EMERGENCY SOLUTIONS GRANTS GUIDEBOOK

City and County of Honolulu
June 2026

PROGRAM STANDARDS
RECORDKEEPING STANDARDS

CITY AND COUNTY OF HONOLULU
EMERGENCY SOLUTIONS GRANTS PROGRAM STANDARDS

The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, reauthorized the McKinney-Vento Homeless Assistance programs. Based on provisions in the HEARTH Act, an interim rule was published in the Federal Register on December 5, 2011 which established the regulations for the Emergency Solutions Grants (ESG) program. The new regulations require the establishment of written standards for providing ESG assistance and the consistent application of these standards to all program participations (*24 CFR 576.400(e)*).

The City and County of Honolulu (City) goals in establishing and promulgating these standards are:

- greater consistency and coordination among ESG projects,
- increased system transparency regarding local priorities and performance standards, and
- increased community-wide expectations on the quality of ESG funded homeless assistance programs.

I PROGRAM-WIDE POLICIES AND PROCEDURES

All ESG subrecipients must agree to administer their assistance in compliance with these standards and the ESG interim rule. Subrecipients may develop additional standards for administering assistance, but they cannot be in conflict with these standards or the ESG interim rule.

- **Coordination among Providers**

With limited ESG funding, it is important that subrecipients coordinate and integrate, to the maximum extent practicable, their activities with other homeless providers as well as providers of mainstream housing, health, social services, employment, education, and youth programs.

To facilitate coordination, the City and County of Honolulu and its subrecipients will undertake the following activities.

1. Participation in Partners In Care

Within the City and County of Honolulu, Partners in Care – O‘ahu Contiuum of Care (PIC), is the primary organizational body for the coordination of resources for homeless and at-risk of homelessness individuals and families. PIC is a coalition composed of representatives of organizations from nonprofit homeless providers, government stakeholders, private businesses, community advocates, public housing agencies, hospitals, universities, affordable housing developers, law enforcement, and homeless and formerly homeless persons. PIC is a planning, coordinating, and advocacy alliance that develops recommendations for programs and services to fill needs within O‘ahu’s

Continuum of Care for homeless persons.

The City and ESG subrecipients will participate in PIC in the following ways:

1. City staff will regularly attend PIC general meetings.
2. At least one City staff member will participate in the PIC planning committee and consult with the committee on ESG funding allocations, performance standards, and outcome evaluation.
3. All ESG subrecipients will be voting members of PIC and regularly attend PIC general meetings.
4. All ESG subrecipients will be encouraged to become a member of at least one PIC subcommittee.
5. All ESG subrecipients will be encouraged to attend PIC's Hawai'i Homelessness and Housing Conference which includes breakout sessions on mainstream (i.e. non-homeless specific) services.

NOTE: regular attendance is defined as attending at least 75% of the meetings.

The City will also assist PIC in gathering the necessary information for PIC to complete its annual gaps analysis of the homeless needs and services available within the City and County of Honolulu.

2. City Sponsored Discussions and Opportunities

On a periodic basis, the City will hold structured discussions with various social service providers to explore various ways homeless providers can help their clients tap into mainstream benefits. ESG subrecipients will be encouraged to attend these meetings to further their knowledge on potential benefits for their clients.

In addition, the City will send out emails informing the ESG subrecipients of City resources which may be of interest to their agency or to their clients. Examples include agency specific funding opportunities (e.g. Request for Proposals for the City's Grant-in-Aid or Housing First programs) or the opening of the Section 8 wait list.

3. Participation with Other Groups

In addition to PIC participation, subrecipients are expected to take part in other groups dedicated to the coordination and deployment of resources for homeless persons such as:

- The Hawai'i Interagency Council on Homelessness
- The Mayor's Challenge to End Veteran Homelessness
- The Leeward Housing Coalition
- PIC Case Conferencing for the Coordinated Entry System

NOTE: even though domestic violence providers are exempt from participating in the Coordinated Entry System, they are still encouraged to attend case conferencing sessions to network with other homeless providers and familiarize themselves with services available to their clients.

- **Participation of Homeless Persons**

Subrecipients must, to the greatest extent practicable, involve homeless individuals and families in the construction, renovation, maintenance, and operations of ESG funded shelters and services. Involvement can be either paid or volunteer.

Subrecipients are encouraged, but not required, to have one homeless or formerly homeless individual on its board of directors or other policy-making entity, to the extent that the entity considers and makes policies and decisions regarding any ESG funded facility or service.

- **Participation in the State of Hawai'i's Homeless Management and Information System (HMIS)**

All subrecipients must enter client data into the ~~State of Hawai'i's~~ Oahu's Homeless Management and Information System (HMIS). Subrecipients which are victim service providers or legal services providers are exempt from HMIS participation. However, such exempt agencies must still use a comparable database to collect client-level longitudinal data and generate unduplicated aggregate reports based on that data.

- **Housing Standards**

1. Emergency Shelters. Shelters which receive funding for shelter operations or renovation must meet the following safety, sanitation, and privacy standards (24 CFR 576.403(b)).

(1) *Structure and materials.* The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance must use Energy Star and WaterSense products and appliances.

(2) *Access.* The shelter must be accessible in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; the Fair Housing Act (42 U.S.C. 3601 *et seq.*) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131 *et seq.*) and 28 CFR part 35; where applicable.

(3) *Space and security.* Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.

(4) *Interior air quality.* Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.

(5) *Water supply.* The shelter's water supply must be free of contamination.

(6) *Sanitary facilities.* Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.

(7) *Thermal environment.* The shelter must have any necessary heating/cooling facilities in proper operating condition.

(8) *Illumination and electricity.* The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.

(9) *Food preparation.* Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.

(10) *Sanitary conditions.* The shelter must be maintained in a sanitary condition.

(11) *Fire safety.* There must be at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing-impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or other emergency.

2. Permanent Housing. ESG funds may only be used to assist program participants remain or move into permanent housing that meets the following habitability standards.

(1) *Structure and materials.* The structures must be structurally sound to protect residents from the elements and not pose any threat to the health and safety of the residents.

(2) *Space and security.* Each resident must be provided adequate space and security for themselves and their belongings. Each resident must be provided an acceptable place to sleep.

(3) *Interior air quality.* Each room or space must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.

(4) *Water supply.* The water supply must be free from contamination.

(5) *Sanitary facilities.* Residents must have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.

(6) *Thermal environment.* The housing must have any necessary heating/cooling facilities in proper operating condition.

(7) *Illumination and electricity.* The structure must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the structure.

(8) *Food preparation.* All food preparation areas must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.

(9) *Sanitary conditions.* The housing must be maintained in a sanitary condition.

(10) *Fire safety.* (i) There must be a second means of exiting the building in the event of fire or other emergency. (ii) Each unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors must be located, to the extent practicable, in a hallway adjacent to a bedroom. If the unit is occupied by hearing impaired persons, smoke detectors must have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person. (iii) The public areas of all housing must be equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, community rooms, day care centers, hallways, stairwells, and other common areas.

- **Definition of Homeless and At-Risk of Homelessness**

The definitions and categories of homeless and at-risk of homelessness are attached as Exhibit A-1 and A-2 (24 CFR 576.2).

Subrecipients should refer to Exhibit A-1 and A-2 when determining client eligibility for ESG assistance.

I STREET OUTREACH – SPECIFIC PROVISIONS

The following policies and procedures apply for street outreach activities :

a. Evaluation of Individuals' and Families' Eligibility for Assistance. Subrecipients must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing.

In order to be eligible for street outreach assistance, individuals and families must be defined as homeless under the following categories:

- Category 1 – literally homeless AND unable or unwilling to access services in an emergency shelter
- Category 4 – fleeing / attempting to flee a domestic violence situation.

Once a person is determined to be eligible for ESG funded street outreach services, subrecipients must enter that person into PIC's coordinated assessment system, if that person is not already in the system.

Subrecipients are encouraged to re-evaluate participant eligibility on an annual basis or whenever a participant's living situation changes.

b. Targeting of Clientele and Provision of Essential Services. Street outreach is limited to persons described in Section II.a. who are living on the island of O'ahu. Services are limited to:

(1) *Engagement* - activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs.

(2) *Case management* - assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant.

(3) *Emergency health services* - direct outpatient treatment of medical conditions provided by licensed medical professionals operating in community-based settings, including streets, parks, and other places where unsheltered homeless people are living.

(4) *Emergency mental health services* - direct outpatient treatment by licensed professionals of mental health conditions operating in community-based settings, including streets, parks, and other places where unsheltered people are living.

(5) *Transportation* - transporting unsheltered people to emergency shelters or other service facilities.

The City may determine that community need dictates funding of a particular service or the targeting of services to a particular geographic location or client population. In that instance, the City will solicit input from PIC before releasing a Request for Proposal (RFP) which outlines the target service or area. In addition, subrecipients will also be allowed to target services to a particular location or client population as long as the limitations are included in the project proposal which is submitted to the City in response to a RFP.

c. Performance Standards. Street outreach projects will be evaluated based on deliverables outlined in the project proposal. At a minimum, subrecipients will be evaluated on the following:

- number of persons served (actual v. proposed).

- percentage of program participants who move into sheltered housing which may include emergency or transitional housing (e.g. goal = 50%).

I EMERGENCY SHELTERS – SPECIFIC PROVISIONS

Funds are available for facilities whose primary purpose is to provide a temporary shelter for the homeless and which does not require occupants to sign leases or occupancy agreements. In addition, any transitional shelter funded under a Fiscal Year 2011 (FY11) Emergency Solutions grant may continue to receive ESG Emergency Shelter funding. The four transitional shelters which have received ESG funding continuously from FY11 through FY23 are:

- Catholic Charities Hawaii – Ma`ili Land Transitional Shelter
- Child and Family Service – Domestic Violence Shelters
- Housing Solutions, Inc. – Loliana Apartments
- Housing Solutions, Inc. – Vancouver House

a. Evaluation of Individuals' and Families' Eligibility for Assistance. Subrecipients must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing.

In order to be eligible for emergency shelter assistance, individuals and families must be defined as homeless under the following categories:

- Category 1 – literally homeless
- Category 2 – imminent risk of homelessness
- Category 3 – homeless under other federal statutes
- Category 4 – fleeing / attempting to flee a domestic violence situation.

Once a person is determined to be eligible for residence at an ESG funded emergency shelter, subrecipients must enter that person into PIC's coordinated assessment system, if that person is not already in the system. Victim service providers are encouraged, but not required, to participate in the coordinated assessment system and/or region wide case conferences.

b. Admission, Diversion and Referral Policies. All homeless persons seeking shelter should be provided shelter if there are available and/or appropriate beds. Agencies are allowed to have entry requirements which help to maintain the health and safety of the residents (e.g. current TB test), but are encouraged to keep such requirements to a minimum. In addition, families with children under age 18 may not be involuntarily separated because of the ages of the children if the shelter provides services to families with children under 18.

During the initial assessment, subrecipients must screen clients to determine whether a client can be diverted to more permanent housing or referred to mainstream

resources such as Section 8. Permanent housing options include ESG funded homelessness prevention or rapid re-housing services, HUD funded permanent supportive housing programs such as those under the Continuum of Care and HUD VASH as well as local initiatives such as the City's Housing First Program.

Vulnerable populations such as victims of domestic violence, the medically frail, victims of human trafficking, the mentally ill, youth, and the elderly oftentimes have special needs which serves as barriers to more stable housing and may be better served at smaller shelters which target those vulnerable populations and can more effectively deal with safety and service concerns. At a minimum, shelters must develop policies and procedures to identify and divert vulnerable residents to more appropriate locations.

Subrecipients are encouraged to attend case conferencing sessions to become aware of available housing options.

c. Discharge Policy / Maximum Length of Stay

There is no City imposed maximum length of stay for emergency or transitional shelters. Subrecipients have the discretion to set their own limitations on stays, but such limitations must be clearly communicated to residents.

Emergency shelters are encouraged to move their residents into more stable housing, which may include transitional shelters, as quickly as possible. Emergency shelter stays beyond 6 months are discouraged.

Transitional shelters are encouraged to move their residents into permanent housing within 24 months; however, subrecipients have the discretion to allow residents to stay beyond the recommended maximum if they determine an extended stay would allow for increased housing stability.

Shelters are allowed to involuntarily discharge (evict) residents who violate program rules. Such shelters must establish and consistently apply policies and procedures regarding involuntary discharges.

d. Essential Services – Assessing, Prioritizing and Reassessing Needs.

If a shelter receives ESG funds to provide services to its residents, the shelter must determine the suitability of offering the service to each resident upon client intake. Shelters may limit services to particular clients, however the eligibility criteria must be outlined in the project proposal submitted in response to a RFP.

In instances where the shelter resources exceed the need and the shelter is unable to provide ESG funded services to all eligible tenants, the shelter will have the discretion to determine its own prioritization policy, subject to approval by the City.

Subrecipients must re-evaluate participant eligibility and/or suitability for services every six months or whenever a participant's living situation changes.

e. Performance Standards. Shelters will be evaluated based on deliverables outlined in the project proposal. At a minimum, subrecipients will be evaluated on the following:

- number of persons served (actual v. proposed).
- percentage of program participants moving into more stable housing at exit (goal = 60%).
- percentage of program participants who remain in more stable housing 6 months after exit (goal = 75%).

V HOMELESSNESS PREVENTION – SPECIFIC PROVISIONS

a. Evaluation of Individuals' and Families' Eligibility for Assistance. Subrecipients must conduct an initial evaluation to determine the eligibility of each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing.

In order to be eligible for homelessness prevention assistance, individuals and families must be defined as at-risk of homeless under the following categories and have the ability to remain stably housed after the ESG assistance ends:

- Category 1 – individuals and families with an annual income below 30% of area median income, lacks sufficient resources or support networks and meets on the following conditions:
    - moved two or more times during the last 60 days (i.e. couch surfing);
    - living in home of another because of economic hardship (i.e. doubling up);
    - notified in writing that right to occupy current housing will be terminated (eviction) within 21 days after date of application of assistance;;
    - lives in a hotel or motel;
    - lives in a unit in which there resides more than one and a half persons per room (doubling up); or
    - exiting a publicly funded institution or system of care.

  NOTE: the City has determined that the above list sufficiently covers those persons who are at-risk of homelessness. The City will not be adding any additional characteristics relating to housing instability.
- Category 2 – youth not defined as homeless under the ESG homeless definition but defined as homeless under another federal statute.

- Category 3 – parents or guardians of youth defined in Category 2 above.

Individuals and families who are defined as homeless under the following categories, have income less than 30% of area median income and have the ability to remain stably housed after the ESG assistance ends are also eligible for homelessness prevention assistance:

- Category 2 – imminent risk of homelessness
- Category 3 – homeless under other federal statutes
- Category 4 – fleeing / attempting to flee a domestic violence situation

Subrecipients must evaluate client eligibility every three months or whenever a client's situation changes, whichever occurs earlier.

- The City and its Subrecipients must re-evaluate program participant's needs for homelessness prevention and rapid re-housing assistance per 24 CFR 576-401 (b)(1) not less than once every 3 months for program participants receiving homelessness prevention assistance, and not less than once annually for program participants receiving rapid re-housing assistance. At a minimum, each re-evaluation of eligibility must establish that:
    i. The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and
    ii. The program participant lacks sufficient resources to support networks necessary to retain housing without ESG assistance.

b. Priorities for Assistance. The City does not have any priorities for homelessness prevention assistance. Clients will receive assistance in the order that they submit a complete application. In the event that two or more completed applications are received at the same time, subrecipients will give preference to the following groups: 1) families with children, 2) persons with disabilities, and 3) persons over 65.

Subrecipients are allowed to create their own priorities as long as they are not discriminatory, are applied consistently, and are subject to the City's approval.

c. Participant's Contribution. Subrecipients have the discretion to determine the amount of a participant's contribution, if any, based on the following: 1) financial assistance requested, 2) client's monthly income, 3) client's assets, and 4) the client's housing situation. Subrecipients may require participants to contribute a percentage of income, a percentage of rent, or a flat dollar amount as a condition to receiving financial assistance.

d. Rental Assistance - Limitations. Program participants can only receive up to 24 months of rental assistance during any 3-year period. Rental arrears is limited to a

one-time payment of up to 6 months of rental arrears, including any late fees on those arrears. Subrecipients have the discretion to establish a maximum amount of assistance, a maximum number of months, or a maximum number of times assistance can be provided.

Rental Subsidy for a housing unit will be allowed for the period between the date at the start of the signed rental agreement through the date the client moved out of the housing unit or is no longer receiving ESG assistance for that unit. Proration for the first and last month of rent must be applied for tenant-based rental assistance housing units if the client did not move in on the 1st of the month and/or did not move out or exited the program on the last day of the month. 100 percent of the first month of rent can be paid if the subsidy is for a Project Based rental assistance housing unit. Proration of rent can be calculated using either the number of actual days in the specific month or a flat 30-day, regardless of the actual length of the month. The method used must be used consistently throughout the entire contract period.

In addition, except for a one-time payment of rental arrears of the tenant portion of the rent, rental assistance cannot be provided to a program participant who is already receiving rental assistance through other public sources (e.g. Section 8), including those receiving relocation assistance.

Also, rental assistance cannot be provided if the rent exceeds the Fair Market Rent established by HUD under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as provided under 24 CFR 982.507.

Lastly, a landlord incentive is not an allowable expense under ESG federal regulations 24 CFR part 576. No ESG funds can be paid for signing bonuses, security deposits more than 2 months of rent, payment for damages, holding of rental unit, etc.

Standards of Rent Reasonableness:

1. Prior to the initial rental assistance, the City and its Subrecipients must determine whether the rent to the owner is a reasonable rent in comparison to rent to other comparable unassisted units per 24 CFR 982.507. To make a determination the City and its Subrecipient must consider:
    i. The location, quality, size, unit type and age of the contracted unit; and
    ii. Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.
    iii. At least 3 comparable unassisted units must be used as a part of the rent reasonableness determination. The client's case file must include the unit rent and description, a printout of three comparable units' rent, and evidence that these comparison units shared the same features (location, quality, size, amenities, etc.).
        a. If there is a housing shortage, 2 comparable unassisted units

could be used to make the rent reasonableness determination.

iv. Rent Reasonableness comparisons should be obtained by reviewing real estate advertisements and contacts. Public sources of data, rental market studies, rental market surveys and rental databases can also be used to obtain, check, and/or verify comparables.

2. For units within FMR limit, if a rent reasonableness determination supports a lower rent than the advertised rent, then ESG funds may not be used to rent the unit (unless the landlord is willing to lower the rent).
3. If the rent reasonableness determination supports the advertised rent (and is within the FMR limit), rental assistance with ESG funds may be provided for the unit, as long as all other program requirements are met.
4. If the selected unit's rent falls within $50 of the average of the rents of three comparable units then that would be deemed reasonable.
5. Providers must use Exhibit A-3 to document the rent reasonableness comparable units. Each form must be filled in completely and accurately and must be kept in the client file with the printout of the comparable units. The FMR and Utility/Appliance Allowance Schedules are updated yearly.
6. Providers should review the following HUD resources for more information regarding rent reasonableness:
    a. HUD Webinar: https://www.youtube.com/watch?v=parMn-q4XdI

e. Applicability of VAWA Protection: The core statutory protections of VAWA that prohibits denial or termination of assistance or eviction solely because a participant is a victim of domestic violence, dating violence, sexual assault or stalking. The City and Subrecipient must ensure that each lease executed on or after December 16, 2016 must include a lease provision or incorporate a lease addendum that includes all requirements that apply to tenants, the owner or lease under 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking), and supplemented by 24 CRF 576.409.

- Here is sample language to include in the ESG Rental Assistance Agreements between the landlord and Subrecipient:

  1. The Landlord may not consider incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.

  2. The Landlord may not consider criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of

that abuse.

3. The Landlord must permit the tenant to terminate the lease without penalty if the ESG CARES Subrecipient determines that the tenant has met the conditions for an emergency transfer under 24 CFR §5.2005(e).

- Exhibit A-4 is a sample addendum to include in lease agreements for Homeless Prevention and Rapid Re-Housing clients and their landlords.

f. Housing Stabilization and/or Relocation Services – Limitations. Program participants can only receive up to 24 months of housing stabilization and assistance during any 3-year period. Housing stability case management is limited to 30 days when seeking permanent housing and 24 months when the program participant is living in permanent housing. Subrecipients have the discretion to establish a maximum amount of assistance, a maximum number of months, or a maximum number of times assistance can be provided.

Additional limitations on housing relocation and stabilization services are:

- Security deposits – no more than 2 months' rent or as allowed by Hawai'i State law, whichever is the lesser. ESG rules do not require security or utility deposits to be returned to the program either when the program participant leaves the program or when the lease or utility contract terminates. If a program participant leaves the program but remains in the unit for which the deposits were paid, the landlord will continue to hold the security deposit, as provided in the lease, and the utility company will continue to hold any utility deposit as provided in the utility contract. It is acceptable for a program participant's security deposit to go with the client and apply it to other housing programs after ESG assistance ends.
- Utility payments – up to 24 months, including up to 6 months of utility arrears. Eligible utility services are gas, electric, water and sewer.

g. Duplication of Benefits. Duplication of benefits is not an allowable expense with ESG funds. A duplication of benefits (DOB) occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance. Within the ESG program, all grantees are bound by Section 312 of the Stafford Act, as amended, and the OMB Cost Principles within 2 CFR part 200 that require that all costs must "be necessary and reasonable for the performance of the Federal award."

- The subrecipient is to report the receipt or anticipated receipt of any funding from other sources using the DOB checklist. Exhibit A-5
- The subrecipient will assess whether the requested ESG funds will duplicate funding that is already received or is likely to be received prior to providing assistance. This DOB analysis must be documented.
- The subrecipient will repay all assistance that is determined to be

duplicative.

The subrecipient shall complete the following steps prior to expending ESG funds:

1. As part of the intake process, the subrecipient staff will complete a DOB Checklist with prospective program participants, which identifies all housing or other assistance that they have received, or are currently or anticipate receiving, and certifies to the accuracy of the information provided. Integrate checklist questions into the intake process as much as possible to avoid repeating questions already asked and answered.
2. The subrecipient will evaluate the information provided in the DOB checklist and uses it to conduct the DOB analysis (summarized below).
3. ESG subrecipient provides financial assistance that it determines to be non-duplicative based on the DOB analysis.

DOB Analysis that shall be completed:

1. Assess Need - Determine the amount of need (total cost of the activity);
2. Determine Assistance - Determine the amount of assistance that has or will be provided from all sources to pay for the cost;
3. Calculate Maximum Level of Award - Determine the amount of assistance already provided compared to the need to determine the maximum ESG award;
4. Document Analysis - Document calculation and maintain adequate documentation justifying determination of maximum award that can be provided without causing a duplication.
5. If a program participant or subrecipient is determined to have a duplication of benefits, the City shall withhold future pay requests and the approved project budget will be amended.

h. Performance Standards. Service providers will be evaluated based on deliverables outlined in the project proposal. At a minimum, subrecipients will be evaluated on the following:

- number of persons served (actual v. proposed).
- percentage of program participants who remain stably housed, 6 months after assistance (goal = 80%).
- percentage of program participants who remain stably housed, 1 year after assistance (goal = 60%).

V RAPID RE-HOUSING SPECIFIC PROVISIONS

a. Evaluation of Individuals' and Families' Eligibility for Assistance. Subrecipients must conduct an initial evaluation to determine the eligibility of each

individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing.

In order to be eligible for rapid re-housing assistance, individuals and families must be defined as homeless under the following categories and have the ability to remain stably housed after the ESG assistance ends:

- Category 1 – literally homeless
- Category 4 – fleeing / attempting to flee a domestic violence situation.

Subrecipients must evaluate client eligibility annually or whenever a client's situation changes, whichever occurs earlier. During the annual re-evaluation, a client's income must be below 30% of area median income in order to continue receiving rapid re-housing assistance.

Once a person is determined to be eligible for ESG funded rapid re-housing, Subrecipients should enter that person into PIC's coordinated assessment system, if that person is not already in the system.

(1) The City and its Subrecipients must re-evaluate program participant's needs for homelessness prevention and rapid re-housing assistance per 24 CFR 576-401 (b)(1) not less than once every 3 months for program participants receiving homelessness prevention assistance, and not less than once annually for program participants receiving rapid re-housing assistance.. At a minimum, each re-evaluation of eligibility must establish that:

i. The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and

ii. The program participant lacks sufficient resources to support networks necessary to retain housing without ESG assistance.

b. Priorities for Assistance. The City does not have any priorities for rapid re-housing assistance. Subrecipients are allowed to create their own priorities as long as they are not discriminatory, are applied consistently, and are subject to the City's approval. Clients will receive assistance in the order that they submit a complete application. In the event that two or more completed applications are received at the same time, subrecipients will give preference to the client with the higher Vulnerability Index – Service Prioritization and Decision Assistance Tool (VI-SPDAT) score.

c. Participant's Contribution. Subrecipients have the discretion to determine the amount of a participant's contribution, if any, based on the following: 1) financial assistance requested, 2) client's monthly income, 3) client's assets, and 4) the client's housing situation. Subrecipients may require participants to contribute a percentage of

income, a percentage of rent, or a flat dollar amount as a condition to receiving financial assistance.

d. Rental Assistance - Limitations. Program participants can only receive up to 24 months of rental assistance during any 3-year period. Rental arrears is limited to a one-time payment of up to 6 months of rental arrears, including any late fees on those arrears. Subrecipients have the discretion to establish a maximum amount of assistance, a maximum number of months, or a maximum number of times assistance can be provided.

Rental Subsidy for a housing unit will be allowed for the period between the date at the start of the signed rental agreement through the date the client moved out of the housing unit or is no longer receiving ESG assistance for that unit. Proration for the first and last month of rent must be applied for tenant-based rental assistance housing units if the client did not move in on the 1st of the month and/or did not move out or exited the program on the last day of the month. 100 percent of the first month of rent can be paid if the subsidy is for a Project Based rental assistance housing unit. Proration of rent can be calculated using either the number of actual days in the specific month or a flat 30-day, regardless of the actual length of the month. The method used must be used consistently throughout the entire contract period.

In addition, except for a one-time payment of rental arrears of the tenant portion of the rent, rental assistance cannot be provided to a program participant who is already receiving rental assistance through other public sources (e.g. Section 8), including those receiving relocation assistance.

Also, rental assistance cannot be provided if the rent exceeds the Fair Market Rent established by HUD under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as provided under 24 CFR 982.507.

Lastly, a landlord incentive is not an allowable expense under ESG federal regulations 24 CFR part 576. No ESG funds can be paid for signing bonuses, security deposits more than 2 months of rent, payment for damages, holding of rental unit, etc.

Standards of Rent Reasonableness:

1. Prior to the initial rental assistance, the City and its Subrecipients must determine whether the rent to the owner is a reasonable rent in comparison to rent to other comparable unassisted units per 24 CFR 982.507. To make a determination the City and its Subrecipient must consider:
    i. The location, quality, size, unit type and age of the contracted unit; and
    ii. Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.
    iii. At least 3 comparable unassisted units must be used as a part of the

rent reasonableness determination. The client's case file must include the unit rent and description, a printout of three comparable units' rent, and evidence that these comparison units shared the same features (location, quality, size, amenities, etc.).

a. If there is a housing shortage, 2 comparable unassisted units could be used to make the rent reasonableness determination.

iv. Rent Reasonableness comparisons should be obtained by reviewing real estate advertisements and contacts. Public sources of data, rental market studies, rental market surveys and rental databases can also be used to obtain, check, and/or verify comparable units.

2. For units within FMR limit, if a rent reasonableness determination supports a lower rent than the advertised rent, then ESG funds may not be used to rent the unit (unless the landlord is willing to lower the rent).
3. If the rent reasonableness determination supports the advertised rent (and is within the FMR limit), rental assistance with ESG funds may be provided for the unit, as long as all other program requirements are met.
4. If the selected unit's rent falls within $50 of the average of the rents of three comparable units then that would be deemed reasonable.
5. Providers must use Exhibit A-3 to document the rent reasonableness comparable units. Each form must be filled in completely and accurately and must be kept in the client file with the printout of the comparable units. The FMR and Utility/Appliance Allowance Schedules are updated yearly.
6. Providers should review the following HUD resources for more information regarding rent reasonableness:
    a. HUD WEBINAR: https://www.youtube.com/watch?v=parMn-q4XdI

e. Applicability of VAWA Protection: The core statutory protections of VAWA that prohibits denial or termination of assistance or eviction solely because a participant is a victim of domestic violence, dating violence, sexual assault or stalking. The City and Subrecipient must ensure that each lease executed on or after December 16, 2016 must include a lease provision or incorporate a lease addendum that includes all requirements that apply to tenants, the owner or lease under 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking), and supplemented by 24 CRF 576.409.

- Here is sample language to include in the ESG Rental Assistance Agreements between the landlord and Subrecipient:

1. The Landlord may not consider incidents of actual or threatened domestic violence, dating violence, sexual assault or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.

2. The Landlord may not consider criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.

3. The Landlord must permit the tenant to terminate the lease without penalty if the ESG CARES Subrecipient determines that the tenant has met the conditions for an emergency transfer under 24 CFR §5.2005(e).

- Exhibit A-4 is a sample addendum to include in lease agreements for Homelessness Prevention and Rapid Re-Housing clients.

f. Housing Stabilization and/or Relocation Services – Limitations. Program participants can only receive up to 24 months of housing stabilization and assistance during any 3-year period. Housing stability case management is limited to 30 days when seeking permanent housing and 24 months when the program participant is living in permanent housing. Subrecipients have the discretion to establish a maximum amount of assistance, a maximum number of months, or a maximum number of times assistance can be provided.

Additional limitations on housing relocation and stabilization services are:

- Security deposits – no more than 2 months' rent or as allowed by Hawai'i State law, whichever is the lesser. ESG rules do not require security or utility deposits to be returned to the program either when the program participant leaves the program or when the lease or utility contract terminates. If a program participant leaves the program but remains in the unit for which the deposits were paid, the landlord will continue to hold the security deposit, as provided in the lease, and the utility company will continue to hold any utility deposit as provided in the utility contract. It is acceptable for a program participant's security deposit to go with the client and apply it to other housing programs after ESG assistance ends.
- Utility payments – up to 24 months, including up to 6 months of utility arrears. Eligible utility services are gas, electric, water and sewer.

g. Duplication of Benefits. Duplication of benefits is not an allowable expense with ESG funds. A duplication of benefits (DOB) occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance. Within the ESG program, all grantees are bound by Section 312 of the Stafford Act, as amended, and the OMB Cost Principles within 2 CFR part 200 that require that all costs must "be necessary and

reasonable for the performance of the Federal award."

- The subrecipient is to report the receipt or anticipated receipt of any funding from other sources using the DOB checklist. Exhibit A-5
- The subrecipient will assess whether the requested ESG funds will duplicate funding that is already received or is likely to be received prior to providing assistance. This DOB analysis must be documented.
- The subrecipient will repay all assistance that is determined to be duplicative.

The subrecipient shall complete the following steps prior to expending ESG funds:

1. As part of the intake process, the subrecipient staff will complete a DOB Checklist with prospective program participants, which identifies all housing or other assistance that they have received, or are currently or anticipate receiving, and certifies to the accuracy of the information provided. Integrate checklist questions into the intake process as much as possible to avoid repeating questions already asked and answered.
2. The subrecipient will evaluate the information provided in the DOB checklist and uses it to conduct the DOB analysis (summarized below).
3. ESG subrecipient provides financial assistance that it determines to be non-duplicative based on the DOB analysis.

DOB Analysis that shall be completed:

1. Assess Need - Determine the amount of need (total cost of the activity);
2. Determine Assistance - Determine the amount of assistance that has or will be provided from all sources to pay for the cost;
3. Calculate Maximum Level of Award - Determine the amount of assistance already provided compared to the need to determine the maximum ESG award;
4. Document Analysis - Document calculation and maintain adequate documentation justifying determination of maximum award that can be provided without causing a duplication.
5. If a program participant or subrecipient is determined to have a duplication of benefits, the City shall withhold future pay requests and the approved project budget will be amended.

h. Performance Standards. Service providers will be evaluated based on deliverables outlined in the project proposal. At a minimum, subrecipients will be evaluated on the following:

- number of persons served (actual v. proposed).
- percentage of program participants who remain stably housed, 6 months after assistance (goal = 80%).

- percentage of program participants who remain stably housed, 1 year after assistance (goal = 60%).

ADDITIONAL ESG PROVISIONS AS APPLICABLE AND ENFORCED

a. Systematic Alien Verification for Entitlements Application. The City will use the federal application SAVE (Systematic Alien Verification for Entitlements) or an equivalent verification system approved by the Federal Government, to prevent any Federal public benefit from being provided to an ineligible alien who entered the United States illegally or is otherwise unlawfully present in the United States. The Subrecipient shall collect and submit required documentation to ensure client eligibility.

b. Prohibited: Promotion of Gender Ideology. Grant funds shall not be used to promote “gender ideology” as defined in Executive Order 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.

c. Prohibited: Funding or Promotion of Elective Abortions. Grant funds shall not be used to fund or promote elective abortions, as required by Executive Order 14182, Enforcing the Hyde Amendment.

d. Immigration Compliance. The Subrecipient must administer its grant in accordance with all applicable immigration restrictions and requirements, including the eligibility and verification requirements that apply under title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (8 U.S.C. 1601-1646) (PRWORA) and any applicable requirements that HUD, the Attorney General, or the U.S. Citizenship and Immigration Services may establish from time to time to comply with PRWORA, Executive Order 14218, or other Executive Orders or immigration laws.

The Subrecipient shall not use funds received under this Agreement in a manner that by design or effect facilitates the subsidization or promotion of illegal immigration or shields illegal aliens from deportation, including by maintaining policies and practices that materially impede enforcement of federal immigration statutes and regulations.

e. Build America, Buy America. The Subrecipient must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), BABA requirements apply to any infrastructure projects HUD has obligated funds for after the applicable listed effective dates, unless excepted by a waiver.

VI. Emergency Solutions Grants Coronavirus Aid, Relief and Economic Security Act Funds (ESG-CV)

The City has received additional Emergency Solutions Grants funds via the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, ("ESG-CV"). ESG-CV funds are intended to prevent, prepare for, and respond to the coronavirus pandemic (COVID-19) among individuals and families experiencing homelessness or receiving homeless assistance, and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19.

The City will utilize applicable waivers, flexibilities, and alternative requirements in order to expedite program implementation and provide the maximum benefits to program participants in order to prevent, prepare for, and respond to COVID-19 among individuals and families experiencing homelessness or receiving homeless assistance.

Unless an applicable waiver, flexibility, or alternative requirement applies, or unless the City has established alternative standards or procedures as discussed below, ESG-CV funded programs will follow the policies, procedures, and record keeping standards set forth in this guidebook.

The following is not an exhaustive list of available waivers, flexibilities, and/or alternative requirements.

The City reserves the right to utilize an available waiver, flexibility, and/or alternative requirement not listed if a need arises that justifies its use to prevent, prepare for, and respond to COVID-19 among individuals and families who are homeless or receiving homeless assistance, and to support additional homeless assistance and homeless prevention activities to mitigate impacts of COVID-19. See e.g. https://www.hud.gov/sites/dfiles/OCHCO/documents/20-08cpdn.pdf.

a. General Waivers, Flexibilities, and Alternative Requirements

(1) As a deviation from the City's normal Action Plan process, as allowed by the CARES Act and the U.S. Department of Housing and Urban Development CPD 20-08 notice and waivers, the City omits the citizen participation and consultation requirements for substantial amendments and new consolidated plan submissions. In addition, in accordance with the waiver, the City's plan for ESG funding allocated via the CARES Act will be posted on the City's website at http://www.honolulu.gov.dcs.

(2) Procurement: As provided by the CARES Act, the City may deviate from applicable procurement standards provided the City establishes alternative written procurement standards to safeguard against fraud, waste, and abuse. The City will be utilizing the City and County of Honolulu's established alternative written procurement standard for any

organization contracted to carry out the responsibilities of this program.

(3) At-Risk of homelessness: The definition has been amended to limit participation to very low-income clients. The CARES act raised the income limit of the “at risk of homelessness” definition from 30 percent of area median income to the Very Low-Income limit of the area.

(4) Administrative Costs: As permitted by the CARES act, the City may use up to 10 percent of its total ESG-CV grant for administrative costs. The City will also be utilizing up to 10% of its ESG-CV grant for administrative costs. The City will be awarding a portion of its administrative allocation to its sub-recipients and/or contractors for administrative activities performed.

b. Re-Evaluation of Participant Eligibility

(1) The City and its Subrecipients must re-evaluate program participant’s needs for homelessness prevention and rapid re-housing assistance per 24 CFR 576-401 (b)(1) at least once every 6 months for program participants receiving homelessness prevention and at least once annually for program participants receiving rapid re-housing support. At a minimum, each re-evaluation of eligibility must establish that:

- The program participant does not have an annual income that exceeds the Very Low-Income limit for the area, as determined by HUD’s Section 8 and Public Housing programs; and
- The program participant lacks sufficient resources to support networks necessary to retain housing without ESG-CV assistance.

c. Street Outreach:

(1) Expanded hygiene services: Alternative requirements are established to the extent necessary to authorize ESG-CV funds to be used for installing and maintaining hand washing stations and bathrooms (e.g., porta potties) in outdoor locations for people experiencing unsheltered homelessness.

(2) The cap established in 576.100(b) does not apply.

d. Emergency Shelter:

(1)The City may use ESG-CV to pay for temporary emergency shelters for households experiencing homelessness. Eligible costs include:

- Leasing, acquisition, and renovations of real property or temporary structures to be used as temporary shelters

- Operating and maintenance costs
- Services such as housing search and counseling
- Other shelter costs pre-approved by HUD in writing

(2) Habitability standards: Emergency shelters will not be subject to the habitability standards or the environmental review requirements that otherwise apply to the use of ESG funds if the shelters have been determined by State or local health officials to be necessary to prevent, prepare for, and respond to coronavirus.

(3)The cap established in 576.100(b) does not apply.

e. Homeless Prevention:

(1) Rental Assistance Limitations: The requirement that prohibits rental assistance where the rent for the unit exceeds the Fair Market Rent established by HUD, is waived so long as the rent complies with HUD's standards of rent reasonableness.

(2) Housing Stabilization and/or Relocation Services – Limitations: The limitations on eligible activities are waived and alternative requirements are established to add the eligible cost of paying for landlord incentives as reasonable and necessary to obtain housing for individuals and families experiencing homelessness and at risk of homelessness, as long as the landlord incentives set forth below does not exceed three times the rent charged for the unit. Eligible landlord incentive costs include:

- Signing bonuses equal to up to 2 months of rent;
- Security deposits equal to up to 3 months of rent. or as allowed by Hawai'i State law, whichever is the lesser. ESG rules do not require security or utility deposits to be returned to the program either when the program participant leaves the program or when the lease or utility contract terminates. If a program participant leaves the program but remains in the unit for which the deposits were paid, the landlord will continue to hold the security deposit, as provided in the lease, and the utility company will continue to hold any utility deposit as provided in the utility contract. It is acceptable for a program participant to keep the security deposit even if they move to different programs after assistance ends.
- Paying the cost to repair damages incurred by the program participant not covered by the security deposit or that are

incurred while the program participant is still residing in the unit; and

- Paying the costs of extra cleaning or maintenance of a program participant's unit or appliances.

(3) Housing stability case management: The requirement that program participants must receive case management services is waived. Program participants will not be required to receive supportive services such as case management as a condition to receive the benefits of this program. Case management and other supportive services will be offered and readily available to all participants.

(4) Provision of Supportive Services: Individuals and families must not be required to receive treatment or perform any other prerequisite activities as a condition of receiving assistance provided by ESG-CV funds. As such, program participants will not be required to receive supportive services as a condition to receive the benefits of this program. Supportive services will be offered and readily available to all participants.

f. <u>Rapid Re-Housing:</u>

(1) Rapid Re-housing initiative: The influx of resources provides a one-time opportunity for Honolulu to drastically impact the levels of homelessness being experienced in the City. Scaling housing interventions will be required. In order to develop and execute a consistent program model, engage community-based housing partners and operate consistently and with professional capacity, the City will fund one lead agency (Subrecipient) to coordinate and manage this effort. The initiative is intended to provide Rapid Rehousing services medium term rental assistance.

- **Lead Agency** – The City will be selecting the lead agency as a Subrecipient that will manage the implementation of a citywide rapid re-housing (RRH) project for households experiencing homelessness. The lead agency will be responsible for contracting with homeless service providers (sub-Subrecipient) selected by the City.

- **Contractor**: The City will be contracting with an organization to:
  - Implement this large-scale landlord engagement strategy including unit acquisition
  - Make payments on participants behalf (e.g. rent, utilities, security deposits)

(2) Rental Assistance Limitations: The requirement that prohibits rental assistance where the rent for the unit exceeds the Fair Market Rent established by HUD, is waived so long as the rent complies with HUD's standards of reasonableness.

Program participants can only receive up to the maximum amount of rental assistance allowed by CPD-20-08—12 months, unless the maximum amount or length of rental assistance is modified by HUD in the future.

(3) Participant's Contribution. Eligible ESG-CV Rapid Re-Housing participants will not be required to contribute to rent for the period the participants receive rental assistance. *(note: the eligibility is laid out on page 12 of written standards).* The City's contractor will pay 100 percent of the reasonable rent for eligible program participants for the period the participants receive rental assistance. The City's contractor will pay 100 percent of utility costs for program participants, up to and not exceeding the 2021 utility allowance schedule. Any utility costs that exceeds the utility allowance schedule will be the responsibility of the participant. Utility payments will be universally and consistently applied to participants.

(4) Priorities for Assistance. The priorities for ESG-CV Rapid Rehousing assistance will be for households identified through the coordinated entry system (CES) with a Vulnerability Index – Service Prioritization Decision Assistance Tool (VI-SPDAT) score of 4-10 for individuals and 4-8 for families.

(5) Housing Stabilization and/or Relocation Services – Limitations: The limitations on eligible activities are waived and alternative requirements are established to add the eligible cost of paying for landlord incentives as reasonable and necessary to obtain housing for individuals and families experiencing homelessness and at risk of homelessness, as long as the landlord incentives set forth below does not exceed three times the rent charged for the unit. Eligible landlord incentive costs include:

- Signing bonuses equal to up to 2 months of rent;
- Security deposits equal to up to 3 months of rent or as allowed by Hawai‘i State law, whichever is the lesser. ESG rules do not require security or utility deposits to be returned to the program either when the program participant leaves the program or when the lease or utility contract terminates. If a program participant leaves the program but remains in the unit for which the deposits were paid, the landlord will continue to hold the security deposit, as provided in the lease, and the utility company will continue to

hold any utility deposit as provided in the utility contract. It is acceptable for a program participant to keep the security deposit even if they move to different programs after assistance ends.

- Paying the cost to repair damages incurred by the program participant not covered by the security deposit or that are incurred while the program participant is still residing in the unit; and
- Paying the costs of extra cleaning or maintenance of a program participant's unit or appliances.

(6) Housing stability case management: The requirement that program participants must receive case management services is waived. Program participants will not be required to receive supportive services such as case management as a condition to receive the benefits of this program. Case management and other supportive services will be offered and readily available to all participants.

(7) Provision of Supportive Services: Individuals and families must not be required to receive treatment or perform any other prerequisite activities as a condition of receiving assistance provided by ESG-CV funds. As such, program participants will not be required to receive supportive services as a condition to receive the benefits of this program. Supportive services will be offered and readily available to all participants.

Homeless Definition

CRITERIA FOR DEFINING HOMELESSNESS	**Category 1**	Literally Homeless	(1) Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) Has a primary nighttime residence that is a public or private place not meant for human habitation; (ii) Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or (iii) Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution
	Category 2	Imminent Risk of Homelessness	(2) Individual or family who will imminently lose their primary nighttime residence, provided that: (i) Residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing
	Category 3	Homeless under other Federal statutes	(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who: (i) Are defined as homeless under the other listed federal statutes; (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; (iii) Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; and (iv) Can be expected to continue in such status for an extended period of time due 1:o special needs or barriers
	Category 4	Fleeing/ Attempting to Flee DV	(4) Any individual or family who: (i) Is fleeing, or is attempting to flee, domestic violence; (ii) Has no other residence; and (iii) Lacks the resources or support networks to obtain other permanent housing

At Risk of Homelessness

CRITERIA FOR DEFINING AT RISK OF HOMELESSNESS	**Category 1**	Individuals and Families	An individual or family who: (i) Has an annual income below 30% of median family income for the area; AND **(ii)** Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the "homeless" definition; **AND** (iii) Meets one of the following conditions: (A) Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; OR (B) Is living in the home of another because of economic hardship; OR (C) Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; OR (D) Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals; OR (E) Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; OR (F) Is exiting a publicly funded institution or system of care; OR (G) Otherwise lives in housing that has characteristics associated with instabilfty and an increased risk of homelessness, as identified in the recipient's approved Con Plan
	Category 2	Unaccompanied Children and Youth	A child or youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under another Federal statute
	Category 3	Families with Children and Youth	An unaccompanied youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under section 725(2) of the McKinney-Vento Homeless Assistance Act, and the parent(s) or guardian(s) or that child or youth if living with him or her.

Emergency Solutions Grant Program

Fair Market Rent and Reasonableness Calculation Sheet

NOTE: FY FMR changes in October and Utility rates change in January. Effective: Oct 2022 – Dec 2022

The ESG program Interim Rule allows short- and medium-term rental assistance to be provided to eligible program participants only when the gross rent (including utilities) for the housing unit:

1. **Does not exceed the Fair Market Rent (FMR) (Urban Honolulu, HI)** established by HUD for each geographic area, as provided under 24 CFR 888 and 24 CFR 982.503; **and**
2. **Complies with HUD's standard of rent reasonableness**, as established under 24 CFR 982.507.2 This requirement is in the ESG program Interim Rule at 24 CFR 576.106(d).

Final FY2023 Hawaii FMR Metropolitan Area Summary						
Metropolitan Area Name	Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom	FMR Percentile
Kahului-Wailuku-Lahaina, HI MSA	$1,532	$1,606	$1,986	$2,731	$2,944	40
Urban Honolulu, HI MSA	$1,563	$1,716	$2,247	$3,193	$3,827	40

Verifying Rent Reasonableness:

1. Find the address of another **unassisted** (market, not federally subsidized) unit in the neighborhood that is similar to the unit you have chosen. It MUST be the same type of unit and have the same number of bedrooms.

   To make this determination, the comparable units must be unassisted, and comparable to the contract unit in location, quality, size, unit type, and age of the unit; and any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

2. The rent must be the same or more than the rent for the unit you have selected.
3. Some ideas for places to look for comparable units include the local paper, real estate ads, and the internet.

Documents to be included in the client file:

1. ☐ The completed Rent Reasonableness Calculation sheet.
2. ☐ Copies of the ads in the newspapers and/or online copies documenting reasonableness.
3. ☐ Signed documentation stating clients received
   a. ☐ "Protect Your Family from Lead in Your Home" pamphlet
   b. ☐ "Disclosure of information on Lead-Based Paint Hazards"

RENT REASONABLENESS CALCULATION SHEET (Part A)

	SELECTED Unit	Unit #1	UNIT #2	UNIT #3
ADDRESS OF UNIT:				
TYPE OF UNIT/CONSTRUCTION (CIRCLE APPLICABLE TYPE)	LOW RISE (APT. 1-4 FLOORS) HIGH RISE (APT. 5+FLOORS) DUPLEX TOWNHOUSE SINGLE FAMILY	LOW RISE (APT. 1-4 FLOORS) HIGH RISE (APT. 5+FLOORS) DUPLEX TOWNHOUSE SINGLE FAMILY	LOW RISE (APT. 1-4 FLOORS) HIGH RISE (APT. 5+FLOORS) DUPLEX TOWNHOUSE SINGLE FAMILY	LOW RISE (APT. 1-4 FLOORS) HIGH RISE (APT. 5+FLOORS) DUPLEX TOWNHOUSE SINGLE FAMILY
NO. OF BEDROOMS:				
SQUARE FOOTAGE:				
GENERAL HOUSING CONDITION:	EXCELLENT VERY GOOD GOOD AVERAGE POOR	EXCELLENT VERY GOOD GOOD AVERAGE POOR	EXCELLENT VERY GOOD GOOD AVERAGE POOR	EXCELLENT VERY GOOD GOOD AVERAGE POOR
AMENITIES: CIRCLE ALL THAT APPLY	AIR CONDITIONER GARBAGE DISPOSAL DISHWASHER WASHER/DRYER PARKING NO. OF STALLS: _____	AIR CONDITIONER GARBAGE DISPOSAL DISHWASHER WASHER/DRYER PARKING NO. OF STALLS: _____	AIR CONDITIONER GARBAGE DISPOSAL DISHWASHER WASHER/DRYER PARKING NO. OF STALLS: _____	AIR CONDITIONER GARBAGE DISPOSAL DISHWASHER WASHER/DRYER PARKING NO. OF STALLS: _____
APPROX. YEAR BUILT:				
IF BUILT PRIOR TO 1978, WAS LEAD BASED PAINT NOTICES PROVIDED (Y/N)	YES / NO	YES / NO	YES / NO	YES / NO
UTILITIES INCLUDED IN RENT (CIRCLE YES OR NO. IF YES, CIRCLE APPLICABLE TYPE).	YES (CIRCLE ALL APPLICABLE) ELECTRIC GAS WATER SEWER TRASH REMOVAL OTHER: _____ ---------- OR ---------- NONE	YES (CIRCLE APPLICABLE TYPE) ELECTRIC GAS WATER SEWER TRASH REMOVAL OTHER: _____ ---------- OR ---------- NONE	YES (CIRCLE APPLICABLE TYPE) ELECTRIC GAS WATER SEWER TRASH REMOVAL OTHER: _____ ---------- OR ---------- NONE	YES (CIRCLE APPLICABLE TYPE) ELECTRIC GAS WATER SEWER TRASH REMOVAL OTHER: _____ ---------- OR ---------- NONE

RENT REASONABLENESS CALCULATION SHEET (Part B)

	SELECTED Unit	Unit #1	Unit #2	Unit #3
A. Unit Rent	$_____/MONTH	$_____/MONTH	$_____/MONTH	$_____/MONTH
B. Utility Allowance (Utilities Paid by Renter) **See "Utility /Appliance Allowance Schedule" to complete this section. (Pages 4 & 5)*	COOKING ELECTRIC: _____ GAS: _____ OTHER ELECTRIC: _____ WATER HEATING ELECTRIC: _____ GAS: _____ WATER: _____ SEWER: _____ APPLIANCE – ALL UNIT RANGE/MICROWAVE: _____ REFRIGERATOR: _____	COOKING ELECTRIC: _____ GAS: _____ OTHER ELECTRIC: _____ WATER HEATING ELECTRIC: _____ GAS: _____ WATER: _____ SEWER: _____ APPLIANCE – ALL UNIT RANGE/MICROWAVE: _____ REFRIGERATOR: _____	COOKING ELECTRIC: _____ GAS: _____ OTHER ELECTRIC: _____ WATER HEATING ELECTRIC: _____ GAS: _____ WATER: _____ SEWER: _____ APPLIANCE – ALL UNIT RANGE/MICROWAVE: _____ REFRIGERATOR: _____	COOKING ELECTRIC: _____ GAS: _____ OTHER ELECTRIC: _____ WATER HEATING ELECTRIC: _____ GAS: _____ WATER: _____ SEWER: _____ APPLIANCE – ALL UNIT RANGE/MICROWAVE: _____ REFRIGERATOR: _____
C. Utility Allowance Total	$_____/MONTH	$_____/MONTH	$_____/MONTH	$_____/MONTH
D. Gross Rent[1]	$_____/MONTH	$_____/MONTH	$_____/MONTH	$_____/MONTH

CERTIFICATION:

1. COMPLIANCE WITH HUD FAIR MARKET RATE (FMR) LIMITS

FINAL FY 2023 FMR (Based on No. of Bedrooms)	$
SELECTED UNIT RENT (A)	$
UTILITY ALLOWANCE TOTAL (C)	$
TOTAL	$

IS THE SELECTED GROSS RENT WITHIN THE FAIR MARKET RENT LIMIT? ☐ Yes ☐ No

2. COMPLIANCE WITH HUD RENT REASONABLENESS STANDARD

Based upon a comparison with rents for comparable units, I have determined that the proposed rent for the unit is:

☐ *Reasonable* ☐ *Not Reasonable*

NAME:	**AGENCY:**	**TITLE:**
SIGNATURE:		**DATE:**

[1] Gross rent shall equal the sum of the total monthly rent for the unit, any fees required for occupancy under the lease (other than late fees and pet fees) and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located (24 CFR 576.106(d)(2)).

UTILITY/APPLIANCE ALLOWANCE SCHEDULE (PART B)

(Utilities Paid by Renter)

Note: Please use the following tables to complete Part B "Rent Reasonableness Calculation" sheet, section B, page 3.

SINGLE FAMILY		Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Cooking	Natural Gas	12	14	21	27	33	40
	Bottle Gas						
	Oil/Electric	19	23	34	44	54	65
	Coal/Other						
Other Electric		107	126	176	226	277	327
Water Heating	Natural Gas	30	35	51	67	83	99
	Bottle Gas						
	Oil/Electric	52	62	79	96	113	130
	Coal/Other						
Water		35	56	67	78	95	106
Sewer		88	90	109	138	166	195
Range/Microwave		34	34	34	34	34	34
Refrigerator		30	30	30	30	30	30

DPX/TH		Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Cooking	Natural Gas	12	14	21	27	33	40
	Bottle Gas						
	Oil/Electric	19	23	33	44	54	65
	Coal/Other						
Other Electric		92	108	151	194	237	281
Water Heating	Natural Gas	30	35	51	67	83	99
	Bottle Gas						
	Oil/Electric	51	61	79	96	113	130
	Coal/Other						
Water		21	25	41	52	70	82
Sewer		88	90	109	138	166	195
Range/Microwave		34	34	34	34	34	34
Refrigerator		30	30	30	30	30	30

LOW RISE		Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Cooking	Natural Gas	12	14	21	27	33	40
	Bottle Gas						
	Oil/Electric	19	23	33	44	54	65
	Coal/Other						
Other Electric		89	105	146	187	229	271
Water Heating	Natural Gas	30	35	51	67	83	99
	Bottle Gas						
	Oil/Electric	51	61	79	96	113	130
	Coal/Other						
Water		21	25	41	52	70	82
Sewer		88	90	109	138	166	195
Range/Microwave		34	34	34	34	34	34
Refrigerator		30	30	30	30	30	30

HIGH RISE		Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Cooking	Natural Gas	12	14	21	27	33	40
	Bottle Gas						
	Oil/Electric	19	23	33	44	54	65
	Coal/Other						
Other Electric		73	86	119	153	187	221
Water Heating	Natural Gas	24	28	41	54	66	79
	Bottle Gas						
	Oil/Electric	41	48	63	77	91	104
	Coal/Other						
Water		21	25	41	52	70	82
Sewer		88	90	109	138	166	195
Range/Microwave		34	34	34	34	34	34
Refrigerator		30	30	30	30	30	30

EXHIBIT A-3

LEASE ADDENDUM

VIOLENCE AGAINST WOMEN AND JUSTICE DEPARTMENT REAUTHORIZATION ACT OF 2005

TENANT	LANDLORD	UNIT NO. & ADDRESS

This lease addendum adds the following paragraphs to the Lease between the above referenced Tenant and Landlord.

Purpose of the Addendum

The lease for the above referenced unit is being amended to include the provisions of the Violence Against Women and Justice Department Reauthorization Act of 2005 (VAWA).

Conflicts with Other Provisions of the Lease

In case of any conflict between the provisions of this Addendum and other sections of the Lease, the provisions of this Addendum shall prevail.

Term of the Lease Addendum

The effective date of this Lease Addendum is _____. This Lease Addendum shall continue to be in effect until the Lease is terminated.

VAWA Protections

1. The Landlord may not consider incidents of domestic violence, dating violence or stalking as serious or repeated violations of the lease or other "good cause" for termination of assistance, tenancy or occupancy rights of the victim of abuse.
2. The Landlord may not consider criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of that abuse.
3. The Landlord may request in writing that the victim, or a family member on the victim's behalf, certify that the individual is a victim of abuse and that the Certification of Domestic Violence, Dating Violence or Stalking, Form HUD-91066, or other documentation as noted on the certification form, be completed and submitted within 14 business days, or an agreed upon extension date, to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in eviction.

_____ _____

Tenant Date

_____ _____

Landlord Date

Duplication of Benefits Checklist

Case workers evaluating applicants for financial assistance (24 CFR part 576.105(a)) or rental assistance (24 CFR part 576.106(a)) costs under the ESG homeless prevention and rapid re-housing components can use this sample checklist as part of the intake or in determining the amount and duration of assistance that a prospective program participant needs. Integrate checklist questions into the intake process as much as possible to avoid repeating questions already asked and answered. Prior to completing this checklist, the case worker shall determine the appropriate amount of ESG assistance necessary to meet the program participant's unmet financial assistance or rental assistance needs.

Program Participant Duplication of Benefits Evaluation

Program Participant Full Name and HMIS ID (or comparable database ID):

1. Has the program participant previously applied for any other types of federal, state, local or private financial or rental assistance?

☐ **No**, the program participant has not applied for any other forms of assistance (skip to Question 2)

☐ **Yes**, applied for and was **denied** assistance. Select all that apply:

☐ rental assistance ☐ rental arrears ☐ moving costs ☐ utility payments
☐ security deposit ☐ last month's rent ☐ utility deposits

List forms of assistance applied for and denied:

Program Name	Amount	Requested Period of Assistance	Date Applied

☐ **Yes**, applied for and **has not yet received** an application approval or disapproval. Select all that apply:

☐ rental assistance ☐ rental arrears ☐ moving costs ☐ utility payments
☐ security deposit ☐ last month's rent ☐ utility deposit

List forms of assistance applied for and not yet received:

Program Name	Amount	Requested Period of Assistance	Date Applied

☐ **Yes**, applied for and **received** assistance. Select all that apply:

☐ rental assistance ☐ rental arrears ☐ moving costs ☐ utility payments
☐ security deposits ☐ last month's rent ☐ utility deposits

List forms of assistance received, the amount, and the period of assistance:

Program Name	Amount	Period of Assistance *(from MM/DD/YYYY – to MM/DD/YYYY)*

2. Does the program participant anticipate applying for additional assistance in the next six months?
☐ Yes ☐ No ☐ Unsure

Client Name:	
Client Signature:	**Date:**

Case Manager Name:	
Case Manager Signature:	**Date:**

Case Manager DOB Determination (Office Use Only)

If the program participant has applied for other sources of financial or rental assistance and not yet received a response indicating their application was approved or denied, did they withdraw any applications that would constitute a potential duplication of benefits? ☐YES ☐NO

The proposed use of ESG funds would constitute a duplication of benefits and ESG housing relocation and stabilization financial assistance costs cannot be provided at this time. ☐YES ☐NO

The proposed use of ESG funds would not constitute a duplication of benefits and the program participant is eligible to receive ESG housing relocation and stabilization financial assistance. ☐YES ☐NO

Instructions for Case Manager

This form shall only be used to document the duplication of benefits determination for financial assistance or rental assistance under the ESG homelessness prevention or rapid re-housing components. Case Managers are responsible to separately determine: 1) the program participant's eligibility; and 2) the appropriate amount of ESG assistance.

If a program participant has applied for and received financial assistance or rental assistance from other entities, the case manager should ensure that the proposed ESG assistance will not result in a duplication of benefits.

If a program participant has applied for and not yet received a response from another source of assistance, the case manager should identify which applications, if approved, would constitute a duplication of benefit. The program participant shall withdraw those applications prior to receiving ESG assistance.