, and the process that will be used to destroy the records to prevent the release of personally identifying information. The policy must require the destruction of the paper records derived from an HMIS no longer than seven years after the last day the person was served by the organization.

Information Entry Standards:

Information entered into HMIS by Agency will be truthful, accurate and complete to the best of Agency's knowledge.

Agency will **not** solicit from Clients or enter information about Clients into the HMIS database unless the information is required for a legitimate business purpose such as to provide services to the Client, to conduct evaluation or research, to administer the program, or to comply with regulatory requirements.

Agency will only enter information into HMIS database with respect to individuals that it serves or intends to serve, including through referral.

Agency will enter all data for a particular month into HMIS database by the 5th business day of the following month. Additionally, Agency will make every attempt enter all data for a particular week by the end of that week.

Agency will not alter or over-write information entered by another Agency.

Use of HMIS:

Agency will not access identifying information for any individual for whom services are neither sought nor provided by the Agency. Agency may access identifying information of the Clients it serves and may request via writing access to statistical, non-identifying information on both the Clients it serves and Clients served by other HMIS participating agencies.

Agency may report non-identifying information to other entities for funding or planning purposes. Such non-identifying information shall not directly identify individual Clients.

Agency and Commerce will report only non-identifying information in response to requests for information from HMIS unless otherwise required by law.

Agency will use HMIS database for legitimate business purposes only.

Agency will not use HMIS in violation of any federal or state law, including, but not limited to, copyright, trademark and trade secret laws, and laws prohibiting the transmission of material, which is threatening, harassing, or obscene.

Agency will not use the HMIS database to defraud federal, state or local governments, individuals or entities, or conduct any illegal activity.

Proprietary Rights of the HMIS:

Agency shall not give or share assigned passwords and access codes for HMIS with any other Agency, business, or individual. Each user shall request their own login and password.

Agency shall take due diligence not to cause in any manner, or way, corruption of the HMIS

database, and Agency agrees to be responsible for any damage it may cause.

Steering Committee: Commerce will consult with the Steering Committee from time to time regarding issues such as revision to the form of this Agreement. Written Agency complaints that are not resolved may be forwarded to the Steering Committee, which will try to reach a voluntary resolution of the complaint.

Limitation of Liability and Indemnification: No party to this Agreement shall assume any additional liability of any kind due to its execution of this agreement of participation in the HMIS. It is the intent of the parties that each party shall remain liable, to the extent provided by law, regarding its own acts and omissions; but that no party shall assume additional liability on its own behalf or liability for the acts of any other person or entity except for the acts and omissions of their own employees, volunteers, agents or contractors through participation in HMIS. The parties specifically agree that this agreement is for the benefit of the parties only and this agreement creates no rights in any third party.

Limitation of Liability. Commerce shall not be held liable to any member Agency for any cessation, delay or interruption of services, nor for any malfunction of hardware, software or equipment.

Disclaimer of Warranties. Commerce makes no warranties, express or implied, including the warranties of merchantability and fitness for a particular purpose, to any Agency or any other person or entity as to the services of the HMIS to any other matter.

Additional Terms and Conditions:

Agency will abide by such guidelines as are promulgated by HUD and/or Commerce from time to time regarding administration of the HMIS.

Agency and Commerce intend to abide by applicable law. Should any term of this agreement be inconsistent with applicable law, or should additional terms be required by applicable law, Agency and Commerce agree to modify the terms of this agreement so as to comply with applicable law.

Neither Commerce nor Agency will transfer or assign any rights or obligations regarding HMIS without the written consent of either party.

Agency agrees to indemnify and hold Commerce and its agents and staffs harmless from all claims, damages, costs, and expenses, including legal fees and disbursements paid or incurred, arising from any breach of this Agreement or any of Agency's obligations under this Agreement.

This Agreement will be in force until terminated by either party. Either party may terminate this agreement at will with 20 days written notice. Either party may terminate this agreement immediately upon a material breach of this Agreement by the other party, including but not limited to the breach of the Commerce Security Policy by Agency.

If this Agreement is terminated, Agency will no longer have access to HMIS. Commerce and the remaining Partner Agencies will maintain their right to use all of the Client information previously entered by Agency except to the extent a restriction is imposed by Client or law. Copies of Agency data will be provided to the Agency upon written request of termination of this agreement. Data will be provided on CDs or other mutually agreed upon media. Unless otherwise specified in writing, copies of data will be delivered to Agency within fourteen (14) calendar days of receipt of written requests for data copies.

8.8 Appendix H: Lead-Based Paint Visual Assessment Requirements

To prevent lead-poisoning in young children, Lead/Subgrantees must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R.

Disclosure Requirements

For ALL properties constructed prior to 1978, landlords must provide tenants with:

- ✓ Disclosure form for rental properties disclosing the presence of known and unknown lead-based paint;
- ✓ A copy of the “Protect Your Family from Lead in the Home” pamphlet.

Both the disclosure form and pamphlet are available at: <https://www.epa.gov/lead/real-estate-disclosure>

It is recommended that rent assistance providers also share this information with their clients.

Determining the Age of the Unit

Lead/Subgrantees should use formal public records, such as tax assessment records, to establish the age of a unit. These records are typically maintained by the state or county and will include the year built or age of the property. To find online, search for your county name with one of the following phrases:

- ✓ “property tax records”
- ✓ “property tax database”
- ✓ “real property sales”

Print the screenshot for the case file. If not available online, the information is public and can be requested from the local authorities.

Conducting a Visual Assessment

Visual assessments are required when:

- ✓ The leased property was constructed before 1978;

AND

- ✓ A child under the age of six or a pregnant woman will be living in the unit occupied by the household receiving CHG rent assistance.

A visual assessment must be conducted prior to providing CHG rent assistance to the unit and on an annual basis thereafter (as long as assistance is provided). Lead/Subgrantees may choose to have their program staff complete the visual assessments or they may procure services from a contractor. Visual assessments must be conducted by a HUD-Certified Visual Assessor.

Anyone may become a HUD-Certified Visual Assessor by successfully completing a 20-minute online training on HUD’s website at:

<http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm>

If a visual assessment reveals problems with paint surfaces, Lead/Subgrantees cannot approve the unit for CHG assistance until the deteriorating paint has been repaired. Lead/Subgrantees may wait until the repairs are completed or work with the household to locate a different (lead-safe) unit.

Locating a Certified Lead Professional and Further Training

To locate a certified lead professional in your area:

- ✓ Call your state government (health department, lead poison prevention program, or housing authority).
- ✓ Call the National Lead Information Center at 1-800-424-LEAD (5323).
- ✓ Go to the US Environmental Protection Agency website at <https://www.epa.gov/lead> and click on "Find a Lead-Safe Certified Firm."
- ✓ Go to Washington State Department of Commerce Lead-Based Paint Program website at <http://www.commerce.wa.gov/building-infrastructure/housing/lead-based-paint/lead-based-paint-program-lbpabatement/> and click on "Find a Certified LBP Firm" under Other Resources.

Information on lead-based programs in Washington State can be found at <http://www.commerce.wa.gov/building-infrastructure/housing/lead-based-paint/>.

For more information on the Federal training and certification program for lead professionals, contact the National Lead Information Center (NLIC) at <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center> or 1-800-424-LEAD to speak with an information specialist.

The Lead Safe Housing Rule as well as a HUD training module can be accessed at http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/enforcement/lshr

8.9 Appendix I: Benefits Verification System Data Security Requirements

1. **Definitions.** The words and phrases listed below, as used in this Appendix, shall each have the following definitions:
 - a. “Authorized User(s)” means an individual or individuals with an authorized business requirement to access DSHS Confidential Information.
 - b. “Hardened Password” means a string of at least eight characters containing at least one alphabetic character, at least one number and at least one special character such as an asterisk, ampersand or exclamation point.
 - c. “Unique User ID” means a string of characters that identifies a specific user and which, in conjunction with a password, passphrase or other mechanism, authenticates a user to an information system.
 - d. “Contractor” means CHG Lead/subgrantees.

2. **Data Transport.** When transporting DSHS Confidential Information electronically, including via email, the Data will be protected by:
 - a. Transporting the Data within the (State Governmental Network) SGN or Contractor’s internal network, or;
 - b. Encrypting any Data that will be in transit outside the SGN or Contractor’s internal network. This includes transit over the public Internet.

3. **Protection of Data.** The Contractor agrees to store Data on one or more of the following media and protect the Data as described:
 - a. **Hard disk drives.** Data stored on local workstation hard disks. Access to the Data will be restricted to Authorized User(s) by requiring logon to the local workstation using a Unique User ID and Hardened Password or other authentication mechanisms which provide equal or greater security, such as biometrics or smart cards.
 - b. **Network server disks.** Data stored on hard disks mounted on network servers and made available through shared folders. Access to the Data will be restricted to Authorized Users through the use of access control lists which will grant access only after the Authorized User has authenticated to the network using a Unique User ID and Hardened Password or other authentication mechanisms which provide equal or greater security, such as biometrics or smart cards. Data on disks mounted to such servers must be located in an area which is accessible only to authorized personnel, with access controlled through use of a key, card key, combination lock, or comparable mechanism.

For DSHS Confidential Information stored on these disks, deleting unneeded Data is sufficient as long as the disks remain in a Secured Area and otherwise meet the requirements listed in the above paragraph. Destruction of the Data as outlined in Section 5. Data Disposition may be deferred until the disks are retired, replaced, or otherwise taken out of the Secured Area.
 - c. **Optical discs (CDs or DVDs) in local workstation optical disc drives.** Data provided by DSHS on optical discs which will be used in local workstation optical disc drives and which will not be transported out of a Secured Area. When not in use for the contracted purpose, such discs must be locked in a drawer, cabinet or other container to which only Authorized Users have the key, combination or mechanism required to access the contents of the container.

Workstations which access DSHS Data on optical discs must be located in an area which is accessible only to authorized personnel, with access controlled through use of a key, card key, combination lock, or comparable mechanism.

- d. **Optical discs (CDs or DVDs) in drives or jukeboxes attached to servers.** Data provided by DSHS on optical discs which will be attached to network servers and which will not be transported out of a Secured Area. Access to Data on these discs will be restricted to Authorized Users through the use of access control lists which will grant access only after the Authorized User has authenticated to the network using a Unique User ID and Hardened Password or other authentication mechanisms which provide equal or greater security, such as biometrics or smart cards. Data on discs attached to such servers must be located in an area which is accessible only to authorized personnel, with access controlled through use of a key, card key, combination lock, or comparable mechanism.
- e. **Paper documents.** Any paper records must be protected by storing the records in a Secured Area which is only accessible to authorized personnel. When not in use, such records must be stored in a locked container, such as a file cabinet, locking drawer, or safe, to which only authorized persons have access.
- f. **Remote Access.** Access to and use of the Data over the State Governmental Network (SGN) or Secure Access Washington (SAW) will be controlled by DSHS staff who will issue authentication credentials (e.g. a Unique User ID and Hardened Password) to Authorized Users on Contractor staff. Contractor will notify DSHS staff immediately whenever an Authorized User in possession of such credentials is terminated or otherwise leaves the employ of the Contractor, and whenever an Authorized User's duties change such that the Authorized User no longer requires access to perform work for this Contract
- g. **Data storage on portable devices or media.**
 - (1) Except where otherwise specified herein, DSHS Data shall not be stored by the Contractor on portable devices or media unless specifically authorized within the terms and conditions of the Contract. If so authorized, the Data shall be given the following protections:
 - (a) Encrypt the Data with a key length of at least 128 bits
 - (b) Control access to devices with a Unique User ID and Hardened Password or stronger authentication method such as a physical token or biometrics.
 - (c) Manually lock devices whenever they are left unattended and set devices to lock automatically after a period of inactivity, if this feature is available. Maximum period of inactivity is 20 minutes.Physically Secure the portable device(s) and/or media by
 - (d) Keeping them in locked storage when not in use
 - (e) Using check-in/check-out procedures when they are shared, and
 - (f) Taking frequent inventories
 - (2) When being transported outside of a Secured Area, portable devices and media with DSHS Confidential Information must be under the physical control of Contractor staff with authorization to access the Data.
 - (3) Portable devices include, but are not limited to; smart phones, tablets, flash memory devices (e.g. USB flash drives, personal media players), portable hard disks, and laptop/notebook/netbook computers if those computers may be transported outside of a

Secured Area.

(4) Portable media includes, but is not limited to; optical media (e.g. CDs, DVDs), magnetic media (e.g. floppy disks, tape), or flash media (e.g. CompactFlash, SD, MMC).

h. Data stored for backup purposes.

(1) DSHS data may be stored on portable media as part of a Contractor's existing, documented backup process for business continuity or disaster recovery purposes. Such storage is authorized until such time as that media would be reused during the course of normal backup operations. If backup media is retired while DSHS Confidential Information still exists upon it, such media will be destroyed at that time in accordance with the disposition requirements in Section 5. Data Disposition

(2) DSHS Data may be stored on non-portable media (e.g. Storage Area Network drives, virtual media, etc.) as part of a Contractor's existing, documented backup process for business continuity or disaster recovery purposes. If so, such media will be protected as otherwise described in this exhibit. If this media is retired while DSHS Confidential Information still exists upon it, the data will be destroyed at that time in accordance with the disposition requirements in Section 5. Data Disposition.

4. Data Segregation.

- a. DSHS Data must be segregated or otherwise distinguishable from non-DSHS data. This is to ensure that when no longer needed by the Contractor, all DSHS Data can be identified for return or destruction. It also aids in determining whether DSHS Data has or may have been compromised in the event of a security breach. As such, one or more of the following methods will be used for data segregation.
- b. DSHS Data will be kept on media (e.g. hard disk, optical disc, tape, etc.) which will contain no non-DSHS data. And/or,
- c. DSHS Data will be stored in a logical container on electronic media, such as a partition or folder dedicated to DSHS Data. And/or,
- d. DSHS Data will be stored in a database which will contain no non-DSHS data. And/or,
- e. DSHS Data will be stored within a database and will be distinguishable from non-DSHS data by the value of a specific field or fields within database records.
- f. When stored as physical paper documents, DSHS Data will be physically segregated from non-DSHS data in a drawer, folder, or other container.
- g. When it is not feasible or practical to segregate DSHS Data from non-DSHS data, then both the DSHS Data and the non-DSHS data with which it is commingled must be protected as described in this exhibit.

5. Data Disposition. When the contracted work has been completed or when no longer needed, except as noted in Section 3. Protection of Data b. Network Server Disks above, Data shall be returned to DSHS or destroyed. Media on which Data may be stored and associated acceptable methods of destruction are as follows:

Data Stored On:	Will be Destroyed By:
Server or workstation hard disks, or Removable media (e.g. floppies, USB flash drives, portable hard disks) excluding optical discs	Using a “wipe” utility which will overwrite the Data at least three (3) times using either random or single character data, or Degaussing sufficiently to ensure that the Data cannot be reconstructed, or Physically destroying the disk
Paper documents with sensitive or Confidential Information	Recycling through a contracted firm provided the contract with the recycler assures that the confidentiality of Data will be protected.
Paper documents containing Confidential Information requiring special handling (e.g. protected health information)	On-site shredding, pulping, or incineration
Optical discs (e.g. CDs or DVDs)	Incineration, shredding, or completely defacing the readable surface with a coarse abrasive
Magnetic tape	Degaussing, incinerating or crosscut shredding

6. Notification of Compromise or Potential Compromise. The compromise or potential compromise of DSHS shared Data must be reported to the Department of Commerce Contact designated in the Grant Agreement within one (1) business day of discovery.

Data shared with Subcontractors. If DSHS Data access provided under this Contract is to be shared with a subcontractor, the Contract with the subcontractor must include all of the data security provisions within this Contract and within any amendments, attachments, or exhibits within this Contract.