

CITY OF BERKELEY

**CONSOLIDATED PLAN
FOR HOUSING
AND COMMUNITY DEVELOPMENT
2020-2025**

and Annual Action Plan for Program Year 2020

**for the U.S. Department of
Housing and Urban Development
San Francisco Field Office of
Community Planning and Development**

MAY 2020

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Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

Eligible state and local governments receive annual block grants for community development and affordable housing from the U.S. Department of Housing and Urban Development (HUD). These grants include the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME), and the Emergency Solutions Grant (ESG). For each program, HUD regulations allow for a broad range of eligible activities. The state or local governments determine which of the eligible activities will best serve the needs of their community. In order to determine the most pressing needs and develop effective, place-based market-driven strategies to meet those needs, HUD requires grantees to develop a Consolidated Plan (Plan).

This Plan by the City of Berkeley lays out the City's overall investment strategies for the City's use of federal entitlement grant funds for affordable housing, homelessness, addressing poverty, and community development from July 1, 2020, through June 30, 2025. For each year of the Consolidated Plan, the City must also produce an Annual Action Plan. The First-Year Annual Action Plan for the period July 1, 2020 through June 30, 2021 is attached to this Consolidated Plan. Please note that throughout the Consolidated Plan and Annual Action Plan, the terms "fiscal year" and "program year" are both used. The period from July 1, 2020 through June 30, 2021 is the City's fiscal year (FY) 2021 and HUD's program year (PY) 2020.

The Plan was prepared in accordance with HUD's Office of Community and Planning Development (CPD) eCon Planning Suite which was introduced in 2012. Since that time, HUD requires grantees submit their Consolidated Plan and First-Year Annual Action Plan using the Consolidated Plan template through the Integrated Disbursement and Information System (IDIS), their nationwide database. Most of the data tables in the Plan are populated with default data from the U.S. Census Bureau, specifically 2011-2015 American Community Survey (ACS) and Comprehensive Housing Affordability Strategy (CHAS) data. Other sources of data are noted throughout the Plan.

The Plan is divided into six sections:

- Executive Summary
- The Process
- Needs Assessment
- Market Analysis
- Strategic Plan
- First-Year Action Plan

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The City of Berkeley has set an ambitious array of goals for the use of its federal entitlement grant resources. The priority needs of the City are affordable housing, non-housing community development, and homelessness. The City has three goals to address those priority needs:

- Increase affordable housing supply and quality;
- Improve public facilities and public services; and
- Provide homeless services including prevention, emergency shelter, outreach and rapid re-housing.

The City of Berkeley has long placed a high priority on affordable housing and community services because they reflect important community values. The City is committed to maintaining high-quality programs for those in need but faces challenges due to insufficient resources to meet those needs. The City of Berkeley has been able to backfill some of the ongoing reductions in federal funding for affordable housing and critical community services. Local investments, however, do not begin to meet the dire need for more affordable housing and a more robust social safety need to prevent and end homelessness. At the same time, the ESG, HOME, and CDBG programs come with considerable administrative requirements, all of which impact the City's ability to address all the many needs identified.

3. Evaluation of past performance

The City tracks single family and multi-family housing rehabilitation and development efforts. Outcomes for all federally funded community agency programs are also tracked and prior outcomes are used to inform funding decisions. The City also uses countywide Homeless Count and program outcome data to inform its goals on homelessness.

4. Summary of citizen participation process and consultation process

A public hearing in front of the Housing Advisory Commission was held on November 7, 2019 on the Draft *Regional Analysis of Impediments*. This public hearing was noticed in the *Berkeley Voice* on October 25, 2019.

Specific outreach regarding the Draft *Regional Analysis of Impediments* public hearing was accomplished via mailings to interested parties, which include individuals, the Alameda County Homeless Continuum of Care, community agencies serving low income people, and postings at public buildings such as recreation centers, senior centers, libraries and other government buildings. The draft report was also posted on the City's website and made available at the Department office and the Main Library.

An additional public hearing on community needs was held on November 7, 2019 in front of the Housing Advisory Commission specifically to inform the Consolidated Plan. The November 7, 2019 public hearing on community needs was noticed in the *Berkeley Voice* on November 1, 2019.

Draft copies of the Plan were presented to the Housing Advisory Commission on January 9, and February 6, 2020. A public comment period was opened on March 27, 2020 and concluded on May 1st, 2020 after the public hearing. A public hearing on the Plan was held on April 28, 2020 before the Berkeley City Council. An announcement regarding the public hearing and public comment period were published in the *Berkeley Voice* on March 27, 2020. The announcement stated where to locate the publically available Plan, the dates of the public comment period, and a summary of key elements of the Plan. The announcement also included information in Spanish and Chinese languages regarding how to obtain information about the Plan. The announcement was republished on April 24, 2020 to notify the public how to participate virtually in the public hearing during the COVID-19 Shelter in Place order and also included all the above mentioned information.

Additional outreach was accomplished via mailings to interested parties, which include individuals, the Alameda County Homeless Continuum of Care, community agencies serving low income people. Due to the COVID-19 Shelter in Place order many of the usual public buildings where the public hearing notice is posted were closed. Those included recreation centers, senior centers, libraries and other government buildings. The draft Plan was also posted on the City's website.

5. Summary of public comments

Two public hearings were held on November 7, 2019 before the Housing Advisory Commission. One to review the Draft *Regional Analysis of Impediments*, and the second on the PY18 CAPER and hear from the community on community needs. An additional public hearing on the Plan was held on April 28, 2020 before the Berkeley City Council. Additional outreach for the three public hearings was sent via the distribution lists and noticing methods mentioned above.

Three members of the public were present, and one spoke, at the November 7, 2019 public hearing on the Draft Analysis of Impediments. Comments from the public and commissioners included dedicating additional City staff resources to monitor and enforce Berkeley's ordinance regarding source of income discrimination and to administer the City's fair housing efforts, consider supporting countywide or state efforts to develop and implement just cause eviction regulations, vacancy rates for new housing developments, and community input on development plans in Berkeley's R/ECAPs. During the Draft *Regional Analysis of Impediments* public comment period of October 28, 2019 through December 12, 2019 no written comments were received by the City of Berkeley.

Four members of the public were present, and none spoke, at the November 7, 2019 public hearing on community needs. Comments from the commissioners included dedicating additional City staff resources to monitor and enforce Berkeley's ordinance regarding source of income discrimination and to administer the City's fair housing efforts.

During the Housing Advisory Commission meetings on January 9, and February 6, 2020 no members of the public commented on the Plan. Comments from commissioners during these two meetings included the chosen paper of publication for the public hearings, possible Council considerations for ordinances that may impact affordable housing units, protections should be put into place, homeless being expensive and additional non-HUD funded strategies may have more success locally, current affordable housing fees and requirements do not support the demand for affordable housing, ensure outreach to the South West Berkeley community.

No members of the public spoke at the April 28, 2020 public hearing. This hearing was held virtually due to COVID-19. During the Plan's public comment period of March 27, 2020 through May 1, 2020, no written comments were received.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments were accepted. Additional resources could enhance City-administered programs as noted in the summary of public comments above. It would take additional federal or location funding, however, which are currently not available.

7. Summary

N/A.

The Process

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	BERKELEY	Health, Housing and Community Services Department
HOME Administrator	BERKELEY	Health, Housing and Community Services Department
ESG Administrator	BERKELEY	Health, Housing and Community Services Department

Table 1 – Responsible Agencies

Narrative

The Health, Housing and Community Services (HHCS) Department is the lead agency for overseeing the development of the plan. The Housing and Community Services Division coordinates the City’s funding allocation process and monitoring for community based organizations, administration of the Housing Trust Fund, and operation of other housing and community services programs such as the Shelter Plus Care Program, and Senior and Disabled Home Rehabilitation Loan Program. The Department also includes the Environmental Health, Mental Health, Public Health, and Aging Services divisions, all of which provide direct services to the community.

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PR-10 Consultation - 91.100, 91.200(b), 91.215(I)

1. Introduction

The consolidated planning process requires jurisdictions to reach out to and consult with other public and private agencies when developing the plan. The Plan includes a summary of the consultation process and information on agencies that participated in the process.

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I)).

The City of Berkeley coordinates housing and community services activities provided by the HHCS department through regular senior staff meetings and other specific coordination meetings. City staff also participates in the implementation of EveryOne Home, the countywide plan to end homelessness. EveryOne Home, which is also the name of the agency – a private non-profit entity, coordinates Alameda County’s Continuum of Care. City of Berkeley staff will continue to participate in the EveryOne Home’s Leadership Board, which includes most public funders of housing and homeless services in the county, as well as leadership from key community based organizations. Leadership Board membership helps to coordinate efforts across the county. Staff also participates in other committees composed of other funders (such as Alameda County Behavioral Health Care Services and the Social Services Agency) as well as many community based organizations. Recent countywide collaboration efforts include the implementation of Alameda County’s Coordinated Entry System and Whole Person Care Project, the adoption of countywide homeless program outcomes that align with HUD’s System Performance Measures, the 2019 homeless survey and count, and the ongoing implementation of Home Stretch, the centralized process that matches prioritized chronically homeless individuals to permanent supportive housing opportunities.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City of Berkeley, in coordination with the City of Oakland, Alameda County Housing and Community Services Department, and EveryOne Home, participates in Alameda Countywide Continuum of Care (OC) efforts. City of Berkeley staff participate in many COC subcommittees, including the Continuum of Care Committee and Systems Coordination Committee. These Committees meet monthly and are responsible for the ongoing design and implementation of Alameda County’s Coordinated Entry System, including the establishment of regional Housing Resource Centers (HRCs), a standardized assessment tool, the Alameda County Housing Crisis Response System Manual, and the permanent supportive housing (PSH) matching process called HomeStretch. The HRCs utilize the standardized assessment tool to determine which resources to offer unhoused residents including housing navigation services, rapid

rehousing financial assistance, shelter and transitional housing, and, for the chronically homeless, permanent supportive housing.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

City staff will continue to participate in the implementation of EveryOne Home, the countywide plan to end homelessness. EveryOne Home, the agency, spearheads Alameda County's Continuum of Care. Staff will continue to participate in the initiative's Leadership Board, which includes most public funders of housing and homeless services in the county, as well as leadership from key community based organizations. Leadership Board membership helps coordinate efforts across the county. Specific activities will include:

- Membership in the Leadership Board, which guides the organization's activities;
- Continued participation in reviewing county-wide outcomes; and
- Involvement in the committee charged with oversight of research, evaluation, and compliance with HUD requirements for the Continuum of Care.

City of Berkeley staff also participate in the HMIS Oversight and Result Based Accounting Committees. These committees established new system performance measures (SPM) based on HUD priorities. These SPMs have been incorporated in City of Berkeley contracts that govern Berkeley funding homeless services.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

1	Agency/Group/Organization	City of Berkeley Housing Advisory Commission
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Draft copies of the plan were presented to the Housing Advisory Commission (HAC) at their January and February 2020 meetings for comments.
3	Agency/Group/Organization	Homeless Commission
	Agency/Group/Organization Type	Other government - Local
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Homeless Commission provides their expertise and recommendations for funding for community agencies including the portion of CDBG public services funding that supports the homeless population.

Table 2 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

No Agency Types were knowingly excluded.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
EveryOne Home Plan	EveryOne Home (Alameda County's Continuum of Care)	The EveryOne Home Strategic Update Report , the countywide plan to end homelessness, was adopted by the City in 2019. Berkeley's activities to end homelessness, including those supported by federal monies as articulated in this plan, align with the EveryOne Home Plan.
Housing Element 2015-2023	City of Berkeley	The Housing Element addresses housing production and preservation in the City of Berkeley and includes issues related to affordable housing that overlap with this report's goal to increase affordable housing supply and quality.
Health Status Report of 2018	Health, Housing, and Community Services; Public Health Division	The goal of the Health Status Report is to provide a picture of the health status of people living in Berkeley. The report helps define goals and objectives for improving Berkeley's healthy by reducing and eliminating health inequities in Berkeley, which includes assessing and addressing the social determinants of health. The Health Status Report highlights overlapping health and housing needs for low-income individuals that are addressed in the Consolidated Plan.
2020 Vision	Collaboration between various local agencies	Berkeley's 2020 Vision : Equity in Education is a collective impact initiative that strives to eliminate racial disparities in academic achievement in Berkeley's public schools. This citywide partnerships seeks to close Berkeley's educational "opportunity gap" through a shared community commitment to this goal: that <u>all</u> young people in Berkeley grow up with equitable opportunities to achieve high outcomes and realize their full potential. Four core institutional partners oversee Berkeley's 2020 Vision: the City of Berkeley , BUSD , Berkeley City College (BCC) , and the University of California at Berkeley (UC Berkeley) . Public agency, education, nonprofit, and other partners lend content expertise, shape the direction of this initiative, and represent the students and families they serve. This is consistent with goals of reducing inequities and increasing economic opportunities for Berkeley residents. The Consolidated Plan works toward these shared goals by supporting housing and public services for low-income residents.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Age-Friendly Berkeley Action Plan	Health, Housing, and Community Services; Aging Division	This report focuses on the aging population in Berkeley and the fact that the vast majority of older adults want to age in their homes and local Berkeley community. The Age-Friendly Berkeley initiative helps prepare Berkeley for its rapidly aging population by gathering input from the community and pulling together public and private leaders, resources, ideas, and strategies to address the issues raised. Age-Friendly Berkeley is a collective effort whose goal is to ensure that all Berkeley residents are connected, healthy, and engaged in their environments. The Consolidated Plan speaks directly to affordable housing goals that support low-income persons, specifically including seniors and persons with disabilities.

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

EveryOne Home, described above under the Continuum of Care question, is an important venue for coordination with other units of local government in Alameda County on the issue of homelessness. Most affordable housing developments in Berkeley receive other public funding, most typically Low Income Housing Tax Credits, but also other County and State programs, such as No Place Like Home funding for affordable housing for mentally disabled residents. The Housing & Community Services Division works with both the City’s Mental Health Division and the Alameda County Health Care Services Agency to take advantage of No Place Like Home funding to support the creation of additional permanently affordable units for unhoused residents on the Home Stretch list.

Narrative (optional):

N/A.

PR-15 Citizen Participation

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

This plan was developed with citizen participation consistent with the City's adopted [Citizen Participation Plan](https://www.cityofberkeley.info/uploadedFiles/Housing/Level_3_-_General/CitizenParticipationPlan_5_12_2012_FINAL.pdf) (available at: [https://www.cityofberkeley.info/uploadedFiles/Housing/Level_3 - General/CitizenParticipationPlan_5_12_2012_FINAL.pdf](https://www.cityofberkeley.info/uploadedFiles/Housing/Level_3_-_General/CitizenParticipationPlan_5_12_2012_FINAL.pdf)).

Two public hearings were held on November 7, 2019 before the Housing Advisory Commission to receive input from Berkeley residents on 1) the Draft *Regional Analysis of Impediments* to Fair Housing Choice, and 2) Berkeley's housing and community development needs.

The public hearing on the *Regional Analysis of Impediments* to Fair Housing Choice began with a presentation summarizing the draft report. Three members of the public were present, and one spoke, at the November 7, 2019 public hearing on the Draft Analysis of Impediments. Comments from the public and commissioners included dedicating additional City staff resources to monitor and enforce Berkeley's ordinance regarding source of income discrimination and to administer the City's fair housing efforts, consider supporting countywide or state efforts to develop and implement just cause eviction regulations, vacancy rates for new housing developments, and community input on development plans in Berkeley's R/ECAPs. During the Draft *Regional Analysis of Impediments* public comment period of October 28, 2019 through December 12, 2019 no written comments were received by the City of Berkeley.

The community needs hearing began with a presentation summarizing the use of federal funds in PY18. Four members of the public were present, and none spoke, at the November 7, 2019 public hearing on community needs. There were no comments from the public but a commission comment addressed additional in-house City-supported enforcement of both Fair Housing and source of income discrimination.

The draft Consolidated Plan was shared with the Housing Advisory Commission on January 9, and February 6, 2020. Comments during these two meetings included the chosen paper of publication for the public hearings, possible Council considerations for ordinances that may impact affordable housing units, protections should be put into place, homeless being expensive and additional non-HUD funded strategies may have more success locally, current affordable housing fees and requirements do not support the demand for affordable housing, ensure outreach to the South West Berkeley community.

A public comment period was opened on March 27, 2020 and concluded on May 1st, 2020 after the public hearing at the April 28, 2020 Berkeley City Council meeting. An announcement regarding the public hearing and public comment period were published in the Berkeley Voice on March

27, 2020. The announcement stated where to locate the publically available Plan, the dates of the public comment period, and a summary of key elements of the Plan. The announcement also included information in Spanish and Chinese languages regarding how to obtain information about the Plan. The announcement was republished on April 24, 2020 to notify the public how to participate virtually in the public hearing during the COVID-19 Shelter in Place order and also included all the above mentioned information.

Additional outreach for the draft Plan comment period and public hearing was accomplished via mailings to interested parties on the Health, Housing and Community Services Department outreach lists, which include interested individuals, a mailing to Berkeley Housing Authority consumers, community agencies serving low-income people. Due to the COVID-19 Shelter in Place order many of the usual public buildings where the public hearing notice is posted were closed. Those included recreation centers, senior centers, libraries and other government buildings. The draft Plan was also posted on the City's website. The final plan, once adopted and accepted by HUD, will be posted on the City's website.

No members of the public spoke at the April 28, 2020 public hearing. This hearing was held virtually due to COVID-19. During the Plan's public comment period of March 27, 2020 through May 1, 2020, no written comments were received.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Hearing	Non-targeted/broad community	One member of the public spoke at the November 7, 2019 public hearing on community needs in front of the Housing Advisory Commission.	City-supported enforcement of source of income is needed.	All comments were accepted. Additional resources could enhance City-administered programs as noted in the summary of public comments above. It would take additional federal or location funding, however, which are currently not available.	https://www.cityofberkeley.info/Housing_Advisory_Commission/

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Public Hearing	Non-targeted/broad community	No members of the public spoke at the November 7, 2019 public hearing on the Draft Regional Analysis of Impediments in front of the Housing Advisory Commission.	Comments and discussion from the commissioners focused on additional enforcement needs for Fair Housing and source of income discrimination, concerns about vacancy rate of new developments in Berkeley, and alignment with development plans and community input within the R/ECAP areas.	All comments were accepted. Additional resources could enhance City-administered programs as noted in the summary of public comments above. It would take additional federal or location funding, however, which are currently not available.	https://www.cityofberkeley.info/Housing_Advisory_Commission/

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Public Meeting	Non-targeted/broad community	No members of the public spoke on the Consolidated Plan at the January 9, 2020 in front of the Housing Advisory Commission.	One question was raised regarding the paper of publication.	Berkeley Voice, the paper of publication for notices is the newspaper of general circulation for the jurisdiction.	https://www.cityofberkeley.info/Housing_Advisory_Commission/

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Public Meeting	Non-targeted/broad community	No members of the public spoke on the Consolidated Plan at the February 6, 2020 in front of the Housing Advisory Commission.	Discussion from the commissioners included possible Council considerations for ordinances that may impact affordable housing units, protections should be put into place, homeless is expensive and other non-HUD funded strategies may have more success locally, current affordable housing fees and requirements do not support the demand for affordable housing, ensure outreach to the South West Berkeley community.	All comments were accepted.	https://www.cityofberkeley.info/Housing_Advisory_Commission/

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
5	Public Hearing	Non-targeted/broad community	No members of the public spoke at the April 28, 2020 virtual public hearing in front of the Berkeley City Council.	No comments on the content were received from the public or Council.	N/A	https://www.cityofberkeley.info/Clerk/City_Council/City_Council_Agenda_Index.aspx

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

The Needs Assessment of the Consolidated Plan, in conjunction with information gathered through consultations and the citizen participation process, provides a clear picture of the jurisdiction's needs related to affordable housing, special needs housing, community development, and homelessness. The Needs Assessment includes the following sections:

- Housing Needs Assessment
- Disproportionately Greater Need
- Public Housing
- Homeless Needs Assessment
- Non-Homeless Special Needs Assessment
- Non-Housing Community Development Needs

The Needs Assessment identifies those needs with the highest priorities which form the basis for the Strategic Plan section and the programs and projects to be administered throughout the Plan period. Most of the data tables in this section are populated with default data from the Comprehensive Housing Affordability Strategy (CHAS) developed by the Census Bureau for HUD based on 2011-2015 American Community Survey (ACS) Census. Other sources are noted throughout the Plan.

NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c)

Summary of Housing Needs

As defined by HUD, housing problems include:

- Units lacking a complete kitchen or plumbing facilities;
- Housing cost burden of more than 30 percent of the household income (for renters, housing costs include rent paid by the tenant plus utilities and for owners, housing costs include mortgage payments, taxes, insurance, and utilities);
- Severe housing cost burden of more than 50 percent of gross income; and
- Overcrowding which is defined as more than one person per room, not including bathrooms, porches, foyers, halls, or half-rooms.

The following income categories are used throughout the Plan:

- Extremely low: households with income less than 30 percent of area median income (AMI)
- Very low: households with income between 30 and 50 percent of AMI
- Low: households with income between 51 and 80 percent of AMI
- Moderate: households with income between 81 and 120 percent of AMI
- Above moderate: households with income above 120 percent of AMI

Based on the data presented in tables below from CHAS, there are 117,385 people residing in the City of Berkeley comprising 45,915 households. Of these households, 20,175 households (or 43.9 percent) are considered “low income” per HUD definitions (under 80 percent of Area Median Income). According to the 2013-2017 American Community Survey (ACS) 5-year Estimates, which counts 45,515 households and a population of 120,179, 42.9 percent of occupied housing units are owner-occupied and 57.1 percent are renter-occupied. The CHAS data below shows that approximately 13,984 renter-households and 3,520 owner-households have some type of housing problem. That is equivalent to 38.1 percent of the households in the City of Berkeley. The vast majority of households in Berkeley with a housing problem have a housing affordability problem. According to the ACS, of the occupied units paying rent, 56.1 percent are paying 30 percent or more of their income in gross rent. Overcrowding and substandard units are far less common, according to Census data.

Demographics	Base Year: 2009	Most Recent Year: 2015	% Change
Population	112,580	117,385	4%
Households	40,079	45,915	15%
Median Income	\$59,097.00	\$66,237.00	12%

Table 5 - Housing Needs Assessment Demographics

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Number of Households Table – HUD Area Median Family Income (HAMFI)

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households	10,865	4,575	4,735	4,015	21,730
Small Family Households*	1,490	980	1,165	980	9,500
Large Family Households**	95	140	65	145	720
Household contains at least one person 62-74 years of age	1,790	905	785	550	5,605
Household contains at least one person age 75 or older	1,134	565	520	400	2,025
Households with one or more children 6 years old or younger	430	205	184	329	2,440

Table 6 - Total Households Table

Data Source: 2011-2015 CHAS
 *4 persons or less
 **5 persons or more
 Source: "Chas Table Summary" Page 2
<https://www.huduser.gov/portal/datasets/cp/CHAS/2007Data/CHAS%20table%20summary.doc>

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	185	75	75	15	350	20	0	0	0	20
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	245	55	45	35	380	0	0	10	0	10
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	275	120	55	10	460	0	10	15	20	45
Housing cost burden greater than 50% of income (and none of the above problems)	5,785	1,320	480	60	7,645	860	615	455	340	2,270

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Housing cost burden greater than 30% of income (and none of the above problems)	865	1,135	1,400	680	4,080	175	210	325	350	1,060
Zero/negative Income (and none of the above problems)	1,050	0	0	0	1,050	115	0	0	0	115

Table 7 – Housing Problems Table

Data Source: 2011-2015 CHAS

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	6,485	1,570	655	120	8,830	875	625	475	360	2,335
Having none of four housing problems	2,045	1,830	2,535	2,435	8,845	290	545	1,070	1,100	3,005
Household has negative income, but none of the other housing problems	1,050	0	0	0	1,050	115	0	0	0	115

Table 8 – Housing Problems 2

Data Source: 2011-2015 CHAS

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	1,040	630	365	2,035	190	195	300	685
Large Related	75	105	10	190	0	10	15	25
Elderly	1,375	269	165	1,809	610	485	350	1,445
Other	4,705	1,625	1,435	7,765	235	130	120	485
Total need by income	7,195	2,629	1,975	11,799	1,035	820	785	2,640

Table 9 – Cost Burden > 30%

Data Source: 2011-2015 CHAS

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	860	300	60	1,220	180	165	190	535
Large Related	50	30	10	90	0	10	0	10
Elderly	950	95	45	1,090	465	320	190	975
Other	4,350	950	375	5,675	215	120	75	410
Total need by income	6,210	1,375	490	8,075	860	615	455	1,930

Table 10 – Cost Burden > 50%

Data Source: 2011-2015 CHAS

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	175	125	60	45	405	0	10	20	20	50
Multiple, unrelated family households	0	0	0	0	0	0	0	4	0	4

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Other, non-family households	380	50	50	0	480	0	0	0	0	0
Total need by income	555	175	110	45	885	0	10	24	20	54

Table 11 – Crowding Information – 1/2

Data Source: 2011-2015 CHAS

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available

Table 12 – Crowding Information – 2/2

Data Source Comments: No data available.

Describe the number and type of single person households in need of housing assistance.

The 2013-2017 ACS showed that of 45,515 households, 34.2 percent (or 15,571 households) are single-person households. Among all households over 65 years old, 45.6 percent are living alone. Among all renters, householders living alone make up 41.7 percent, with single householders 65 years and older making up nearly nine percent (8.8%) of renters. Within owner occupied housing units, 24.2 percent are single person households with single householders 65 years and older making up 13.5 percent of owner occupied housing units.

Compared to the average household (in Berkeley it is 2.5 people), a single-person household will likely pay a larger portion of their income on housing. This is not surprising given the high cost of housing in Berkeley and in the Bay Area generally. According to the January 2019 *Homeless Count and Survey* conducted by Applied Survey Research on behalf of the City, as a part of Alameda County’s EveryOne Home effort (http://everyonehome.org/wp-content/uploads/2019/09/2019HIRDReport_Berkeley_2019-Final.pdf), there were 1,057 individuals who were single households and experiencing homelessness out of the total count of 1,108 individuals.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

The Berkeley Housing Authority (BHA) currently has 1,495 Housing Choice Vouchers with a HAP contract and according to the BHA, 60 percent of the vouchers are utilized by families with disabilities (see NA-35

below). When the waiting list for the Housing Choice Voucher program was opened in 2010, approximately 37,000 people applied. Twenty percent of applicants, or 7,400 people, indicated on their application that they had a disability. The percentage of current voucher holders with disabilities and the number of applicants with disabilities underscore the large demand of affordable housing for families with disabilities. Annually, approximately 2-4 victims of domestic violence, dating violence, sexual assault or stalking victims are assisted by BHA staff, by implementation of the VAWA Plan.

According to the previously referenced Berkeley *Homeless Count and Survey*, a history of domestic violence and partner abuse can be the primary cause of homelessness. Victims of domestic violence have a great risk of becoming homeless and experiencing poverty. According to the Family and Youth Services Bureau (<https://www.acf.hhs.gov/fysb/resource/dv-homelessness-stats-2016>), this is likely tied to a high need for services, including housing and financial support, and the lack of commensurate housing and financial resources available. The lack of affordable housing in the City likely makes it difficult for victims of domestic violence to leave their violent homes, so it is plausible that they are more likely to move to an overcrowded unit or into a homeless shelter than those not experiencing domestic violence. Five percent of the 2019 *Homeless Count and Survey* respondents in Berkeley reported currently experiencing domestic violence or abuse, compared to six percent of respondents in Alameda County. Twenty-five percent of the 2019 *Homeless Count and Survey* respondents in Berkeley reported a history of experiencing physical, emotional or sexual abuse by a relative or by a person with whom they have lived. The City has seen an increase in domestic violence-related calls for assistance to the Berkeley Police Department. From 2009-2016, there was an average of 169 domestic violence-related calls per year while the most recent data (2017-2018) shows an average of 224 domestic violence-related calls per year (State of California Department of Justice, <http://oag.ca.gov/crime/cjsc/stats/domestic-violence>). The recent increase likely means more families will require housing assistance in order to safely relocate.

What are the most common housing problems?

The most common housing problems are cost burdens for both renters and homeowners. According to the data above, a housing cost burden of greater than 50 percent of income affects 5,785 of renter households in the lowest income range (0-30 percent AMI). In total, housing cost burden greater than 50 percent of income affects 10,005 households (8,075 rental and 1,930 homeowner).

Are any populations/household types more affected than others by these problems?

Renters, in most income categories, are more affected by housing cost burdens than homeowners and thus, have the greatest needs. The 2013-2017 ACS data shows that 56.8 percent of renters are paying 30 percent or more of household income on housing compared to 35.1 percent of homeowners. The largest renter group experiencing housing cost burdens are unrelated and non-elderly households while the owner group most burdened by housing costs are elderly households.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

According to the CHAS data, there are 430 households with one or more children 6 years or younger in the extremely low income category, 205 households in the very low income category, and 184 households in the low income category. These numbers represent declines in those populations from the last Consolidated Plan, with 83 fewer in the extremely low income category, 119 fewer in the very low income category, and 196 fewer in the low income category. These households, while in decline, are at higher risks of homelessness, especially the extremely low income group, due to their limited income and the City's high housing cost burden. Low income families with children need affordable homes that are large enough to accommodate them. The City funds a variety of social services for low income families, such as health care, child care, and programs serving children and youth. In addition, in 2014, the City adopted its own Minimum Wage Ordinance. Starting in July of 2019 the Berkeley minimum wage was raised to \$15.59 and will continue to increase annually with the Consumer Price Index (CPI) for the San Francisco-Oakland-San Jose metropolitan statistical area. Raising the minimum wage helps low income individuals and families. The National Low Income Housing Coalition publishes an annual report, called *Out of Reach* (<https://reports.nlihc.org/oor/zip?code=94704&=Go>), to show how much a household must earn to afford a decent rental home at HUD-estimated Fair Market Rent (FMR) while spending no more than 30 percent of their income on housing costs. Unfortunately, according to the 2019 *Out of Reach* report and available data, a person would need to make over \$30.00 per hour even to be able to afford a one bedroom unit anywhere in Berkeley.

The City of Berkeley targets City homeless financial resources to households who will be most successful with the intervention offered, whether it be one-time flex funds or longer term rapid rehousing. The City provides rapid rehousing financial assistance to households that are literally homeless who can sustain their rent overtime, and who are expected to "graduate" from the rental assistance within the 24 month period ESG requirement.

Between PY14 – PY18 (July 1, 2015 through June 30, 2019), the City of Berkeley's Priority Home Partnership (PHP) Rapid Re-Housing Program served 106 people in 80 households. Fifteen percent of the rapid re-housing households were families with varying forms of employment or other incomes. Fifty-five percent of the people housed through PHP were chronically homeless individuals or families who eventually received a permanent supportive housing or Section 8 voucher to remain housed. Twenty-six percent of the people maintained their housing by assuming the full rent. The remaining households left the program to temporary destinations.

To help alleviate the lack of permanent housing subsidy, Berkeley has experimented with prioritizing rapid rehousing for its highest-needs individuals as determined through the City's Coordinated Entry System. However, the City has found that rapid rehousing can be used as a bridge to permanent housing

subsidies, but, used alone, cannot prevent some of the highest needs people from returning to homelessness. Overreliance on rapid rehousing with high needs individuals in a tight housing market is a strategy that is tenuous in the long-run.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

N/A

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

In the City of Berkeley, the high cost burden is a housing characteristic strongly linked with instability and an increased risk of homelessness. According to the 2019 *Out of Reach* report, the hourly wage needed to afford a two-bedroom at FMR (\$2,790) in downtown Berkeley is \$53.65. According to the report, the same downtown zip code (94704) also has a poverty rate of 51.4 percent with a median household income of \$26,758 and an unemployment rate of just over nine percent (9.1%). The urbanized downtown area of Berkeley sits in stark contrast with the more suburban neighboring zip code (94705), which has an unemployment rate of just over five percent (5.3%), a 10.1 percent poverty rate, an \$116,250 median household income and where the hourly wage needed to afford a two-bedroom at FMR (\$2,370) is \$45.58. Proximity to social services and regional job centers via public transit makes Berkeley's urban downtown appealing, but its higher housing prices make it difficult for low income, transit dependent residents (without cars) to retain housing.

While the lower income households within the downtown core of Berkeley is of particular note, the numbers also reflect the impact of the University of California at Berkeley's (UC Berkeley) student population many of whom have little or no income. Students compete with nonstudent residents for housing, creating elevated pricing conditions for existing low income households, especially in those geographic areas surrounding the UC Berkeley campus.

Discussion

Housing affordability persists as a critical housing issue in Berkeley as well as the whole San Francisco Bay Area. Low-income renters and homeless persons are exceptionally impacted by limited affordable housing in Berkeley. The City continues to fund a variety of programs to support homeless persons and low income renters and homeowners with federal and local funds. The housing shortage and rapid rent increases in Berkeley are exacerbated by the growing student population associated with the University of California's Berkeley campus. As reported by the news publication, [Berkeleyside](https://www.berkeleyside.com/2019/06/17/city-sues-uc-berkeley-for-not-studying-impacts-of-34-student-enrollment-increase) on June 17, 2019 (<https://www.berkeleyside.com/2019/06/17/city-sues-uc-berkeley-for-not-studying-impacts-of-34-student-enrollment-increase>), the City filed a lawsuit against UC Berkeley on June 14, 2019, contending that the university did not analyze the impacts of a more than 30 percent enrollment increase on City

services. The City contends that UC Berkeley should complete an environmental review of their projected student increase (from 33,450 to 44,735 students by 2022-2023). At the time of this document's drafting, supplemental funds had not been allocated to directly address the impact on the city of the estimated 11,000 student increase. Low income students experiencing homelessness remain a concern.

NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

A disproportionately greater need exists when the members of racial or ethnic group at a given income level experience housing problems at a greater rate (10 percentage points or more) than the income level of the jurisdiction as a whole. The four housing problems are: 1) the lack of complete kitchen facilities, 2) the lack of complete plumbing facilities, 3) more than one person per room, and 4) a cost burden greater than 30 percent.

0%-30% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	8,400	1,295	1,165
White	3,945	600	345
Black / African American	1,325	370	85
Asian	1,855	245	574
American Indian, Alaska Native	95	0	0
Pacific Islander	55	0	0
Hispanic	750	40	100

Table 13 - Disproportionally Greater Need 0 - 30% AMI

Data Source:

2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost burden greater than 30 percent

30%-50% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	3,540	1,035	0
White	2,015	525	0
Black / African American	390	235	0
Asian	585	170	0
American Indian, Alaska Native	15	0	0
Pacific Islander	0	0	0
Hispanic	430	64	0

Table 14 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost burden greater than 30 percent

50%-80% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,855	1,880	0
White	1,695	1,140	0
Black / African American	275	175	0
Asian	425	245	0
American Indian, Alaska Native	20	4	0
Pacific Islander	40	10	0
Hispanic	260	195	0

Table 15 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost burden greater than 30 percent

80%-100% of Area Median Income

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,510	2,505	0
White	890	1,310	0
Black / African American	100	305	0
Asian	300	490	0
American Indian, Alaska Native	4	0	0
Pacific Islander	0	0	0
Hispanic	180	250	0

Table 16 - Disproportionally Greater Need 80 - 100% AMI

Data Source:

2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost burden greater than 30 percent

Discussion

Generally speaking, those in lower income categories in Berkeley have higher rates of housing problems. For example, 77.3 percent of people in the 0-30 percent of Area Median Income have one of the four housing problems, as do to 77.3 percent of the 30-50 percent of Area Median Income category, while 60.2 percent of the 50-80 percent of Area Median Income category, and 37.6 percent of the 80-100 percent of Area Median Income category have one of the four housing problems (in the 0-30 percent, there are an additional 1,165 households which have no or negative income as their sole housing problem). As income drops, chances of having housing problems increase.

The following groups have disproportionately greater needs (10 percent higher than the percentage experiencing one of four housing problems of the jurisdiction's income level as a whole), as demonstrated by the modified tables below (originally tables 13-16, now labeled as "Edited" and located in this discussion section) that include expanded data to reflect the percent experiencing one of four housing problems:

- American Indians/Alaska Natives in the 0-30 percent of Area Median Income category are at 100 percent of 95 households experiencing one or more of four housing problems. In the 30-50 percent of Area Median Income category, 100 percent of the 15 households have one or more of four housing problems. In the 50-80 percent of Area Median Income category, 83.3 percent of the 24 households have one or more of four housing problems. In the 80-100 percent of Area Median Income category, 100 percent of the 4 households have one or more of four housing problems.

- Pacific Islanders in the 0-30 percent of Area Median Income category, have 100 percent of 55 households with one or more of four housing problems. In the 50-80 percent of Area Median Income category, 80 percent of the 50 households have one or more of four housing problems.
- Hispanics in the 30-50 percent of Area Median Income category experience one or more of four housing problems, at 87 percent.

According to the 2020 Alameda County *Regional Analysis of Impediments to Fair Housing Choice* (<https://www.cityofberkeley.info/ContentDisplay.aspx?id=36278>), across the county, minority households, especially black and Hispanic households, have the highest rate of disproportionate housing needs.

0%-30% of Area Median Income (Edited - including percent with one or more of four housing problems)

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	8,400	1,295	1,165	10,860	77.3
White	3,945	600	345	4,890	80.6
Black / African American	1,325	370	85	1,780	74.4
Asian	1,855	245	574	2,674	69.3
American Indian, Alaska Native	95	0	0	95	100
Pacific Islander	55	0	0	55	100
Hispanic	750	40	100	890	84.2

Edited Table 17 - Disproportionally Greater Need 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost burden greater than 30 percent

30%-50% of Area Median Income (Edited - including percent with one or more of four housing problems)

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	3,540	1,035	0	4,575	77.3
White	2,015	525	0	2,540	79.3
Black / African American	390	235	0	625	62.4
Asian	585	170	0	755	77.4
American Indian, Alaska Native	15	0	0	15	100
Pacific Islander	0	0	0	0	0
Hispanic	430	64	0	494	87

Edited Table 18 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost burden greater than 30 percent

50%-80% of Area Median Income (Edited - including percent with one or more of four housing problems)

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	2,855	1,880	0	4,735	60.2
White	1,695	1,140	0	2,835	59.7
Black / African American	275	175	0	450	61.1
Asian	425	245	0	670	63.4
American Indian, Alaska Native	20	4	0	24	83.3
Pacific Islander	40	10	0	50	80
Hispanic	260	195	0	455	57.1

Edited Table 19 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost burden greater than 30 percent

80%-100% of Area Median Income (Edited - including percent with one or more of four housing problems)

Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	1,510	2,505	0	4,015	37.6
White	890	1,310	0	2,200	40.4
Black / African American	100	305	0	405	24.6
Asian	300	490	0	790	37.9
American Indian, Alaska Native	4	0	0	4	100
Pacific Islander	0	0	0	0	0
Hispanic	180	250	0	430	41.8

(Edited) Table 20 - Disproportionally Greater Need 80 - 100% AMI

Data Source:

2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost burden greater than 30 percent

NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

The four severe housing problems are: 1) the lack of complete kitchen facilities, 2) the lack of complete plumbing facilities, 3) more than 1.5 persons per room, and 4) a cost burden greater than 50 percent.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	7,360	2,335	1,165
White	3,585	960	345
Black / African American	1,025	670	85
Asian	1,740	355	574
American Indian, Alaska Native	60	35	0
Pacific Islander	55	0	0
Hispanic	575	215	100

Table 21 – Severe Housing Problems 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,195	2,375	0
White	1,225	1,315	0
Black / African American	225	410	0
Asian	340	415	0
American Indian, Alaska Native	15	0	0
Pacific Islander	0	0	0
Hispanic	310	190	0

Table 22 – Severe Housing Problems 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,130	3,605	0
White	775	2,060	0
Black / African American	120	330	0
Asian	190	475	0
American Indian, Alaska Native	4	15	0
Pacific Islander	0	50	0
Hispanic	24	425	0

Table 23 – Severe Housing Problems 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	480	3,535	0
White	295	1,905	0
Black / African American	60	350	0
Asian	40	750	0
American Indian, Alaska Native	0	4	0
Pacific Islander	0	0	0
Hispanic	85	340	0

Table 24 – Severe Housing Problems 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

Discussion

There are two problems that distinguish “severe housing problems” from “housing problems”:

- Overcrowded households with more than 1.5 persons per room instead of 1 person per room, not including bathrooms, porches foyers, halls, or half-rooms.
- Households with cost burdens of more than 50 percent of income instead of 30 percent.

The following groups have disproportionately greater needs (10 percent higher than the percentage experiencing one of four severe housing problems of the jurisdiction’s income level as a whole), as demonstrated by the modified tables below (originally tables 17-20, marked “Edited”), which include the percent experiencing one of four severe housing problems:

- In the 0-30 percent of Area Median Income category 67.7 percent overall have one or more severe housing problem. Pacific Islanders had disproportionately greater need in comparison to the needs of that category of need as a whole, with 100 percent of 55 households experiencing have one or more of four severe housing problems.
- In the 30-50 percent of Area Median Income category 48 percent overall have one or more of four severe housing problems. American Indian, Alaska Natives had disproportionately greater need in comparison to the needs of that category of need as a whole, with 100 percent of 15 households experiencing one or more of four severe housing problems.

When applicable to fair housing law, Berkeley is working to address disproportionately severe housing problems when they can be addressed by landlords through continuing to fund fair housing outreach, education, investigation, and enforcement. Alameda County’s Draft 2020 *Regional Analysis of Impediments* catalogues Berkeley’s efforts with limited resources. In FY17, a city funded community agency provided fair housing services and a majority of tenants served had housing-related issues related to their disabled status; however, gender, family status, national origin, race, and age discrimination were also reported.

0%-30% of Area Median Income (Edited - including percent with one or more of four housing problems)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	7,360	2,335	1,165	10,860	67.7
White	3,585	960	345	4,890	73.3
Black / African American	1,025	670	85	1,780	57.5
Asian	1,740	355	574	2,669	65.1
American Indian, Alaska Native	60	35	0	95	63.1
Pacific Islander	55	0	0	55	100
Hispanic	575	215	100	890	64.6

Edited Table 25 – Severe Housing Problems 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

30%-50% of Area Median Income (Edited - including percent with one or more of four housing problems)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	2,195	2,375	0	4,570	48
White	1,225	1,315	0	2,540	48.2
Black / African American	225	410	0	635	35.4
Asian	340	415	0	755	45
American Indian, Alaska Native	15	0	0	15	100
Pacific Islander	0	0	0	0	0
Hispanic	310	190	0	500	62

Edited Table 26 – Severe Housing Problems 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

50%-80% of Area Median Income (Edited - including percent with one or more of four housing problems)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	1,130	3,605	0	4,735	23.8
White	775	2,060	0	2,835	2
Black / African American	120	330	0	450	26.6
Asian	190	475	0	665	28.5
American Indian, Alaska Native	4	15	0	19	21
Pacific Islander	0	50	0	50	0
Hispanic	24	425	0	449	5

Edited Table 27 – Severe Housing Problems 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

80%-100% of Area Median Income (Edited - including percent with one or more of four housing problems)

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems	TOTAL	Percent with one or more of four housing problems
Jurisdiction as a whole	480	3,535	0	4,015	11.9
White	295	1,905	0	2,200	13.4
Black / African American	60	350	0	410	14.6
Asian	40	750	0	790	5
American Indian, Alaska Native	0	4	0	4	0
Pacific Islander	0	0	0	0	0
Hispanic	85	340	0	425	20

Edited Table 28 – Severe Housing Problems 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost burden over 50 percent

NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction:

The following table displays cost burden information for the jurisdiction and each racial and ethnic group, including no cost burden (less than or equal to 30 percent), cost burden (greater than 30 to 50 percent), severe cost burden (more than 50 percent), and no/negative income.

Housing Cost Burden

Housing Cost Burden	<=30%	>30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	25,875	8,065	10,705	1,265
White	18,100	4,750	5,890	360
Black / African American	1,825	775	1,340	85
Asian	3,415	1,180	2,140	644
American Indian, Alaska Native	35	55	70	4
Pacific Islander	10	40	55	0
Hispanic	1,650	935	840	105

Table 29 – Greater Need: Housing Cost Burdens AMI

Data Source: 2011-2015 CHAS

Discussion:

When individuals of all incomes are combined by race or ethnicity, based on a housing cost burden of 30-50 percent or >50 percent of Area Median Income, the disproportionately greater needs compared to the needs of the jurisdiction as a whole are evident and described below (as demonstrated in the table below based on Table 21):

- For Black/African Americans: A cost burden of 50 percent or more of their income impacts 33.5 percent of Black / African Americans, compared to 23.3 percent of the City as a whole.
- For American Indian, Alaska Native: A cost burden of 30 percent up to 50 percent impacts 33.5 percent of American Indian, Alaska Native, compared to 17.5 percent of the City as a whole. A cost burden of 50 percent or more of their income impacts 42.6 percent of American Indian, Alaska Native, compared to 23.3 percent of the City as a whole.
- For Pacific Islanders: A cost burden of 30-50 percent impacts 38 percent Pacific Islanders, compared to 17.5 percent of the City as a whole. A cost burden of 50 percent or more of their

income impacts 52.3 percent of Pacific Islanders, compared to 23.3 percent of the City as a whole.

Housing Cost Burden (Edited- including percent of total group within each burden category)

Housing Cost Burden	<=30%	Percent of total with <=30%	30-50%	Percent of total with 30-50%	>50%	Percent of total with >50%	No / negative income (not computed)	TOTAL
Jurisdiction as a whole	25,875	56.3	8,065	17.5	10,705	23.3	1,265	45,910
White	18,100	62.1	4,750	16.3	5,890	20.2	360	29,100
Black / African American	1,825	45.3	775	19.2	1,340	33.2	85	4,025
Asian	3,415	46.2	1,180	15.9	2,140	29	644	7,379
American Indian, Alaska Native	35	21.3	55	33.5	70	42.6	4	164
Pacific Islander	10	9	40	38	55	52.3	0	105
Hispanic	1,650	46.7	935	26.4	840	23.7	105	3,530

Edited Table 30 – Greater Need: Housing Cost Burdens AMI

Data Source: 2011-2015 CHAS

As previously mentioned in NA-20, Berkeley, in partnership with a community based agency, works to address fair housing with a partner community based agency. Efforts include housing and income discrimination through housing outreach, education, investigation, and enforcement. Alameda County’s 2020 *Regional Analysis of Impediments* catalogues Berkeley’s efforts with limited resources.

NA-30 Disproportionately Greater Need: Discussion – 91.205(b)(2)

Are there any income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

At the 0-30 percent of Area Median Income category, among those with one or more of four severe housing problems, Pacific Islanders have a disproportionately greater need than the needs of the income category as a whole. At the 0-30 percent of Area Median Income category, among those with one or more of four housing problems, American Indian, Alaska Natives and Pacific Islanders have disproportionately greater needs than the needs of the income category as a whole.

In the 30-50 percent of Area Median Income range, among those with one or more of four severe housing problems, American Indian, Alaska Natives and Hispanics are experiencing a disproportionate need. At the 30-50 percent of Area Median Income category, among those with one or more of four housing problems, American Indian, Alaska Natives and Hispanics also face a disproportionate need.

At the 50-80 percent of Area Median Income category, among those with one or more of four severe housing problems, no one group has a significant need above the percent impacted within the jurisdiction as a whole. At the 50-80 percent of Area Median Income category, among those with one or more of four housing problems, American Indian, Alaska Natives and Pacific Islanders have disproportionately greater needs than the needs of the income category as a whole.

At the 80-100 percent of Area Median Income category, among those with one or more of four severe housing problems, no one group has a significant need above the percent impacted within the jurisdiction as a whole. At the 80-100 percent of Area Median Income category, among those with one or more of four housing problems, only American Indian, Alaska Natives had a significant need at 100 percent, however that was with only four households as a total in that category.

Across all income categories, among those with one or more of four housing problems, American Indian, Alaska Natives consistently have disproportionately greater needs than their income categories as a whole.

If they have needs not identified above, what are those needs?

No additional needs have been identified.

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

The 2010 Census data shows that most of the Hispanic populations are located in the census tracts in the central, southern and western parts of the City along with the area around the University. The strongest concentration occurred in the western quadrant of the City. The American Indian and Alaskan

Native populations are scattered throughout the City, but the number of American Indian and Alaskan Native households are too small to determine whether they're concentrated in a specific area.

According to Alameda County's 2020 *Regional Analysis of Impediments*, segregation between white and non-white residents has increased for every jurisdiction since 1990 except for Oakland, Berkeley, and Union City. Segregation between black and white residents has increased for every jurisdiction except for Alameda and Oakland. Segregation between white and Hispanic residents has increased for every jurisdiction. Segregation for white and Asian or Pacific Islander residents has increased for every jurisdiction except Fremont and Union City. In general, participating jurisdictions, except for the County, Berkeley, and Oakland, have low levels of segregation.

A Racially or Ethnically Concentrated Area of Poverty (R/ECAP) is a neighborhood (census tract) with a poverty rate of 40 percent or more and a racial or ethnic concentration (50 percent or more of the tract is minority). The *Regional Analysis of Impediments* identifies the Berkeley's R/ECAPs. In Berkeley, 40 percent of R/ECAP residents are white, 39 percent are Asian, and 11 percent are Hispanic. By comparison, in Oakland, 37 percent of R/ECAP residents are Hispanic, 37 percent are black, and 15 percent are Asian or Pacific Islander.

NA-35 Public Housing – 91.205(b)

Introduction

The Berkeley Housing Authority (BHA) no longer owns public housing units, as they were transitioned to Project-based Section 8 via a disposition process in 2014. The BHA Board is appointed by the Mayor of the City of Berkeley and confirmed by the City Council. BHA updated the following data for inclusion in this Plan from PIC (PIH Information Center) since the populated data from HUD was outdated.

Totals in Use

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	0	93	0	1,495	300	1,195	20	0	20

Table 31 - Public Housing by Program Type

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Data Source: PIC (PIH Information Center)

Note: There is no Consolidated Plan generated Table 23 for Berkeley.

Characteristics of Residents

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher	
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program
Average Annual Income	0	\$8,843	0	\$16,981	\$17,991	\$15,971	\$20,943	N/A
Average length of stay	0	11	0	7.5	7	8	7	N/A
Average Household size	0	1	0	1.5	1.5	1.5	1.5	N/A
# Homeless at admission	0	All	0	33	6	27	20	N/A
# of Elderly Program Participants (>62)	0	45	0	691	138	553	0	N/A
# of Disabled Families	0	98	0	900	180	720	20	N/A
# of Families requesting accessibility features	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
# of HIV/AIDS program participants	0	0	0	15	15	0	0	0
# of DV victims	0	0	0	3	1	2	0	0

Table 32 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

Race	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project -based	Tenant -based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	0	26	0	404	81	323	8	0	14
Black/African American	0	64	0	978	196	781	8	0	10
Asian	0	4	0	76	15	60	0	0	0
American Indian/Alaska Native	0	1	0	16	3	12	1	0	1
Pacific Islander	0	1	0	21	4	16	0	0	2
Other	0	0	0	0	0	0	0	0	0

***includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition**

Table 33 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Ethnicity	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project -based	Tenant -based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	0	19	0	136	58	78	2	0	4
Not Hispanic	0	79	0	1,359	242	1,118	15	0	23

***includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition**

Table 34 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

Berkeley Housing Authority (BHA) disposed of its 61 units of low income public housing and is now a voucher-only Housing Authority. Related California acquired all of the public housing units and now operates them as affordable housing. Most of these units currently receive Project-based vouchers. In the Section 8 Program, the waitlist last opened in 2010, with over 37,000 applicants (1,500 were selected randomly for the Tenant-based waitlist; 1,500 were selected randomly for the Project-based waitlist). Twenty percent of applicants indicated on their application that they were disabled. There is a lack of affordable fully accessible units, specifically with roll in showers for wheelchair-reliant individuals and others with significant mobility impairments. The Center for Independent Living, located in Berkeley and funded by the City of Berkeley, has limited funds to offer minor remodeling of current homes including rentals (ramps, grab bars, hearing and visual impaired door bells and alarms), but the demand outweighs the supply.

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

The most immediate need of voucher holders is an adequate supply of affordable rental housing units for the demand of low income households that wish to participate in the Housing Choice Voucher Program in Berkeley. Even with a Payment Standard at the maximum allowable of 110 percent of the Fair Market Rent (FMR), there are still challenges with attracting landlords willing to rent to extremely low income households. For tenants needing accessible units, it is even more difficult. Finding those accessible units in the limited pool of affordable units limits options even further. BHA would like to implement a landlord retention program to attract new landlords and encourage currently participating landlords to work with BHA again. One option is piloting a damage claim program to provide funding to landlords to make repairs upon a vacancy. This would necessitate obtaining funding from outside sources, such as the City of Berkeley.

How do these needs compare to the housing needs of the population at large

There is a significant shortage of accessible housing units for households of all income ranges. Professionals earning high salaries are better able to pay higher market rents, and this drives the rental market higher in Berkeley. Data from Zumper.com shows San Francisco has the most expensive rents in the country, averaging \$4,670 for a 2-bedroom unit (<https://www.zumper.com/>). BHA's Payment Standard for a 2-bedroom unit is \$2,336 (the 4-bedroom Payment Standard is \$3,945).

Discussion

The extremely high cost rental market in Berkeley and the rest of the Bay Area poses challenges for all but the highest income households. Unfortunately, even having a Housing Choice Voucher no longer guarantees finding housing in Berkeley will be possible.

NA-40 Homeless Needs Assessment – 91.205(c)

Introduction:

The City of Berkeley adopted the EveryOne Home *Plan to End Homelessness: 2018 Strategic Update* (<http://everyonehome.org/about/the-plan/>) in 2019 with a goal of broadening the City's approach to services and housing to allow for better outcomes among people with long-term homeless histories and severe disabling conditions. As required by HUD, Alameda County conducts a countywide homeless count every other year but a city-level count occurs when resources permit. The most recent comprehensive data available on Berkeley's homeless population comes from the 2019 homeless count.

In 2019 the survey found that Berkeley has 1,108 literally homeless people on any given night. HUD defines literally homeless people as those who are residing on the streets, in places not meant for human habitation, in shelters or in transitional housing programs.

The data show:

- Berkeley's total homeless population in 2019 represents 14 percent of the County's homeless population, while Berkeley has seven percent of the County's overall population (2018).
- Berkeley's homeless are mostly adults in households with no children (95 percent), while adults with no children make up 93 percent of the homeless population countywide.
- 35 percent (387 people) of homeless people in Berkeley met HUD's definition of chronically homeless—a single adult with a disability, homeless for one year consecutively or 4 or more times in 3 years. In Berkeley chronically homeless adults make up a greater portion of the homeless population (35%) than chronically homeless adults do in Alameda County as a whole (28%).
- 42 percent of Berkeley's homeless have a have psychiatric/emotional conditions, compared to 39 percent countywide.
- 32 percent of Berkeley's homeless have reported alcohol and drug use compared to 30 percent of Alameda County's homeless population.
- Seven percent of Berkeley's homeless population are veterans, compared to eight percent countywide.

Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)	51		104	47	20	Not Available
Persons in Households with Only Children	1		20	1	10	Not Available
Persons in Households with Only Adults	243	813	2,154	896	376	Not Available
Chronically Homeless Individuals	159	228	750	313	131	Not Available
Chronically Homeless Families	0	0	0	0	0	Not Available
Veterans	21	60	165	66	28	Not Available
Unaccompanied Child	0	0	0	0	0	Not Available
Persons with HIV	49	17	136	57	24	Not Available

Table 35 - Homeless Needs Assessment

Data Source Comments: Alameda County 2019 *Homeless Count and Survey* and [City of Berkeley 1,000 Person Plan](#).

Indicate if the homeless population is rural:

Not Applicable. Jurisdiction has no rural homeless

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

Berkeley’s total homeless population represents 14 percent of the County’s homeless population, while Berkeley has seven percent of the County’s overall population (2018). Berkeley has a greater share of chronically homeless adults (35 percent). Berkeley’s homeless are mostly adults in households with no children (95 percent), while adults with no children make up only 93 percent of the homeless population countywide. Thirty-five percent (387 people) of homeless people in Berkeley met HUD’s definition of chronically homeless—a single adult with a disability, homeless for one year consecutively or 4 or more times in 3 years. Forty-two percent of Berkeley’s homeless have a psychiatric/emotional conditions, compared to 39 percent countywide. Thirty-two percent of Berkeley’s homeless report alcohol and drug use, compared to 30 percent of Alameda County’s homeless population. Seven percent of Berkeley’s homeless population are veterans, compared to nine percent countywide.

Nature and Extent of Homelessness: (Optional)

Race:	Sheltered:	Unsheltered (optional)
White	104	Not Available
Black or African American	269	Not Available
Asian	9	Not Available
American Indian or Alaska Native	5	Not Available
Pacific Islander	5	Not Available
Ethnicity:	Sheltered:	Unsheltered (optional)
Hispanic	63	Not Available
Not Hispanic	372	Not Available

Figure 1 – Nature and Extent of Homelessness

Data Source Comments: Homeless Management Information System (HMIS) Shelter and Emergency Shelter Demographic Report for PY 2018

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

According to the 2019 count, there were 51 people in 19 households. Two-thirds of the families reported living with a health condition.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

Fifty-seven percent of the homeless service users during the 2019 *Homeless Count and Survey* were African-American even though they only make up nine percent of Berkeley's general population. Twenty-nine percent were white, even though they made up 60 percent of the population

Berkeley had a much smaller percentage of Hispanic/Latino service users (12 percent) than the county as a whole (17 percent).

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

The 2019 count found a total of 1,108 people homeless in Berkeley. This includes 813 people who were living on the streets, in abandoned buildings, storage structures, vehicles, encampments, or any other place unfit for human habitation and 295 who were living in a shelter or transitional housing.

Of the 1,108 literally homeless people, 813 or 73 percent, were living in unsheltered situations. The vast majority of unsheltered homeless are men. Seventy-three percent of the homeless population is between the ages of 25-59. Forty-nine percent of the unsheltered population had been homeless for more than a year. For more information see https://everyonehome.org/wp-content/uploads/2019/09/2019HIRDReport_Berkeley_2019-Final.pdf.

Discussion:

N/A

NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d)

Introduction:

The special needs population consists of persons who are not homeless but requires supportive housing and services for various reasons. This population includes (but is not limited to) persons with mental, physical, and/or developmental disabilities; the elderly and frail elderly; persons with alcohol or other drug addiction; persons with HIV/AIDS and their families; victims of domestic violence, dating violence, sexual assault, and stalking; and transitional age youth.

Describe the characteristics of special needs populations in your community:

Persons with Mental, Physical, and/or Development Disabilities

People with disabilities often have special housing requirements due to the need for accessibility, frequently fixed low incomes, and higher health care costs associated with a disability. According to the 2018 ACS population estimate, just over nine percent (9.1%) of the total Berkeley population had one or more disabilities, compared to just less than nine percent (8.6%) in Alameda County. The ACS identifies disability as having difficulty with one or more of four basic areas of functioning—hearing, vision, cognition, and ambulation—and/or difficulty performing everyday tasks such as, bathing, dressing and/or running errands.

Elderly and Frail Elderly

The 2013-17 ACS data reports that 13.5 percent of Berkeley's population is over 65, and that 23.7 percent of all Berkeley households are led by a senior householder. This is equivalent to 10,782 senior-headed households, 73.5 percent of which are owners 45.6 percent of seniors live alone and 22.2 percent of Berkeley households have one or more people over the age of 65 living in the home.

One of the main housing issues facing seniors is housing cost. From 2013-2017, more than 19 percent of senior-headed households had income levels below the federal poverty guidelines. Seniors often have fixed incomes so they have difficulty with increased rental and utility costs or housing maintenance costs. 27.4 percent of seniors in Berkeley received supplemental security income (SSI) and/or cash public assistance. According to the *Age-Friendly Berkeley* report and plan estimates from 2014 indicate that 23 percent of Berkeley residents 60 years of age and older were living under 200 percent of the federal poverty level (<https://www.agefriendlyberkeley.org/>).

According to the 2013-2017 ACS estimate, 73.5 percent of senior households owned homes, and 26.5 percent were renters. In terms of housing cost burden, 27.7 percent of senior homeowner households and 55.6 percent of senior renter households were overpaying for housing, which is defined as paying more than 30 percent of their income on housing costs. The *Age-Friendly Berkeley* plan, identifies housing as a specific area of importance with three of the top 10 concerns for Berkeley adults 60 years of age and older being 1) affordable housing, 2) being able to maintain their home, and 3) being able to stay in their home.

Also according to the ACS 2013-2017 data, seniors also have a higher rate of disability that increases as people age, with 16.7 percent of persons 65 to 74 years of age and 42.4 percent of persons 75 years and over having a disability, compared to the total population at nearly nine percent (8.6%). Ambulatory and independent living difficulties are most common within the senior population. Between 2013 and 2017, 15.5 percent of all elderly households had ambulatory difficulty and 13.2 percent had an independent living difficulty or limitation.

Among the goals that Berkeley identified in the Alameda County *Regional Analysis of Impediments to Fair Housing Choice* is to “support shared housing opportunities for seniors and other special needs populations.” To accomplish this, the City of Berkeley will consider programs to match seniors with underutilized living space with appropriate homeseekers on a voluntary basis. The *Age-Friendly Berkeley* webpage already notes that programs such as this are currently under consideration with UC Berkeley students and can serve a dual purpose of 1) providing seniors with minor non-medical assistance and supplemental income and 2) providing homeseekers with an affordable shared housing unit. In addition, shared rental housing can be an appropriate way to increase housing affordability for seniors and non-senior low-income single individuals or small households. Shared housing programs could be administered directly by the City of Berkeley or by contract with local fair housing service providers. While there are not currently resources available, this is an identified priority.

Persons with Alcohol or Other Drug Addictions

Comprehensive local data on the number of people with alcohol and other drug addiction is not available. However, the 2016 *National Survey on Drug Use and Health* (<https://nsduhweb.rti.org/respweb/homepage.cfm>) estimated that seven and a half percent of the American population ages 12 or older have substance use disorder. If this statistic is accurate for Berkeley, approximately 8,804 people (based on ACS 2015 population data) have substance use disorder. The survey also estimated that 47.8 percent of current alcohol drinkers participated in binge drinking of alcohol at least once in the 30 days prior to the survey and 24.9 percent of those binge alcohol users were heavy drinkers. Estimates of self-reported alcohol and other drug addictions among the homeless population are mentioned above.

Victims of Domestic Violence, dating violence, sexual assault, and stalking

The City has seen an increase in domestic violence-related calls for assistance to the Berkeley Police Department. From 2009-2016, there was an average of 169 domestic violence-related calls per year while the most recent data (2017-2018) shows an average of 224 domestic violence-related calls per year (State of California Department of Justice, <http://oag.ca.gov/crime/cjsc/stats/domestic-violence>). The increase likely means that more individuals and families will require housing assistance in order to safely relocate.

From the last comprehensive City of Berkeley *Homeless Count and Survey* from 2019, families were asked about their experience with domestic violence. Among homeless adults with minor children in

Berkeley, 40 percent reported family/domestic violence, compared to five percent of all survey respondents. Additionally, 25 percent of respondents in the city of Berkeley reported a history of ever experiencing physical, emotional, or sexual abuse by a relative or by a person with whom they have lived, such as a spouse, partner, sibling, parent, or roommate, compared to 26 percent of respondents countywide.

What are the housing and supportive service needs of these populations and how are these needs determined?

The primary need for Non-Homeless Special Needs populations is for housing that is subsidized deeply enough to be affordable at extremely low income levels. Many seniors and people with disabilities have some form of income from the Social Services Administration, which, as described in the Housing Market Analysis, is simply not sufficient to pay for market-rate or much of the affordable housing in Berkeley. Despite Social Security Income increasing over one percent (1.6%) in January 2020 from 2019 levels (<https://www.ssa.gov/oact/cola/SSI.html>), the cost of living adjustment is not enough to match Berkeley's region. According to the Bureau of Labor Statistics (https://www.bls.gov/regions/west/news-release/consumerpriceindex_sanfrancisco.htm), the consumer price index for the San Francisco-Oakland-Hayward area in October 2019 increased by three percent from 2018 and is anticipated to follow this trend in 2020. Even those who do not require supportive housing (meaning affordable housing with connected supportive services) need affordable housing.

Other needs include:

- Home rehabilitation for health and safety needs and accessibility;
- Supportive services that include enough flexibility in type, intensity, and duration to support people to stay stably housed;
- Services that help people who are eligible to access entitlements such as SSI and Medi-Cal, to increase their housing and service options; and
- Education and employment programs which help people increase their income.

These needs are evidenced by applications for funding from local non-profit agencies providing services to the special needs populations listed above. The City's last major planning initiative for homeless and special needs housing was the adoption of the update to the EveryOne Home Plan and an analysis of homeless needs presented to City Council in April 2019.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

Human Immunodeficiency Virus (HIV) is an infection that causes Acquired Immunodeficiency Syndrome (AIDS). According to the Center for Disease Control (<https://www.cdc.gov/hiv/statistics/overview/ataglance.html>) more than 1.1 million people in the United States over the age of 13 are currently living with HIV/AIDS. In general, HIV/AIDS is continuing to

increase in minorities, especially African Americans and Latino populations. Disproportionate rates of HIV in these minority groups leads to an even more disproportionate rate of AIDS for these same groups. HIV/AIDS primarily affects men who engage in male-to-male sexual contact and women who engage in heterosexual sex, and intravenous/injection drug use.

In Berkeley HIV/AIDS infections and death are decreasing. The rate of new AIDS cases occurring annually in Berkeley has fallen steadily over the last decade. The Berkeley *2018 Health Status Report* (https://www.cityofberkeley.info/uploadedFiles/City_Manager/Press_Releases/2018/2018-health-status-report-berkeley.pdf) indicates that Berkeley's rate of new cases continues to meet the Healthy People 2020 goal of fewer than 13 new cases per 100,000 population annually. Berkeley's 2018 Health Status Report states due to better treatment, people with HIV are living longer, and the overall number of people living with HIV is increasing. Berkeley has a higher rate of persons living with HIV than Alameda County and California. Antiretroviral drugs account for the reduction in number of HIV cases that progress to AIDS and for the decline in deaths attributable to AIDS.

Discussion:

Alameda County Housing and Community Development administers the allocation of Housing Opportunities for Persons with AIDS (HOPWA) funds on behalf of the City of Oakland for the metropolitan area which includes Berkeley. Over the years, Berkeley has provided Housing Trust Fund funding to projects which include HOPWA units targeted to people living with HIV/AIDS, including to the University Neighborhood Apartments, Oxford Plaza, UA Homes, and Grayson Street Apartments projects.

NA-50 Non-Housing Community Development Needs – 91.215 (f)

Describe the jurisdiction’s need for Public Facilities:

The City of Berkeley’s General Plan adopted several policies and actions which addressed the City’s need for public facilities. Some of these policies and actions include the following:

- Ensure neighborhoods are well served by community services and facilities such as parks, schools, child-care facilities, and religious institutions;
- Establish a network of community centers including school sites, neighborhood resource centers, and City facilities that offer community services such as child care, health care, and recreational programs;
- Create new open space and recreational resources throughout Berkeley and preserve, maintain, and repair the City’s existing open space and recreational resources and facilities; and
- Provide properly staffed and equipped fire stations and engine companies.

How were these needs determined?

The City’s General Plan was developed through many community meetings, public workshops, and the efforts of City Council, Planning Commission, and City staff. During the drafting of the Consolidated Plan, there were several community meetings in which the need for public facilities and their maintenance were discussed. For instance, the City’s three senior centers were built in 1977, 1979, and 1980 and had not been renovated after 30 years of intensive use until recently using, in part, CDBG funding. These public facilities are critical infrastructure for the delivery of public services, and emergency shelter, and are therefore a high priority. Although the City prioritizes its CDBG resources to support public services, it has allocated funds for system upgrades at the senior centers along with the rehabilitation of community centers and the public health clinic.

Describe the jurisdiction’s need for Public Improvements:

The City’s need for public improvements is described in the City’s *Capital Improvement Program*, available online at <http://www.cityofberkeley.info/CIP/>. Capital improvements include streets, transportation, storm drains, sidewalks, sanitary sewer, parks and marina, information technology, City facilities, equipment, fleet and other infrastructure.

How were these needs determined?

These needs were determined by the City Manager and adopted by City Council during the biennial budget process. The biennial budget cycle begins with the development of the Budget Development instructions, including policy directives. The City Manager reviews and evaluates the baseline budgets and supplemental requests to determine whether they fulfill City Council goals and objectives, improve management effectiveness and service delivery, or increase productivity.

The City Manager then develops a balanced budget proposal for submission to the Mayor and City Council. Copies of the proposed budget are distributed to all Boards, Commissions, City Departments, and made available to the general public. City Council then holds public meetings to discuss the proposed budget, including at least two formal public hearings.

Describe the jurisdiction's need for Public Services:

The City has historically funded a wide variety of public services for Berkeley's diverse population. Supporting public services will continue to be a high priority for the City. These services could include, but are not limited to, the following:

- Homeless services
- Senior services
- Disabled services
- Legal/advocacy services
- Youth services
- Transportation services
- Substance abuse services
- Services for battered/abused spouses
- Employment training
- Childcare services
- Health services
- Mental health services
- Fair housing related services

How were these needs determined?

The City has historically funded a wide array of public services based on community input. The vast majority of public services are funded with local sources, including General Fund, instead of federal funds. For public services funded with local sources, the needs are determined by the same process outlined above for public improvements. For public services funded with federal funding, the needs are determined by public hearings, commission review, consultation with local non-profit agencies providing the services, and client-level surveys.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

The purpose of the Market Analysis is to provide a clear picture of the environment in which the City will administer its CDBG, HOME, and ESG programs over the course of this Consolidated Plan. In conjunction with the Needs Assessment, this chapter will provide the basis for the Strategic Plan and the programs and projects to be administered. Most of the data tables in this section are populated with default data developed by the Census Bureau for HUD based on 2011 – 2015 American Community Survey (ACS) Census. Other sources are noted throughout the Plan.

The Market Analysis includes the following sections:

- Number of Housing Units
- Cost of Housing
- Condition of Housing
- Public and Assisted Housing
- Homeless Facilities and Services
- Special Needs Facilities and Services
- Barriers to Affordable Housing
- Non-Housing Community Development Assets
- Needs and Market Analysis Discussion

Note: There is no Consolidated Plan generated Table 28 – 30 for Berkeley.

MA-10 Number of Housing Units – 91.210(a)&(b)(2)

Introduction

Based on the 2013-2017 American Community Survey (ACS) data, there are 45,515 occupied households in the City with a total of 49,137 housing units. Single-units, both detached and attached structures, comprise 46.2 percent of the City’s housing units. Multi-unit structures of two to four units make up 20 percent of total households, while structures with five to 19 units comprise 18 percent, and structures of 20 or more make up 15.5 percent. At the time of the ACS data collection, less than half of one percent (0.3%) of households were mobile homes, however the City estimates that this number may have grown as a result of increasing housing instability. The 2019 *Homeless Count and Survey* conducted by Applied Survey Research on behalf of the City, as a part of Alameda County’s EveryOne Home effort, estimated that 20 percent of the unsheltered population is living in RVs (161 individuals).

According to Berkeley’s Planning Department annual reports to California’s Department of Finance, Berkeley’s new housing units completed since 2014 include the following:

YEAR	SFH	2-4 units	5+	number of affordable units
2018	60 (53 are ADUs)	10	161	13
2017	45	11	502	167
2016	17	4	226	14
2015	5	2	138	NA
2014	20	4	139	NA

Figure 2 - Projects with Building Permits Finaled in Reporting Year

Source: CA Dept of Finance Annual Reports (2018)

Notes: Accessory Dwelling Units (ADUs) tracked in 2018, but not in previous years. Affordable Housing not tracked before 2016.

The recent increase in the construction of Accessory Dwelling Units (ADUs), which Berkeley first clearly tracked in 2018, may reflect state and local legislation that went into effect in 2017 to ease land use restrictions and encourage ADU development. Berkeley City Council is considering additional programmatic investment to encourage ADU construction, as well as an amnesty program to incentivize the legalization of existing but unpermitted ADUs to increase the supply of overall units.

Most of Berkeley’s buildings were constructed between 1875 and 1940. Densities are greatest in the areas close to the University campus and Downtown, where there are multi-unit apartment buildings and large single-family homes converted to rooming houses or apartments. Density can also be found along the main arterials of the city in both older and new apartment buildings. The majority of the city is characterized by small lots with one to four units.

According to the 2015-2023 Housing Element (<https://www.cityofberkeley.info/housingelement/>), the City of Berkeley has capacity for approximately 5,328 new units on underutilized parcels throughout the City. The City identified four main areas with the greatest potential for new units and a track record of units being built. These are the downtown area, the southside area, the commercial corridors, and vacant lots in the residential districts. For the period 2014-2022, the City estimates that the capacity for 997 units can be built in the downtown, 430 units in the Southside, 1,794 units in the commercial corridors, and 237 units in the residential districts.

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	21,585	43%
1-unit, attached structure	1,880	4%
2-4 units	9,495	19%
5-19 units	8,820	18%
20 or more units	7,765	16%
Mobile Home, boat, RV, van, etc	130	0%
<i>Total</i>	<i>49,675</i>	<i>100%</i>

Table 36 – Residential Properties by Unit Number

Data Source: 2011-2015 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	135	<1%	3,455	13%
1 bedroom	1,290	7%	10,485	40%
2 bedrooms	5,510	28%	8,440	32%
3 or more bedrooms	12,640	65%	3,960	15%
<i>Total</i>	<i>19,575</i>	<i>100%</i>	<i>26,340</i>	<i>100%</i>

Table 37 – Unit Size by Tenure

Data Source: 2011-2015 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

Under the City of Berkeley’s Housing Trust Fund (HTF), the City of Berkeley has assisted the development of 54 properties consisting of 1,331 rental housing units and 107 homeownership units. Of the 1,331 rental housing units, 68 percent of the units serve extremely low and low income families and individuals; 35 percent are designated specifically for extremely low and low-income seniors; and 20 percent serve a targeted special needs population, including formerly homeless, people with physical and/or development disabilities, people with AIDS and Transition-Aged Youth. Of the 107

HTF-funded homeownership units, 71 must be occupied by low- to moderate-income families and individuals. Each homeownership unit is subject to a regulatory agreement which requires long-term affordability and restricts resale of the affordable unit to another low income first-time homebuyer during the affordability period.

Since the inception of the HTF in 1990, the City has invested over \$50 million, including the City's allocation of federal HOME and CDBG funds, former redevelopment funds, City general funds and other local sources of funding. The City's investment has enabled local nonprofit project sponsors to secure over \$208 million in other financing, including low income housing tax credits, state Multifamily Housing Program funds, and in a few projects, federal New Markets Tax Credits. The majority of the City-assisted housing projects is 100 percent affordable and meets the deepest affordability levels per the City's Housing Trust Fund guidelines. Under the City's guidelines, project sponsors are required to set aside at least 60 percent of all the units for extremely low and very low income households, including a 20 percent set-aside for families and individuals who are extremely low-income.

Berkeley has made significant strides in expanding local funds to address the needs of displaced residents and the region's increasingly unaffordable housing prices. Since the previous submission of the City's Consolidated Plan, Berkeley voters approved three new sources of revenue to focus on affordable housing and programs addressing homelessness. Alameda County also created new affordable housing funding programs through which Berkeley has access to additional funding.

Berkeley's Measure U1 was passed in 2016 as a business license tax ordinance to permanently increase the gross receipts tax on owners of five or more residential units from just over one percent (1.081%) to nearly three percent (2.880%). While tax proceeds are deposited in the City's general funds, the City is required to consider the Housing Advisory Commission's recommendations for the use of funds to increase affordable housing and protect Berkeley residents from homelessness. Since its passage, Measure U1 has resulted in nearly \$11 million in additional tax revenue. The City has committed funds to anti-displacement programs at community based organizations, the new Small Sites loan program, affordable housing predevelopment loans, and a housing planning grant for the Berkeley Unified School District.

With \$1 million set aside from Measure U1 funds collected in 2017, 2018 witnessed the start of Berkeley's Small Sites Program, focused on the acquisition and renovation of small, multifamily rental properties with up to 25 units. In 2019 the City awarded \$950,000 in Small Sites Program funds to the Bay Area Community Land Trust for the renovation of the eight unit Stuart Street Apartments, targeted for Berkeley Residents making up to 80 percent of Area Median Income.

In November 2018, Berkeley voters approved Measure O and Measure P. Measure O authorizes the issuance of \$135 million of general obligation bonds to finance the acquisition and improvement of real property for the purpose of constructing, rehabilitating, or preserving affordable housing for low-, very low-, median-, and middle- income individuals and working families, including teachers, seniors, veterans, homeless students, people of with disabilities, and other vulnerable populations. Measure P increases the tax on the transfer of real property from one and a half percent to two and a half percent

for property sales and transfers over \$1.5 million to fund general city purposes and the establishment of a homeless services panel. Measure P will likely yield \$6 to \$8 million per year and has stated goals that include funding the rehousing of homeless individuals, as well as mental health needs and other wrap around services.

The City is planning on an initial issuance of Measure O bonds totaling \$30 million in early 2020. The City Council decided to make those funds available through the Housing Trust Fund program guidelines. Measure O and other available funds, including the City's balance of HOME funds, will go to two affordable housing projects with existing fund reservations—2012 Berkeley Way and 1601 Oxford Street—and additional projects selected in a 2019 Request for Proposals process. When completed, 1601 Oxford Street will be a 37-unit rental housing facility primarily for low income seniors and homeless households and 2012 Berkeley Way will include 142 permanent affordable housing units, for very low-income and formerly homeless families and individuals, as well as 32 men's shelter beds and 12 beds for homeless veterans.

In the 2016 election Alameda County passed Measure A1, a \$580 million bond to expand and preserve affordable housing options for renters and homeowners. The bond allows expenditures for down payment assistance, housing preservation loans, homeowner development programs, and the development of new affordable housing. The City received an allocation of about \$15 million in A1 funds, which it awarded to Grayson Apartments (22 affordable units) and 2012 Berkeley Way (described above). Berkeley projects were also able to compete for funds in a North County pool, and the Berkeley Way and 1601 Oxford projects also received A1 funds.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

No units are expected to be lost. As required by the State in its Housing Element, the City identified five developments containing 297 restricted units as being at risk since they are in annual renewals of their Section 8 contracts and have no other restrictions on their affordability. However, most of these properties are owned by mission-oriented non-profit organizations and the City does not have any evidence that the owners of any of these properties have any intention of converting to market rate. Of course, all of these properties would be at risk in the event of federal policy changes that reduced or eliminated Section 8 subsidies for these properties. The City informally monitors the status of these developments:

- Bonita House – 2 restricted units;
- Lawrence Moor Manor – 46 restricted units;
- Stuart Pratt Manor – 44 restricted units;
- Redwood Gardens – 169 restricted units; and
- Rosewood Manor – 36 restricted units.

Does the availability of housing units meet the needs of the population?

Despite the City's commitment to investing in affordable housing, and the many projects and programs that the City has supported, there is not enough affordable housing to meet the needs of the population in Berkeley, throughout the Bay Area and in coastal California. In the November 2018 Measure O ballot language, the City set a goal of achieving 10 percent reserved affordable housing by 2030. The combined funds of Measures U1, O, P and the existing Housing Trust Fund seek to meet this new goal by leveraging county, state and federal funds.

The Bay Area, including Berkeley, has some of the highest housing costs in the country. Real estate website Zillow.com, using data from September 30, 2019, estimates the median rent price in Berkeley to be \$3,775, which is higher than the San Francisco-Oakland-Hayward Metro Median of \$3,400. Using additional data from that time period, Zillow.com lists Berkeley's median listing price for single family homes is at \$998,000, and the median purchase price is actually \$1,256,000. These prices do not reflect a market that includes homes easily within reach for those working minimum wage jobs or extremely low, very low, and low income households. The jump in price from the listing price to the purchase price reflects multiple bids and a competitive market.

Part of the challenge contributing to the high cost and housing demand is that the regional housing supply has not grown to meet the regional job economy. According to the San Francisco Planning Urban Research Association (SPUR), as of early 2016, the Bay Area economy had added 480,000 private-sector jobs over the previous five years, but only 50,000 housing units.

In addition to the ongoing needs for housing for extremely low, very low, and low income households, there is evidence that housing is becoming unaffordable for even households above low income levels. As one example of the local affordability issues, it is very difficult to find housing units for rent at HUD's Fair Market Rents (FMR) in Berkeley, impacting the City's Shelter Plus Care program and the Berkeley Housing Authority's (BHA) Housing Choice Voucher program. BHA reports a 49 percent success rate in leasing up. This means that only 49 percent of vouchers issued in the past 12 months were able to find a unit in Berkeley. The City has also heard from the BHA and social services providers that there are not enough accessible units which are affordable, even for Housing Choice Voucher holders.

New housing developments along the traditional downtown retail corridors are providing market rate housing for higher income residents. Several multi-unit housing projects have recently been entitled or begun construction, including the 12-story apartments at 1951 Shattuck Avenue with 156 units, the Logan Park Apartments at 2352 Shattuck Avenue (204 units), the 2067 University Avenue project with 99 units, and the Aquatic Shattuck at 2628 Shattuck Avenue with 78 units and 2,000 square feet of retail. Each of these projects are anticipated to lease up quickly, with strong demand driven by regional economic growth as well as the increasing student population at UC Berkeley. As of September 2019, there are 2,458 additional housing units (in 36 distinct projects) in the development pipeline (currently under construction, or seeking approval of building permits or land use permits). This represents an

eight percent increase from the number of units that were entitled or under construction as of December 2018 (2,268).

Describe the need for specific types of housing:

The 2013-2017 ACS data shows that 42.3 percent of all occupied households (of 45,515 households) in the City are paying too much for their housing costs. A closer look at the data shows the burden is greater for renters (56.1 percent) than owners with mortgages (35.1 percent). This shows the City has a large need for affordable rental units.

As mentioned above, affordable and accessible units have been identified as a need by the BHA. The vast majority of units housing current Section 8 program participant households are 1- and 2-BR units (approximately 80 percent). The remaining 20 percent of the housing stock utilized by our participating households are Studios (nine percent); 3-BRs (10 percent); and 4 BR units (two percent). This aligns with the City's current rental housing stock with about 53 percent of it consisting of studios and one-bedrooms, although many of them do not have rents affordable at HUD's FMR and thus not available to Housing Choice Voucher holders.

Discussion

Affordable housing units of all types are needed to meet local housing needs.

MA-15 Housing Market Analysis: Cost of Housing - 91.210(a)

Introduction

The very high cost of housing is Berkeley’s most critical housing issue and creates the most pressing housing need. Data in this section below show that the median home value increased two percent from 2009 to 2015, and the median contract rent rose 23 percent during this same time period. While this data reflects valuations for those years, it does not reflect the current housing market, where market resale prices have far exceeded older home tax valuations. According to Zillow.com, the median sales price percent change from December 2013 to September 2019 actually demonstrated a 42 percent increase. Similarly, Zillow.com’s December 2013 to September 2019 median rental data demonstrates an 18.1 percent increase in rent. These increases far outpace the cost of living.

While incomes have increased, they have not kept pace with housing costs. According to the National Housing Conference’s 2018 *Paycheck to Paycheck* report (https://www.nhc.org/wp-content/uploads/2019/04/P2P2018_Final.pdf) within Metro rankings, the San Francisco-Oakland-Hayward metropolitan area (which includes Berkeley) is now the most expensive rental market in the nation, and the most expensive ownership market. A 2019 study by the San Francisco Bay Area Planning and Urban Research Association (SPUR) with the Concord Group (<https://www.spur.org/news/2019-02-21/how-much-housing-should-bay-area-have-built-avoid-current-housing-crisis>) found that since 2000, the Bay Area should have added 1.05 million housing units. Instead, only 380,000 units were built during this time — 316,000 market rate and 42,000 subsidized affordable units. This means the region fell short by 700,000 housing units. The study additionally found that since the 1990s, the Bay Area’s median income has grown rapidly from close to \$60,000 per year to close to \$90,000 (unadjusted for inflation in 2018). While the region became 50 percent wealthier, with the majority of those with higher incomes arrived from outside the region and wealthier new residents outcompeted existing residents in the constrained housing market. This fast paced competition has led to the conditions demonstrated in the Needs Assessment section of this document, particularly in regards to Housing Cost Burdens.

Cost of Housing

	Base Year: 2009	Most Recent Year: 2015	% Change
Median Home Value	724,100	741,900	2%
Median Contract Rent	1,058	1,303	23%

Table 38 – Cost of Housing

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	2,705	10.3%
\$500-999	5,825	22.1%
\$1,000-1,499	8,245	31.3%
\$1,500-1,999	5,265	20.0%
\$2,000 or more	4,290	16.3%
<i>Total</i>	<i>26,330</i>	<i>100.0%</i>

Table 39 - Rent Paid

Data Source: 2011-2015 ACS

Housing Affordability

% Units affordable to Households earning	Renter	Owner
30% HAMFI	2,340	No Data
50% HAMFI	5,590	225
80% HAMFI	11,430	445
100% HAMFI	No Data	834
<i>Total</i>	<i>19,360</i>	<i>1,504</i>

Table 40 – Housing Affordability

Data Source: 2011-2015 CHAS

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	1,540	1,855	2,329	3,219	3,946
High HOME Rent	1,369	1,468	1,763	2,028	2,243
Low HOME Rent	1,017	1,090	1,307	1,510	1,685

Table 41 – Monthly Rent

Data Source: HUD FMR and HOME Rents

Sep 2019 — Berkeley \$1.26M — Alameda County \$797K

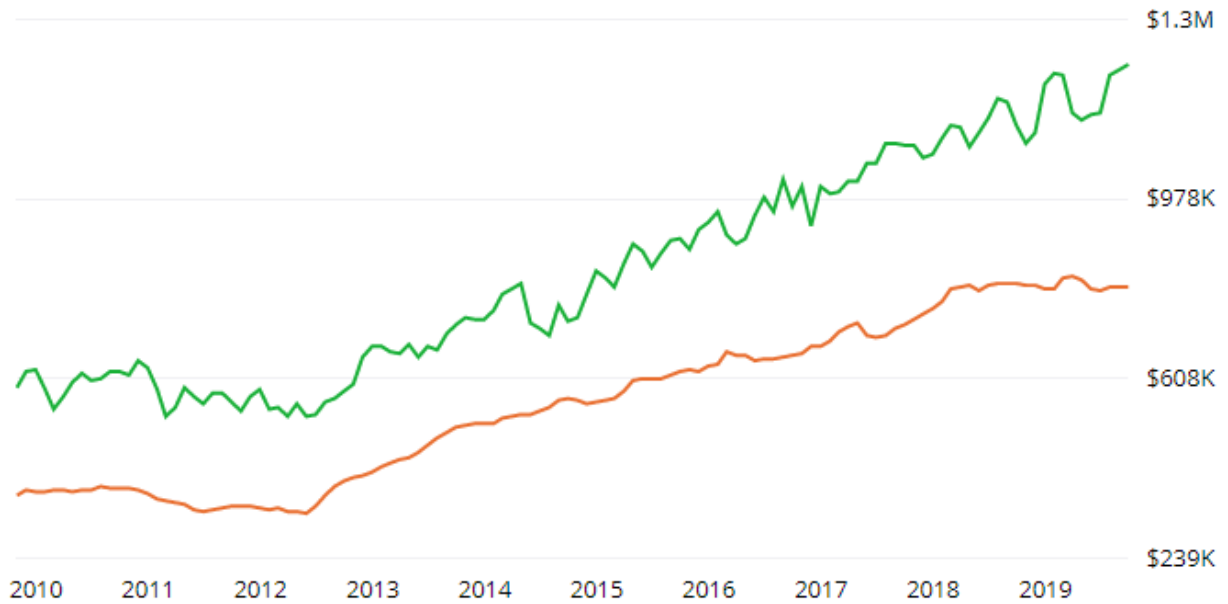


Figure 3 - Median Home Sales Price (all for sale home types), Berkeley and Alameda County, 2010-2019

Source: <https://www.zillow.com/berkeley-ca/home-values/>

Sep 2019 — Berkeley \$3,847/mo — Alameda County \$3,267/mo

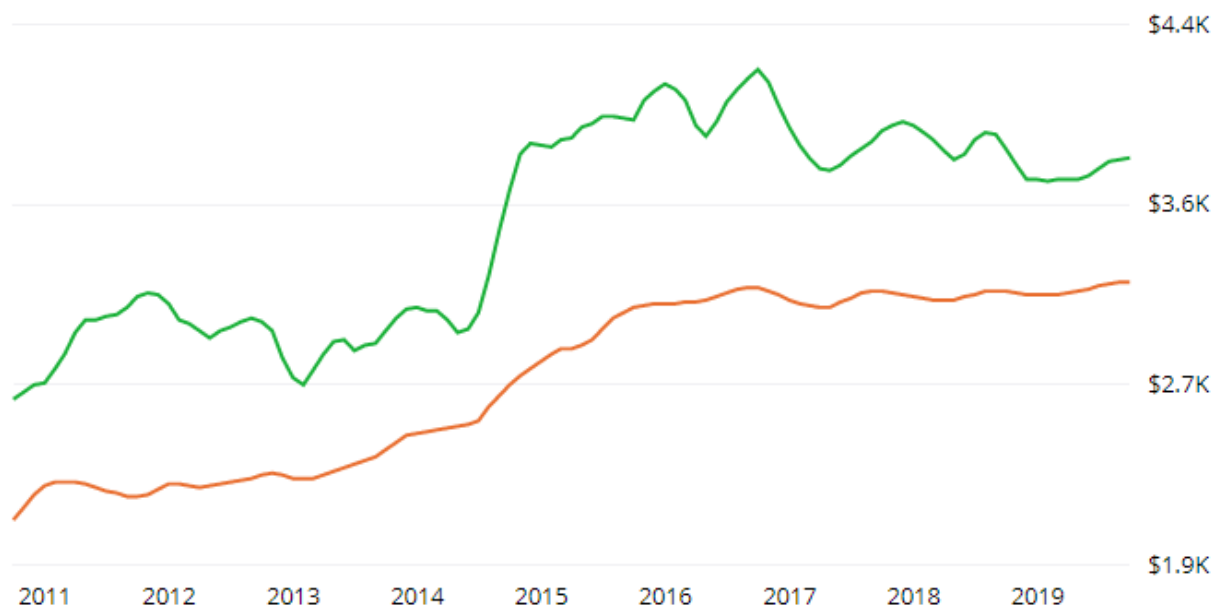


Figure 4 - Median Rental Prices (all unit types), Berkeley and Alameda County, 2010-2019

Source: <https://www.zillow.com/berkeley-ca/home-values/>

Is there sufficient housing for households at all income levels?

There is probably not sufficient housing for households at all income levels, evidenced by Berkeley being situated within the metro area with the nation's highest rents and home prices combined with a historically low vacancy rate.

How is affordability of housing likely to change considering changes to home values and/or rents?

Given recent trends in the Bay Area, it is likely that home values and rents will continue to increase. Berkeley's homeownership market remains particularly stable and attractive. Despite Zillow.com's 2019 predictions that foreclosures will be a factor impacting home values in the next several years, in Berkeley 0.0 homes are foreclosed per 10,000, which is lower than the San Francisco-Oakland-Hayward Metro value of 0.1 and lower than the national value of 1.2 (<https://www.zillow.com/berkeley-ca/home-values/>). Mortgage delinquency, a frequent indicator of potential foreclosure is a fraction of one percent (0.2%) in Berkeley, compared to the national value of just over one percent (1.1%). Nationally, as a result of the recession, home values fell by more than 20 percent from their peak in 2007 until their trough in late 2011, with many homeowners now underwater on their mortgages. Dips in home values adjusted relatively quickly after the recession in Berkeley and remain high. The percent of Berkeley homeowners underwater on their mortgage is less than one percent (0.9%), which is lower than San Francisco-Oakland-Hayward Metro at almost three percent (2.7%). This homeowner resiliency is a byproduct of high wage earners currently holding the recently sold market rate homes within Berkeley, with the continually increasing prices discussed in the prior section (\$1.26 million median sales price in September 2019).

Rental stock in Berkeley, both market rate and affordable, will significantly increase if currently entitled projects are occupied in the next two years, but the demand will remain high. As mentioned in the Needs Assessment, the University of California at Berkeley increased student enrollment by 11,000 students from original projections of enrollment from 2005-2020. The influx of students from 2005-2020, which is far greater in number than newly constructed university housing units, will continue to impact competition for rental units within the City.

Trends in regional job growth additionally point to sustained or increasing housing costs. According to the Center for the Continuing Study of the California Economy (<http://www.bayareaeconomy.org/bay-area-job-watch-33/>), a program of the Bay Area Council Economic Institute, 2018 Bay Area labor force participation rates were at record levels as residents who had previously dropped out of the workforce found eager employers. Job growth is continuing despite the lack of affordable housing, and the region has seen a notable increase in out migration (a result of the high housing costs) and an increase in high wage foreign migration.

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

Berkeley’s Area Median Rents are higher than the HOME rents and Fair Market Rents. Services providers have difficulty identifying units for Shelter Plus Care certificate holders within Berkeley. In addition, Area Median Rents are continuing to rise.

The annual Average Market Rents table produced by the City’s Berkeley Rent Stabilization Board shows the average market rents for new tenancies in units subject to rent stabilization from 1998 to 2018. The table showing median rents for new tenancies for 2018 is below

([General/INFO Market%20Medians%20Report%20for%20Q3%20and%20Q4%20of%202018.pdf](#)). The City’s affordable housing strategy has and continues to emphasize producing and preserving affordable housing.

2018 (new tenancies)										
#BR	1 st Q 2018		2 nd Q 2018		3 rd Q 2018		4 th Q 2018		12/31/2018 (Year)	
	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units	Rent	#Units
Studio	\$1,600	135	\$1,800	328	\$1,895	344	\$1,798	102	\$1,800	999
1 BR	\$1,950	223	\$2,295	592	\$2,195	590	\$2,150	171	\$2,195	1,646
2 BR	\$2,504	116	\$3,150	574	\$2,900	401	\$2,800	116	\$2,990	1,287
3 BR	\$3,150	20	\$4,066	113	\$3,900	75	\$3,438	16	\$3,900	241

Figure 5 – 2018 New Tenancies

Source: Market Medians: January 1999 through December 2018, Berkeley Rent Stabilization Board Report, March 21, 2019

Discussion

In addition to rising housing costs, Berkeley has experienced rising costs for producing affordable housing. According to the *2019 International Construction Market Survey* by Turner and Townsend (<http://www.turnerandtownsend.com/en/perspectives/international-construction-market-survey-2019/#>), the Bay Area currently has the most expensive constructions costs in the nation, with the average construction cost per square foot at \$416. The next most expensive city is New York, at an average of \$368 per square foot. Especially given the limited amount of HOME funding the City now receives, these high development costs require developers to pursue multiple, highly competitive sources of funding which can take years to assemble. New State of California housing programs, new County funds, and new local funds have dramatically improved the affordable housing funding climate in the past few years, but high costs and assembling multiple sources still remain challenging for local affordable housing developers. Prior to the waiver of HOME commitment deadlines, using HOME was very challenging for the City. The City does not receive enough HOME funds to fund new construction at the needed levels, and smaller rehabilitation projects are often not feasible due to HOME rehab scope and affordability requirements. Federal waiver of commitment deadlines and having local bond funds

available for a pipeline of projects have helped greatly. When the deadlines are reinstated, the City may need to explore using HOME funds for Tenant Based Rental Assistance to avoid the risk of recapture.

MA-20 Housing Market Analysis: Condition of Housing – 91.210(a)

Introduction

As previously mentioned, most of Berkeley's buildings were constructed between 1875 and 1940 with almost half of all Berkeley's housing stock consisting of single-family units. Of the multi-family units, 7,765 units (or 16 percent) are in buildings with 20 or more units. The age of the housing stock in Berkeley is much older when compared to other areas. Ninety-four percent of Berkeley's housing stock was built before 1979, compared to 81.1 percent in neighboring Oakland (<http://www.acphd.org/media/500604/health,%20housing%20in%20oakland.pdf>). Despite the prevalence of older units in Berkeley, the City's housing stock is in very good condition. This is likely due to the amount of owner-occupied units, single-family units, and high property values.

Over time the City has implemented a variety of programs to upgrade the quality of housing units in the City, including home rehabilitation loan programs and the Rental Housing Safety Program. Based on the experience with these programs, the rapid increase in property values in Berkeley over the last decade coupled with the availability of home equity loans for home rehabilitation, the City believes a very small number of housing units in Berkeley have significant rehabilitation needs.

Definitions

The City of Berkeley uses HUD's Housing Quality Standards (HQS) to define "standard condition" for units in the rental assistance programs. HQS consists of the following thirteen performance requirements: sanitary facilities; food preparation and refuse disposal; space and security; thermal environmental; structure and materials; interior air quality; water supply; lead-based paint; access; site and neighborhood; sanitary condition; and smoke detectors. For example, the dwelling unit must have suitable space and equipment to store, prepare, and serve food in a sanitary manner in order to satisfy the performance requirement for food preparation and refuse disposal.

This table displays the number of housing units, by tenure, based on the number of "conditions" the units has. Selected conditions are similar to housing problems in the Needs Assessment and are 1) lacks complete plumbing facilities, 2) lacks complete kitchen facilities, 3) more than one person per room, and 4) cost burden greater than 30 percent. The table also calculates the percentage of total units that the category represents.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	5,720	29%	12,985	49%
With two selected Conditions	75	0%	765	3%
With three selected Conditions	0	0%	120	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	13,790	70%	12,465	47%
<i>Total</i>	<i>19,585</i>	<i>99%</i>	<i>26,335</i>	<i>99%</i>

Table 42 - Condition of Units

Data Source: 2011-2015 ACS

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	325	2%	2,210	8%
1980-1999	895	5%	2,505	10%
1950-1979	2,905	15%	10,570	40%
Before 1950	15,465	79%	11,055	42%
<i>Total</i>	<i>19,590</i>	<i>101%</i>	<i>26,340</i>	<i>100%</i>

Table 43 – Year Unit Built

Data Source: 2011-2015 CHAS

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	18,370	94%	21,625	82%
Housing Units build before 1980 with children present	473	2%	159	1%

Table 44 – Risk of Lead-Based Paint

Data Source: 2011-2015 ACS (Total Units) 2011-2015 CHAS (Units with Children present)

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	Not Available	Not Available	Not Available
Abandoned Vacant Units	Not Available	Not Available	Not Available
REO Properties	Not Available	Not Available	Not Available
Abandoned REO Properties	Not Available	Not Available	Not Available

Table 45 - Vacant Units

Data Source Comments: Data not available.

Vacancy Rates

The original Vacant Units Table above generated by HUD using CHAS data does not include any information on vacancy rates. Information from the 2015 Housing Element including available data is represented below.

Because of the high cost of and high demand for housing in Berkeley, vacant and abandoned units have not been a common problem. The City does not track which units are suitable for rehabilitation and which are not. The Planning & Development Department reports anecdotally that virtually any property in Berkeley can be rehabilitated because of the demand and high market prices for housing. Vacancy rates in Berkeley were relatively level at around four percent from 1970-2000 and increased to seven percent in 2010 according to the decennial census.

Since the Bay Area’s rapid recovery from the recession, vacancy rates have dropped throughout the region. According to the 2013-2017 ACS 5-year estimates, Berkeley has a homeowner vacancy rate of 0.3 percent and a rental vacancy rate of 2.8 percent. Another data source, The *Comprehensive Housing Market Analysis for Oakland-Hayward-Berkeley* by HUD, based on the end of 2016 (<https://www.huduser.gov/portal/publications/pdf/OaklandCA-comp-17.pdf>), estimated the rental vacancy rate to be at nearly three percent (2.7%) and the sales housing market with an overall estimated vacancy rate of just over half a percent (0.6%).

In many urban areas, a “normal” vacancy rate is about two percent for owner-occupied housing, six to seven percent for rental housing, and about five percent overall. Although it is difficult to pinpoint what an acceptable vacancy rate is, an internet search of “normal vacancy rate” finds numerous references in real estate reports, housing studies, academic research, and other documents to a “normal” vacancy rate for a housing market in balance as being about five percent overall, two percent for ownership housing, and six or seven percent for rental housing. Many ordinances use a five percent long-term vacancy rate as the measure of a healthy rental market.

Occupied Housing Units and Vacancy Rates, 1970 to 2010					
	1970	1980	1990	2000	2010
Number of Housing Units	46,160	46,334	45,735	46,875	49,454
Occupied Housing Units or Households	44,494	44,704	43,453	44,955	46,029
Vacant Housing Units	1,666	1,630	2,282	1,920	3,425
Vacancy Rate	3.6%	3.5%	5.0%	4.1%	6.9%

Figure 6 – Occupied Housing Units and Vacancy Rates

Source: City of Berkeley 2015 Housing Element

Need for Owner and Rental Rehabilitation

As shown by the data above, more than half of Berkeley's housing stock does not have any of the selected quality conditions. Among the housing units that do have any of the reported conditions, high cost compared to the resident's income (cost burden) is by far the most common problem. At the same time, the vast majority of Berkeley's housing stock is more than 30 years old. Due to the age of the housing stock, rehabilitation is often needed to bring the housing up to current standards, particularly in regard to accessibility features for people with disabilities. Because many Berkeley residents are housing cost-burdened, there is also a need for affordable rehabilitation opportunities.

The City supports the rehabilitation of ownership and rental units through a variety of efforts. For ownership units, the City administers the Senior and Disabled Rehabilitation Loan Program. This program provides a zero interest deferred loan to low- and moderate-income senior and disabled homeowners to improve their homes. The City also provides funding to several local non-profit agencies for minor rehabilitation of units owned or rented by low-income households. For rental housing in the Housing Choice Voucher and Shelter Plus Care programs, the units are routinely inspected to ensure they meet HUD's Housing Quality Standard requirements. All rental units in the City participate in the Rental Housing Safety Program. Part of the program is reactive/complaint-based where state-mandated housing code inspections are conducted in response to complaints. Another part of the program is proactive where inspections are performed on randomly selected residential rental properties. The program also has a Safety Certification Checklist which requires owners of rentals to annually inspect their units and certify that specific housing safety standards are being met.

Low income Berkeley residents can also take advantage of Alameda County's Lead Hazard Repair grants. Grants are available for owners of pre-1978 rental and owner-occupied residential properties throughout Alameda County. Income, occupancy and other eligibility requirements apply. Pre-1960 housing units are a priority. Service includes free lead testing, up to \$10,000 per unit for lead hazard repairs, and project assistance to help make your home or property lead-safe.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

From the Number of Households Table (see Needs Assessment), there are 3,635 small family households at or below 80 percent HUD Area Median Family Income (HAMFI) income category and there are 300 large family households in the same income category. Therefore, approximately eight and a half percent of housing units are occupied by low income families. Applying that percentage to the total number of units built before 1980, an estimated 3,400 housing units occupied by low income families may contain Lead-Based Paint (LBP) hazards.

The table above (Table 39) indicates that three percent of housing units built before 1980 contains children in the household. However, the 2013-17 ACS shows there are approximately 8,478 households

with children in the City, or 18.6 percent of households. Therefore, the figures above appear to be too low and are likely incorrect.

The Alameda County Healthy Homes Department (ACHHD) administers HUD-funded lead hazard control grants in Alameda County and since July 1, 2015, has completed lead evaluations at 52 pre-1978 low-income housing units and has made 49 housing units lead-safe at 21 properties. Among the evaluated pre-1978 low-income housing it was found that 51 out of 52 units (98 percent) tested in Berkeley between 2015 and 2019 had lead hazards.

The ACHHD was recently awarded a new 42-month lead hazard control grant which is expected to begin January 1, 2020. The ACHHD will market to and expects to enroll eligible Berkeley properties into the program which will complete 144 units County-wide over the grant period.

Discussion

Generally, Berkeley's housing stock is in very good condition. Needs for rehabilitation are for low income homeowners, rental housing affordable to people with low incomes, and in accessibility improvements.

MA-25 Public and Assisted Housing – 91.210(b)

Introduction

N/A

Totals Number of Units

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available	0	98	0	1995	300	1695	20	0	40
# of accessible units									

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 46 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

Describe the supply of public housing developments:

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

Not applicable. BHA no longer owns the 61 units of former public housing. Via the disposition process, the units were sold to a private developer (Related California) that rehabilitated and will operate the units as permanently affordable housing under the Project-based Vouchers program.

Public Housing Condition

Public Housing Development	Average Inspection Score
Not Applicable	Not Applicable

Table 47 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

N/A

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

N/A

Discussion:

The Berkeley Housing Authority administers a voucher program only.

MA-30 Homeless Facilities and Services – 91.210(c)

Introduction

The City funds a wide range of homeless programs including 298 year round shelter beds and 30 seasonal shelter beds. After working hours, unfilled beds are filled through an evening Centralized Shelter Reservation Hotline. BOSS Harrison House shelter has 10 beds reserved for Alameda County Behavioral Health Care Services Agency (BHCS). The remaining beds are available to literally homeless individuals and families who have been assessed by the North County Housing Resource Center or the Family Front Door, the Housing Resource Center for literally homeless families.

The City funds 27 transitional housing beds in two programs, and three other programs operate without City funding.

The City funds six programs which provide support services in permanent housing. Four are associated with specific sites, while the others serve tenants renting private apartments using rental subsidies.

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	56		15 beds (5 units)	35	2
Households with Only Adults	242	30	49	224	53
Chronically Homeless Households		0	0	206	53
Veterans	0	0	22	10	0
Unaccompanied Youth	0		12	10	0

Table 48 - Facilities and Housing Targeted to Homeless Households

Data Source Comments: City of Berkeley

Note: There is no Consolidated Plan generated Table 44 for Berkeley.

Provider Name	Address	Program Name	Population	Family Beds	Individual Beds	Year Round	Seasonal Only
Berkeley Food and Housing Project	2140 Dwight Way	Men's Housing Program	Single Males		32	32	0
Berkeley Food and Housing Project	2140 Dwight Way	Women's Housing Program	Single Females		32	32	0
Building Opportunities for Self Sufficiency	711 Harrison House	Harrison House	Single Males and Females and Families	56 (18 families)	50	106	0
Dorothy Day House	1931 Center Street	Veteran's Building Shelter	Single Males and Females		53	53	0
Dorothy Day House	2134 Martin Luther King Jr Way	Emergency Storm Shelter	Single Males and Females		30	0	30
Covenant House	1744 University	YEAH!	Single Males and Females (18-25 year olds)		30	30	0
Bay Area Community Services	2nd and Cedar	Pathways Stair Center	Single Males and Females		45	45	
				56	272	298	30

Figure 7 – Current Inventory: Emergency Shelters

Source: City of Berkeley, Housing and Community Services Division

Provider Name	Address	Program Name	Population	Family Beds	Individual Beds	Year Round
Berkeley Food and Housing Project	2140 Dwight Way	Veteran's Program	Single Males		12	12
Bonita House	1410 Bonita Street	Bonita House	Single Males and Females		15	15
Fred Finch Youth Center	3404 King Street	Turning Point	Single Males and Females		12	12
Resources for Community Development	1621 Ashby	Ashby House	Single Veterans		10	10
Women's Daytime Drop-in Center	2218 Acton Street	Bridget House	Families	15 beds (5 units)		12
				15	49	61

Figure 8 – Current Inventory: Transitional Housing

Source: City of Berkeley, Housing and Community Services Division

Provider Name	Address	Project Name	Population	Units	Beds/Rooms
Satellite Affordable Housing Associates	Berkeley	Peter Babcock House	Single Males and Females		5
Satellite Affordable Housing Associates	Berkeley	Harmon Gardens	Single Males and Females	15	
Berkeley Food and Housing Project	Berkeley	Russell Street Residence	Single Males and Females		17
Berkeley Food and Housing Project	Berkeley	Russell Street Residence Annex	Single Males and Females		4
Bonita House	Berkeley	Channing Way Apts	Single Males and Females		4
Bonita House	Berkeley	Pathways	Single Males and Females		7
Bonita House	Oakland	Pathways	Single Males and Females	4	4
Bonita House	Berkeley	SIL Hearst Apartments	Single Males and Females		12
City of Berkeley	Tenant Based Rental Assistance	Square One	Single Males and Females	6	
City of Berkeley	Tenant Based Rental Assistance(TBRA)	Shelter Plus Care - TBRA	Single Males and Females and Families	150	
City of Berkeley	Tenant Based Rental Assistance(TBRA)	COACH Project	Single Males and Females	86	
City of Berkeley	Berkeley	McKinley House	Single Males and Females	7	
City of Berkeley - Berkeley Housing Auth	Tenant Based Rental Assistance	Non-elderly Disabled (NED)	Single Males and Females and Families	30	
Northern California Land Trust	Berkeley	Haste House	Single Males and Females		7
Resources for Community Development	Berkeley	Supportive Housing Network	Single Males and Females		14
Resources for Community Development	Berkeley	Erna P. Harris Court	Single Males and Females	35	
Resources for Community Development	Berkeley	Oxford Plaza	Single Males and Females	4	
Resources for Community Development	Berkeley	U.A. Homes	Single Males and Females	0	74
			Total	337	148

Notes: Affordable rental housing is listed by the number of units. Developments providing congregate (shared kitchens, baths) housing are listed by the number of beds/rooms. There are other permanent housing developments in Berkeley that may be affordable to people who are homeless and offer some level of social services to residents which are not listed here. This table lists only developments/projects specifically targeted toward people who are homeless at entry. *Shelter Plus Care households are 86% adults and 14% families as of PY19.

Figure 9 – Current Inventory: Permanent Supportive Housing

Source: City of Berkeley, Housing and Community Services Division

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

All homeless agencies rely in part on mainstream services to meet the needs of their clients. Berkeley has its own Mental Health Division that accepts referrals from homeless providers and outreaches to homeless people living on the streets. Berkeley is also home to Lifelong Medical Care and provides funding for Lifelong to serve low-income residents, including those who are homeless. In addition, the City funds Lifelong to provide services to formerly homeless people living in permanent housing in Berkeley. The City also funds both benefits advocacy services. It also funds employment training and placement services that can be accessed by people who are homeless. More information about the mainstream services accessed by homeless services providers is provided in Section SP-60.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

All homeless housing and service programs in Berkeley may be serving people who are chronically homeless. In PY18, 56% of the people served by shelters and transitional housing programs were chronically homeless individuals. The 2019 homeless count (the last count from which Berkeley-specific data is available) found that chronically homeless people were 34 percent of the City's homeless population and most agencies have experience serving people who are chronically homeless.

Berkeley has five City-operated programs serving primarily people who are chronically homeless:

- The Shelter Plus Care Collaborative Opportunity to Address Chronic Homelessness (COACH) grant, provides tenant-based rental assistance to a minimum of 87 chronically homeless single adults who are frequent users of emergency services, or have repeated contacts with law enforcement.
- The Shelter Plus Care Housing Opportunity for Older Adults (HOAP) Project also specifically targets chronically homeless single adults. This grant provides a minimum of 14 tenant-based subsidies for chronically homeless adult aged 55 and older who receive services through the City's Aging Services Division. In FY19, the City received approval to consolidate its HOAP grant with the below Tenant Based Rental Assistance grant described below.
- The Shelter Plus Care Tenant-Based Rental Assistance provides rental assistance to a minimum of 129 households, either families or single adults, and prioritizes households that meet the HUD criteria for being chronically homeless, but the grant allows some flexibility to serve households who are homeless and disabled who may not meet the strict criteria for being chronically homeless. All newly referred participants must meet HUD's chronic homeless definition.

- The Shelter Plus Care Alameda County Collaborative grant is a tenant-based rental assistance grant in partnership with Alameda County that serves a minimum of 15 households with a disabling condition related to HIV/AIDS, and prioritizes people who are chronically homeless.
- The Shelter Plus Care Supportive Housing Network is a sponsor-based grant with Resources for Community Development as the project sponsor. The grant primarily serves 15 chronically homeless single adults who reside at one of two sites owned and managed by RCD.
- The Square One program, which combines a locally funded housing subsidy with services provided by Berkeley service providers. The City of Berkeley invests more than \$407,000 each year in services for transition age youth. The City has 30 year-round shelter beds for homeless TAY (YEAH! Shelter), 12 transitional housing beds (Fred Finch Youth Center) and 10 permanent supportive housing units (Harmon Gardens).

Through the Mental Health Division, the City has contracted with Youth Engagement, Advocacy, Housing (YEAH!) for \$101,978, to provide services, supports, and/or referrals to Transition Age Youth (TAY) with serious mental illness who are homeless or marginally housed and not currently receiving services in its TAY Support Services. This program is part of the City's Mental Health Services Act (MHSA) implementation.

The Berkeley Food and Housing Project has 12 transitional housing beds for single homeless male veterans and provides case management services during the day and shelter at night. In addition, Ashby House, owned by Resources for Community Development and operated by Operation Dignity provides 7 units of transitional housing for homeless veterans.

MA-35 Special Needs Facilities and Services – 91.210(d)

Introduction

As previously discussed in the Needs Assessment, the special needs population consists of persons who are not homeless but require supportive housing and services for various reasons. This population includes (but is not limited to) persons with mental, physical, and/or developmental disabilities; the elderly and frail elderly; persons with alcohol or other drug addiction; persons with HIV/AIDS and their families; victims of domestic violence, dating violence, sexual assault, and stalking; and transitional age youth.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

The City of Berkeley's Aging Services Division, part of the Health, Housing & Community Services (HHCS) Department, operates two senior centers and offers a variety of computer classes, seminars, and social events for adults 55 years of age and older. The Aging Services Division offers lunch at the two senior centers, delivers meals to homebound seniors through their Meals on Wheels Program, and provides consultation/referral services via the Social Services Unit. The City also funds the following programs:

- Japanese American Services of the East Bay, Senior Services
- Easy Does It Emergency Services, Senior Paratransit Services

The City of Berkeley's Mental Health Division (also part of HHCS) provides mental health prevention and intervention services with a focus on high-risk adult, youth, and families. Working closely with other City departments and community partners, the City's Mental Health Services Division provides programs for people in crisis, people with serious mental illnesses and disabilities, people in need of mental health or related social services, and children, teens, and families experiencing emotional difficulties. The division is also one of a number of agencies providing services for participants in Berkeley's Shelter Plus Care Program. Their assistance allows seriously mentally ill adults who are homeless, frequently chronically homeless, to become permanently housed with ongoing support.

In addition to the work of the Mental Health Division, the City has funded the following programs for people with disabilities using a combination of federal and local funds. These programs serve primarily non-homeless people but do not prohibit participation by people who are homeless. Programs include:

- Bay Area Outreach and Recreation Program: Recreational Services for Persons with Disabilities;
- Berkeley Place: Deaf Services;
- Bonita House: Creative Wellness Center;
- Center for Independent Living: Residential Access Project for Disabled;
- Easy Does It: Emergency Services for Severely Disabled Transportation Program; and

- Through the Looking Glass: Parenting and Education Programs.

The City funds the following programs for people with alcohol and drug addiction:

- Bonita House: Case Management Tied to Permanent Housing;
- Lifelong Medical Care: Acupuncture Detox Clinic; and
- Options Recovery Services: Transitional Housing.

The City funds the following program for victims of domestic violence:

- Family Violence Law Center: Family Violence and Homelessness Prevention

The City of Berkeley's Public Health Division provides HIV/AIDS services. The services at the public health clinic include HIV education, counseling, "opt-out" testing (conventional and Rapid HIV testing) and referral services to minimize the spread of HIV infection. For all newly positive HIV clients and for HIV + clients who have fallen out of medical care we provide a warm hand off to one of the HIV Care Clinics in the East Bay. The Public Health Division also conducts AIDS/HIV case surveillance.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

The Alameda County-wide Continuum of Care (CoC) provides several programs to ensure persons returning from mental and physical health institutions receive appropriate supportive housing.

Persons are not routinely discharged from health care facilities into homelessness, and the CoC worked with a variety of health care institutions to reduce discharges into literal homelessness. California recently enacted Senate Bill (SB) 1152 that outlines requirements of hospitals and emergency departments related to the care and discharge of homeless patients. The Alameda County Health Care Services Agency (HCSA), a member of the HUD CoC, convened several work group sessions on the new legislation in partnership with the Northern California Hospital Council and its members. The sessions focused on improving collaboration and coordination among the CoC and community-based agencies including training and information sharing on coordinated entry processes. The County and hospitals have established several medical respite/recuperative care programs for homeless patients exiting emergency departments and hospitals with a large project in the planning phases on formal federal land. The County also established a locally funded housing subsidy pool to provide permanent housing subsidies for high priority homeless patients in Skilled Nursing Facilities and hospitals. Finally, Alameda County actively participates in a Medicaid waiver program focused on expanding resources and collaboration among health and housing providers to address homelessness.

The CoC works with Housing Services Office of Behavioral Health Care Services (BHCS) to improve discharge planning from mental health facilities. To that end, the Housing Services Office, with coordination by the CoC created a homelessness prevention/rapid re-housing fund, modeled after and

delivered in partnership with the Homeless Prevention and Rapid Re-Housing Program. The fund has been used to help hospitalized persons continue to pay rent so units are not lost, or to obtain units upon exit from the facility. The CoC worked with permanent supportive housing providers to develop protocols allowing tenants hospitalized for more than 30 days to retain their units. The CoC and the Housing Services Office trained staff on how to assess patients' housing needs and assist in resolving them as part of discharge planning, utilizing the Office's centralized housing resource database and webpage. BHCS also contracts for dedicated emergency hotel beds for use while ACT teams work on locating permanent housing. BHCS also pays subsidies for licensed residential care facilities to which people routinely exit and expanded this program over the past year. BHCS is also working on a new crisis and transitional residential program for homeless individuals with a serious mental illness.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

The City of Berkeley will continue to fund public services, housing rehabilitation, public facility renovations and other housing services with federal funds in PY20. See the Strategic Plan and Annual Action Plan for more detail.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

N/A

MA-40 Barriers to Affordable Housing – 91.210(e)

Negative Effects of Public Policies on Affordable Housing and Residential Investment

To identify potential constraints to housing production, City staff analyzed the specific constraint categories as described in state law and discussed the City's regulations with local developers. Planning and zoning regulations establish rules for how land may be used, thereby limiting the amount of development in a city. Although local ordinances and policies are typically adopted to protect the health, safety, and welfare of residents, they may have the consequence of creating constraints to the development of housing. This consequence may be intentional (as is the case with growth control ordinances) or unintentional (such as with certain zoning requirements).

As described in detail below, most constraints have been addressed by existing City programs. The development record and densities of approved projects are the best evidence that there are not significant constraints to housing production. However, housing policies have been designed to minimize potential constraints including: identification and consideration of options to revise the zoning regulations in lower and medium-density areas for infill developments, consideration of revisions to the accessory dwelling unit regulations, and continued improvement to the development review process.

Density and Development Standards

Density is a key factor in identifying potential constraints to development of housing. The more cities limit density, the fewer units are constructed and, in general, the more expensive they are on a per-unit basis. Most lots in Berkeley are developed and most zoning districts allow residential uses. Thus, housing is allowed in most of the City, except portions of West Berkeley that are developed with and planned for manufacturing uses.

For most zoning districts, residential development standards, such as lot size, setbacks, lot coverage, etc. are similar to standards in other nearby cities. There are not many vacant lots and construction of new single-family dwellings has been limited. Single-family development tends to provide above-moderate income housing, so to the extent that this is a constraint, it is not on the development of affordable units.

Berkeley has numerous medium and high density residential zoning districts. This type of infill development (adding units to developed lots) occurs throughout the City.

As previously indicated, residential growth has concentrated on commercial corridors, with recent development densities ranging from 69 to 202 dwelling units per acre. Since 2014 the state has increased development potential in the Telegraph Commercial district. The Planning Department is actively engaged in the Adeline Corridor Planning Process which is proposing new zoning incentives for on-site affordable housing. The plan and updated zoning are anticipated to be adopted in the first half of 2020. Additionally California Assembly Bill 2923, passed in 2019, requires adopting updated zoning on all BART properties. This will affect both Ashby BART station and North Berkeley BART Station.

While the flexibility of Berkeley's zoning ordinance and the lack of specific density standards may be seen as providing less certainty than more traditional zoning, it is clear from the record of development that specific density standards are not needed to produce housing of sufficient density to be financially feasible and attractive to developers. However, while the zoning ordinance includes five multi-family zoning districts and the City has seen numerous medium density multi-family development projects, Housing Policy H-34 of the City's *Housing Element* encourages the review the regulation of medium density infill development and to identify and change possible constraints.

Parking

The City's residential parking requirements are generally low and are not a constraint to development. The zoning regulations for mixed-use projects also provide flexibility to the parking standards. For example, the City allows deep parking reductions for projects located Downtown and along major transit corridors. Many mixed-use projects have been built with less than one parking space per dwelling unit. Some have been approved with no parking for the residential component and several Downtown projects that were allowed a parking reduction have discovered that there is less tenant demand than expected.

In addition, Berkeley was one of the first cities in the country to allow double and triple stacks lifts to satisfy the City's residential parking requirements. This can eliminate the need for expensive below-grade parking and/or leave more leasable ground floor area by minimizing the space needed for parking.

In January 2020, new California state legislation, Assembly Bill 881, takes effect, and as noted below, removes parking requirements when near public transportation or when physically replacing an existing garage, car port or covered parking structure. This may continue to ease building restrictions.

Second Residential Units

Provision of small, accessory dwelling units (ADUs) in low density areas can be a good way to add housing units outside of the commercial corridors and higher density residential districts, while also meeting personal or financial needs of property owners. For example, a second unit on a single-family property can provide an opportunity for an older owner to remain at home, either with a caretaker in the second unit or by renting the house to a family and the owner moving into the smaller unit. A 2012 study by UC Berkeley's Center for Community Innovation, *Yes in My Backyard: Mobilizing the Market for Secondary Units* (<http://www.bayareaeconomy.org/files/pdf/AlamedaHousing.pdf>) estimated that 3,628 single family housing units in Berkeley would be eligible for ADUs under existing zoning and that with recommended land use changes 6,040 units would be possible. Due to updates in Berkeley's code we estimate that the number may now be closer to 6,040.

While the City adopted new ADU rules which took effect June 29, 2018, the state of California also recently passed legislation in 2018 and 2019 to ease restrictions to further streamline the building and permitting process. Key changes brought about by the new 2019 state laws, which will be fully

implemented by 2020, include prohibiting parking requirements (when half a mile from transit stops) and impact fees on units smaller than 750 square feet and limiting the permit fees that can be charged to larger ADUs, removing owner-occupancy requirements and allowing for two ADUs on the same property. Berkeley's City Council is currently considering an ADU amnesty program that would assist owners in bringing existing ADUs to code, hoping to encourage new, updated units to come to market.

Demolition Controls

The City regulates demolition of dwelling units to protect the affordable housing supply and existing tenants. In general, the Zoning Adjustments Board (ZAB) may approve a use permit to demolish dwelling units only if the units are replaced by new construction or if the structure is hazardous, unusable or infeasible to repair. However, if elimination of a rent-controlled unit is proposed, the requirements are more stringent.

In 2016 there was an amendment to the municipal code regulating the demolition and elimination of Dwelling Units. The ZAB may allow demolition of a building constructed prior to June 1980 (essentially a controlled rental unit) on a property containing two or more dwelling units if it makes the following findings: 1) the building containing the units is hazardous or unusable and is infeasible to repair; or 2) the building containing the units will be moved to a different location within the City of Berkeley with no net loss of units and no change in the affordability levels of the units; or 3) the demolition is necessary to permit construction of special housing needs facilities such as, but not limited to, childcare centers and affordable housing developments that serve the greater good of the entire community; or 4) the demolition is necessary to permit construction approved.

If this demolition allowance is made by the ZAB, applicants must pay a fee, but the City Council, as of 2019, has not yet determined the amount of that fee. In lieu of a fee, the applicant may provide a unit in the new project at below market rate to a qualifying household in perpetuity. The rate would be set by City Council and would be governed by a regulatory agreement with the City.

The issue is complicated by interpretation of other ordinances, including the Rent Stabilization and Eviction for Good Cause Ordinance, the Relocation Ordinance, and the Ellis Act. Due to the restrictive nature of these exceptions and their interaction with other City ordinances, the controls on demolition of rent-controlled units can be a constraint to development. The afore mentioned update to the code includes a provision to require that if a building is removed from the rental market under the Ellis Act, there must be a 5 year waiting period prior to demolition and the property cannot have verified cases of harassment or illegal eviction in the preceding 3 years. If those conditions are not met, hearing may be heard by the rent Board Hearing Examiner and the Zoning Adjustment Board.

Regarding occupied units under consideration for demolition, the following requirements apply: 1) the applicant provides all sitting tenants notice of the application to demolish the building no later than the date it is submitted to the City; 2) The applicant shall provide assistance with moving expenses 3); the

applicant shall subsidize the rent differential (in a manner approved by the City) for a comparable replacement unit, in the same neighborhood if feasible, until new units are ready for occupancy.

If a demolition applicant proposes to construct a 100 percent affordable housing project, applicants shall provide relocation benefits that conform to state laws. Sitting tenants who are displaced as a result of demolition shall be provided the right of refusal to move into the new building; and tenants of units that are demolished shall have the right of first refusal to rent new below market rate units designated to replace the units that were demolished, at the rent that would have applied if they had remained in place, as long as their tenancy continues. Income restrictions shall not apply to displaced tenants. First right of refusal would also apply to 100 percent affordable units that were not designated to replace displaced tenants' demolished units, but income and other restrictions would apply when the units were ready for occupancy. Demolition regulations regarding Accessory Dwelling Units may be reviewed by City staff in 2020 to ensure compliance with new state legislation.

Berkeley's demolition regulations are not a constraint to housing development, as demolition of units is permissible upon replacement of at least the same number of dwelling units as the demolished structure.

Affordable Housing Incentive Programs

Inclusionary housing was originally adopted as City policy as part of the Neighborhood Preservation Ordinance in 1973 and it was codified in the zoning ordinance in 1987. In 2009, the *Palmer/Sixth Street Properties vs. City of Los Angeles* court ruling found that inclusionary housing requirements on rental developments violate the Costa-Hawkins Rental Act of 1995, thereby invalidating the City's inclusionary requirements for rental housing. In order to continue to provide income-restricted units in Berkeley, Council adopted an affordable housing mitigation fee (AHMF) on new market-rate rental units (Ordinance 7,192-N.S.) on June 28, 2011. The fee was established by an impact fee nexus study, which quantified the need for affordable housing created by the development of new market rate rental housing.

On October 16, 2012, the City Council adopted Resolution 65,920-N.S. setting the fee at \$28,000 and establishing criteria for applying the fee. On February 19, 2013, City Council adopted Resolution 66,015-N.S. which reduced the fee for projects meeting certain benchmarks within the first two years of the program. On October 7, 2014, Council adopted Resolution No. 66,809-N.S. amending Resolution No. 66,015-N.S. to extend the affordable housing mitigation fee discount of \$8,000 for six months to April 16, 2015, requiring projects receiving the discount to obtain needed approval of the Zoning Adjustments Board by April 16, 2017, and directing staff to work with the Planning Commission and the Housing Advisory Commission to complete the new nexus study for possible revisions to the fee.

An updated nexus study for the AHMF which was completed March 25, 2015, found a nexus supporting maximum possible fee of \$84,400 per market rate unit. On July 12, 2016, Council raised the fee to 34,000 per new unit of rental housing. June 27, 2017, Council increased the fee to 37,000 per new unit

of rental housing with a 3,000 discount if paid in full before issuance of building permit. Effective July 1, 2018, the AHMF is \$37,962 per new unit of rental housing, payable at the issuance of Certificate of Occupancy. If the AHMF is paid in its entirety no later than issuance of the building permit, the fee is \$34,884 per new unit of rental housing.

The inclusionary housing ordinance includes both rental and ownership housing, but there has not been an ownership project since 2007. The City is exploring the ownership project with a developer that may be interested in an ownership project.

The AHMF is deposited in the City's Housing Trust Fund. The AHMF applies to new rental housing projects of 5 or more dwelling units (certain types of projects are exempt). An applicant for a development project that is subject to the AHMF may elect to avoid the fee completely by providing 20 percent of the units in the development to qualified households at rental rates affordable to Low-Income and Very Low-Income households (<https://www.cityofberkeley.info/ContentDisplay.aspx?id=74682>). Half of the affordable units must be provided to households with rents and incomes no greater than Low Income (80 percent of Area Median for the household and unit size) and half at Very Low- Income (50 percent of Area Median). If an odd number of affordable units are provided, the majority must be Very Low-Income. In addition, of the total Very Low-Income units, 40 percent of the units must be reserved for holders of Berkeley Housing Authority Section 8 vouchers and 40 percent must be reserved for holders of City of Berkeley Shelter + Care certificates. For projects designating fewer than 20 percent of their total units as affordable, the AHMF will be reduced proportionally.

Between 2015 and 2018, the City's policy led to the construction of a total of 194 below market rate units, including 86 Very Low Income and 17 Low Income units. As mentioned in previous sections, the Housing Trust Fund has recently expanded as a result of voter approved measures, expanding the City's ability to leverage funds to create additional below market rate units.

As demonstrated by development activity in Berkeley, the zoning standards, including density, parking and affordable housing requirements, have not constrained approval of housing projects or development of affordable units. According to a Berkeleyside news publication on March 26, 2019 (<https://www.berkeleyside.com/2019/03/26/the-2019-berkeley-housing-pipeline-map-a-berkeleyside-special-report>), nearly 1,300 units have been built since about 2012, about 90 of which were below-market-rate units; 1,047 are under construction (including 81 below market rate units); 1,444 units have been approved (with about 84 below market rate units); and another 1,252 (with 102 below market rate units) have been submitted. In 2019, an additional 519 units have been approved, are under construction or have been built for seniors, artists, persons with special needs, those who have been homeless and other specialized categories. The residential zoning standards are appropriate for residential areas and flexibility is provided for high density projects on commercial corridors. The affordable housing mitigation fee (AHMF), or provision of on-site units available to Very Low Income Households, has not deterred new residential development as can be seen with the number of applications the City has received and the continued interest in new multi-family construction.

MA-45 Non-Housing Community Development Assets – 91.215 (f)

Introduction

This section covers the economic development needs of the City and provides data regarding the local economic condition.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	348	41	1	0	-1
Arts, Entertainment, Accommodations	5,166	8,264	14	18	4
Construction	1,147	1,432	3	3	0
Education and Health Care Services	7,147	11,341	20	24	5
Finance, Insurance, and Real Estate	2,413	1,717	7	4	-3
Information	2,092	1,566	6	3	-2
Manufacturing	1,776	4,043	5	9	4
Other Services	1,877	3,251	5	7	2
Professional, Scientific, Management Services	6,965	6,037	19	13	-6
Public Administration	0	0	0	0	0
Retail Trade	3,169	6,163	9	13	5
Transportation and Warehousing	635	185	2	0	-1
Wholesale Trade	1,035	1,259	3	3	0
Total	33,770	45,299	--	--	--

Table 49 - Business Activity

Data Source: 2011-2015 ACS (Workers), 2015 Longitudinal Employer-Household Dynamics (Jobs)

Labor Force

Total Population in the Civilian Labor Force	64,085
Civilian Employed Population 16 years and over	58,830
Unemployment Rate	8.19
Unemployment Rate for Ages 16-24	15.25
Unemployment Rate for Ages 25-65	5.71

Table 50 - Labor Force

Data Source: 2011-2015 ACS

Employer	Number of Employees	Rank	Percentage of Total City Employment
University of California Berkeley	13,396	1	20.14
Lawrence Berkeley National Laboratory	3,350	2	5.04
Sutter East Bay Medical Foundation/Hospitals	2,344	3	3.52
Berkeley Unified School District	1,642	4	2.47
Bayer Corporation	1,576	5	2.37
City of Berkeley	1,572	6	2.36
Siemens Corporation/Healthcare Diagnostics, Inc.	877	7	1.32
Kaiser Permanente Medical Group	800	8	1.20
Berkeley Bowl Produce	616	9	0.93
Whole Foods Market California Inc.	383	10	0.58
Total	26,556		39.92

Figure 10 – Principal Employers in Berkeley, FY 2018

Data Source: City of Berkeley's FY 2018 Comprehensive Annual Financial Report (CAFR), available at: <https://www.cityofberkeley.info/uploadedFiles/Finance/Home/Reports/BerkeleyCAFRReport2018.pdf>

Top 10 Berkeley Employers, 4th Quarter, 2013

Occupations by Sector	Number of People
Management, business and financial	25,475
Farming, fisheries and forestry occupations	1,990
Service	3,860
Sales and office	9,875
Construction, extraction, maintenance and repair	1,320
Production, transportation and material moving	805

Table 51 – Occupations by Sector

Data Source: 2011-2015 ACS

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	29,830	58%
30-59 Minutes	15,540	30%
60 or More Minutes	5,720	11%
<i>Total</i>	<i>51,090</i>	<i>100%</i>

Table 52 - Travel Time

Data Source: 2011-2015 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	1,195	260	955
High school graduate (includes equivalency)	2,470	205	1,090
Some college or Associate's degree	6,360	895	2,485
Bachelor's degree or higher	33,155	1,890	5,965

Table 53 - Educational Attainment by Employment Status

Data Source: 2011-2015 ACS

Educational Attainment by Age

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
Less than 9th grade	14	315	355	580	395
9th to 12th grade, no diploma	505	230	380	550	350
High school graduate, GED, or alternative	4,675	1,175	600	2,000	1,590
Some college, no degree	18,055	2,470	1,465	3,365	2,215
Associate's degree	675	780	585	1,130	700
Bachelor's degree	5,545	8,700	4,310	7,260	3,720
Graduate or professional degree	300	6,405	5,330	9,025	7,040

Table 54 - Educational Attainment by Age

Data Source: 2011-2015 ACS

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	21,442
High school graduate (includes equivalency)	28,484
Some college or Associate's degree	30,316
Bachelor's degree	45,112
Graduate or professional degree	62,483

Table 55 – Median Earnings in the Past 12 Months

Data Source: 2011-2015 ACS

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

According to the data above, the top employment sectors in the City of Berkeley are education and health care services with 24 percent share of the jobs. The arts, entertainment, and accommodations sector follow with 18 percent share.

Describe the workforce and infrastructure needs of the business community:

The workforce and infrastructure needs of the business community are broad. As in most Bay Area cities, Berkeley's businesses require an educated and skilled workforce, a robust transportation system, public safety and health, a business-friendly policy climate and workforce housing.

According to the City's Office of Economic Development, some of Berkeley's emerging growth sectors include biotech/life sciences, information technology, health care, food production, food services, and small-scale manufacturing. Specific needs include:

- Workers with Science, Technology, Engineering and Mathematics (STEM) education;
- Transportation infrastructure, particularly linking to Berkeley's west side;
- More connections/access to training, job and career opportunities for people from low income or limited English-speaking households;
- And workforce housing near transit centers.

In FY 2019, federal, state and private sources have provided nearly 1.8 billion dollars in new funding for research at UC Berkeley and Lawrence Berkeley National Laboratory in areas that are national priorities such as biofuels, energy conservation, advanced telecommunications, and biomedical engineering. Berkeley is working closely with the tech transfer staff of both UC Berkeley and the Berkeley Lab to retain local startups that are commercializing new technology as well as attract national companies to set up research centers in Berkeley. This collaboration is productive; the companies benefit from the City's entrepreneurial climate and from interaction with UC faculty and graduate

students. For this and other reasons—including the overall quality of life in Berkeley, access to a highly educated workforce, the central and accessible location within the Bay Area, and access to investment opportunities—many early-stage founders want to locate their businesses in Berkeley. As companies get established and grow, however, they often seek larger spaces than are available. The Berkeley Startup Cluster is attempting to address these real estate shortages by increasing founders' awareness of their options for securing suitable office space in Berkeley. This also includes encouraging property owners to upgrade their existing buildings to create more high-quality office space in Berkeley, and working with property owners and community partners to explore the entitlement of a new office tower in Downtown Berkeley.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

Some specific developments that will likely have a notable economic impact in Berkeley include:

- Increased investment and real estate activity from University of California (UC), Berkeley. UC Berkeley has been active in Downtown area development, opening a new student center in late 2015, and opening an office/education building on Berkeley Way. The 320,000 square foot Berkeley Way West project adjacent to the Energy Biosciences Building is now housing the Graduate School of Education, the School of Public Health, and the Department of Psychology. The project includes more than 7,000 square feet of retail space on the ground floor, and classrooms, offices, open workstations, on the seven floors above. The Legends Aquatic Center on Bancroft Way was completed in late 2016, and a 783 bed-dorm project (Blackwell Residence Hall) at Bancroft and Dana (Stiles Hall) was completed and occupied by students in August of 2018. UC is currently undertaking planning work on a new student transfer center at 1990 Oxford Street, and a housing project at 2556 Haste Street. According to a Berkeleyside article published on February 21, 2019 (<https://www.berkeleyside.com/2019/02/21/uc-berkeleys-student-enrollment-projected-to-reach-44735-in-next-3-years>), UC Berkeley has increased their student population, with 44,735 students expected on campus by 2022-23, a 33.7 percent increase over original projections. In 2019 there are 41,000 students on campus. The number of employees on campus is decreasing. UC Berkeley had projected there would be 15,810 employees on campus by 2020. The number projected for 2022-23 is now 15,355, according to a report by the publication, Berkeleyside. Currently, there are 14,682 employees on campus, including faculty and staff. The City of Berkeley must plan to support the ancillary companies and economic activities that may result from shifts in the UC Berkeley employee and student populations.
- Recent and pending land use planning activities (the Downtown Plan, the Adeline Corridor Specific Plan) spur new mixed-use development in key corridors. The City must attract and support neighborhood serving businesses to fill spaces.

- The pending construction of a new highway interchange at Route 80 and Gilman Street could spur economic growth on the west side. This project is currently in its preliminary engineering and environmental review phase.
- Berkeley benefits from a very high concentration of incubators and co-working spaces that facilitate new business starts. It is anticipated that demand for co-working spaces, wet labs, and other high quality office space near in Downtown Berkeley will continue in the future, based on 2019 feedback from individual founders, accelerator leaders, and real estate brokers serving Berkeley’s innovation sector.
- Recent major investments in the art are focused on the Downtown Berkeley BART Plaza, currently showcasing contemporary sound pieces (Sam Whiting, San Francisco Chronicle, [Strange Sounds Mix with Street Noise at Berkeley BART Art Installation](https://datebook.sfchronicle.com/art-exhibits/strange-sounds-mix-with-street-noise-at-berkeley-bart-art-installation), October 25, 2018, available at <https://datebook.sfchronicle.com/art-exhibits/strange-sounds-mix-with-street-noise-at-berkeley-bart-art-installation>) and outdoor performances; a rotating sculpture installation; and ongoing arts and cultural event programming. The \$7.6 million transportation improvement project, funded by a grant from the Metropolitan Transportation Commission, is bolstered by an additional \$400,000 of investment in infrastructure and programming for the arts in FY2019. Investments in the arts at the most prominent public plaza by the City and its partners will continue annually.
- In FY 2019, the Office of Economic Development (OED) launched new economic development initiatives to better support small, independently-owned businesses. These include: improving OED’s outreach & communications with small businesses, increasing support for businesses navigating the permitting process, modifying the zoning ordinance to support small local businesses, piloting new small business assistance and retention programs, and increasing marketing, technical assistance, and networking opportunities for locally-owned retail and services businesses. OED will continue its support of these and other initiatives in FY 2020 and beyond.

Taken together, these projects may make Berkeley a more attractive location for business, catalyze more development activity, and ultimately generate new business activity and employment opportunity in the growing economic sectors mentioned above.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

The City of Berkeley features a population that is exceptionally well-educated. Seventy-two percent of Berkeley’s population (age 25 and up) has a bachelor’s degree or more education, compared to just 32.5 percent for California overall (2013-2017 ACS). That said, there are certainly unmet needs among the City’s unemployed, underemployed and low income populations. There is still a strong need to provide relevant job skills training and employment opportunities for these populations.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

The City has contracted with workforce development programs to provide training, education and job placement for low income, under-employed, and unemployed residents in addition to administering local hire policies and a youth employment program:

- Inter-City Services provides employment, training, and education and continues to serve veterans as funded under the Governor's 15 percent Discretionary pool of Workforce Investment Act (WIOA) funds.
- Biotech Partners operates the Biotech Academy at Berkeley High School, targeting youth from under-represented populations in the fields of science and technology (African American, Latino, South East Asian, female and low income youth) and who may be at risk of not graduating from high school.
- The Bread Project provides training in culinary arts and bakery production, and includes the formerly incarcerated as their target population. They operate a social enterprise (wholesale bakery) that creates opportunities for trainees to obtain crucial on-the-job experience.
- Rising Sun Center for Opportunity (formerly known as Rising Sun Energy Center) Green Energy Training Services (GETS) provides pre-apprenticeship classroom and hands-on training in the Building and Construction trades which serves as a pathway for careers in construction including green and clean technologies. Rising Sun also operates the California Youth Energy Services (CYES) program funded by the CA Public Utilities Commission, providing summer jobs for youth conducting residential energy audits.
- Berkeley Youth Alternatives (BYA) receives WIOA funding through Alameda County Workforce Development Board (ACWDB) to provide workforce development services to in-school and out-of-school youth. The area of workforce development is a focus area for increased coordination, including establishing methods to maximize and leverage resources. BYA, utilizing city funds, provides training to disadvantaged youth in all aspects of park and landscape maintenance in addition to summer and after-school programs for children and youth.
- UC Theatre Concert Careers Pathways (UCCCP) is a nine-month program for young people ages 17-25, providing workshops and paid internships for participants to learn all aspects of live music venue production.
- Continuing the City's Local Hire policies which include the Community Workforce Agreement (CWA) between the City of Berkeley and the Building trades (created in 2011) which applies to publicly funded construction projects estimated at \$500,000 or above, and, the First Source local hiring policy which applies to both public infrastructure projects estimated between \$100,000 - \$499,999 and private development over 7,500 square feet. develop the
- The YouthWorks employment program continued its partnerships with City and nonprofit agencies. YouthWorks targets low income, at-risk youth and provides all youth with workplace

skills training. City of Berkeley departments and local community agencies serve as worksites providing valuable work experience to Berkeley youth 14-25 years old.

- The City's Recreation Division of the Park, Recreation & Waterfront Department partners with the Berkeley Unified School District and YouthWorks on the Achievers Program, which provides leadership development, career exploration and peer-led tutoring. This program is also used as a stepping stone for entry into the City's YouthWorks program.
- Funded through the City's Public Works Department, the Downtown Streets Team, a non-profit organization, homeless and low-income persons volunteer to beautify commercial districts while engaging in case management and employment services.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

No

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

The City participates in a number of regional economic development initiatives and strategies:

- East Bay Economic Development Alliance is a next-generation, cross-sector membership organization dedicated to growing the economy from the inside out. Working with the world-class companies, leading research institutions, passionate community organizations, small business leaders, and forward thinking local government agencies that constitute the membership, East Bay EDA represents the collective identity of the East Bay and the special power of a fully functional regional partnership. The organization conducts research, advocacy, and marketing to attract business investment to the region.
- Berkeley-Emeryville Bio is a collaboration of Berkeley and Emeryville to support and grow the cities' biotechnology and medical research business cluster. The efforts have paid off: Berkeley is experiencing substantial development of new programs and buildings that support the local bioscience industry. In addition to the QB3 Garage and EBI² incubators on UC Berkeley's campus (as well as the planned QB3 Bakar BioEnginuity hub, at Woo Hon Fai Hall, 2625 Durant Avenue), West Berkeley, near Emeryville, is becoming a second nexus of biotech innovation. The result of a unique public-private sector partnership between UC Berkeley, UCSF, Lawrence Berkeley National Laboratory, Wareham Development, and the cities of Berkeley and Emeryville, the QB3 East Bay Innovation Center (EBIC) offers top-quality wet-laboratories, along with office space for support functions, a common lunch and break area, and a formal conference room. Nearby, the nearby Bonneville Labs offers co-working facilities for life sciences entrepreneurs and others who require lab space for R&D. Both see continuous demand for their facilities and rarely have space available.

Discussion

N/A

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

The City of Berkeley does not currently allocate funds on a geographic basis and does not have a HUD approved Neighborhood Revitalization Strategy Area. Funds are allocated to organizations that provide services to low income households and the homeless population.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

HUD regulations stipulate that the City should not allocate funds to an area of minority concentration unless certain conditions are met. Minority concentration is defined as when “the percentage of households in a particular racial or ethnic minority group is at least 20 percentage points higher than the percentage of that minority group for the housing market area, i.e. the Metropolitan Statistical Area (MSA) in which the proposed housing is to be located.”

The City of Berkeley is divided into the following neighborhoods: Central, Greater Downtown, North East, South, South East, and West (see “Berkeley Neighborhoods” map). Each neighborhood consists of several census tracts which is more reflective of the City’s areas for market purposes. When the neighborhoods are compared to the City as a whole, none meets the “concentrated” standard for Asian, African American, or Latino residents. Based on the 2010 Census data, the areas closest to concentrated are African Americans in South Berkeley and Latinos in West Berkeley but they do not meet the definition of “concentration.”

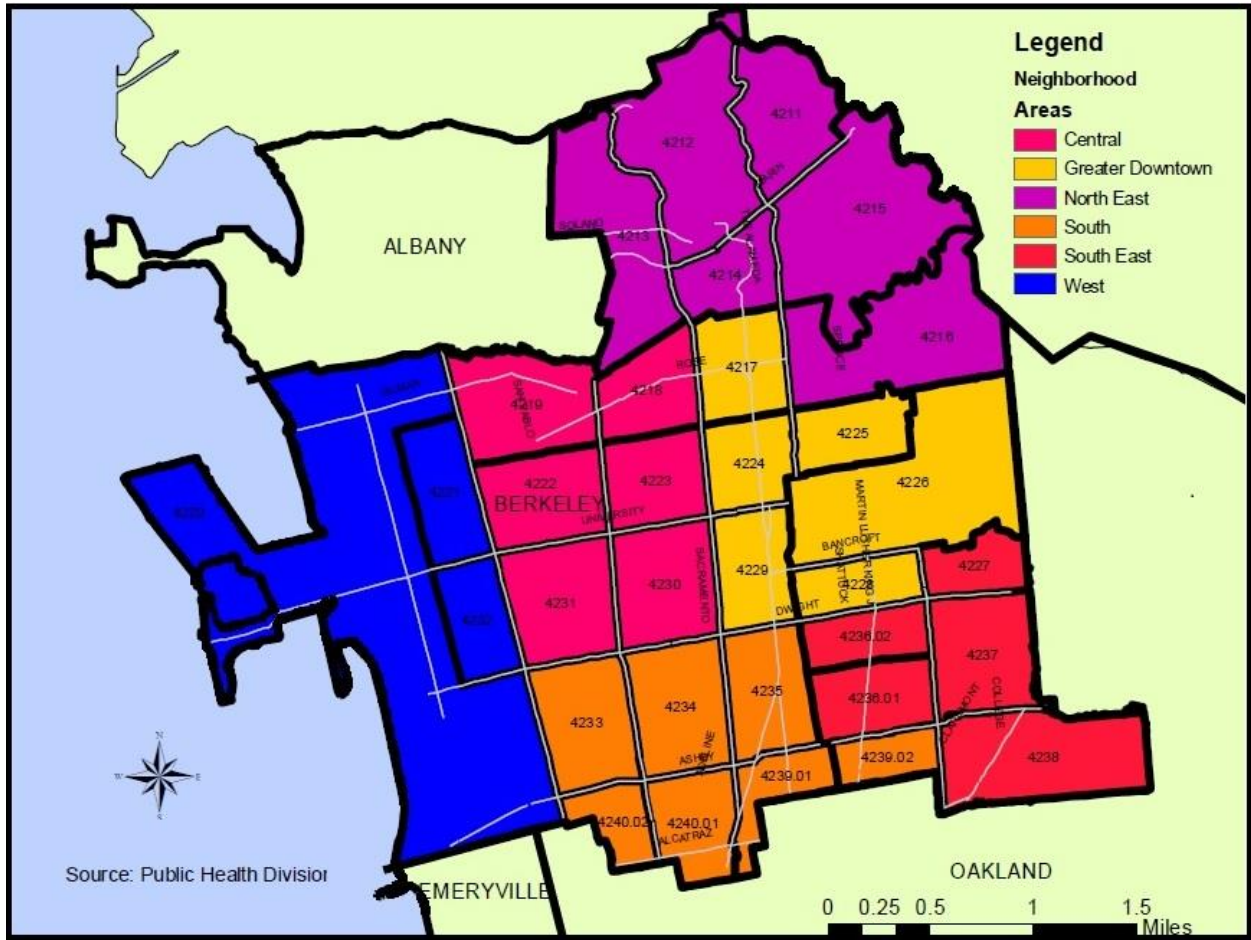


Figure 11 – Berkeley Neighborhoods

What are the characteristics of the market in these areas/neighborhoods?

N/A

Are there any community assets in these areas/neighborhoods?

N/A

Are there other strategic opportunities in any of these areas?

N/A

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The purpose of the Strategic Plan is to identify the priority needs of the City and describe strategies that the City will undertake to serve the priority needs. The Strategic Plan includes the following sections:

- Geographic Priorities
- Priority Needs
- Influence of Market Conditions
- Anticipated Resources
- Institutional Delivery Structure
- Goals
- Public Housing Accessibility and Involvement
- Barriers to Affordable Housing
- Homelessness Strategy
- Lead-based Paint Hazards
- Anti-Poverty Strategy
- Monitoring

SP-10 Geographic Priorities – 91.215 (a)(1)

Geographic Area

1	Area Name:	BERKELEY
	Area Type:	N/A
	Other Target Area Description:	N/A
	HUD Approval Date:	N/A
	% of Low/ Mod:	N/A
	Revital Type:	N/A
	Other Revital Description:	N/A
	Identify the neighborhood boundaries for this target area.	N/A
	Include specific housing and commercial characteristics of this target area.	N/A
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	N/A
	Identify the needs in this target area.	N/A
	What are the opportunities for improvement in this target area?	N/A
	Are there barriers to improvement in this target area?	N/A

Table 56 - Geographic Priority Areas

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The City of Berkeley is divided into the following neighborhoods: Central, Greater Downtown, North East, South, South East, and West (see "Berkeley Neighborhoods" map in section MA-50). However, the City does not allocate federal funds based on geography. It funds a variety of services targeting low income and homeless people that are located in all parts of the jurisdiction.

SP-25 Priority Needs - 91.215(a)(2)

Priority Needs

1	Priority Need Name	Affordable Housing
	Priority Level	High
	Population	Extremely Low Income Low Income Moderate Income Large Families Families with Children Elderly Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse Veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence
	Geographic Areas Affected	BERKELEY
	Associated Goals	Increase Affordable Housing Supply and Quality
	Description	Approximately 90 percent of the HOME funds and 54 percent of CDBG funding will be utilized for the affordable housing development and rehabilitation. This includes affordable multi-family housing funded through the City's Housing Trust Fund and single family rehabilitation programs funded with CDBG.

	Basis for Relative Priority	<p>As mentioned in the Needs Assessment Section, 43.9 percent of Berkeley households are considered "low income" per HUD definitions and 23.3 percent of the City as a whole has a severe cost burden of 50 percent or more of their income for housing.</p> <p>There is a strong need for more affordable housing options in the City. It is expected that federal funding will be allocated to these activities during the period covered by the consolidated plan.</p>
2	Priority Need Name	Homelessness
	Priority Level	High
	Population	<p>Extremely Low Income</p> <p>Low Income</p> <p>Families with Children</p> <p>Elderly</p> <p>Chronic Homelessness</p> <p>Individuals</p> <p>Families with Children</p> <p>Mentally Ill</p> <p>Chronic Substance Abuse</p> <p>Veterans</p> <p>Persons with HIV/AIDS</p> <p>Victims of Domestic Violence</p> <p>Unaccompanied Youth</p>
	Geographic Areas Affected	BERKELEY
	Associated Goals	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing services
	Description	Approximately 90 percent of the ESG funds will be used for Rapid Re-Housing, Emergency Shelter, Outreach and Homeless Prevention activities. The remainder will be used to fund the Homeless Management Information System and for the administration of the program.
	Basis for Relative Priority	ESG funds are expected to be allocated to these activities during the period of the consolidated plan.
	3	Priority Need Name

Priority Level	High
Population	Extremely Low Income Low Income Large Families Families with Children Elderly Chronic Homelessness Individuals Mentally Ill Chronic Substance Abuse Veterans Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development
Geographic Areas Affected	BERKELEY
Associated Goals	Improve Public Facilities and Public Services
Description	CDBG funds will be used for public facility improvements and public services. Approximately 42 percent of CDBG funding available each year will be used for 1) renovations to facilities operated by non-profits for homeless and other low-income populations and 2) public services such as homeless and fair housing services for low-income populations.
Basis for Relative Priority	Federal funds are expected to be allocated to these resources during the period of the consolidated plan.

Table 57 – Priority Needs Summary

Narrative (Optional)

The Consolidated Plan Section NA-05 through NA-50 provides detail on the priority needs in Berkeley.

SP-30 Influence of Market Conditions – 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	The City currently does not use HOME funds for TBRA but the City may consider it as an increasing number of Berkeley residents face a housing cost burden. As previously discussed, in total, a housing cost burden greater than 50 percent of income affects 10,005 households, with the majority of those comprised of rental households (8,075 rental and 1,930 homeowner).
TBRA for Non-Homeless Special Needs	The City does not currently use HOME funds for TBRA.
New Unit Production	The characteristics of Berkeley’s market that would substantiate the need for funding new affordable unit production include the cost of land, pre-development costs, cost of construction, and economic conditions including income/employment levels. HOME funds can be used in the development of new unit production for projects offering affordable housing at various levels.
Rehabilitation	The City contains an old housing stock with more than 90 percent of all housing constructed before 1980. As the housing stock continues to age, the need for rehabilitation will increase. Other factors influencing the use of funds include economic conditions since it would affect whether property owners have the funds for repair. The expense of construction is also continuing to increase. Labor shortages continue, as documented annually by the National Association of Homebuilders, and recently increasing prices for imported materials make the Bay Area an expensive place to renovate. The region has many older homes and much demand for contractor services. According to the June of 2019 San Jose Mercury News report, “Planning to Renovate in the Bay Area? Be Prepared to Wait,” year long waiting lists for contractor services are not uncommon for those seeking renovations (https://www.mercurynews.com/2019/06/19/planning-to-remodel-in-the-bay-area-be-prepared-to-wait/).
Acquisition, including preservation	As economic conditions change and housing cost burdens increase, HOME and CDBG funds continue to be a possible source of gap financing for acquisition and preservation projects. Increasingly, the City is unable to use federal funds for these projects because affordable housing developers cannot take the time required to complete a NEPA prior to site acquisition due to intense market competition for sites. Three of the four sites proposed in the 2019 Housing Trust Fund Request for Proposal had been acquired prior to City funding application or would be acquired prior to fund award. The local HUD office has advised that HOME funds cannot be used for any of these projects.

Table 58 – Influence of Market Conditions

Note: There is no Consolidated Plan generated Table 55 Berkeley. Tables 56, 57 and 58 show up after Table 59.

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	2,738,258	255,925	222,352	3,216,536	16,082,678	See below
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	778,383	20,000	0	798,383	3,991,915	See below

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	234,354	0	0	234,354	1,171,770	See below

Table 59 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Many of the housing and community services programs described in the Consolidated Plan will continue to be delivered by nonprofit community based organizations. The City contracts with a wide range of housing and service providers using CDBG, HOME, ESG, Community Services Block Grant (CSBG), General Fund, and other sources of funding. These organizations leverage significant financial and in-kind support from individual community members, foundations, and private organizations that help meet the needs identified in this plan.

In addition to leveraging at the individual agency level, the City has historically matched the investment of CDBG, HOME, and ESG dollars with the investment of General Funds. In PY18 over three quarters of the funding for community agency programs came from General Funds. The City anticipates using all of its HOME funds for multifamily residential new construction and rehabilitation. These types of projects virtually always require multiple sources of federal, state and other funding, which project sponsors are able to leverage with a commitment of local funds, including HOME. The City will use local funds, such as those from the City’s Measure O housing bond and mitigation fee revenue in the Housing Trust Fund, to ensure continued compliance with the HOME match requirements.

The City meets the dollar for dollar match requirements for the ESG program by allocating General Funds to various homeless services providers. Shelter programs alone receive over \$348,489 in City General Funds each year.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City has long-term leases of City-owned property with non-profit organizations that address the needs identified. Programs operating in leased City-owned properties include:

- Dorothy Day House –Year-round and Emergency Winter Shelters and Community Resource Center;
- BOSS’ Harrison House Shelter for Homeless men, women and families;
- BOSS’ Sankofa House – emergency shelter for homeless families;
- Women’s Daytime Drop-In Center’s Bridget House – transitional housing for homeless families; and
- Bay Area Community Services Pathways Stair Center.

The City also has long-term leases for affordable permanent housing at:

- Ocean View Gardens;
- UA Cooperative Housing; and
- William Byron Rumford Senior Plaza.

The City has committed more than \$27 million in local funding for the development of the City-owned Berkeley Way parking lot to address the needs identified in the plan. On September 9, 2014, after a Request for Qualifications process, the City Council approved the selection of a development team consisting of Bridge Housing, the Berkeley Food and Housing Project, and Leddy Maytum Stacy Architects (LMSA) as the preferred development team for the site. Since then the City has been working closely with the project team on a three-part project including homeless services and meal space, emergency shelter, permanent supportive housing, and affordable apartments. The project sponsors have secured all required funding and construction will begin in spring 2020.

The City is currently exploring the possible use of the City-owned Ashby BART station area are rights as well as the West Berkeley Services Center

as possible future housing sites.

Discussion

N/A

SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
Resources for Community Development	Non-profit organization (HOME CHDO)	Affordable rental housing development and management	Region
Berkeley Housing Authority	PHA	Public Housing	Jurisdiction
Berkeley Food & Housing Project	Non-profit organizations	Homelessness	Region
Center for Independent Living	Non-profit organizations	Affordable Housing <ul style="list-style-type: none"> • Ownership • Rental 	Jurisdiction
Eden Council for Hope and Opportunity (ECHO)	Non-profit organizations	Non-homeless special needs <ul style="list-style-type: none"> • Public Services 	Region
Habitat for Humanity	Non-profit organizations	Affordable Housing <ul style="list-style-type: none"> • Ownership 	Jurisdiction
Satellite Affordable Housing Associates	Non-profit organization (HOME CHDO)	Affordable rental housing development and management	Region
City of Berkeley	Government	Non-homeless special needs <ul style="list-style-type: none"> • Economic Development 	Jurisdiction

Table 60 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

Due to past and ongoing efforts, the City of Berkeley has strong working relationships with other jurisdictions and public agencies in the delivery system. Examples of coordination and collaboration include:

- Membership in the EveryOne Home Leadership board by City of Berkeley staff, Berkeley community agencies, and public agencies across the county;
- Countywide coordinated planning and implementation of the Coordinated Entry System;
- Monthly coordination meeting between Housing and Community Services Department and Planning Department staff; and
- Joint development of outcomes to use in homeless program contracts by the Cities of Berkeley and Oakland, and several Alameda County agencies, starting in 2019.

Although there are needs for additional services and housing, no specific gaps in the delivery system have been identified. Many of the housing and community services programs described in the Consolidated Plan are delivered by nonprofit community based organizations. The City contracts with a wide range of housing and service providers using CDBG, HOME, ESG, CSBG, General Fund, and other sources of funding. These organizations leverage significant financial and in-kind support from individual community members, foundations, and private organizations that help meet the needs identified in this plan.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance	X		
Mortgage Assistance	X		
Rental Assistance	X	X	
Utilities Assistance	X		
Street Outreach Services			
Law Enforcement	X	X	
Mobile Clinics	X	X	
Other Street Outreach Services	X	X	
Supportive Services			
Alcohol & Drug Abuse	X	X	
Child Care	X		
Education	X		
Employment and Employment Training	X	X	
Healthcare	X		
HIV/AIDS	X		
Life Skills	X	X	
Mental Health Counseling	X	X	
Transportation	X	X	
Other			

Table 61 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

Alameda County’s Continuum of Care (CoC) is comprised of three Consolidated Plan jurisdictions: the Cities of Berkeley and Oakland, and the Alameda County HOME Consortium. The CoC held community-wide meetings and several focus groups to determine how best to prioritize the use of Emergency Shelter Grant (ESG) funds. All three jurisdictions’ Consolidated Plans include the goals of the EveryOne Home Plan (the CoC Strategic Plan). The goals are:

- Prevent homelessness and other housing crises;
- Increase permanent housing opportunities for homeless and high risk households;
- Provide wrap-around services to ensure housing stability and quality of life—no wrong door to help;
- Measure success and report outcomes; and

Develop long-term leadership and political will, which includes inter jurisdictional cooperation and participation in the CoC.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The North County Coordinated Entry System Housing Resource Center (HRC) is located in Berkeley and serves people who are literally homeless in Berkeley, Albany and Emeryville. The HRC, operated by Bay Area Community Services (BACS), conducts assessments using the standardized assessment tool and matches homeless eligible people to available services and resources including shelters and transitional housing, , as well as a range of services listed in Table 57 to support people both before and after they are housed. City staff and BACS facilitate bimonthly case conferences with homeless service agency partners to discuss individual cases and coordinate care based on needs and available resources.

The City invests approximately \$3.5 million annually in homeless services through community agency contracts funded by City General Fund and federal funds. Starting in PY19, the City will allocate additional local funds collected pursuant to Measure P, a tax passed by voters in November 2018 funds. Funding for coordinated entry accounts for 37 percent of the City’s investment in homeless services while 29 percent goes to support drop in centers and emergency shelters. Supportive housing and case management account for 17 percent, transitional housing eight percent and rapid rehousing, rep payee and other services account for seven percent of the City’s homeless funding. City dollars are

overwhelmingly invested in emergency services that focus on addressing basic needs. With the implementation of the CES, HRCs prioritize serving people with the highest needs with the goal of placing people in permanent housing as quickly as possible but many more resources, particularly, permanent housing subsidies, are needed.

The North County HRC has assessed more than 1,200 people in the past two years, of which 53 percent are presumed to be chronically homeless based on self-report. The City of Berkeley administers approximately 260 Shelter Plus Care vouchers. However, only 25-30 vouchers turn over annually, meaning the vast majority of chronically homeless people will not have access to PSH vouchers when they need them. The City recently received approval to expand one of its Shelter Plus Care project to add 53 more vouchers for a total of 313. This expansion will allow for more permanent housing placements in PY19. However, in many cases the cost of rent exceeds HUD's rent ceilings making it challenging for people with vouchers to find eligible housing units

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

In November of 2018, Berkeley voters passed Measure P, which raises transfer taxes on high-value real estate transactions by an estimated \$6-8M annually. As of June 30, 2019, approximately \$3.4 million in proceeds had been realized from this tax. Berkeley City Council has allocated funds to expanding shelter, adding employment and health care services for homeless people, funding an RV parking program, and additional permanent subsidies for homeless families. Berkeley voters also passed a bond measure in November 2018 to raise \$135 million for affordable housing.

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Increase Affordable Housing Supply and Quality	2020	2024	Affordable Housing	BERKELEY	Affordable Housing	CDBG: \$7,380,285 HOME: \$3,352,149	Rental units constructed: 17 Household Housing Unit Rental units rehabilitated: 80 Household Housing Unit Homeowner Housing Rehabilitated: 165 Household Housing Unit
2	Improve Public Facilities and Public Services	2020	2024	Non-Housing Community Development	BERKELEY	Non-Housing Community Development	CDBG: \$5,714,135	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 2,000 Persons Assisted Public service activities other than Low/Moderate Income Housing Benefit: 5,525 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing	2020	2024	Homeless	BERKELEY	Homelessness	ESG: \$1,171,770	Tenant-based rental assistance / Rapid Rehousing: 50 Households Assisted Emergency Shelter: TBD Households Assisted Outreach: 500 Households Assisted Prevention: TBD Households Assisted

Table 62 – Goals Summary

Goal Descriptions

1	Goal Name	Increase Affordable Housing Supply and Quality
	Goal Description	CDBG and HOME funds will be used for affordable housing acquisition and rehabilitation, and single family rehabilitation programs.
2	Goal Name	Improve Public Facilities and Public Services
	Goal Description	CDBG funds will be used to rehabilitate public facilities and homeless and fair housing public services.
3	Goal Name	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing services
	Goal Description	ESG funds will be used to provide outreach services, emergency shelter and/or rapid re-Housing to literally homeless households.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

The number of new affordable housing units created during the Consolidated Plan period will depend on the amount of HOME and CDBG funds available to the City, the availability of other sources of affordable housing development funding, and the cost of rehabilitating and constructing affordable housing in Berkeley. Generally, the City has experienced declining allocations of federal funding combined with rising costs of housing development and operation. Assuming an average of \$500,000 in HOME funds per year, a 5 year Consolidated Plan period, and the maximum allowable HOME subsidy per unit of \$185,136 per two bedroom unit, the City will provide funding for at least 4 extremely low income units and 10 low income units in the Consolidated Plan period. This does not include the hundreds of previously created HOME and CDBG units which the City continues to monitor for compliance.

SP-50 Public Housing Accessibility and Involvement – 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

N/A

Activities to Increase Resident Involvements

N/A

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the ‘troubled’ designation

N/A

SP-55 Barriers to affordable housing – 91.215(h)

Barriers to Affordable Housing

The City adopted its *Housing Element* (HE) for the 5th RHNA cycle on April 28, 2015. The HE serves as the City's framework for housing goals and policies, detailing programs needed for meeting existing and future housing needs and for increasing affordable housing opportunities. The 5th Cycle HE addresses the planning period of January 31, 2015 to January 31, 2023 and the 6th cycle will address the next eight years. The 2015 HE contains an evaluation of potential constraints to housing production. The following narrative is adapted from the report.

To identify potential constraints to housing production, City staff analyzed the specific constraint categories as described in state law and discussed the City's regulations with local developers. Planning and zoning regulations establish rules for how land may be used, thereby limiting the amount of development in a city. Although local ordinances and policies are typically adopted to protect the health, safety, and welfare of residents, they may have the consequence of creating constraints to the development of housing. This consequence may be intentional (as is the case with growth control ordinances) or unintentional (such as with certain zoning requirements).

Additionally, a 2018 study by Bay Area Council's Economic Institute entitled, "Policy Choices and the Affordability Crisis in Alameda County," notes that Alameda County added 125,000 jobs since 2012, but only permitted 27,505 housing units over the same period (<http://www.bayareaconomy.org/files/pdf/AlamedaHousing.pdf>). This competitive market for housing encourages pricing to climb for both for sale homes and rental properties across all market segments. That same study identified Berkeley's progressive ADU policies as a model for cities to expand affordability and build additional units on existing parcels. As previously stated in MA-40, Berkeley is working to address constraints that have been identified and improve existing successful initiatives, like the ADU program. Expanding the Housing Trust Fund through ballot approved bond and fee structures additionally addresses the issue of high costs facing affordable housing development.

As described in MA-40 and NA-10 the major constraints facing Berkeley are housing costs and an ongoing need for policy changes, which are being addressed by existing City programs and/or by State directives. The development record and densities of approved projects are the best evidence that there are not significant constraints to housing production imposed by the city of Berkeley. However, housing policies must continually be revisited to minimize potential constraints. Some areas of potential change identified in 2015 included: identification and consideration of options to revise the zoning regulations in lower and medium-density areas for infill developments, consideration of revisions to the accessory dwelling unit regulations, and continued improvement to the development review process.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

As stated in MA-40, the following are considered potential constraints in Berkeley: accessory dwelling unit (ADU) requirements, infill development regulations and permit review process. Outlined below are strides the City has made, either through local initiative or by State direction, to lessen these constraints:

ADUs: The city of Berkeley has revised its ADU ordinance three times since 2015 and is about to undergo another round of changes. The current ordinance was less restrictive than State regulations in terms of allowable size (e.g. there was no limiting relationship between the size of the primary and the accessory dwelling unit), parking (ADUs were not required to provide off-street parking) and setbacks (the state required 5 feet, Berkeley only required 4 feet). After new State ADU law comes into effect on January 1, 2020, existing constraints will be removed, as outlined in Berkeley's 2015 Housing Element.

Infill Development: Additionally, while the zoning ordinance includes five multi-family zoning districts and the City has seen a number multi-family development projects, Housing Policy H-34 of the 2015 Housing Element encourages the review of infill development regulations in residential districts to identify and change possible constraints. Since adoption of the 2015 Housing Element, the City of Berkeley has increased density in the Telegraph Avenue Commercial District and is currently engaged in active planning processes for the Adeline Corridor and Southside Priority Development Areas. Furthermore, Assembly Bill 2923, signed by the Governor in 2019, requires the City of Berkeley to adopt Transit Oriented Development at Ashby and North Berkeley BART stations within the next two years. These projects help to lessen the constraints on infill development.

Permitting Process: The permit process in Berkeley may be considered a constraint to housing production, although based on the amount of affordable and market-rate development that has been approved and the density of those projects, it does not appear to have deterred new development and the City met most of the previous California Regional Housing Needs Assessment (RHNA) targets. However, Policy H-34 of the 2015 Housing Element calls for the City to continue to improve and streamline the development review process and to evaluate regulations to identify and reduce unnecessary impediments to housing development and affordable housing projects. Since the 2015 Housing Element was adopted, the City has begun a process to develop objective standards for zoning, which will help streamline the permitting process. In addition, State housing law packages adopted in 2017, 2018 and 2019 have created new pathways for streamlining projects with a majority of affordable units (e.g. SB-35). In addition to State Law, the City is examining its regulations, with the intent of simplifying and clarifying regulations, through its Zoning Ordinance Revision Project. Although this won't streamline the permitting process, it will provide the public with a document that is easy to read and easy to understand.

SP-60 Homelessness Strategy – 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The North County HRC is focused on single adults who are literally homeless in Berkeley, Emeryville and Albany. The staff at the North County HRC work in close partnership with Berkeley homeless service partners who provide a range of services including shelter, transitional housing, SSI advocacy, primary care, mental health and alcohol and other drug services, and drop-in services.

HRC staff conduct assessments through 211 referrals, during HRC drop-in hours, and at regularly scheduled service partner locations. Additionally, assessments are conducted on the streets, in parks and at encampments throughout Berkeley with the goal of identifying individual needs and matching them to appropriate and available resources including physical and mental health services, housing navigation services, shelter, transitional housing programs, addiction services and SSI advocacy. Services providers are focused on removing barriers and quickly moving people into permanent housing. Housing navigators support participants in a variety of ways from housing problem solving to, assisting with identification documents to housing search activities. The HRC outreach team partners with the City's Homeless Outreach and Treatment Team (HOTT) and University of California Berkeley's Outreach staff.

Addressing the emergency and transitional housing needs of homeless persons

The HRC assesses people to determine needs and appropriate and available resources. Initial conversations are geared towards housing problem solving with the goal of reconnecting people with housed friends or family. In some cases, these conversations are supported with one-time limited financial assistance. The HRC is the access point into emergency shelter, transitional housing, rapid rehousing financial assistance, and will provide housing search assistance and other housing supports. On a daily basis, HRC staff identify the number of shelter and transitional housing beds available and reach out to people who have been assessed and have expressed interest in shelter to fill the beds. Additionally, depending on the need and availability of shelter beds, the HRC will support medically fragile people who are working with housing navigators or partnering agency case managers with short-term motel stays when a more permanent housing placement is imminent. HRC will also make referrals through this front door to other existing services in the community, such as medical services, alcohol and other drug treatment programs, and SSI advocacy.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals

and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The intake and assessment process assists HRC staff in understanding an individual's level of need and the level of assistance needed.

The goal of this process is to ensure people are matched as quickly as possible to the appropriate amount of assistance needed to end their homelessness (typically rapid re-housing) and reserve the most costly interventions (permanent supportive and transitional housing) for those with the highest needs and greatest barriers.

Additionally, staff has access to small amounts of one-time flexible funds to support people's successful transition to these opportunities. Staff utilizes rapid rehousing funds to quickly move people into housing. This typically includes paying the security deposit and approximately six months of rental assistance; the monthly subsidy decreases over the six month period. Due to the exorbitant rental prices rents in the bay area, HRC staff have incorporated larger units in their portfolio. This has allowed people with limited income and a willingness to share housing more opportunities to be permanently housed.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

Low income households in Berkeley at risk of homelessness and being discharged from institutions will benefit from the groundwork laid by the Alameda County-wide Homeless Continuum of Care (CoC). The CoC's discharge planning efforts are summarized below.

Health Care: Persons are not routinely discharged from health care facilities into homelessness, and the CoC worked with a variety of health care institutions to reduce discharges into literal homelessness. California recently enacted Senate Bill (SB) 1152 that outlines requirements of hospitals and emergency departments related to the care and discharge of homeless patients. The Alameda County Health Care Services Agency (HCSA), a member of the HUD CoC, convened several work group sessions on the new legislation in partnership with the Northern California Hospital Council and its members. The sessions focused on improving collaboration and coordination among the CoC and community-based agencies including training and information sharing on coordinated entry processes. The County and hospitals have established several medical respite/recuperative care programs for homeless patients exiting emergency departments and hospitals with a large project in the planning phases on former federal land. The County also established a locally funded housing subsidy pool to provide permanent housing subsidies for high priority homeless patients in Skilled Nursing Facilities and hospitals. Finally, Alameda County actively participates in a Medicaid waiver program

focused on expanding resources and collaboration among health and housing providers to address homelessness.

Mental Health: The CoC works with Housing Services Office of Behavioral Health Care Services (BHCS) to improve discharge planning from mental health facilities. To that end, the Housing Services Office, with coordination by the CoC created a homelessness prevention/rapid re-housing fund, modeled after and delivered in partnership with the Homeless Prevention and Rapid Re-Housing Program. The fund has been used to help hospitalized persons continue to pay rent so units are not lost, or to obtain units upon exit from the facility. The CoC worked with permanent supportive housing providers to develop protocols allowing tenants hospitalized for more than 30 days to retain their units. The CoC and the Housing Services Office trained staff on how to assess patients' housing needs and assist in resolving them as part of discharge planning, utilizing the Office's centralized housing resource database and webpage. BHCS also contracts for dedicated emergency hotel beds for use while ACT teams work on locating permanent housing. BHCS also pays subsidies for licensed residential care facilities to which people routinely exit and expanded this program over the past year. BHCS is also working on a new crisis and transitional residential program for homeless individuals with a serious mental illness.

SP-65 Lead based paint Hazards – 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

While lead-based paint was banned in 1978 by the U.S. Consumer Product Safety Commission (CPSC), it is still a significant problem in cities where the housing stock is relatively old and built before the ban. In Berkeley, over 90 percent of the housing stock was built before 1979.

The City of Berkeley Childhood Lead Poisoning Prevention Program collaborates with the Berkeley Health, Housing & Community Services Department's State lead-certified Risk Assessor/Inspector, Project Designer, and Project Monitor. Berkeley's program also provides case management services to families with children who have elevated blood lead levels. Services range from Public Health Nursing case management for children with blood lead levels above 15 $\mu\text{g}/\text{dL}$ to health education for children with levels between 5-14 $\mu\text{g}/\text{dL}$.

The Alameda County Healthy Homes Department (ACHHD) also has a HUD Lead Hazard Control grant to remediate lead hazards in qualifying Berkeley housing units that are vacant, or occupied by a low income household with either a child under 6, a pregnant woman, or a child under 6 years who visits twice a week for at least three hours each time. Since July 1, 2015, ACHHD has completed lead evaluations at 52 pre-1978 low-income housing units and has made 49 housing units lead-safe at 21 properties. The ACHHD was recently awarded a new 42-month lead hazard control grant which is expected to begin January 1st, 2020. The ACHHD will market to and expects to enroll eligible Berkeley properties into the program which will complete 144 units County-wide over the grant period.

ACHHD provides lead safety and healthy housing training. Since July 1, 2015, the ACHHD has provided lead safety training to 23 individuals with the City of Berkeley, associated with Berkeley-based non-profits, or with residential properties or housing-related businesses in Berkeley including Community Energy Services Corp, Berkeley Mission Homes, and the Northern California Land Trust. In addition, broader healthy housing training, which included lead safety, was provided to 6 City of Berkeley staff. The ACHHD plans to continue to make lead safety training opportunities available for City of Berkeley staff, organizations, and property owners.

The ACHHD's outreach and education activities promote lead safety, regulatory compliance, and participation in ACHHD lead hazard control grant programs to property owners, property managers. The ACHHD coordinates lead poisoning prevention outreach activities with the City of Berkeley Public Health. Outreach partners and locations for property owner presentations, staff trainings, and literature distribution have included the Berkeley Rent Stabilization Board and Permit Office, the Berkeley Housing Authority, Tool Lending Library, North Berkeley Senior Center, YMCA, Berkeley Apartment Owners Association, the East Bay Rental Housing Association which is in Oakland but serves Berkeley property owners, the Ecology Center, and local paint and hardware stores. The ACHHD participates in local collaborations and with partners including the Berkeley Tobacco Prevention Coalition, Bay Area Lead Programs, Berkeley Black Infant Health, Kerry's Kids, Rebuilding Together East Bay North, Habitot, and the Safe Kids Coalition.

How are the actions listed above related to the extent of lead poisoning and hazards?

The City's old housing stock increases the risk of lead-based paint hazard. Approximately 87 percent of renter-occupied units are built before 1980. For owner-occupied units, the figure is 94 percent. There have been years of education and assistance to the public but the City does not know the extent of lead poisoning and hazards. The City will continue to take action as necessary to reduce lead-based paint hazards as required by HUD regulations.

How are the actions listed above integrated into housing policies and procedures?

All participants of the City's Housing Choice Voucher Program and prospective tenants of a pre-1978 residential building are required to receive a copy of the EPA booklet entitled "Protect Your Family From Lead in Your Home." Landlords must also provide a disclosure form for the tenants to sign that informs them either of any known lead-based paint the property or that no testing has been done. The Alameda County Lead Poisoning Prevention Program also provides information to property owners, realtors, and contractors. The actions above will also assist the City in meeting its policy of encouraging housing types that are environmentally and chemically safe, a policy of the City of Berkeley Housing Element.

SP-70 Anti-Poverty Strategy – 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The City funds a wide variety of social service programs designed to assist households with poverty level incomes. These programs include childcare and a range of services for special needs populations, which are outlined in other sections of this Consolidated Plan. This section will highlight the City's strategies to increase livable wage employment opportunities by supporting related community services and working with public and private regional partners. Strategies include:

- Funding and refinement of anti-poverty programs provided by community-based organizations and by the City. Federally funded community agency contracts are outlined in the Annual Action Plan.
- Continue implementation of the City of Berkeley's Living Wage Ordinance.
- Foster regional coordination on economic development to benefit low income Berkeley residents.
- Linking homelessness and homelessness prevention programs, such as the coordinated entry system, to employment training and placement opportunities.

The City has contracted with workforce development programs to provide training, education and job placement for low income, under-employed, and unemployed residents in addition to administering local hire policies and a youth employment program:

- Inter-City Services provides employment, training, and education and continues to serve veterans as funded under the Governor's 15 percent Discretionary pool of Workforce Investment Act (WIOA) funds.
- Biotech Partners operates the Biotech Academy at Berkeley High School, targeting youth from under-represented populations in the fields of science and technology (African American, Latino, South East Asian, female and low income youth) and who may be at risk of not graduating from high school.
- The Bread Project provides training in culinary arts and bakery production, and includes the formerly incarcerated as their target population. They operate a social enterprise (wholesale bakery) that creates opportunities for trainees to obtain crucial on-the-job experience.
- Rising Sun Center for Opportunity (formerly known as Rising Sun Energy Center) Green Energy Training Services (GETS) provides pre-apprenticeship classroom and hands-on training in the Building and Construction trades which serves as a pathway for careers in construction including green and clean technologies. Rising Sun also operates the California Youth Energy Services (CYES) program funded by the CA Public Utilities Commission, providing summer jobs for youth conducting residential energy audits.
- Berkeley Youth Alternatives (BYA) receives WIOA funding through Alameda County Workforce Development Board (ACWDB) to provide workforce development services to in-school and out-of-school youth. The area of workforce development is a focus area for increased coordination,

including establishing methods to maximize and leverage resources. BYA, utilizing city funds, provides training to disadvantaged youth in all aspects of park and landscape maintenance in addition to summer and after-school programs for children and youth.

- UC Theatre Concert Careers Pathways (UCCCP) is a nine-month program for young people ages 17-25, providing workshops and paid internships for participants to learn all aspects of live music venue production.

The City's anti-poverty strategy continues to be closely tied to the funding of approximately 50 community agencies to provide services as described above to enable people in poverty to attain self-sufficiency, support at-risk youth to succeed in school and graduate, and protect the health and safety of low income people. The City also funds anti-poverty programs with general funds for job training and creation/job placement agencies.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

The City will undertake the following additional actions to reduce poverty which are coordinated with this Consolidated Plan:

- Continuing the City's Local Hire policies which include the Community Workforce Agreement (CWA) between the City of Berkeley and the Building trades (created in 2011) which applies to publicly funded construction projects estimated at \$500,000 or above, and, the First Source local hiring policy which applies to both public infrastructure projects estimated between \$100,000 - \$499,999 and private development over 7,500 square feet. These policies work towards creating a pathway into building and construction trades jobs for Berkeley residents.
- The YouthWorks employment program will continue its partnerships with the YMCA Teen Center, Public Health Division, Berkeley Public Library, Public Works Department and Parks, Recreation and Waterfront Department. YouthWorks targets low income, at-risk youth from and provides all youth with training regarding important workplace skills. City of Berkeley departments and organizations serve as worksites providing valuable work experience to Berkeley youth. YouthWorks provides positive and meaningful youth-focused activities, which address youth unemployment, crime and poverty, teach fundamental life and workplace skills and help them to explore, prepare for, transition, and ultimately succeed in the world of work. YouthWorks will continue to develop and coordinate new opportunities for Berkeley youth in the public service jobs.

SP-80 Monitoring – 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Monitoring Completed Developments: The Housing Services Division of the Health, Housing and Community Services Department (HHCS) is responsible for monitoring affordable housing developments funded with Housing Trust Fund (HTF) money to ensure ongoing compliance with federal regulations under the HOME and CDBG programs and other local requirements. The HTF Program pools funds from various sources to achieve the City's General Plan and Consolidated Plan goals of developing and preserving long-term affordable housing. To achieve this purpose, the City provides loan and grants to qualified developers to undertake activities which create, preserve and expand the City's affordable housing stock. The federal and local requirements are incorporated in the development loan agreements and regulatory agreements associated with each project. Currently, there are a total of 54 HTF properties subject to a regulatory agreement. Of the 54 HTF properties, 46 are rental properties of which 17 have HOME-assisted units. The monitoring procedures are documented in the *City of Berkeley Monitoring Procedures for the HTF Program*.

Monitoring During Construction: Consistent with federal requirements and good lending practices, the City is very involved in monitoring funded developments during construction. Individual projects may require a varying degree of City staff involvement depending upon the project size, complexity of the construction activity, type of sponsor, and subrecipient's development expertise/process.

Community Agency Services Contract Monitoring: HHCS staff both prepare and monitor more than 50 community agency contracts for services annually. The City requires outcome reporting for all community agency contracts, and has drawn on outcome reporting information in the RFP process since November 2003.

Community Facilities Improvements Monitoring: The CDBG Coordinator reviews the contract between the non-profit and the general contractor to ensure that all local and federal requirements are passed on. The CDBG Coordinator is responsible for submitting the Semi-Annual Labor Enforcement Report (HUD 4710) and the Annual Contractor and Subcontractor Activity Report (HUD 2516). These reports include both information from the community facility improvement projects and information from any other construction activity undertaken by the HHCS.

Senior and Disabled Home Rehabilitation Loans Monitoring: The City's contracts include insurance and permitting requirements, payment instructions, the construction drawings and the scope of work detailing the work to be executed. The payment schedules and change orders document the procedure employed to implement payments, changes to the scope of work and time schedules. All pre 1978

properties must employ lead-safe work practice and are tested when the work is completed to ensure there has not been contamination during the construction process.

The program administrative staff processes the progress payments for work completed. The progress payments are based on 95 percent of the cost associated in the line item breakdown for the work completed. The progress payment includes the pay request, payment tabulation, lien waivers and approved permit signatures. All payments require the owner(s), Contractor, and the City's Project Manager/Inspector to approve the payment. The final five percent retainage payment is held for 31 days after the Notice of Completion has been recorded and any documentation that may be required to close out the contract. In order to refine the program, improve services, and ensure the program is meeting current needs, staff incorporate both participant feedback and improvements identified through routine program review into program procedures and Council approved guidelines.

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	2,738,258	255,925	222,352	3,216,536	16,082,678	See below
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	778,383	20,000	0	798,383	3,991,915	See below

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	234,480	0	0	234,480	1,171,770	See below

AP Table 63 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Many of the housing and community services programs described in the Consolidated Plan will continue to be delivered by nonprofit community based organizations. The City contracts with a wide range of housing and service providers using CDBG, HOME, ESG, Community Services Block Grant (CSBG), General Fund, and other sources of funding. These organizations leverage significant financial and in-kind support from individual community members, foundations, and private organizations that help meet the needs identified in this plan.

In addition to leveraging at the individual agency level, the City has historically matched the investment of CDBG, HOME, and ESG dollars with the investment of General Funds. In PY18 over three quarters of the funding for community agency programs came from General Funds. The City meets the HOME 25 percent match requirement. The City meets the dollar for dollar match requirements for the ESG program by allocating General Funds to various homeless services providers. Shelter programs alone receive over \$348,489 in City General Funds each year.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City has long-term leases of City-owned property with non-profit organizations that address the needs identified. Programs operating in leased City-owned properties include:

- Dorothy Day House –Year-round and Emergency Winter Shelters and Community Resource Center
- BOSS’ Harrison House Shelter for Homeless men, women and families;
- BOSS’ Sankofa House – emergency shelter for homeless families;
- Women’s Daytime Drop-In Center’s Bridget House – transitional housing for homeless families; and
- Bay Area Community Services Pathways Stair Center.

The City also has long-term leases for affordable permanent housing at:

- Ocean View Gardens;
- UA Cooperative Housing; and
- William Byron Rumford Senior Plaza.

The City has committed more than \$27 million in local funding for the development of the City-owned Berkeley Way parking lot to address the needs identified in the plan. On September 9, 2014, after a Request for Qualifications process, the City Council approved the selection of a development team consisting of Bridge Housing, the Berkeley Food and Housing Project, and Leddy Maytum Stacy Architects (LMSA) as the preferred development team for the site. Since then the City has been working closely with the project team on a three-part project including homeless services and meal space, emergency shelter, permanent supportive housing, and affordable apartments. The project sponsors have secured all required funding and construction will begin in spring 2020.

The City is currently exploring the possible use of the City-owned Ashby BART station area as well as the West Berkeley Services Center as possible future housing sites.

Discussion

N/A

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Increase affordable Housing Supply and Quality	2020	2024	Affordable Housing	BERKELEY	Affordable Housing	<p>CDBG: \$1,476,057</p> <p>HOME: \$690,430</p>	<p>Rental units constructed: 3 to 4 Household Housing Unit</p> <p>Rental units rehabilitated: 16 Household Housing Unit</p> <p>Homeowner Housing Rehabilitated: 33 Household Housing Unit</p>
2	Improve Public Facilities and Public Services	2020	2024	Non-Housing Community Development	BERKELEY	Non-Housing Community Development	CDBG: \$1,142,827	<p>Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 400 Persons Assisted</p> <p>Public service activities other than Low/Moderate Income Housing Benefit: 1,105 Persons Assisted</p>

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
3	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing	2020	2024	Homeless	BERKELEY	Homelessness	ESG: \$234,354	Tenant-based rental assistance / Rapid Rehousing: 10 Households Assisted Emergency Shelter: TBD Households Assisted Outreach: 100 Households Assisted Prevention: TBD Households Assisted

Table 64 – Goals Summary

Goal Descriptions

1	Goal Name	Increase Affordable Housing Supply and Quality
	Goal Description	CDBG and HOME funds will be used for affordable housing acquisition and rehabilitation, and single family rehabilitation programs.
2	Goal Name	Improve Public Facilities and Public Services
	Goal Description	CDBG funds will be used to rehabilitate public facilities and homeless and fair housing public services.
3	Goal Name	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing
	Goal Description	ESG funds will be used to provide outreach, services emergency shelter and/or rapid re-Housing to literally homeless households.

Projects

AP-35 Projects – 91.220(d)

Introduction

With its CDBG, HOME, and ESG funds, the City of Berkeley will fund eligible projects in the following categories: housing development, rehabilitation and services projects, public services, public/community facility improvement projects, emergency shelter grant programs, program planning and administration, and the Housing Trust Fund.

Projects

#	Project Name
1	City of Berkeley Planning and Administration
2	Housing Services
3	Single Family Rehabilitation Programs
4	Housing Trust Fund
5	Public Services
6	Community Facility Rehabilitation
7	Rapid Rehousing and HMIS Activities

Table 65 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

See sections NA and MA of the Consolidated Plan.

AP-38 Project Summary

Project Summary Information

1	Project Name	City of Berkeley Planning and Administration
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality, Improve Public Facilities and Public Services, & Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing services
	Needs Addressed	Affordable Housing, Homeless, & Non-Housing Community Development
	Funding	CDBG: \$597,652 HOME: \$79,838
	Description	The project will fund City staff to plan and administer CDBG and HOME projects.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Citywide.
	Planned Activities	Information about the planned activities is included in Section AP-38 Project Summaries.
2	Project Name	Housing Loan Services
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$70,008
	Description	City staff provide loan services to support single family rehabilitation, housing trust fund projects, and other federally funded housing related activities.
	Target Date	6/30/2021

	Estimate the number and type of families that will benefit from the proposed activities	The project will serve approximately 106 active housing rehabilitation loans.
	Location Description	Various locations within the City of Berkeley.
	Planned Activities	Services provided under this project will include accounting, processing loan payments and loan payoff demands, deeds of reconveyance, lien releases and loan subordination requests, collections, personal financial analysis, and structuring of temporary repayment agreements.
3	Project Name	Single Family Rehabilitation Programs
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$917, 708
	Description	Activities related to single family rehabilitation efforts will be funded under this project. These projects will cover health and safety improvements as well as accessibility improvements such as the installation of ramps/lifts for low income homeowners and renters.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	The project will benefit an estimated 44 low-income households annually.
	Location Description	Various locations within the City of Berkeley.
	Planned Activities	Activities include health and safety, accessibility, and energy efficiency improvements. CIL's program removes barriers to housing for 21 low-income, disabled residents by installing ramps, lifts and making other interior and exterior modifications to ensure accessibility of their homes. Habitat for Humanity provides home repairs, access modifications, and safety upgrades 18 low-income households focusing on essential health and safety of the home. City staff work with senior and/or disabled homeowners, providing loans of up to \$100,000 for the Senior & Disabled Home Rehabilitation Loan Program.
4	Project Name	Housing Trust Fund
	Target Area	BERKELEY
	Goals Supported	Increase Affordable Housing Supply and Quality

	Needs Addressed	Affordable Housing
	Funding	CDBG: \$488,341 HOME: \$690,430
	Description	Activities that provide funding for City staff in support of projects funded with City of Berkeley Housing Trust Fund dollars, includes funding for projects and CHDO operating funds.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	17 units (households) will be directly supported with federal funding during the five-year Consolidated Plan period for an average of 3-4 per year. During the same time period staff will also support the development of an additional 371 affordable units with local funds. These totals will include 34 senior units and 81 special needs (homeless and/or disabled units).
	Location Description	Citywide
	Planned Activities	City staff actively facilitate development, rehabilitation and/or preservation of affordable housing through working with developers, other city staff, lenders and other public agencies for the acquisition and rehabilitation of multi-family housing.
5	Project Name	Public Services
	Target Area	BERKELEY
	Goals Supported	Improve Public Facilities and Public Services
	Needs Addressed	Homelessness Non-Housing Community Development
	Funding	CDBG: \$453,921
	Description	Services including homeless programs (daytime respite, men's shelter and Coordinated Entry System), and fair housing services are funded under this project.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	1,105 low-income and homeless households are expected to be served through these activities.
	Location Description	Citywide

	Planned Activities	Bay Area Community Services operates Berkeley's Coordinated Entry System which will screen, conduct intakes, and provide housing navigation services to approximately 920 people. Berkeley Food and Housing Program will provide emergency shelter to approximately 115 adult homeless men. Eden Council for Hope and Opportunity will provide outreach, training, fair housing counseling services to up to 70 households, investigation of an estimated 25 fair housing complaints, 10 tenant/landlord mediations, and 10 fair housing testing/audits with follow-up training for non-compliant property owners.
6	Project Name	Community Facility Rehabilitation
	Target Area	BERKELEY
	Goals Supported	Improve Public Facilities and Public Services
	Needs Addressed	Non-Housing Community Development
	Funding	CDBG: \$688,906
	Description	Activities that fund the rehabilitation of public facilities are funded under this project.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	It is projected that improved community facility improvements provided by the City of Berkeley administered program will benefit a minimum of 409 people. The number of beneficiaries may increase as new community facility projects are identified through the upcoming NOFA.
	Location Description	Various locations within the City of Berkeley.
	Planned Activities	Activities include improving community facilities by funding substantial rehabilitation to applicants of the City administered Community Facility Improvement Program. Additionally, the City of Berkeley's Adult Mental Health Clinic and the City's Public Health Clinic will both be planned to be completed, serving some of the City's lowest income and most vulnerable populations.
7	Project Name	Emergency Shelter, Outreach, Rapid Rehousing and HMIS Activities
	Target Area	BERKELEY
	Goals Supported	Provide Homeless Prevention, Emergency Shelter, Outreach and Rapid Re-Housing services
	Needs Addressed	Homelessness
	Funding	ESG: \$234,354

Description	ESG funds will be used for Emergency Shelter, Outreach, Rapid Re-Housing and HMIS costs.
Target Date	6/30/2021
Estimate the number and type of families that will benefit from the proposed activities	10 households will be served with rapid rehousing financial assistance. 100 persons will be assisted with Street Outreach. No persons will be assisted with Emergency Shelter or Homeless Prevention activities during this year's plan.
Location Description	Various locations.
Planned Activities	ESG funds will be used to provide financial assistance and housing relocation and stabilization services to rapidly re-house approximately 10 households, and support approximately 100 people through street outreach and engagement activities.

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

As discussed in MA-50, the City does not have areas of low income or minority concentration and therefore does not allocate federal funds geographically.

Geographic Distribution

Target Area	Percentage of Funds
BERKELEY	100

Table 66 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

N/A

Discussion

N/A

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

This section includes HOME-funded units only. The City does not anticipate that any new construction will be completed in the year July 1, 2020 – June 30, 2021. As of this writing in November 2019, the City is working with six proposed development projects with a total of 386 permanent housing units and more than \$71 million in City funding, including \$1.8 million (three percent) in HOME funds. At least two developments will start construction in spring 2019, and are expected to be completed in the following program year (2021-2022), adding 177 units to the City’s Housing Trust Fund portfolio, including a portion of HOME units.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 67 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
The Production of New Units	0
Total	0

Table 68 - One Year Goals for Affordable Housing by Support Type

Discussion

N/A

AP-60 Public Housing – 91.220(h)

Introduction

The Berkeley Housing Authority (BHA) is not a department of the City of Berkeley. BHA Board members are appointed by the Mayor and confirmed by the City Council.

Actions planned during the next year to address the needs to public housing

N/A. The BHA no longer owns any public housing.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

N/A

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

N/A

Discussion

N/A

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City uses a variety of approaches to support homeless and other vulnerable populations.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

HRC staff will continue to conduct assessments through 211 referrals, during HRC drop-in hours, and at regularly scheduled service partner locations, and at street based locations throughout Berkeley. Street based outreach staff will continue to engage people and provide basic necessities, such as water and hygiene kits.

Eligible people will be matched to appropriate and available resources including physical and mental health services, housing navigation services, shelter, transitional housing programs, addiction services and SSI advocacy.

The HRC will provide housing navigation services tied to rapid-rehousing and flexible financial assistance to support additional people in moving to permanent housing. Housing navigators support participants in a variety of ways from housing problem solving to, assisting with identification documents to housing search activities.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City will continue to provide funding for shelter and transitional housing as described in section MA-30.

The City funds multiple agencies to provide 298 year round shelter beds, 30 seasonal shelter beds and 27 transitional housing beds. After working hours, unfilled beds are filled through an evening Shelter Reservation Hotline. The Shelter Bed Hotline opens after 7:00 pm and makes available shelter beds operated by BFHP that were not filled after the daytime shelter bed reservation process. Sometimes people have a bed reserved but do not come in to the shelter in the evening. Before this program was implemented in 2009, these beds stayed vacant all night.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were

recently homeless from becoming homeless again

Housing Navigators focus on the highest need people, which are prioritized using the standardized assessment tool. They assist with collecting identification documentation needed to apply for housing opportunities, housing searches and linking participants to services that will help to retain housing. The City's Shelter Plus Care COACH Project will be expanded by 53 vouchers this year. These vouchers will be matched to the highest need people in North County through the county's HomeStretch process. The City's Aging Services Division will support enrolled participants with housing search and retention services, regardless of the age of the participant.

The North County HRC has flexible and rapid rehousing funds, which assist in reducing people's length of homelessness. The City allocates ESG, and City and County General Funds to support these efforts. While funding is available, providers report that the lack of available units with rents within HUD's Fair Market Rent (FMR) makes it difficult to rapidly re-house participants within the County. Often, participants are being housed in neighboring counties making it challenging to provide ongoing housing retention services. This has resulted in some delays in spending City of Berkeley ESG funds for rapid rehousing. Starting in PY19, the City of Berkeley has shifted a portion of its ESG allocation to fund the Pathway Stair Center and HRC outreach. Also, the HRC has incorporated more shared housing opportunities through the use of larger units. This has provided people with limited income and a willingness to share housing more opportunities to be permanently housed.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City uses General Funds to fund services that prevent people who are not literally homeless but are at imminent risk of homelessness per the HUD Homeless definition (Category 2) from becoming homeless. Prevention assistance may include support to a household to retain its current housing or to move to other housing without having to become literally homeless. While the ESG regulations allow for federal funds to be provided to those categorized as "at-risk" but not necessarily at "imminent risk", Berkeley uses its ESG funds for rapidly rehousing people who are literally homeless.

Berkeley funds prevention assistance for people who meet "immediate risk" criteria defined as:

"An individual or family who will imminently lose their primary nighttime residence, provided that:

- the primary nighttime residences will be lost within 14 days of the day of application for homeless assistance;
- No subsequent residence has been identified; and,

- the individual or family lacks the resources of support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing.”

Alameda County has mental health, foster youth, health care, and corrections discharge policies intended to prevent discharges of individuals from these systems into homelessness, described in detail in the Consolidated Plan.

The City is working with local hospitals to share information about the North County HRC and available homeless services in Berkeley to reduce discharges to local daytime drop-in centers and shelters that can't support the needs of medically fragile people with severe disabling conditions. The City will continue to participate in countywide and regional efforts to reduce discharges into homelessness.

Discussion

The City of Berkeley supports a wide range of homeless programs, including emergency/crisis drop in centers and shelters, transitional housing, permanent supportive housing, prevention and rapid rehousing services. All contracted service providers report outcomes based on the countywide outcome standards developed by EveryOne Home, in order to inform future adjustments to the service system.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

N/A

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

As stated in section MA-40, the following are considered potential constraints in Berkeley: accessory dwelling unit (ADU) requirements, infill development regulations and permit review process. While the City's accessory dwelling unit requirements meet state law, they may be a constraint to development of additional units; therefore, the 2015 *Housing Element* includes a housing program to evaluate the regulations and consider changes to development standards for ADUs, a process that is currently underway. Additionally, while the zoning ordinance includes five multi-family zoning districts and the City has seen a number multi-family development projects, Housing Policy H-34 of the 2015 *Housing Element* encourages the review of infill development regulations in residential districts to identify and change possible constraints.

The permit process in Berkeley may be considered a constraint to housing production, although based on the amount of affordable and market-rate development that has been approved and the density of those projects, it does not appear to have deterred new development. However, Policy H-34 calls for the City to continue to improve and streamline the development review process and to evaluate regulations to identify and reduce unnecessary impediments to housing development and affordable housing projects.

With the passage of California Senate Bill 35 Berkeley, like all California cities, has an expedited path to planning and environmental approvals for affordable housing developments meeting certain State-established criteria. In 2018, the City approved land use entitlements for three City-funded projects under the SB35 rules: 2012 Berkeley Way, 1601 Oxford and 2001 Ashby.

Discussion:

N/A

AP-85 Other Actions – 91.220(k)

Introduction:

The City of Berkeley uses a range of strategies to address the housing, homeless, and community development goals identified in the Consolidated Plan. This section discusses actions planned to foster and maintain affordable housing, to reduce lead-based paint hazards, to reduce the number of poverty-level families in Berkeley, and to coordinate activities in these areas with other entities.

Actions planned to address obstacles to meeting underserved needs

One of Berkeley's major obstacles to meeting underserved needs is the limited amount of federal, state, and local resources available given the diversity of needs in the community and high cost of housing in the Bay Area. The City of Berkeley will continue to pursue new State and Federal resources as available to meet underserved needs.

Actions planned to foster and maintain affordable housing

The City has several on-going programs which foster and maintain affordable housing in Berkeley:

- Rent Stabilization Program. In 1980, Berkeley residents passed the Rent Stabilization and Eviction for Good Cause Ordinance. The Ordinance regulates most residential rents in Berkeley, provides tenants with increased protection against unwarranted evictions and is intended to maintain affordable housing and preserve community diversity.
- Affordable Housing Mitigation Fee (AHMF). This fee requires developers of new market rate rental housing to pay a fee into the Housing Trust Fund or to provide affordable apartments instead. Resulting units are affordable both to people with incomes less than 50 percent of Area Median and less than 80 percent. The Council adopted a formula for increasing the rate over time.
- Condominium Conversion Ordinance (CCO). The CCO governs the conversion of rental apartments and tenancy-in-common buildings to condominiums, and other types of mutual or cooperative housing. A mitigation fee for production of permanently affordable housing will be collected.
- Commercial Linkage Fee. The Affordable Housing Mitigation Program was approved on April 20, 1993. It imposed fees on commercial new construction in which the newly constructed gross floor area is over 7,500 square feet.
- Housing Trust Fund (HTF). The City of Berkeley created its HTF in 1990 to help develop and preserve below-market-rate housing. The HTF program pools funds for affordable housing construction from a variety of sources with different requirements, makes them available through one single application process to local developers, then monitors development and operation of the funded housing.
- Inclusionary Housing Ordinance for ownership housing. The ordinance requires developers of

market rate ownership housing to include affordable ownership units or pay a fee. On November 19, 2013, City Council approved completing a nexus study to determine the appropriate fee applicable to new for-sale housing.

- Mortgage Credit Certificate. MCC is a federal income tax credit that provides qualified low income homebuyers a tax credit worth up to 15 percent of their annual mortgage interest paid on their home loan. MCC recipients adjust their federal income tax withholding, which increases their take-home pay, making monthly mortgage payments more affordable. The City participates in the Alameda County MCC program.
- Senior and Disabled Loan Rehab Program. HHCS administers the program as an effort to preserve the City's housing stock and to assist low- and moderate-income senior and disabled homeowners, funded by CDBG and CalHOME. The applicants receive a zero interest loan, secured by a deed of trust on their home, which is repaid when title to the property changes hands, normally as a result of the sale of the property or inheritance by the owner's heirs.

Actions planned to reduce lead-based paint hazards

The City will continue to comply with the Environmental Protection Agency's Renovation, Repair, and Painting Program in its Senior and Disabled Rehabilitation Loan Program. Similarly, organizations working with the City of Berkeley on single family rehabilitation will work with the City and Alameda County Lead Poisoning Prevention Programs to increase awareness of lead issues among their clients and incorporate lead safe work practices into their activities.

The City of Berkeley Public Health Division and the Alameda County Lead Poisoning Prevention Program will work together to increase awareness and knowledge about lead poisoning prevention in Berkeley including providing lead-safe painting classes, in-home consultations, garden soil lead testing kits, presentations, educational materials, and other services.

The City of Berkeley Childhood Lead Poisoning Prevention Program collaborates with the Berkeley Health, Housing & Community Services Department's State lead-certified Risk Assessor/Inspector, Project Designer, and Project Monitor. Berkeley's program also provides case management services to families with children who have elevated blood lead levels. Services range from Public Health Nursing case management for children with blood lead levels above 15 $\mu\text{g}/\text{dL}$ to health education for children with levels between 5-14 $\mu\text{g}/\text{dL}$.

The Alameda County Healthy Homes Department (ACHHD) also has a HUD Lead Hazard Control grant to remediate lead hazards in qualifying Berkeley housing units that are vacant, or occupied by a low income household with either a child under 6, a pregnant woman, or a child under 6 years who visits twice a week for at least three hours each time. Since July 1, 2015, ACHHD has completed lead evaluations at 52 pre-1978 low-income housing units and has made 49 housing units lead-safe at 21 properties. The ACHHD was recently awarded a new 42-month lead hazard control grant which is expected to begin January 1st, 2020. The ACHHD will market to and expects to enroll eligible Berkeley properties into the program which will complete 144 units County-wide over the grant period.

ACHHD provides lead safety and healthy housing training. Since July 1, 2015, the ACHHD has provided lead safety training to 23 individuals with the City of Berkeley, associated with Berkeley-based non-profits, or with residential properties or housing-related businesses in Berkeley including Community Energy Services Corp, Berkeley Mission Homes, and the Northern California Land Trust. In addition, broader healthy housing training, which included lead safety, was provided to 6 City of Berkeley staff. The ACHHD plans to continue to make lead safety training opportunities available for City of Berkeley staff, organizations, and property owners.

The ACHHD's outreach and education activities promote lead safety, regulatory compliance, and participation in ACHHD lead hazard control grant programs to property owners, property managers. The ACHHD coordinates lead poisoning prevention outreach activities with the City of Berkeley Public Health. Outreach partners and locations for property owner presentations, staff trainings, and literature distribution have included the Berkeley Rent Stabilization Board and Permit Office, the Berkeley Housing Authority, Tool Lending Library, North Berkeley Senior Center, YMCA, Berkeley Apartment Owners Association, the East Bay Rental Housing Association which is in Oakland but serves Berkeley property owners, the Ecology Center, and local paint and hardware stores. The ACHHD participates in local collaborations and with partners including the Berkeley Tobacco Prevention Coalition, Bay Area Lead Programs, Berkeley Black Infant Health, Kerry's Kids, Rebuilding Together East Bay North, Habitot, and the Safe Kids Coalition.

Actions planned to reduce the number of poverty-level families

The City funds a wide variety of social service programs designed to assist households with poverty level incomes. These programs include childcare and a range of services for special needs populations, which are outlined in other sections of this Consolidated Plan. This section will highlight the City's strategies to increase livable wage employment opportunities by supporting related community services and working with public and private regional partners. Strategies include:

- Funding and refinement of anti-poverty programs provided by community-based organizations and by the City. Federally funded community agency contracts are outlined in the Annual Action Plan.
- Continue implementation of the City of Berkeley's Living Wage Ordinance.
- Foster regional coordination on economic development to benefit low income Berkeley residents.
- Linking homelessness and homelessness prevention programs, such as the coordinated entry system, to employment training and placement opportunities.

The City has contracted with the a number of workforce development programs to provide training,

education and job placement for low income, under-employed, and unemployed residents:

- Inter-City Services provides employment, training, and education and continues to serve veterans as funded under the Governor's 15% Discretionary pool of Workforce Investment Act (WIOA) funds.
- Biotech Partners operates the Biotech Academy at Berkeley High School, targeting youth from under-represented populations in the fields of science and technology (African American, Latino, South East Asian, female and low income youth) and who may be at risk of not graduating from high school.
- The Bread Project provides training in culinary arts and bakery production, and includes the formerly incarcerated as their target population. They operate a social enterprise (wholesale bakery) that creates opportunities for trainees to obtain crucial on-the-job experience.
- Rising Sun Center for Opportunity (formerly known as Rising Sun Energy Center) Green Energy Training Services (GETS) provides pre-apprenticeship classroom and hands-on training in the Building and Construction trades which serves as a pathway for careers in construction including green and clean technologies. Rising Sun also operates the California Youth Energy Services (CYES) program funded by the CA Public Utilities Commission, providing summer jobs for youth conducting residential energy audits.
- Berkeley Youth Alternatives (BYA) receives WIOA funding through Alameda County Workforce Development Board (ACWDB) to provide workforce development services to in-school and out-of-school youth. The area of workforce development is a focus area for increased coordination, including establishing methods to maximize and leverage resources. BYA, utilizing city funds, provides training to disadvantaged youth in all aspects of park and landscape maintenance in addition to summer and after-school programs for children and youth.
- UC Theatre Concert Careers Pathways (UCCCP) is a nine-month program for young people ages 17-25, providing workshops and paid internships for participants to learn all aspects of live music venue production.
- Continuing the City's Local Hire policies which include the Community Workforce Agreement (CWA) between the City of Berkeley and the Building trades (created in 2011) which applies to publicly funded construction projects estimated at \$500,000 or above, and, the First Source local hiring policy which applies to both public infrastructure projects estimated between \$100,00 - \$499,999 and private development over 7,500 square feet. develop the
- The YouthWorks employment program continued its partnerships with City and nonprofit agencies. YouthWorks targets low income, at-risk youth and provides all youth with workplace skills training. City of Berkeley departments and local community agencies serve as worksites providing valuable work experience to Berkeley youth 14-25 years old.
- The City's Recreation Division of the Park, Recreation & Waterfront Department partners with the Berkeley Unified School District and YouthWorks on the Achievers Program, which provides leadership development, career exploration and peer-led tutoring. This program is also used as a stepping stone for entry into the City's YouthWorks program.

- Funded through the City's Public Works Department, the Downtown Streets Team, a non-profit organization, homeless and low-income persons volunteer to beautify commercial districts while engaging in case management and employment services.

The City's anti-poverty strategy continues to be closely tied to the funding of approximately 50 community agencies to provide services as described above to enable people in poverty to attain self-sufficiency, support at-risk youth to succeed in school and graduate, and protect the health and safety of low income people. The City also funds anti-poverty programs with general funds for job training and creation/job placement agencies.

Actions planned to develop institutional structure

During the next year, the City of Berkeley will continue to coordinate the housing and community services activities within the department through regular senior staff meetings and coordination on specific topics. The City's Health & Human Services and its Housing Departments merged in PY12. Since that time, senior leadership of all Divisions meets weekly to share information on Division activities which promotes closer coordination. For example, in PY2019, the Housing & Community Services Division and the Aging Services Division collaborated to hire two new staff who will provide supportive services to house homeless residents who are assisted through Continuum of Care Rental Assistance administered by the Housing & Community Services Division. The Division leadership will continue to seek opportunities to increase coordination during PY20.

Actions planned to enhance coordination between public and private housing and social service agencies

City staff will also continue to participate in the implementation of EveryOne Home, the countywide plan to end homelessness. EveryOne Home spearheads Alameda County's Continuum of Care. Staff will continue to participate in the initiative's Leadership Board, which includes most public funders of housing and homeless services in the county, as well as leadership from key community based organizations. Leadership Board membership helps coordination efforts across the county. Staff also participates in other committees composed of other funders (such as Alameda County Behavioral Health Care Services and the Social Services Agency) as well as many community based organizations.

Recent countywide collaboration efforts include the implementation and ongoing refinement of the Coordinated Entry System, issuance of an updated countywide strategic report by EveryOne Home, coordination and approval of countywide performance measures aligned with HUD priorities; and implementation of the countywide Whole Person Care funds to support the development and operations of regional housing resource centers.

City staff continue to collaborate with service agencies, from legal advocacy assistance, to disability rights organizations for unit modifications, the VA for VASH vouchers, and the Berkeley Housing Authority (BHA) for Mainstream Voucher allocations. Additionally with Project-based voucher

allocations and through work with owners of Below Market Rate units, BHA has partnered with both non-profit and for-profit developers of housing in Berkeley, to house those participating in our programs.

Discussion:

The majority of Berkeley's activities furthering the goals of the Consolidated Plan are provided by community agency partners. This will continue to be the case in PY20.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$255,925
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	\$255,925

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70 percent of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	87.00%

HOME Investment Partnership Program (HOME) Reference 24 CFR 91.220(I)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The City of Berkeley uses no forms of investment other than ones described in §92.205(b)

(Refinancing Costs).

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

No homeownership or tenant-based rental assistance activities are anticipated for PY20.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

No homeownership activities are anticipated for PY20.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The City of Berkeley's HTF Guidelines apply to any project using HOME funds to refinance existing debt. Per the Guidelines, Project owners submit funding requests to the City, or reply to the City's Requests for Proposals for funding, with the following information, among other things:

a) As a condition precedent to funding, Owners must demonstrate an extension of affordability term. For new HOME funds invested in the Project, the minimum affordability term is the term required by 24 CFR 92 et seq., but, typically, the required extension of affordability is 55 years.

b) As a condition precedent to funding, Owners must demonstrate that the refinancing preserves the affordable Project through rehabilitation.

1. Minimum rehab costs/unit must correspond to at least the value identified in a current physical needs assessment to ensure that the long-term needs of the Project can be met.
2. Typical rehab/unit costs are no less than \$10,000/unit, the minimum rehab value required by the California Debt Limit Allocation Committee Regulations.

c) Owners indicate if their refinancing request includes new construction that adds net new units to the Project

d) Owners provide extensive Project data, including audited financial statements, cash flows, rent rolls, services plans, PNAs, and rehabilitation proformas to demonstrate that:

1. The project is sound financially and disinvestment has not occurred
2. The long-term needs of the Project and residents will be met by the rehab

3. The proposed rehab is financially feasible, includes no barriers to refinancing existing mortgage loans, does not include the refinancing of any existing federal or federally-insured loans, and leverages other non-federal funds to the greatest extent possible

**Emergency Solutions Grant (ESG)
Reference 91.220(l)(4)**

1. Include written standards for providing ESG assistance (may include as attachment)

The City's standards for providing ESG assistance are attached as Attachment 5: City of Berkeley ESG Manual.

2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.

The Alameda County Continuum of Care has established its coordinated entry system (CES). The CES has regional Housing Resource Centers that provide a range of services and resources. Each HRC conducts assessments using a standardized tool that prioritizes individuals and families based on need. The people with the highest needs are matched to appropriate and available services and resources including housing navigation, emergency shelter, transitional housing, rapid rehousing and permanent supportive housing.

3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

The City of Berkeley was allocated \$227,398 in ESG funding for PY19. Funds will be used primarily for rapid rehousing and street outreach. Funds may be used, however, for shelter activities depending on community needs. The City of Berkeley will utilize the maximum amount possible for administration (Seven and a half percent of the grant) and allocate funds to support the County-wide Homeless Management Information System, known as InHouse.

ESG funds were allocated to the North County HRC through the FY20-24 Community Agency Request for Proposals (RFP) allocation process. Bay Area Community Services successfully competed to operate the HRC and will therefore be awarded the ESG funding.

4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.

The policy-making entity for the City of Berkeley which makes decisions regarding the facilities, services, and other programs to receive funding under the Emergency Solutions Grant (ESG) is the

Berkeley City Council. The Berkeley City Council is elected by the citizens of Berkeley. The City cannot mandate that a homeless or formerly homeless individual be on the City Council. Therefore, the City must develop and implement a plan to consult with homeless or formerly homeless individuals in making policies and decisions regarding programs that receiving funding under ESG.

5. Describe performance standards for evaluating ESG.

The performance standards to be applied to ESG activities is attached as an image labeled Outcome Measures. These standards were developed in 2009-2010 through the leadership of EveryOne Home (the Continuum of Care) and partially funded by City of Berkeley General Funds. This matrix presents outcome standards for each type of program in the Continuum of Care. Most were established as a percentage of the average outcomes achieved by all County programs (for example, the average permanent housing placement rate of all emergency shelters) and will be adjusted over time to ensure continued improvement.

Systemwide Performance Targets for Rapid Re-Housing Services

Rapid Re-Housing		Target
How Much?	Service Population: Unduplicated count of individuals served (HUD Element, APR Q5a)	observe
	Service Population: Proportion of chronically homeless individuals served (HUD Element, APR Q5a)	observe
	Service Population: Unduplicated count of households served (HUD Element, Annual Performance Report/APR Q8a)	observe
	Service Population: Proportion of chronically homeless households served (HUD Element, APR Q26a)	observe
How Well?	Data Quality: Data entry within 3 days (HUD Element, APR Q6e)	100%
	Data Quality: Completion. Adult participants with income info. recorded in HUD Element at entry and annual or exit assessments (HUD Element, APR Q18)	90%
	Average length of time from enrollment to move in (HUD Element, Apr Q22c)	60% within 2 months
With What Impact?	Are participants growing their income? (HUD Element, APR Q19a3)	50%

	Are participants accessing mainstream benefits? (HUD Element, APR Q20b)	85%
	Are participants enrolled in health insurance?(HUD Element, APR Q21)	85%
	Are we successfully moving people into permanent housing? (HUD Element, APR Q23a&b)	80%
	Exits to Homelessness: What proportion of people exit to homeless destinations? (HUD Element APR Q23a&b)	<5%

Together Priority Home Partnership and the Housing Retention program make up the housing retention and rapid rehousing segment of the City’s continuum of services. The City will continue to work with EveryOne Home and community agencies to ensure that prevention and rapid rehousing funds are fully utilized and play an important role in ending homelessness in Berkeley.

Appendix - Alternate/Local Data Sources

1	Data Source Name Berkeley Housing Authority
	List the name of the organization or individual who originated the data set. Berkeley Housing Authority
	Provide a brief summary of the data set. The table was updated with the most current data available from PIC (PIH Information Center)
	What was the purpose for developing this data set?
	Provide the year (and optionally month, or month and day) for when the data was collected. December 2019
	Briefly describe the methodology for the data collection.
	Describe the total population from which the sample was taken.
	Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed.

Attachment 1			
Annual Action Plan for PY20			
City of Berkeley CDBG, ESG and HOME Projects for 7/1/2020 - 6/30/2021			
Proj. #	Agency	Project Name	PY20 Allocation
CDBG			
1	Center for Independent Living	Residential Access	\$ 159,660
2	Habitat for Humanity	Housing Rehabilitation Grant Program	\$ 250,000
3	HHCS D*	Loan Services	\$ 70,008
4	HHCS D	Senior and Disabled Rehab Program	\$ 358,048
5	HHCS D	Rehab Loans	\$ 150,000
6	HHCS D	Housing Development: M/F Rehab	\$ 488,341
		Subtotal Housing Projects	\$ 1,476,057
7	Bay Area Community Services	Coordinated Entry System	\$ 248,419
8	Berkeley Food and Housing Project	Men's Overnight Shelter	\$ 170,502
9	Eden Housing for Hope and Oppor.	Fair Housing	\$ 35,000
		Subtotal Public Services Projects	\$ 453,921
10	HHCS D	Community Facility Improvements	\$ 152,908
11	HHCS D	PY20 (FY21) Community Facility Improvement NOFA	\$ 535,998
		Subtotal Public Facilities Projects	\$ 688,906
12	HHCS D	CDBG Planning and Administration	\$ 597,652
		Subtotal Planning & Admin Projects	\$ 597,652
		**GRAND TOTAL ALL CDBG PROJECTS	\$ 3,216,536
ESG			
13	Berkeley CES Provider - BACS	Rapid Re-Housing Project	\$ 69,489
14	Berkeley CES Provider - BACS	Emergency Shelter/Street Outreach	\$ 140,612
15	HHCS D	Homeless Management Information System	\$ 6,676
16	HHCS D	Program Planning and Administration	\$ 17,577
		GRAND TOTAL ALL ESG PROJECTS	\$ 234,354
HOME			
17	HHCS D	HOME Administration	\$ 79,838
18	CHDO Operating Funds	CHDO Operating Funds	\$ 28,115
19	HHCS D	Housing Trust Fund	\$ 690,430
		***GRAND TOTAL ALL HOME PROJECTS	\$ 798,383

Notes: * HHCS D = City of Berkeley Health, Housing & Community Services Department

**Assumes \$255,925 in Program Income and \$222,352 in unused carry over funds.

***Assumes \$20,000 in Program Income



NOTICE OF PUBLIC HEARING ON COMMUNITY NEEDS

Housing Advisory Commission

Thursday, November 7, 2019 - 7:00 p.m.

South Berkeley Senior Center - 2939 Ellis Street (at Ashby)

The purpose of this Public Hearing is to hear from Berkeley residents what services and housing are needed for low-income people in their communities.

City staff will also present information on accomplishments of projects supported with Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnerships funding in Fiscal Year 2019. If you have written comments, please mail or deliver them directly to Rhianna Babka, Housing & Community Services Department, 2180 Milvia Street, Berkeley, CA 94704.

Please contact Rhianna Babka at 510.981.5410 or rbabka@cityofberkeley.info to obtain additional information. Or call the City of Berkeley Health, Housing & Community Services Department at 981-5400. FAX: (510) 981-5450. TDD: (510) 981-6903.

Accommodations Provided Upon Request. To request a disability-related accommodation(s) to participate in the public hearing, including auxiliary aids or services, please contact the Disability Services specialist at 981- 6342 (V) or 981- 6345 (TDD) at least three business days before the meeting date. Providing at least three working days' notice will help to ensure availability at the meeting.

AUDIENCIA PUBLICA

El propósito de esta audiencia es para escuchar directamente de los residentes de Berkeley cuales son los servicios y programas de vivienda que necesita la comunidad de bajos recursos económicos.

El personal de la Ciudad también presentara información sobre los logros realizados de proyectos que ha sido financiados con fondos de las becas de CDBG, ESG y HOME (siglas en inglés). Si desea presentar comentarios por escrito por favor envíelos por correo a Health, Housing & Community Services Department, Rhianna Babka, 2180 Milvia Street, Berkeley, CA 94704.

Para más información favor llamar al Departamento de Health, Housing & Community Services de la Ciudad de Berkeley al (510) 981-5400. FAX: (510) 981-5450. TDD: (510) 981-6903 o contactando directamente a Rhianna Babka al 510.981.5410 o por correo electrónico a rbabka@cityofberkeley.info.

Por favor no use productos con perfume a las audiencias públicas.

Adaptaciones Especiales Realizadas Bajo Pedido. Para solicitar una adaptación relacionada con alguna discapacidad y poder participar en la audiencia, incluyendo servicios o instrumentos auxiliares de asistencia por favor llamar al especialista de Servicios a los Discapacitados al 981-6342 (Voz) ó 981-6345 (TDD) por lo menos tres días laborables antes de la audiencia. El darnos un aviso de por lo menos tres días laborables nos ayudará a proveer la asistencia requerida para la audiencia.



NOTICE OF PUBLIC HEARING ON COMMUNITY NEEDS

Housing Advisory Commission

Thursday, November 7, 2019 - 7:00 p.m.

South Berkeley Senior Center - 2939 Ellis Street (at Ashby)

關於社區需求的公開聽證會通知

房屋諮詢委員會在 2019 年 11 月 7 日星期四下午 7 時在南伯克利高級中心 2939 Ellis Street 舉行。

這次公開聽證會的目的是讓伯克利居民聽到他們社區中低收入族群需要哪些服務和住房。

市政府工作人員並將介紹有關在 2019 財年獲得社區發展整筆撥款，緊急解決方案撥款和 HOME 投資夥伴關係資金支持的項目的成就信息。

請撥 510.981.5410 與 Rhianna Babka 聯繫，或發送電子郵件至 rbabka@cityofberkeley.info 獲取更多信息。或致電 981-5400 與伯克利市住房部門聯繫。傳真：(510) 981-5450
TDD：(510) 981-6903。

**CITY OF BERKELEY
NOTICE OF PUBLIC HEARING
and
REQUEST FOR COMMENTS ON ITS
CONSOLIDATED PLAN (2020-2025) including the First Year ANNUAL ACTION
PLAN and REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING**

Beginning Friday, March 27, 2020, the public is invited to review and comment on the City of Berkeley's Consolidated Plan for Housing and Community Development that covers the period July 1, 2020 through June 30, 2025 including the City of Berkeley's FY 2021 Annual Action Plan, which covers the period July 1, 2020 through June 30, 2021, and the Regional Analysis of Impediments to Fair Housing.

The City of Berkeley, and all jurisdictions receiving certain types of federal funds, are required to submit a Consolidated Plan and subsequent Annual Action Plans, as well as an Analysis of Impediments to Fair Housing to the US Department of Housing and Urban Development (HUD). The Consolidated Plan outlines the City's needs and goals in the areas of Housing, Homelessness, Community Development, and Non-Homeless Special Needs, to act as a framework for the use of federal funds in these areas. The City of Berkeley's Annual Action Plan presents the City's plan for funding housing and community services. In FY 2021, the first year of the five-year Consolidated Plan, the Annual Action plan contemplates funding allocations of approximately \$3.2 million in Community Development Block Grant (CDBG) funds, approximately \$234,354 in Emergency Solutions Grant (ESG) funds; and approximately \$778,383 in HOME Investment Partnership Program (HOME) funds. The Analysis of Impediments to Fair Housing is a planning document built on public participation and intergovernmental consultation and informs the Consolidated Plan and associated Annual Action Plans. **The period for public comment on this report closes Friday, May 1, 2020, at 5:00 p.m.** The City must complete the reports and submit them to HUD, including City responses to all written public comments, by no later than 5:00 p.m., on Friday, May 15, 2020.

A **public hearing** will be held on the Consolidated Plan that includes the FY 2021 Annual Action Plan with the proposed CDBG, ESG and HOME allocations for funding, and the Regional Analysis of Impediments to Fair Housing on **April 28, 2020, 6 p.m. in the School District Board Room, 1231 Addison Street, Berkeley, CA 94702**. A copy of the agenda material for this public hearing will be posted on the City's website at www.cityofberkeley.info.

The draft Consolidated Plan including the FY 2021 Annual Action Plan and the Regional Analysis of Impediments to Fair Housing will be available for public review and written comment at the Health, Housing and Community Services Department on the second

floor at 2180 Milvia Street and at the Berkeley Public Library Reference Desk at 2090 Kittredge Street, 2nd floor, during normal business hours, and on the web at <http://www.cityofberkeley.info/ContentDisplay.aspx?id=12160> beginning March 27, 2020.

For more information or to submit written comments, contact Rhianna Babka (email: rbabka@cityofberkeley.info) at the Health, Housing and Community Services Department 2180 Milvia Street, 2nd Floor, Berkeley, 94704. **Written comments must be received by no later than May 1, 2020, at 5:00 p.m.**

A partir del viernes, 27 de marzo de 2020, la ciudadanía está invitada a revisar y dar comentarios en el Plan Consolidado para Vivienda y Desarrollo Comunitario. Este Plan cubre el periodo de trabajo a partir del 1 de julio de 2020 hasta el 30 de junio de 2025. Este plan también incluye el Plan de Acción Anual de la Ciudad de Berkeley que cubre el periodo a partir del 1 de julio de 2020 hasta el 30 de junio de 2021 y el Análisis Regional de Obstáculos en la Equidad de Vivienda.

La Ciudad de Berkeley y todas las jurisdicciones que reciben ciertos tipos de fondos federales tienen como requisito presentar un Plan Consolidado y Planes de Acción Anual como también el Análisis Regional de Obstáculos en la Equidad de Vivienda al departamento de Vivienda y Desarrollo Urbano (HUD siglas en inglés). El Plan Consolidado enumera las necesidades y metas en las áreas de vivienda, indigencia, desarrollo comunitario y necesidades especiales que sirve como referencia para el uso de fondos federales en estas áreas. El Plan de Acción Anual de la Ciudad de Berkeley presenta la propuesta para financiar servicios comunitarios y de vivienda. En el año fiscal 2021 (FY), el cual es el primer año de los cinco años del Plan Consolidado, el Plan de Acción Anual considera la distribución de fondos de aproximadamente \$3.2 millones que serán recibidos por medio de la Beca de Desarrollo del Bloque Comunitario (CDBG siglas en inglés). Aproximadamente \$234,354 de la Beca de Soluciones de Emergencias (ESG siglas en inglés) y aproximadamente \$778,383 para el Programa de Asociación para la Inversión en Viviendas HOME (HOME siglas en inglés). El Análisis Regional de Obstáculos en la Equidad de Vivienda es un documento de planificación preparado con la participación del público y consultas entre agencias intergubernamentales el cual sirve para la preparación del Plan Consolidado y los Planes Anuales de Acción subsecuentes. **El público puede presentar comentarios para la producción de este informe hasta el 1 de mayo de 2020, a las 5:00 pm.** La Ciudad necesita completar los informes y entregarlos a HUD el 15 de mayo de 2020 hasta las 5:00 pm. Los informes incluirán todos los comentarios escritos que la Ciudad reciba.

Una **audiencia pública** para discutir el Plan Consolidado, el Plan de Acción Anual y la distribución de fondos monetarios de CDBG, ESG y HOME propuestos para el año fiscal 2021 se llevará a cabo el **día martes 28 de abril de 2020 en el School District Board Room ubicado en la Calle Addison 1231, Berkeley, Ca 94702**. Durante la audiencia pública también se discutirá el Análisis Regional de Obstáculos en la Equidad de Vivienda.

A partir del viernes 27 de marzo de 2020, el borrador del Plan Consolidado, el Plan de Acción Anual para el año fiscal 2021 y el Análisis Regional de Obstáculos en la Equidad de Vivienda estarán disponibles al público en los escritorios de referencia de la Biblioteca Pública de Berkeley localizada en Calle Kittredge 2090, y en el escritorio de recepción del Departamento de Salud, Vivienda y Servicios Comunitarios de la ciudad de Berkeley localizado en la Calle Milvia 2180, 2do Piso, durante las horas de oficina. También está disponible al público por medio del Internet en la página electrónica <http://www.cityofberkeley.info/ContentDisplay.aspx?id=12160>.

Para más información o para presentar comentarios escritos, favor contactar a Rhianna Babka, (correo electrónico: rbabka@cityofberkeley.info) en el Departamento de Salud, Vivienda y Servicios Comunitarios localizado en la dirección 2180 Calle Milvia, 2do piso, Berkeley, CA 94704. **Los comentarios escritos serán recibidos hasta el 1 de mayo, hasta las 5:00 pm.** Para asistencia en español, favor contactar a Roxana Andrade, (510) 981-5402 o Randrade@cityofberkeley.info.

由二零二零年三月二十七日開始，伯克萊市政府邀請公眾人士對伯克萊的房屋及社區服務部發表的綜合計劃書和年度活動計劃書加以檢討及評論。該綜合計劃書蓋括五個財政年度（由二零二零年七月一日至二零二五年六月三十日），概述市政府針對房屋的需求而制定的運用聯邦經費計劃；年度活動計劃書則為經費分配的提議，包括社區發展經費（CDBG）-三百萬元，緊急庇護經費（ESG）-二十二萬七千元，房屋發展經費（HOME）-七十五萬七千元。市政府必須在二零二零年五月一日下午五時前向聯邦政府呈交此等計劃書及評論。

市民如有諮詢或呈交書面評論，請聯絡房屋及社區服務部 Rhianna Babka 小姐，電郵地址：rbabka@cityofberkeley.info

書面評論必須在二零二零年五月一日下午五時前送到房屋及社區服務部，地址 2180 Milvia St., 2nd Floor, Berkeley, CA 94704.

市政府將於二零二零年四月二十八日下午六時舉行公聽會，討論綜合計劃書，年度活動計劃書，及二零二零年 CDBG, ESG, 與 HOME 經費分配提議。

公聽會議地址：1231 Addison Street, Berkeley

公聽會議程將于在市政府網頁發表，市民可登入網頁閱覽。網址：www.cityofberkeley.info

如需要中文協助，請聯絡，電話 (510)981 5423 或 電郵：www.cityofberkeley.info

**CITY OF BERKELEY
NOTICE OF VIRTUAL PUBLIC HEARING
and
REQUEST FOR COMMENTS ON ITS
CONSOLIDATED PLAN (2020-2025) including the First Year ANNUAL ACTION
PLAN and REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING**

As of Friday, March 27, 2020, the public is invited to review and comment on the City of Berkeley's Consolidated Plan for Housing and Community Development that covers the period July 1, 2020 through June 30, 2025 including the City of Berkeley's FY 2021 Annual Action Plan, which covers the period July 1, 2020 through June 30, 2021, and the Regional Analysis of Impediments to Fair Housing.

The City of Berkeley, and all jurisdictions receiving certain types of federal funds, are required to submit a Consolidated Plan and subsequent Annual Action Plans, as well as an Analysis of Impediments to Fair Housing to the US Department of Housing and Urban Development (HUD). The Consolidated Plan outlines the City's needs and goals in the areas of Housing, Homelessness, Community Development, and Non-Homeless Special Needs, to act as a framework for the use of federal funds in these areas. The City of Berkeley's Annual Action Plan presents the City's plan for funding housing and community services. In FY 2021, the first year of the five-year Consolidated Plan, the Annual Action plan contemplates funding allocations of approximately \$3.2 million in Community Development Block Grant (CDBG) funds, approximately \$234,354 in Emergency Solutions Grant (ESG) funds; and approximately \$778,383 in HOME Investment Partnership Program (HOME) funds. The Analysis of Impediments to Fair Housing is a planning document built on public participation and intergovernmental consultation and informs the Consolidated Plan and associated Annual Action Plans. **The period for public comment on this report closes Friday, May 1, 2020, at 5:00 p.m.** The City must complete the reports and submit them to HUD, including City responses to all written public comments, by no later than 5:00 p.m., on Friday, May 15, 2020.

A **virtual public hearing** will be held on the Consolidated Plan that includes the FY 2021 Annual Action Plan with the proposed CDBG, ESG and HOME allocations for funding, and the Regional Analysis of Impediments to Fair Housing on **April 28, 2020, 6 p.m.** A copy of the agenda material **and instructions for accessing this real-time virtual** public hearing will be posted on the City's website at www.cityofberkeley.info.

**THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH
VIDEOCONFERENCE AND TELECONFERENCE**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting of the City Council will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

Live audio is available on KPFB Radio 89.3. Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33) and via internet accessible video stream at <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx>.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL <https://zoom.us/j/96207688419>. If you do not wish for your name to appear on the screen, then use the drop down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial **1-669-900-9128** and enter Meeting ID: **962 0768 8419**. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

To submit an e-mail comment during the meeting to be read aloud during public comment, email clerk@cityofberkeley.info with the Subject Line in this format: "PUBLIC COMMENT ITEM ##." Please observe a 150 word limit. Time limits on public comments will apply. Written comments will be entered into the public record.

The draft Consolidated Plan including the FY 2021 Annual Action Plan and the Regional Analysis of Impediments to Fair Housing are available for public review on the web at <http://www.cityofberkeley.info/ContentDisplay.aspx?id=12160> beginning March 27, 2020. For more information or to submit written comments, contact Rhianna Babka (email: rbabka@cityofberkeley.info) at the Health, Housing and Community Services Department 2180 Milvia Street, 2nd Floor, Berkeley, 94704. **Written comments must be received by no later than May 1, 2020, at 5:00 p.m.**

Notice in Spanish:

A partir del viernes, 27 de marzo de 2020, la ciudadanía está invitada a revisar y dar comentarios en el Plan Consolidado para Vivienda y Desarrollo Comunitario. Este Plan cubre el periodo de trabajo a partir del 1 de julio de 2020 hasta el 30 de junio de 2025. Este plan también incluye el Plan de Acción Anual de la Ciudad de Berkeley que cubre el periodo a partir del 1 de julio de 2020 hasta el 30 de junio de 2021 y el Análisis Regional de Obstáculos en la Equidad de Vivienda.

La Ciudad de Berkeley y todas las jurisdicciones que reciben ciertos tipos de fondos federales tienen como requisito presentar un Plan Consolidado y Planes de Acción Anual como también el Análisis Regional de Obstáculos en la Equidad de Vivienda al departamento de Vivienda y Desarrollo Urbano (HUD siglas en inglés). El Plan Consolidado enumera las necesidades y metas en las áreas de vivienda, indigencia, desarrollo comunitario y necesidades especiales que sirve como referencia para el uso de fondos federales en estas áreas. El Plan de Acción Anual de la Ciudad de Berkeley presenta la propuesta para financiar servicios comunitarios y de vivienda. En el año fiscal 2021 (FY), el cual es el primer año de los cinco años del Plan Consolidado, el Plan de Acción Anual considera la distribución de fondos de aproximadamente \$3.2 millones que serán recibidos por medio de la Beca de Desarrollo del Bloque Comunitario (CDBG siglas en inglés). Aproximadamente \$234,354 de la Beca de Soluciones de Emergencias (ESG siglas en inglés) y aproximadamente \$778,383 para el Programa de Asociación para la Inversión en Viviendas HOME (HOME siglas en inglés). El Análisis Regional de Obstáculos en la Equidad de Vivienda es un documento de planificación preparado con la participación del público y consultas entre agencias intergubernamentales el cual sirve para la preparación del Plan Consolidado y los Planes Anuales de Acción subsecuentes. **El público puede presentar comentarios para la producción de este informe hasta el 1 de mayo de 2020, a las 5:00 pm.** La Ciudad necesita completar los informes y entregarlos a HUD el 15 de mayo de 2020 hasta las 5:00 pm. Los informes incluirán todos los comentarios escritos que la Ciudad reciba.


Una **audiencia pública virtual** para discutir el Plan Consolidado, el Plan de Acción Anual y la distribución de fondos monetarios de CDBG, ESG y HOME propuestos para el año fiscal 2021 se llevará a cabo el **día martes 28 de abril de 2020 a las 6 pm**. Durante esta audiencia pública también se discutirá el Análisis Regional de Obstáculos en la Equidad de Vivienda. La agenda del material que será tratado durante la audiencia e instrucciones para participar en vivo de esta audiencia virtual están publicadas en la página electrónica de la Ciudad de Berkeley www.cityofberkeley.info.

ESTA AUDIENCIA SERA REALIZADA POR MEDIO DE TELECONFERENCIA Y VIDEOCONFERENCIA

Conforme a la Sección 3 de la Orden Ejecutiva N-20-20 emitida por el Gobernador Newsom el 17 de marzo de 2020, esta audiencia del Consejo Municipal de Berkeley será llevada a cabo por medio de teleconferencia y videoconferencia usando la aplicación Zoom. Por favor tomar en cuenta que de acuerdo a esta Orden Ejecutiva y la orden de

Toque de Queda y para garantizar la salud y bienestar público limitando el contacto físico que podría propagar el contagio del virus que causa COVID-19, la audiencia no se llevara a cabo en persona.

La audiencia podrá ser escuchada en vivo en la emisora de radio KPFB Radio 89.3. Las Juntas del Consejo Municipal son transmitidas por el canal de Cable B-TV (Canal 33), la transmisión es realizada con subtítulos, y las audiencias también son transmitidas vía internet en la página electrónica <http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx>

Para participar en la audiencia virtualmente usando una computadora, Mac, iPad, iPhone o un dispositivo Android, por favor use el enlace URL <https://zoom.us/j/96207688419>. Si no desea que su nombre aparezca en la pantalla, haga clic en el menú despegable y seleccione "rename" para clasificarlo como participante anónimo. Para dar un comentario, use el icono de "mano levantada"  que está en la parte baja de la pantalla.

Para participar por teléfono, llame al **1-669-900-9128** y entre el número de identificación de la audiencia (meeting ID: **962 0768 8419**). Si desea hablar y dar su opinión durante el segmento de comentarios del público, marque el *9 (asterisco+9) y espere a que la persona que este presidiendo la audiencia lo reconozca.

Para presentar una pregunta por medio de correo electrónico para que la pregunta sea leída durante el segmento de comentarios públicos, envíe un correo electrónico a clerk@cityofberkeley.info, en la Línea de Tema (subject line) escribir Comentario Público, Item ##. Por favor, tome en cuenta que el correo electrónico solo puede tener máximo 150 palabras. Límites de tiempo para los comentarios públicos serán observados. Los comentarios escritos que sean recibidos formaran parte del expediente público.

A partir del viernes 27 de marzo de 2020, el borrador del Plan Consolidado, el Plan de Acción Anual para el año fiscal 2021 y el Análisis Regional de Obstáculos en la Equidad de Vivienda estarán disponibles al público por medio del Internet en la página electrónica <http://www.cityofberkeley.info/ContentDisplay.aspx?id=12160>.

Para más información o para presentar comentarios escritos, favor contactar a Rhianna Babka, (correo electrónico: rbabka@cityofberkeley.info) en el Departamento de Salud, Vivienda y Servicios Comunitarios localizado en la dirección 2180 Calle Milvia, 2do piso, Berkeley, CA 94704. **Los comentarios escritos serán recibidos hasta el 1 de mayo, hasta las 5:00 pm.** Para asistencia en español, favor contactar a Roxana Andrade, (510) 981-5402 o Randrade@cityofberkeley.info.

伯克萊市
公眾視訊聽證會通知

及
計劃評論徵求

關於市政府的第一年年度行動計劃和公平住房障礙的區域分析
之綜合計劃書 (2020-2025年)

由二零二零年三月二十七日開始，伯克萊市政府將邀請公眾人士對伯克萊的房屋及社區服務部發表的綜合計劃書和年度活動計劃書加以**檢討及評論**。該綜合計劃書蓋括五個財政年度（由二零二零年七月一日至二零二五年六月三十日），概述**市政府**針對房屋的需求而制定的運用聯邦經費計劃；年度活動計劃書則為經費分配的提議，包括社區發展經費（CDBG）-三百二十萬元，緊急庇護經費（ESG）-二十三萬四千元，房屋發展經費（HOME）-七十七萬八千元。**市政府**必須在二零二零年五月一日下午五時前收集以公眾參與和政府間磋商為基礎的規劃文件。之後，**市政府**將向聯邦政府呈交此等計劃書及評論。

市民如有意諮詢或呈交書面評論，請聯絡房屋及社區服務部 Rhianna Babka 小姐，電郵地址：rbabka@cityofberkeley.info

書面評論必須在二零二零年五月一日下午五時前送到房屋及社區服務部，地址 2180 Milvia St., 2nd Floor, Berkeley, CA 94704.

市政府將於二零二零年四月二十八日下午六時舉行公聽會，討論綜合計劃書，年度活動計劃書，及二零二零年 CDBG, ESG, 與 HOME 經費分配提議。

公聽會議地址：**基于加州居家避疫令，此聽證會將使用在线虚拟視訊播送**

此次会议将通过视频和电话会议进行

根据加州州長紐森（Gavin Newsom）于二零二零年三月十七日发布的N-29-20行政命令第三條程章，本次市议会公聽會將仅通过电话会议和Zoom視頻會議进行。请注意，市政府將服從州長所發布的《行政命令》和《居家避疫令》，以維護公共衛生為基礎來確保公眾人士對COVID-19病毒的暴露及可能性传播，因此今次會議將不存在會面地点。

會議當天KPFB廣播電台將於FM 89.3頻道上提供現場音頻。公眾也可以在B-TV有線電視（第33頻道）上或通過互聯網的視頻流（網址為<http://www.cityofberkeley.info/CalendarEventWebcastMain.aspx>）獲得市議會會議的現場字幕電視廣播。

如欲要遠程加訪會議，請執行以下操作：從PC， Mac， iPad， iPhone或Android設備加入會議：請使用以下網址URL <https://zoom.us/j/96207688419>。如果您不希望您的名字出現在屏幕上，請使用下拉菜單，然後單擊“重命名”將自己重命名為匿名。要請求發言，請在屏幕底部滾動使用“舉手”圖標。

如要通過電話加入：請撥1-669-900-9128，然後輸入會議ID：962 07688419。如果要在議程的公共評論部分中發表評論，請按* 9並等待被主席確認。

如要在會議期間提交電子郵件評論或在公共評論期間朗讀，請給 clerk@cityofberkeley.info發送電子郵件，主題行的格式為：“公共評論項目##”。請遵守150個字的限制。公眾評論的時間限制將適用。書面評論將被錄入公共記錄。

請注意，市議會會議僅以英語進行。會議期間將沒有任何語言服務。

今次公聽會議程及以上視訊播送附加說明也會于市政府網頁發表，市民可登入網頁閱覽。
網址：www.cityofberkeley.info

如需要會議前的中文協助，請聯絡，電話 (510)981 5423 或 電郵：
www.cityofberkeley.info

City of Berkeley ESG Policies and Procedures
May 12, 2020

City of Berkeley



Emergency Solutions Grant
Policies and Procedures Manual

May 12, 2020

Revised

ESG Policies and Procedure Manual

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Introduction

The Emergency Solutions Grant (ESG) is a federal program administered by the US Department of Housing and Urban Development (HUD) and provides funding to eligible entities to address homelessness. The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) significantly amended the legislation which authorizes the ESG program, updating and adding new requirements for compliance.

The ESG funds are distributed nationally to entitlement jurisdictions based on an approved HUD formula. The City of Berkeley (COB), an entitlement jurisdiction, receives the funding directly from HUD. The COB uses a competitive community agency request for proposal (RFP) process to select local organizations to carry out eligible programs and activities with the ESG funds.

Berkeley's ESG Policies and Procedures Manual is used to administer and implement eligible programs and activities including: Street Outreach, Emergency Shelter, Rapid Rehousing and Prevention Services. This manual includes the Priority Home Partnership Manual adopted by the County in 2014.

The City of Berkeley allocates the majority of its ESG funds to nonprofit agencies, known as "subrecipients", to carry out eligible activities.

This manual provides the policies and procedures to comply with federal requirements and locally established implementation policies which the COB has adopted to meet its responsibilities as a recipient of funding. Questions regarding any content of this manual should be directed to Kristen Lee in the Housing and Community Services Division of the City of Berkeley's Health, Housing and Community Services Department.

Interim Guidelines

The ESG Program requires that the Continuum of Care (CoC) develop and implement a centralized or coordinated assessment system, and a set of written standards for CoC and ESG funded activities. Once coordinated assessment is established, each ESG-funded program or project must use the assessment system, and recipients and subrecipients must work with the CoC to ensure that screening, assessment and referral of program participants are consistent with the written standards required for the ESG programs. Recipients should have prioritization policies in place that outline the process by which the agency will prioritize the most in need of services through its Coordinated Entry System (CES) process

A complete version of the ESG Interim Regulations can be found here:

https://files.hudexchange.info/resources/documents/24CFRPart91_11.21.11.pdf

Structure of the Manual

This manual is for ESG recipients, subrecipients, and interested parties. It provides detailed descriptions of eligible activities and costs, reporting requirements and steps that will be taken to determine eligibility, calculate financial assistance, recertify for eligibility, provide support and terminate ESG assistance for homeless prevention, street outreach, emergency shelter, rapid rehousing and prevention. Required and/or recommended forms and documents are provided in an Appendix of Forms and Documents at the end of the manual.



A document icon appears by every form that is referred to and clicking on the [highlighted hyperlinks](#) on the names of the form will take the reader directly to the referenced documents in the Appendix.

Some key forms and information are entered into the county-wide Homeless Management Information System (HMIS). Forms that are provided by HMIS are not included in this manual.

HUD Homelessness Definition

While HUD outlines four categories of eligible beneficiaries, the City of Berkeley targets its ESG funds to support households in Category 1 and 4 below.

Category 1 – Literally Homeless

An individual or family who lacks a fixed, regular, and adequate nighttime residence. This includes

households with a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation (such as a car, park, abandoned building, bus or train station) or who are living in a supervised, publicly or privately operated shelter designed to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs). An individual who is exiting an institution where s/he 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 also qualifies.

Category 4 – Fleeing/attempting to flee domestic violence

Defined as fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; has no other residence; and lacks the resources or support networks (e.g. family, friends, faith-based or other social networks) to obtain other permanent housing.

Program Manual

The City of Berkeley funds programs that meet the following objectives: (1) engage homeless individuals and families living on the street; (2) provide emergency shelters for homeless individuals; (3) provide essential services to shelter residents, (4) rapidly rehouse homeless households. Subrecipient contracts include detailed scope of services, which may include the eligible program components, summarized below. For a more detailed description of eligible categories see Section I.

1. **Street Outreach**

Essential Services necessary to reach out to unsheltered homeless individuals and families, connect them with emergency shelter, housing or critical services, and provide them with urgent, non-facility-based care.

Component services generally consist of engagement, case management, emergency health and mental health services, and transportation. For specific requirements and eligible costs, see 24 CFR 576.101.

2. **Emergency Shelter**

Essential Services for individuals in emergency shelter. Component services generally consist of case management, and linkages to employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, and transportation.

Shelter Operations include maintenance, rent, security, fuel, equipment, insurance, utilities, and furnishings. For specific requirements and eligible costs, see 24 CFR 576.102

3. **Rapid Re-Housing**

Housing relocation and stabilization services and short-term and/or medium-term rental assistance as necessary to help individuals or families living in an emergency shelter or other place described in HUD's homeless definition found in the appendix of this document, move as quickly as possible into permanent housing and achieve stability in that housing. Component services and assistance generally consist of short-term and medium-term rental assistance, rental arrears, rental application fees, security deposits, advance payment of last month's rent, utility deposits and payments, moving costs, housing search and placement, housing stability case management, mediation, legal services, and credit repair. For specific requirement and eligible costs, see 24 CFR 576.104, 576.105, and 576.106.

The City of Berkeley also uses ESG to fund the two eligible activities below:

4. **Homeless Management Information System (HMIS)**

Grant funds may be used for certain Homeless Management Information System (HMIS) and comparable database costs, as specified at 24 CFR 576.107. More fully discussed on Page 25.

5. **Administration**

Up to 7.5% of recipient's fiscal year grant can be used for administrative activities, such as general management, oversight, coordination, and reporting on the program. For specific

requirements and eligible costs, see 24 CFR576.108. More fully discussed on Page 25-26.

Section I. Eligible Activities

Street Outreach CFR576.101

Providing essential services necessary to reach out to unsheltered homeless people, connect them with emergency shelter, housing, or critical services, and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing or an appropriate health facility.

1. Eligible Uses and Costs: As evidenced and tracked by agency quarterly program reports, statements of expense, and general ledgers.

A. Engagement

Activities to locate, identify, and build relationships with unsheltered homeless people and engage them for the purpose of providing immediate support, intervention, and connects with homeless assistance programs and/or mainstream social services and housing programs

- Initial assessment of needs and eligibility
- Providing crisis counseling
- Addressing urgent physical needs
- Meals, blankets, clothes, toiletries
- Actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs.
- Emergency shelter, transitional housing community-based services, permanent supportive housing, and rapid re-housing programs.

B. Case Management

Assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant.

- Using the centralized or coordinated assessment system
- Conducting initial evaluation
- Verifying and documenting eligibility, counseling, developing, securing and coordinating services, obtaining Federal, State, and local benefits, monitoring and evaluating program participants progress, providing information and referrals to other providers, and developing an individualized housing and service plan, including planning a path to permanent housing ability

C. Emergency Health Services

- Direct outpatient treatment of medical conditions that are provided by licensed medical professionals operating in community-based settings, including streets, parks and other places where unsheltered homeless people are living.
- Assessing a program participant's health problems and developing a treatment plan
- Assisting program participants to understand their health needs

- Providing medication and follow-up services
- Funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area
- Must be of an emergency nature

D. Emergency Mental Health Services

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.

- Application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances
- Crisis interventions
- Prescription of psychotropic medications
- Explanation about the use and management of medications
- Combinations of therapeutic approaches to address multiple problems
- Funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community
- Must be of an emergency nature

E. Transportation

Costs of travel by outreach workers, social workers, medical professionals, or other service providers are eligible, provided that, this travel takes place during the provision of service eligible under Street Outreach

- Costs of transporting unsheltered people to emergency shelters or other service facilities
- Cost of program participant's travel on public transportation
- Mileage allowance for service workers to visit program participants, using their own vehicle
- Travel costs of staff to accompany or assist program participants to use public transportation
- May only be provided to and from another eligible service

F. Services for Special Populations

- Provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under Street Outreach as per paragraphs (a)1) through (a)(5) of 24CFR76.101.

2. Eligible Beneficiaries for Street Outreach

Provided to individuals or families defined as Homeless under the following categories:

- Category 1 – Literally Homeless is defined as an individual or family who lacks a fixed, regular, and adequate nighttime residence. This includes households with a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation (such as a car, park, abandoned building, bus or train

station) or who are living in a supervised, publicly or privately operated shelter designed to provide temporary living arrangements (including congregate shelters, transitional housing, hotels and motels paid for by charitable organizations or by federal, state, or local government programs). An individual who is exiting an institution where s/he 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 also qualifies.

- Category 4 – Fleeing/Attempting to Flee DV is defined as fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; has no other residence; and lacks the resources or support networks (e.g. family, friends, faith-based or other social networks) to obtain other permanent housing.
- Must be living on the streets or other places not meant for human habitation and be unwilling or unable to access services in emergency shelter.

Section II. Emergency Shelter *CFR576.102*

Providing essential services to homeless families and individuals in emergency shelters and operating emergency shelters, While HUD authorizes additional essential services, the City of Berkeley primarily funds the below activities:

1. Eligible Beneficiaries: *Emergency Shelter* can be provided to individuals or families defined as Homeless under the following categories:

Category 1 - Literally Homeless

Category 4 - Fleeing/Attempting to Flee DV

Referral System: The North County Coordinate Entry System Housing Resource Center (HRC) operator will refer households who meet the above criteria to available shelter beds. The HRC will ask the household a series of questions that will: 1) confirm housing status falls within Category 1 or 4; 2) determine need for follow-up assessment and linkage to other available resources, i.e. Rapid Rehousing, Permanent Supportive Housing, etc. and 3) interest in a shelter referral. These referrals will be made primarily through street outreach teams but may also be made through the North County HRC. All shelters in Berkeley adhere to the [Alameda County Shelter Standards](#), which outline policies and procedures for admission and discharge. As of 2017, emergency shelters in Berkeley have removed length of stay requirements.

Care Coordination: Shelter operators will attend two North County CES case conferences a month to discuss needs and coordinate services for participants staying in the shelter. Eligible participants will have access to rapid rehousing funds and services to assist them in existing to permanent housing as quickly as possible.

HMIS Documentation: All Emergency Shelter projects shall record, within three days of the event:

- HMIS project enrollments for each client entering the program
- HMIS project exit with exit destination for each client exiting the program.
- HMIS annual assessments as necessary for clients enrolled one year or longer.
- No later than 30 days after the end of each fiscal quarter, the agency shall upload a HUD APR report to City Data Services.
- No later than 30 days after the end of each fiscal quarter, the agency shall upload a Housing Census (Program Based) report to City Data Services, covering each day of the reporting period.
- By January 31st, the agency shall complete the Client Summary in City Data Services for period July 1 - December 31.
- By July 31st, the agency shall complete the Client Summary in City Data Services for period January 1 - June 30

2. Eligible Uses and Costs: As evidenced and tracked by agency quarterly program reports, statements of expense, and general ledgers.

a. Case Management

- The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant
- Using the centralized or coordinated assessment system
- Conducting the initial evaluation, including verifying and documenting eligibility
- Counseling
- Developing, securing, and coordinating services and obtaining federal, state and local benefits
- Monitoring and evaluating program participant progress
- Providing information and referrals to other providers
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking
- Developing an individualized housing and service plan, including planning a path to permanent housing stability
- Referrals and linkages to child care, education services, substance use and legal services

b. Employment Assistance and Job Training

- Classroom, online, and/or computer instruction
- On-the-job instruction
- Services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential
- Learning skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates
- Employment screening, assessment, or testing
- Structured job skills and job-seeking skills
- Special training and tutoring, including literacy training and prevocational trainings
- Books and instructional material
- Counseling or job coaching
- Referral to community resources

c. Outpatient Health Services

- Direct outpatient treatment of medical conditions and are provided by licensed medical professionals
- Assessing a program participant's health problems and developing a treatment plan
- Assisting program participants to understand their health needs
- Providing directly or assisting program participants to obtain appropriate emergency medical treatment, preventive medical care, and health maintenance services, including emergency medical services
- Providing medication and follow-up services
- Preventive and non-cosmetic dental care

- Funds may be used only for these services to the extent that other appropriate health services are unavailable within the area

d. Life Skills Training

- Costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance use, and homelessness
- Must be necessary to assist the program participant to function independently in the community
 - Budget resources, management money, managing a household, resolving conflict, shopping for food and needed items, improving nutrition, using public transportation, and parenting

e. Mental Health Services

- Outpatient treatment by licensed professionals of mental health conditions
- Application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances
- Family and marital relationships, parent-child problems, or symptom management
- Crisis interventions, individual, family, or group therapy sessions
- Prescription of psychotropic medications
- Explanation about the use and management of medications
- Combinations of therapeutic approaches to address multiple problems
- Funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community

3. Eligible Costs

a. Transportation

- Costs of a program participant's travel to and from medical care, employment, child care, medical care, employment, child care, or other eligible essential services facilities
- Cost of a program participant's travel on public transportation
- Mileage allowance for services workers to visit program participants, while utilizing their own vehicles
- Travel costs of staff to accompany or assist program participants to use public transportation

b. Operations

- Maintenance
- Rent
- Security

- Fuel
- Equipment
- Insurance
- Utilities
- Food
- Furnishings
- Supplies necessary for shelter operation
- Hotel/Motel vouchers

c. Maintenance

- Cost of minor or routine repairs to shelter building
- Cleaning
- Minor or routine repairs of furnishings, equipment, and fixtures
- Protective or preventative measure to keep a building, its systems, and its grounds in working order
- Professional services for:
 - Heating/cooling system
 - Plumbing
 - Electrical
 - Pest Control
 - Lawn Care
 - Snow Removal

d. Rent

- Cost of rent payment for the use of building to provide emergency shelter

e. Security

- Cost of equipment in order to secure shelter building
- Security System
- Locks
- Safety equipment

f. Fuel

- Cost of fuel for use of shelter vehicle to transfer shelter residents in order to provide services and connect with community resources

g. Insurance

- Cost of property insurance for shelter building

h. Utilities

- Cost of providing utilities for shelter building
- Electricity
- Gas
- Water
- Landline telephone service

i. Food

- Cost of providing food to shelter residents

j. Furnishings

- Cost of furnishings for shelter building
- Beds
- Tables
- Chairs
- Other reasonable furniture to provide comfortable accommodations to shelter residents

k. Equipment

- Cost of reasonable equipment to allow for activities of shelter to continue functioning
- Equipment to allow for the following activities to function:
 - Food preparation/distribution
 - Cleaning/Sanitation
 - Laundry

l. Supplies

- Cost of supplies necessary for the operation of the emergency shelter
- Paper products
- Kitchen supplies
- Bathroom supplies

4. Client Documentation (Emergency Shelter)

A. Forms

- Agency is able to create own forms as long as the documentation requirement is met

B. Client Documentation: Intake/Eligibility Documentation

- Documentation of initial evaluation to determine the eligibility of each individual or family's eligibility for ESG program
- Documentation of homeless status
- ESG-213, 214, 215 forms
- Required form

- HMIS Consent Form
- Required form

c. ***Case Management Documentation***

- Documentation of case management services
- Documentation of housing plan for stability in permanent housing
- Documentation of connecting participants to mainstream and other resources for supportive services

Section III. Homeless Prevention and Rapid Rehousing

A. Participant Eligibility

To be eligible to receive ESG prevention or rapid rehousing assistance, participant households in Alameda County must meet both national and local requirements, and this eligibility must be documented with an application and supporting documentation kept in a client file. These requirements include:

- Participants must be homeless or at imminent risk of homelessness, per the applicable HUD definitions in the ESG regulation (§576.2) supported by documentation;
- Participants must be one of the locally targeted populations for the program, as specified on the application and eligibility determination form;
- Participants must be willing to participate in the program and to meet the terms of a self-developed Housing Stability Plan;
- Participants may not have already received 24 months of ESG assistance during the past 36 months (§576.105(c));
- Participants must meet the local asset policy, including having cash or equivalent assets of less than \$2,000 per single individual and \$3,000 per couple;
- Participants receiving prevention assistance must have incomes at or below 30% of the Area Median Income (§576.103).

B. Eligibility for Rapid Rehousing

Rapid rehousing provides financial assistance and supportive services to individuals or families that are literally homeless, staying in shelter or transitional housing or on the streets or other places not suitable for human habitation, or exiting institutions and having entered from one of these locations. Eligibility for rapid rehousing includes those fleeing domestic violence who are living in one of the places named above.

In keeping with the intentions of the program, rapid rehousing assistance will be used primarily to serve households that are:

1. Adults or family households able to be rehoused rapidly without anticipation of an ongoing subsidy, with ESG financial assistance anticipated to be of six months or less duration;
2. Adults or family households able to be rehoused rapidly with an ongoing subsidy from another source anticipated within six months of ESG program participation
3. Transition-age youth, especially those recently discharged from foster care, who are able to be rehoused rapidly without anticipation of an ongoing subsidy, with ESG assistance of eighteen months or less duration.

C. Eligibility for Prevention Assistance

Prevention assistance will be directed to persons who are not literally homeless but are at imminent risk of homelessness per the HUD Homeless definition (Category 2). Prevention assistance may include support to a household to retain its current housing or to move to other housing without having to become literally homeless. While the ESG regulations allow for ESG prevention to be provided to those categorized as “at-risk” but not necessarily at “imminent risk”, Alameda County ESG programs will target prevention services specifically to those that are at “immediate risk” defined as:



- An individual or family who will imminently lose their primary nighttime residence, provided that:
- the primary nighttime residences will be lost within 14 days of the day of application for homeless assistance;
- no subsequent residence has been identified; and,
- the individual or family lacks the resources of support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing.

Within the category of “imminent risk” special attention and outreach will be done to target those households that are:

- doubled up with family and friends, must move within 14 days and are seeking to enter shelter;
- living in a hotel or motel using their own resources, must leave within 14 days, and are seeking to enter shelter;
- living in their own housing, are being evicted for non-payment of rent, must leave within 14 days, and are seeking shelter;
- fleeing domestic violence;
- imminently leaving foster care, or have recently left foster care and are at imminent risk of losing their current housing.

D. Eligibility Determination

Program operators must determine that potential participants are eligible for assistance, and document this eligibility, including verifying income and housing status. The Program Application and Eligibility Determination Form contains key questions and documentation requirements.

 A copy of the [ESG Program Application and Eligibility Determination Form](#) can be found in the Appendix. This document and all supporting documentation should be placed in the Participant’s File.  A cover sheet for participant files with a list of program documents can be found [here](#).

Ineligible applicants: If a household is assessed and determined to be ineligible, the program operator must notify the household that they have been determined to be ineligible, provide them with appropriate referrals which should be noted on the application form, and create a client file documenting the assessment process and determination.

E. Enrollment

Once found eligible, to enroll the head of household must sign the ESG Participation Agreement complete the HMIS ROI and staff must complete an HMIS Standard Intake Form (SIF) for all household members.



A copy of the [ESG Program Participation Agreement](#) can be found in the appendix, immediately following the Application form.

☑ The HMIS Release of Information (ROI), and the Standardized Intake Form (SIF) are developed and updated by the staff at Alameda County Housing and Community Development Department, in accordance with HUD regulations. Housing Agency staff must ensure that the forms in use are the most recent ones, as HUD and local requirements change periodically. If you are unsure that the forms are the most recent, email HMIS@acgov.org.

F. Budget and Housing Stability Plan

The purpose of ESG Prevention and/or Rapid Rehousing assistance is to provide the support necessary to help the household retain or gain housing in the shortest period of time possible. Critical to being able to retain the housing is a budget and a housing plan. The budget is also needed to determine the amount of financial assistance to be provided.

The Housing Stability Plan should be updated as frequently as necessary to reflect changing situations. Once a participant has moved into housing, the housing specialist and participant should prepare a new Housing Stability Plan that emphasizes those steps or actions needed to retain housing.



A [Sample Budgeting Worksheet](#) and a sample [Housing Stability Plan](#) format can be found in the Appendix of Forms. **ESG-funded programs may use another version of these forms if approved by the recipient.** Be sure to make a copy of the Budget and Housing Plan for the participant and insert a signed copy in the participant's file.

G. Financial Assistance for Housing

• **Eligible Financial Assistance Expenses**

The ESG program has the ability to provide temporary financial assistance to participants on a short or medium-term basis. This assistance may include:

- **Security Deposits:** The housing agency may provide a maximum of two times the monthly rent for a unit as a security deposit to assist a participant to secure housing. At such time as the participant may leave the unit and the landlord return all or part of the deposit to the participant, the participant may retain any balance to use toward a new housing situation.
- **Utility Deposits:** If, in order to begin utility service, the household must provide a deposit to a utility company, the program may assist with this deposit.

H. Rental Assistance payments: If the participant cannot currently afford to rent a unit in the community but is reasonably anticipated to have sufficient income, either through employment or benefits, within approximately six months the program may provide a rental subsidy for the participant. Such subsidies will be as low as possible:

- If the participant has an income he/she is expected to contribute at least 50% of his/her

income toward the rent, unless the participant is expected to receive a permanent housing subsidy within approximately six months, in which case the participant may pay only 30% of their income. Documentation of the expectation of a permanent subsidy should be included in the file.

- If the participant has no income, the program may subsidize the entire rent for the first three months.
- Rental assistance may be conditioned on the participant fulfilling his or her agreements as part of the Housing Stability Plan and is never offered for more than three months at a time. To continue rental assistance after three months, the program must recertify the participant.

See Section [6: Three Month Reassessment of Eligibility](#)

- **Past due rent arrears:** If in order for a household to retain their housing they must pay past due rent the program will cover up to three months of rent arrears not to exceed \$3,000
- **Past due utility arrears:** In rare cases, the ESG program will provide funding for past due utilities. The program will only provide such funding for prevention clients if failure to do so will result in the loss of utilities and under the terms of the participants lease this would be grounds for eviction. The program will only provide utility arrears assistance to rapid rehousing clients if utility arrears mean that then household will be unable to establish utility service in their new housing.
- In addition, ESG funds may be used to cover the costs of rental applications provided this is a fee that is charged by the owner to all applicants.

I. Determining the Amount of Financial Assistance

- The amount of financial assistance is determined by the amount needed to secure the housing and by the amount of contribution the household is able to make toward the housing costs.
- For one-time costs, such as security deposits, and rent and utility arrears, the program will pay the entire amount if the household will have less than 50% of income available after paying rent, the household's budget does not contain any disposable income, and the household assets are less than
- \$500.00. If the household has assets greater than \$500, and/or the household budget indicates income is available to make a portion of the payment, the household should be required to provide a portion of the deposit and/or arrears. The household's payment may be made through a payment plan with the landlord or utility company if that is possible.
- With supervisor approval, households may be permitted to contribute less toward the rent for a brief period to cover other extraordinary costs. The program may pay the entire rent on behalf of households that have no income.



The [ESG Financial Assistance Calculation Form](#) can be found in the appendix. The program should complete the form with the participant and the participant should sign it. This calculation needs to be prepared every three months for households receiving medium-term rental assistance.

All financial assistance provided must be recorded in HMIS.

J. Supportive Services and Connection to Mainstream Resources

- Whether covered by ESG funds or other sources, ESG programs are expected to assist clients with housing stability case management and with housing search and placement services as needed.
- Housing stability case management includes:
 - Conducting the official evaluation of eligibility and need, including verifying and documenting eligibility
 - counseling
 - developing, securing, and coordinating services and assistance in obtaining Federal, state and local benefits
 - monitoring and evaluating participant progress;
 - providing information and referral to other providers;
 - developing an individualized housing plan to permanent housing stability; and
 - conducting reevaluations.


These services may not exceed 30 days during the period the program participant is seeking permanent housing, and may be provided for up to a total of 24 month within a 36-month period.

- While providing prevention or rapid rehousing financial assistance, the program must ensure that the participant meets with a case manager not less than once per month to assist the participant in ensuring long- term housing stability. Case management should be provided more frequently if needed.
- Housing search assistance are those services intended to assist program participants in locating, obtaining, and retaining suitable permanent housing, and are expected to be offered to all participants receiving rapid rehousing assistance or prevention assistance that includes moving to another unit. These include:
 - assessment of housing barriers, needs, and preferences;
 - development of a plan for locating housing;
 - housing search;
 - outreach and negotiations with landlords; and
 - assistance with submitting rental applications and understanding leases.

K. Links to Mainstream Services

As part of the stability case management, each participant is expected to be assisted, as needed to obtain other services and mainstream benefits including:

- appropriate supportive services including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living, and
- other federal, state, local, and private assistance available to assist the program participant in obtaining housing stability, including
- Medi-Cal or other medical insurance
- TANF
- Food Stamps/Supplemental nutrition assistance (SNAPS)
- WIC
- Unemployment insurance
- SSI/SDI
- Child and adult care food program
- Other mainstream programs from which the household could benefit

 While no specific form is provided for this documentation, all case management meetings must be documented in the participant file, and/or in the HMIS case management module. Documentation should include evidence of assistance provided to obtain mainstream resources and the results of that assistance. Subrecipients are encouraged to check with the recipient for approval of documentation.

L. Legal Services

- ESG funds may be used for legal services that are necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides. More detail on eligible legal services activities can be found at (§576.102 (a)(1)(vi) and (§576.105(b)(4).
- While legal services providers that do not provide financial assistance are not required to complete the financial assistance calculation form, they must ensure that all households assisted meet program eligibility ([Section 1](#) above) including completing the application for assistance to document participant eligibility, and must ensure that the units assisted meet the habitability standards in [Section 5](#) below.

M. Housing Unit Requirements

In addition to the household being eligible, the unit to be assisted must also meet eligibility requirements. These include that the rent is both reasonable and at or below the Fair Market Rent market rent, and that the unit meets habitability standards.

Rent Reasonableness and Compliance with Fair Market Rent

- ESG programs must perform both a rent reasonableness determination and document that the rent falls at or below the Fair Market Rent on every unit assisted, whether for prevention or rehousing.
- “Rent reasonableness” means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units.
- To make this determination, the recipient or subrecipients should consider:
 - the location, quality, size, type, and age of the unit; and
 - any amenities, housing services, maintenance and utilities to be provided by the owner.
 - Comparable rents can be checked by using a market study, by reviewing comparable units advertised for rent, or with a note from the property owner verifying the comparability of charged rents to other units owned (for example, the landlord would document the rents paid in other units). NOTE that not every element in the suggested list of nine things to check for must be known to establish a comparable unit. See more guidance at http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_11753.pdf
- The Fair Market Rent (FMR) is a benchmark established by HUD for regions. For ESG, the FMR is the maximum rent permitted even if other similar units rent for more.

Final FY 2020 FMRs By Unit Bedrooms				
Efficiency	One-Bedroom	Two-Bedroom	Three-Bedroom	Four-Bedroom
\$1,545	\$1,875	\$2,335	\$3,215	\$3,945

Source: <http://www.huduser.org/portal/datasets/fmr.html>

The above chart displays the Fair Market Rents applicable during FY2020. Fair Market Rents are updated and published by HUD every year. Programs must ensure that they are using the FMR’s in effect at the time of their determination.



A copy of a [Rent Reasonableness and FMR Certification](#) form can be found in the forms appendix. Subrecipients may use an alternative rent reasonableness determination form meets the requirements of the ESG regulations §576.106 and has been approved by the ESG recipient.

n. Housing Inspection

In order to ensure that ESG funds are used in housing that meets minimum habitability standards, an inspection must be performed on every unit assisted, whether for prevention or rehousing. This inspection includes compliance with the Lead Paint Poisoning Prevention Act.



A copy of a suggested [Habitability Standards Inspection](#) Form can be found in the forms appendix. Subrecipients may use an alternative inspection form as long as it covers all of topic areas required under ESG regulations §576.403 and has been approved by the ESG recipient.

o. Rental Assistance Agreement

- Relationships with landlords are a central component of the program. The housing specialist assists both the participant and the landlord to make the housing successful.
- Once a unit has been identified and inspected, the housing agency must ensure that:
- The tenant receives a written lease or rental agreement from the landlord which clearly outlines the terms of tenancy and conforms with applicable California and local law; and
 - a) The landlord is apprised of the nature of the program, the anticipated support to the participant, the obligations of the landlord, and the manner in which the landlord may contact the program if there are concerns.
- At a minimum, the housing agency will provide the landlord with a copy of the Rental Assistance Agreement Letter describing the program and outlining the basic support the participant is anticipated to receive. The landlord must sign the letter and return it to the agency. Some agencies may prefer to use a contract or housing assistance payments (HAP) agreement that outlines in greater detail the rights and obligations of the parties. Use of such an agreement is fine if it covers all requirements in the ESG regulations §576.106 and has been approved in advance by the ESG recipient.

In order to determine that the landlord named on the lease is the legitimate owner of the property, the housing agency will use a database service, such as Realquest, or another manner to verify and document the ownership. In addition, the housing agency shall collect a W-9 from the landlord or property management agency and follow all IRS reporting requirements.



A copy of the [Rental Assistance Agreement Letter](#) is included in the appendix. A copy of this letter or an acceptable substitute agreement should be kept in the participant's file, along with a copy of the tenant's lease and printout from the database used to verify the ownership of the unit and a copy of the W-9. The original W-9 must be given to the housing agency's finance division.

p. Three Month Reassessment of Eligibility

Any participant who receives more than three months of assistance from the program needs to be formally reassessed. This is distinguished from the more frequent check-ins and meetings with the

client, which should occur frequently and as needed, and are recorded in case notes.

During the reassessment process, the program is, at a minimum, confirming:

- The participant has not received more than 24 months of assistance, including any arrears coverage.
- The participant's income level is such that there is still a need to provide financial assistance in order to maintain housing stability, and income is not greater than 30% of the Area Median Income (AMI)
- The participant is making documented progress on their housing plan and taking the steps needed towards housing stability without program financial assistance.
- The participant lacks the financial resources or support networks to secure their housing without continued assistance.

The three-month reassessment is also used to update the participant's HMIS record with current information about housing and income.

Once the three-month reassessment of eligibility is completed, the household should be notified whether they will continue to receive assistance or not, including signing the reassessment form. If continuing to receive assistance, new documents, including an updated housing stability plan, budget and financial assistance calculation should be prepared and discussed with the client.



A copy of the [Three Month Reassessment of Eligibility](#) is included in the appendix. The Reassessment requires updated documentation of income, which should be attached to the form and included in the file.

☑ Key pieces of information from the Three-Month Reassessment Form, including any change in income or address is to be entered into HMIS. (In the future, the Three-Month Reassessment may be an HMIS provided form.)

q. Termination of Housing Assistance or Program Participation

- Housing assistance under this program is intended to be temporary and to help participants secure housing that they can remain in without long-term financial support. Any housing assistance is contingent on the participant's active participation in carrying out the terms of his/her Housing Stability Plan. Failure to take steps agreed to in the plan, such as seeking work, applying for benefits, looking for housing or accepting housing that meets the participant's criteria are a reasonable basis for recommending termination of financial assistance.

r. Termination of Housing Assistance or Program Participation

- Housing assistance under this program is intended to be temporary and to help participants secure housing that they can remain in without long-term financial support. Any housing assistance is contingent on the participant's active participation in carrying out the terms of

his/her Housing Stability Plan. Failure to take steps agreed to in the plan, such as seeking work, applying for benefits, looking for housing or accepting housing that meets the participant's criteria are a reasonable basis for recommending termination of financial assistance.

- If a program participant is found to be violating the participation agreement, reasonable efforts will be made and documented by staff to assist the participant to address the issue or correct the violation prior to terminating services. Violations that endanger staff, any other participant, any other person, or the viability of the program as a whole will be acted upon immediately.
- If a participant is determined to be in continued or grave violation of the program rules, a written Notice of Termination of Assistance will be provided to the program participant containing a clear statement of the reasons for termination, the date on which the termination will become effective, and the process for appealing the decision.
- Participants receiving a Notice may request that the decision to terminate participation be reviewed by making a request to the designated supervisor within the agency. This request must be made in writing and must be reviewed the request within 14 calendar days. A written notice of the final decision will be issued to the participant.
- The program may also resume assistance to a program participant whose assistance was previously terminated with the approval of the Program Manager.



A sample [Notification of Termination of ESG Assistance](#) is provided in the Appendix of Forms. Subrecipients may use an alternative Termination form as long as it covers all of topic areas required under ESG regulations §576.402 and has been approved by the ESG recipient.

s. Grievances and Appeals

ESG subrecipients must notify participants of the agency's grievance policy at the time of program enrollment, including providing them with a written copy of the policy and keeping a copy of a signed version of the policy or other notification in the participant file. Housing agencies will follow their agency grievance and appeals process, through to the level of the highest ranking staff member of the agency or as may be otherwise specified in the agency's approved policy and procedures.

If there is a grievance specific to the ESG that has not been resolved through the agency grievance process, ESG program participants may appeal to the local recipient. Recipients will follow their appeal process.

T. Program Exit

Upon completion or termination of the program, all members of the household should be exited in HMIS. Information including household income, final address and housing status should be recorded and updated.



The Exit Form is an HMIS-provided form. A printed copy of the form(s) should be kept in the participants file and all data entered into HMIS.

Section IV. Housing Management Information System (HMIS)

CFR 576.107 [ESG-Program-HMIS-Manual.pdf](#)

ESG funds may be used to pay for the costs of participating in and contributing to the Homeless Management Information Systems (HMIS) designated by the Continuum of Care for the area.

1. Eligible Costs

- a. The recipient or subrecipient may use ESG funds to pay the costs of contributing data to the HMIS designated by the Continuum of Care for the area, including the costs of:
 - Purchasing or leasing computer hardware, purchasing software or software licenses, purchasing or leasing equipment, including telephones, fax machines, and furniture
 - Obtaining technical support
 - Leasing office space, charges for electricity, gas, water, phone service, and high speed data transmission necessary to operate or contribute data to HMIS
 - Paying salaries for operating HMIS that can include data entry, monitoring and reviewing data quality, data analysis, training staff on using HMIS or comparable data base, implementing and complying with HMIS requirements, paying for staff to attend HUD-sponsored and HUD- approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act; paying staff travel costs to conduct intake, paying participation fees charged by the HMIS Lead, if the recipient or subrecipient is not the HMIS Lead. (The HMIS Lead
 - is the entity designated by the Continuum of Care to operate the area HMIS
 - If the subrecipient is a victim services provider or a legal services provider, it may use ESG funds to establish and operate a comparable database that collects client-level data over time and generates unduplicated aggregate reports based on the data. Note: information entered into a comparable database must not be entered directly into or provided to an HMIS.
 - Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS

Section V. Administration

CFR 576.108

a. Eligible Costs

- The recipient may use up to 7.5 percent of its ESG grant for the payment of administrative costs related to the planning and execution of ESG activities. This does not include staff and overhead costs directly related to carrying out activities eligible under 576.101 through 576.107, because those costs are eligible as part of those activities. Eligible administrative costs include:
 - General Management, oversight and coordination and can include salaries, wages, and related costs of the recipient's staff, the staff of subrecipients, or other staff engaged in program administration. In charging these costs to this category, the recipient may either include the entire salary, wages, and related costs allocable to the program of each person whose primary responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes any program administration assignments. The recipient may use only one of these methods for each fiscal year grant. Program administration assignments include the following: program budgets, schedules and amendments; developing systems for assuring compliance, developing interagency agreements and agreements with subrecipients; monitoring; reporting and preparing other documentation directly related to the ESG program for submission to HUD; coordinating resolution of audit and monitoring findings; evaluating program results; managing and supervising persons whose primary responsibilities with regard to the program as those described in (a)(1)(i)(A) through (G) of this section; travel costs incurred for monitoring; administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.
 - Training on ESG requirements. Costs of providing training on ESG requirements and attending HUD-sponsored ESG training.
 - Consolidated plan. Costs of preparing and amending the ESG and homelessness-related sections of the consolidated plan in accordance with ESG requirements and 24 CFR part 91.
 - Environmental Review. Costs of carrying out the environmental review responsibilities under 576.407

b. Sharing Requirements

If recipient is a State, the recipient must share its funds for administrative costs with its subrecipients that are units of general purpose local government. The amount shared must be reasonable under the circumstances. The recipient may share its funds for administrative costs with its subrecipients that are private nonprofit organizations. If the recipient is a territory, metropolitan city, or urban county, the recipient **may share** its funds for administrative costs with its subrecipients.

Section VI. City of Berkeley Monitoring of Subrecipients

The City of Berkeley require Sub-recipients to submit the below program and fiscal reports on a quarterly basis in the City of Berkeley's online contracting system:

- Program Report with client demographics
- Homeless Management Information Systems Program Report with outcomes
- Annual Status Report for CDBG/ESG/HOME funded projects only
- Advance Payment Request Form
- Statement of Expense

At the end of the fiscal year subrecipients must submit a year-end general ledger and profit and loss statement that supports the year-end statement of expense report. On a biennial basis, the City conducts a full monitoring of the program that includes a review of the agency's administrative, program, and financial practices and records. The monitoring is performed using the below City of Berkeley and HUD monitoring tools.



See Part III in Appendix for program monitoring forms:

1. City of Berkeley Administrative Review
2. City of Berkeley Program Review
3. City of Berkeley Financial Review
4. HUD Chapter 28-3 Guide for Review of ESG Sub recipient Grant Management
5. HUD Chapter 28-6 Guide for Review of ESG Rapid Rehousing and Homeless Prevention
6. HUD Chapter 28-8 Guide for Review of ESG Financial Management and Cost Allowability

Below is the City's monitoring protocol and timeline:

1. Identify time period to monitor. Recommend 4th quarter. Ensure you have the Program Report, Statement of Expense and GL before the planned monitoring visit. Monitors will email the Community Agency to schedule the monitoring visit and entrance conference and prepare Monitoring Guides in CDS and provide to Agency in preparation of the monitoring visit. CDS will send the Agency a standardized message about the upcoming monitoring visit as well.
2. In addition to City developed monitoring guides, the monitor will include Federal monitoring guides when reviewing federally funded agencies. For Emergency Solutions Grant (ESG) and Community Development Block Grant (CDBG) funded agencies, the monitor will provide appropriate CDBG and ESG monitoring guides found in Chapters 3 and 28 in the Community Planning Monitoring Handbook 6509.2 located here: https://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/6509.2
3. Monitors should give at least several weeks' notice and negotiate a time that is mutually convenient, describe the information to be reviewed, provide Community Agency staff with a copy of the Monitoring Guides, indicate expected duration of the monitoring, agency staff needed for interviewing, and space required.

4. The entrance conference will provide an overview of the purpose, scope and schedule of document review to the Community Agency Contract Representative and staff that will be involved. This may be three separate meetings to cover the three areas: Administration, Financial and Program.
5. Attend monitoring visits and complete the monitoring guides.
 - a. Collect required documents
 - b. Review three budget line items from each program's Statement of Expense: salaries and two other expense line items that are material or appear to need verification.
 1. Salaries: Review Timesheets, Contract Exhibit B salaries, against payroll register - which would have the name/s and salaries, paid to the staff identified as working in the program. Timesheets should:
 - ii. Show # of hours worked on COB contract activities.
 - iii. Support number of hours worked and agree with the payroll register.
 - iv. Verify Agency is paying COB minimum wage and/or living wage if applicable.
 - v. Verify if Agency is paying fringe benefit expenses charged to the program are supported by invoices paid to health insurance and worker's compensation insurance companies.
 2. Line Items 2 & 3:
 - vi. Verify the expenses chosen in No. 2 above against the agency's ledger of detailed expenses. The ledger format would vary depending on the accounting software the agency is using (most agencies use Quick Books). The agency's account name, number, and balance can be found in the general ledger. Expense transaction details of how, when, and to whom payments were paid would show in a separate report. Generally, accounting software can generate a report showing these details sorted by funding source. The monitor must check that the expenses were:
 - a) Properly authorized and calculated, and
 - b) Expenses were charged to the proper funding sources. The monitor should note any deviation from these procedures as a concern (when immaterial or not quantifiable) or a finding (when it has material impact in the operations), and
 - c) Invoices were marked/stamped paid to avoid duplication of payments. Ideally, the account number used for the charge should be written on the face of the invoice. The monitor should note any deviation from these procedures as a concern (when immaterial or not quantifiable) or a finding (when it has material impact in the operations).
6. Exit Conference: At the Exit Conference, the monitor should:
 - i. Present tentative conclusions of monitoring;
 - ii. Provide an opportunity for the agency to correct any misconceptions or misunderstandings on your part Secure additional information from agency staff to clarify or support their position; and
 - iii. Provide an opportunity for subrecipient staff to report on any steps they are already taking to correct the matter.

7. Follow-Up Monitoring Report

1. The monitoring report, which is completed in CDS, provides a permanent, written record of the monitoring visit that is kept on file and provides an opportunity for the Community Agency to respond to recommendations, concerns and findings. The Report should recognize work performed well and point out corrections or improvements needed. It should identify all “findings” and “concerns,” and include specific recommendations for improvements. Findings must be supported by facts in the report. The letter should include deadlines for providing a written response and for correcting each deficiency identified. The letter is prepared by the Contract Monitor and reviewed and approved by the Contract Supervisor prior to sending to Agency. Monitoring Letter should be sent within 30 days of the visit.
8. Upon receipt of Agency response to monitoring report, the Contract Monitor will review agency answers to determine if the response and additional documentation, if needed and provided, is sufficient to regard the finding and/or concern resolved. The Contract Monitor will prepare a final response to either complete the monitoring or ask for additional information and submit to supervisor for review. The communication will continue until the finding and/or concerns are resolved.

Appendix of Forms and Documents

ESG Client File Document Check List

(click [here](#) to return to relevant section of manual)

Last Name: _____ First Name: _____ HMIS ID: _____

I. Eligibility Documentation (check or indicate date completed in blank to left)

- _____ Application for Assistance and Eligibility Screening Form
 - _____ Homeless Status/At-Risk Housing Status and Back up Documentation
 - _____ Income Eligibility Determination and Back up Documentation
 - _____ Asset Verification Documentation
- _____ Intake on Head of Household (HMIS SIF form)
- _____ Intake(s) on other household members **(if applicable)** (HMIS SIF form)
 - Intake on other adult _____ Intake on other adult _____
 - Intake on child: _____ Intake on child: _____
- _____ Other: _____

- _____ Current ROI _____ Date: _____

II. Documentation on the Housing Unit and/or Utilities (check or indicate date completed in blank to left)

- _____ Documentation of rent or utility arrears **(if applicable)**
- _____ Rent Reasonableness and Payment Standard determination for rental unit
- _____ Habitability Inspection (includes Lead Assessment)
- _____ Lease between Participant and Landlord
- _____ Rental Assistance Agreement with Landlord
- _____ W-9 Form
- _____ Other: _____
- _____ RealQuest or other owner verification documentation

III. Documentation of Assistance/Ongoing Services (check or indicate date completed in blank to left)

- _____ Household Budget
- _____ Housing Stability Plan
- _____ Financial Assistance Calculation Form
- _____ Links to Mainstream Resources
- _____ Case Management Notes
 - Three Month Reassessment(s) **(if applicable, insert dates)**
 - 1. _____ 2. _____ 3. _____ 4. _____
- _____ Exit Form (HMIS form)

- _____ Termination of Housing Assistance Form **(if applicable)**
- _____ Other: _____

ESG Application for Assistance and Eligibility Determination Form

(click [here](#) to return to relevant section of the manual)

Complete this form and have the head of household sign it. This form will determine eligibility and act as an application by the household for assistance.

Assessment Date: / / _____

Staff: _____ Agency: _____

A. General Information

1. Head of Household:

First: _____ Middle: _____ Last: _____ Suffix: _____

Complete ROI for Head of Household or check here _____ if current ROI on file

2. Other Members of Household

First Name	Last Name	Age	Relationship to Head of Household

Total number of persons in household: _____

If applicant is determined to be eligible for assistance, you must complete an HMIS Standard Intake Form (SIF) for every household member.

3. Why are you seeking assistance? Please choose an option, then describe below.

- I am living on the streets, or a place not meant for human habitation
- I am in a shelter or TH housing program and have been referred for rapid re-housing
- I am applying for shelter because I must leave where I am currently staying
- I want to keep the housing I have and am at imminent risk of losing it

Explanation: _____

I understand that I am applying for assistance from the federally-funded Emergency Solutions Grant Program. I understand that I am required to certify that all information in this application is true and to provide all required documents to determine eligibility and to enter into a housing stability plan if I am eligible for assistance. I also understand that financial assistance is not guaranteed, is time-limited, and may be terminated or adjusted at any time. I declare that all information I have provided in this application is true to the best of my knowledge.

Head of Household Signature: _____ Date: _____

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B. Rapid Rehousing Assessment (Cross through and skip this section if applicant household is applying for prevention assistance)

Homeless Status Documentation: To receive rapid rehousing assistance, clients must be homeless by the HUD Homeless Definition and eligible for assistance under certain categories. Use this portion of the form if the applicant client household is Literally Homeless (Category 1), or is fleeing/attempting to flee domestic violence (*Category 4*) **and** also meets the category of Literally Homeless. Otherwise, complete Section B. of this form for Homeless Prevention.

1. Is household among the eligible target population for this program?

- Living/staying in a shelter.
- Living on the streets, a car, an encampment or a place not meant for human habitation.
- Living/staying in transitional housing.
- Exiting an institution where s(he) resided for 90 days or less and previously resided in a shelter or the streets or place not mean for human habitation.
- Fleeing or attempting to flee domestic violence **and also meets one of the above conditions.**

Documentation	
Literally Homeless – on the streets or in a shelter	(in order of preference for documentation) <input type="checkbox"/> Written observation by an outreach worker (attached), or <input type="checkbox"/> Written referral by another housing or service provider (attached) HMIS intake for shelter/TH, or <input type="checkbox"/> Self- certification that s(he) was living on the streets or in a shelter (attached)
Exiting an institution and entered from literal homelessness	One of the forms of evidence above <u>and</u> <input type="checkbox"/> Discharge paperwork or written/ or documented oral referral (attached), or <input type="checkbox"/> Written report of intake workers due diligence to obtain above evidence <u>and</u> certification by the individual that they exited institution (attached)

Be sure to attach the supporting documentation to the application in file.

2. This household is a candidate for ESG rapid rehousing because:

- They are homeless but have adequate income to afford a place if assisted to obtain one with short-term assistance (deposit and up to one to three month’s rent subsidy).
- They are homeless and don’t currently have adequate income for housing but have potential to increase income to be self-sustainable within approximately 6 months and are willing to commit to a housing stability plan.
- They are currently homeless but with assistance can move into a stable situation with friends or family or another situation that doesn’t require an increase in income.
- They are currently homeless and are expected to receive a housing subsidy within six months from another source but need financial assistance to gain housing and/or support services

Subsidy anticipated:

- OPRI VASH Shelter Plus Care Other: _____

Note: ESG funds may not be used to cover any cost covered by another subsidy source. For rapid rehousing candidates with a subsidy, ESG may only be used to pay security deposit and utility deposits if needed to secure housing.

Current Subsidy _____ pays for: _____

No other subsidy currently

Proceed to Part D: Income Verification Section

C. Homelessness Prevention (Cross through and skip this section if applicant household is applying for Rapid Rehousing)

To receive Prevention assistance, clients may either be homeless under certain categories of the HUD Homeless Definition or At Risk of Homelessness under any category of that definition. Use this portion of the form if the applicant client household is at Imminent Risk of Homelessness (Category 2), fleeing/attempting to flee domestic violence **but** does not meet the category of Literally Homeless (Category 4) or is At Risk of Homelessness. Households who do not qualify for rapid rehousing or prevention assistance under these definitions are not eligible for ESG assistance under this program.

1. This household is a candidate for prevention assistance because:


- They are currently seeking shelter, and have been staying with family or friends who will no longer let them remain there. (Must be required to leave within 14 days.)
- They are staying in a hotel or motel using their own resources, have no other residence and lack the resource and support networks to obtain other permanent housing.
- They are fleeing or attempting to flee domestic violence, have no other residence and lack the resource and support networks to obtain other permanent housing.
- They have a place to live with their name on the lease from which they are being evicted (must be required to leave within 14 days.)
- They are about to be discharged from foster care, or have recently been discharged from foster care, and the residence where they are currently living will be lost within 14 days

Documentation	
Imminent Risk of Homelessness	<input type="checkbox"/> A court order resulting from an eviction action notifying the individual or family that they must leave (attached), or <input type="checkbox"/> Leaving a hotel or motel – evidence that household has been staying in hotel/ motel (attached), and this application documents lack of resources <input type="checkbox"/> A documented and verified oral statement that residence will be lost within 14 days of the date of this application (attached), and this application documents lack of resources.
Leaving an institution, including foster care	One of the forms of evidence above <u>and</u> <input type="checkbox"/> Discharge paperwork or written/oral referral (attached), or <input type="checkbox"/> Written report of intake workers’ due diligence to obtain above evidence <u>and</u> certification by the individual that they exited an institution or foster care(attached)
Fleeing domestic violence	For victim services providers: <input type="checkbox"/> An oral statement, by the individual or head of household self-certified or certified by the intake worker, which states they are fleeing and have no subsequent resident or resources. For non-victim services providers: <input checked="" type="checkbox"/> An oral statement, by the individual or head of household self which states they are fleeing and have no subsequent resident or resources. Where the safety of the individual or family is not jeopardized, the oral statement must be verified.

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2. Housing Assessment (Prevention Only)

If household intends to keep current housing, what is the monthly rent? _____

 **If the household intends to remain in their current unit, does the rent amount exceed the FMR payment standard (based on the chart below)?**

- No: Proceed to next page.
- Yes: Client is not eligible to be subsidized in their current unit. Ask the client if they are interested in relocating to less expensive housing and if so, proceed with assessment. Otherwise, stop here; client is not eligible. Proceed to end of form

Final FY 2020 FMRs By Unit Bedrooms				
Studio/Efficiency	1-bedroom	2-bedroom	3-bedroom	4-bedroom
\$1545	\$1,875	\$2,335	\$3,215	\$3,945

Source: <http://www.huduser.org/portal/datasets/fmr.html>

Is your name on a rental agreement?

- No
- Yes

If your name is not on a rental agreement, are you living with someone who has a rental agreement and who has notified you in writing that you must leave?

- No
- Yes

If you owe back rent, how much do you owe? _____

How many month's rent is that?

- One
- Two
- Three
- Four
- Five
- Six or more
- Don't Know

Is your landlord willing to accept rent from you?

- No
- Yes
- Don't Know
- Does Not Apply

If you are at risk of eviction, where are you in the eviction process?

- Have not been served formal notice
- Served a 3 -day notice to pay rent or quit
- Served an Unlawful Detainer summons
- Eviction judgment has been issued

Does not apply

Do you currently receive any type of housing or utility subsidy or assistance from any other source?

- No
- Yes

Subsidy pays for: _____

Note: ESG funds cannot be used to cover any cost covered by another subsidy source. For prevention candidates with a housing subsidy, ESG may only be used to pay the tenant portion of overdue back rent.

Be sure to attach housing status verification form and supporting documentation in file. Proceed to Part D: Income Verification Section

D. Income Verification

What is the combined income of this applicant household? _____

Household size: _____

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Alameda County, California FY2020 Income Limits						
Household Size	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person
Extremely Low Income (30% of AMI)	\$26,050	\$29,750	\$33,450	\$37,150	\$40,150	\$43,100

Source: HUD User FY 2019 Income Limits Documentation System: <https://www.huduser.gov/portal/datasets/il.html>.
 & Department of Health & Human Services (HHS) 2019 Federal Poverty Level Chart. <https://aspe.hhs.gov/poverty-guidelines>.

At or below 30% AMI for household size

Above 30% AMI for household size and seeking rapid rehousing assistance. Authorization of recipient may be required to proceed.

Required Authorization: _____ (if applicable)

Above 30% AMI for household size and seeking prevention assistance— **INELIGIBLE**: Proceed to end of form.

You may use the ESG Income Eligibility Calculation Form or another similar form to determine income. Be sure to include income verification form and supporting documentation for determination in file.

E. Resources, Networks and Asset Determination

In addition to meeting the housing status and income requirements, applicants must demonstrate that they do not have sufficient support or resources to retain or gain housing on their own.

ii. Asset Assessment

To determine whether the applicant household has resources that could be used to prevent or end their homelessness, and to determine the amount of financial assistance to be provided, the program must review their assets. This portion of the form applies to all adults in the household listed on page 1.

No Bank accounts

Bank Accounts (attach appropriate third party documentation for all accounts listed below)

1. Name of Financial Institution: _____ Type of account: _____ Name(s) on

Account: _____

Acct #: _____ Acct. Balance: _____ as of ____/____/____

2. Name of Financial Institution: _____ Type of account: _____ Name(s) on

Account: _____

Acct #: _____ Acct. Balance: _____ as of ____/____/____

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Investment Accounts (obtain appropriate third party documentation for all accounts listed below)

1. Name of Financial Institution: _____ Type of account: _____ Name(s) on Account: _____
Acct #: _____ Acct. Balance: _____ as of ____/____/____

Other Assets

of Vehicles: _____ No Vehicles


Make: _____ Model: _____ Year: _____

Make: _____ Model: _____ Year: _____

For cars that are 2007 or newer, note blue book value: _____

Property or other (describe and note value): _____

Be sure to attached copies of bank statements or other asset verification

 If assets exceed **\$2,000** per individual or **\$3,000** per couple, if any vehicle is worth more than \$10,000, or if household has more working cars than adult drivers, the household is ineligible.

No Yes: ineligible. Proceed to end of form

ii. Personal Resource and Networks

Other subsequent housing options

What steps have you taken to identify other appropriate housing options that you can afford *without any assistance from this program*?

Summary of assessment: _____

Does the household have any other appropriate housing options? Yes No

2) Financial Resources

Do you have any other resources that you could use to help your household gain housing or remain in your housing? (See asset assessment; discuss use of participants personal resources to resolve situation.)

Summary of assessment: _____

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Does the household have other financial resources sufficient to obtain other appropriate subsequent housing or remain in their existing housing? Yes No

3) Support Networks

Do you have any other support networks that could help you gain housing or remain in your housing? (This would include family or friends who can lend or give money, a faith-based organization that can assist you, someone with whom you can live, etc.)?

Summary of assessment: _____

Does the household have support networks needed to obtain other appropriate subsequent housing or remain in their existing housing? Yes No

F. Approach to housing stability

How did your current situation of homelessness or housing instability come about?

Describe: _____

Are you currently doing anything to increase your household income or decrease your costs?

No Does Not Apply
 Yes

Describe: _____

If you are to be assisted, are you willing to participate in services to increase your income or decrease your costs?

No Yes Does Not Apply



If household is not currently working toward increasing income or decreasing costs and is unwilling to do so, the household *may be* determined as ineligible. (Note that households with a fixed income may not need to increase income to remain stable.)

Please add any other information pertinent to eligibility determination:

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FOR STAFF USE ONLY:

Last Name: _____ First Name: _____ HMIS ID: _____

Eligibility Determination

A. Household is not eligible to receive ESG assistance due to:

- Not among target population for local program

- Ineligible Housing Status

- Over Income

- Households Assets exceed asset limit

- Household is already receiving a subsidy for the same cost for which the household is seeking assistance

- Adults in household unwilling to engage in activities or participate in services designed to support housing stability plan
- Household as already received 24 months of ESG assistance in last 36 months

If client is not eligible, inform client of determination and refer client to other programs that may be able to assist the household. Programs referred to:

1. Program: _____ How was referral made?: _____

2. Program: _____ How was referral made?: _____

3. Program: _____ How was referral made?: _____

4. Program: _____ How was referral made?: _____

B. Household is eligible to receive ESG assistance.

- Eligibility for rapid rehousing verified;** household will be enrolled and housing search assistance will begin.
- Eligibility for prevention assistance verified;** new housing has been identified or current housing is to be retained and program will proceed to check on unit eligibility and to offer financial assistance and housing stability support.

Staff signature: _____ **Date:** _____

Proceed to enroll the Household:

- o Complete ROI and HMIS Intake,
- o Sign the participation agreement,
- o Complete the Household Budget and develop Housing Stability Plan.
- o If housing unit is identified, complete unit documentation, Financial Assistance Calculation Form and other required documentation.

ESG Program Participation Agreement

(click [here](#) to return to relevant section of the manual)

The ESG Program provides support services and limited financial resources to help households gain housing or remain housed.

I understand that this program may provide me with some or all of the following services:

- Assistance finding and obtaining housing
- Assistance developing a housing plan
- Assistance to stay in housing I currently occupy, including legal assistance and/or negotiations with family members, friends or landlords;
- One-time or short-term financial assistance to support gaining or retaining housing which may include rental deposits, rental or utility arrears, or short to medium term rental assistance payments designed to secure or retain housing;
- Referrals and support to apply for benefits for which I or a member of my household may be eligible.
- Other services related to securing housing, such as, but not limited to, assistance getting identification, preparing housing applications, searching for housing, negotiating with landlords and other services.

I agree to do the following:

- Provide accurate and honest information to my housing specialist and other program staff.
- Work with a housing specialist to develop a housing plan.
- Take all necessary steps to achieve the goals outlined in the plan.
- Meet with my housing specialist at intervals established in my housing plan, and not less than monthly during my participation in the program.
- Permit home visits and inspections of my housing during my participation in the program. (Advance notice will be provided.)
- Provide current proof of income when requested.
- Pay my portion of rent on time every month and *immediately* advise the housing specialist if I have any trouble in doing so.
- Provide any documentation required by the housing specialist as it pertains to progress on my housing plan, my rent status or income (i.e. attendance record for job training program, proof of application for benefits, etc.)
- Be contacted for follow-up phone calls about my participation in ESG for up to 24 months after I complete the program.

I understand that neither _____ (agency name) nor any party to the ESG Program is responsible for my rent or lease. I understand that assistance will only be provided if I am in compliance with the program requirements including the terms of my Housing Stability Plan.

Client Name: _____ Client Signature: _____ Date: _____

Housing Navigator: _____ Agency Name: _____ Date: _____

Sample Budgeting Worksheet

(click [here](#) to return to relevant section of the manual)

Participant Name:		Date:
	Actual (with current income)	Proposed (with anticipated income and/or subsidy)
Housing Expenses		
Rent		
PG&E		
Water		
Other:		
Car Expenses		
Loan payment		
Insurance		
Gas		
Maintenance & repairs		
Debt		
Creditor 1		
Creditor 2		
Miscellaneous		
Groceries, Lunches, meals		
Childcare		
School supplies		
Prescriptions		
Cable TV		
Internet Connection		
Telephone		
Clothing		
Hair supplies/Toiletries		
Other:		
Other:		
Expense Total		
Income		
Earnings		
Social Security related \$		
Unemployment		
Food Stamps		
Other:		
Other:		
Income Total		
Total Income Minus Expenses		

Participant Signature: _____ Date: _____

Case Manager/Housing Specialist Name _____ Signature _____ Date _____

ESG Housing Stability Plan
(click [here](#) to return to relevant section of the manual)

Initial Plan Date _____

Client/Head of Household Name: _____

My 30 day housing goal is: _____

If different, my 90 day goal is _____

If different, my permanent housing goal is _____

I have or will have the following resources to help me achieve my goals:

- 1.
- 2.
- 3.

In order to reach these goals, I commit to take the following steps:

Step	Actions	What I'll do	Help I'll Receive	Done by:	Notes at Follow Up
1					
2					
3					

Client Signature: _____

Date: _____ Housing Navigator: _____ Date: _____

ESG Financial Assistance Calculation Form
(click [here](#) to return to relevant section of the manual)

Before preparing this calculation, complete the budget form with the Head of Household. Use this form and information from the application, the budget and the lease and/or arrears documentation to determine the amount of financial assistance that the household will receive. **This form must be prepared every three months during the time in which the household receives financial assistance.**

Head of Household : _____ Service Point ID: _____

Assessment date: _____ Staff: _____

First financial assistance calculation Reassessment of financial assistance

A. GENERAL

Enter the information below from the budget and assets form to determine the amount of financial assistance

Combined Household income: _____ (from application) Rent: _____ (from lease)

Income minus Rent: _____ * **Percent of income for rent without subsidy:** _____

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Total Expenses _____ (from budget)

* **Difference between income and expenses:** _____

* **Current Assets:** _____ (from application)

Use information indicated with * to determine financial assistance below

B. SECURITY DEPOSIT (skip if not applicable)

New residence requires a Security Deposit of: _____ (This may include up to two months rent if required as deposit but should not include first month's rent in this calculation. Assistance with First month's rent should be part of the Rental Assistance in section C. below)

Based on income and assets, **household will make:**

No contribution to the deposit without jeopardizing housing stability (household has less than 50% of income left after paying rent and household budget has no disposable income; household has assets of less than \$500.)

A one-time payment toward the security deposit of: _____ (household has assets of greater than \$500 and/or budget indicates disposable income available for a payment.)

Program will make a payment on behalf of

B. PREVENTION ARREARS (skip if not applicable)

Household owes _____ in rental arrears. (From documentation of rent arrears. The document must be dated within the same month that the application is being considered or proof of rent payment must be provided.)

Based on income and assets available, **Household will make:**

No payments without jeopardizing housing stability (household pays more than 50% of income for rent and/or household budget has no disposable income; household has assets of less than \$500.)

A one-time payment toward the arrears of: _____ (household has assets of greater than \$500 and/or budget indicates disposable income available for a payment.)

A monthly payment toward the arrears of: _____

Payment agreement negotiated with landlord. (budget indicates disposable income available for a payment or household has a housing subsidy.)

Program will make a payment on behalf of household of: _____

Note Program will not pay more than three months or \$3,000 in rental arrears.

C. UTILITY ARREARS (skip if not applicable)

This type of support will only be provided if the household will be unable to have utilities in their housing if they do not pay past due arrears.

Household owes _____ in past utility arrears (from documentation of utility arrears) Based on income and assets available, **Household will make:**

No payments without jeopardizing housing stability (household pays more than 50% of income for rent and/or household budget has no disposable income; household has assets of less than \$500.)

A one-time payment toward the arrears of: _____ (household has assets of greater than \$500 and/or budget

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indicates disposable income available for a payment.)

A monthly payment toward the arrears of: _____ Payment agreement negotiated with

landlord.(budget indicates disposable income available for a payment or household has a housing subsidy – attached copy of payment agreement.)

Program will make a payment on behalf of household of _____

D. FINANCIAL ASSISTANCE AGREEMENT

The participant and the program agree to the terms of payment designated above. The program will make payments on behalf of the participant as long as the participant is in good standing with their portion of the agreement and making progress on their Housing Stability Plan.

This agreement expires: _____ (not later than 3 months from first expected payment.)

Participant Signature: _____

Date: _____

Housing Specialist Signature: _____

Date: _____

(Attach this agreement to a copy of lease or occupancy agreement and, if past due rent or utilities, a copy of a record from the landlord/leaser or utility company indicating the amount of arrears.)

Rent Reasonableness and FMR Certification
 (click [here](#) to return to relevant section of the manual)

	PROPOSED UNIT	COMPARISON UNIT #1	COMPARISON UNIT #2	COMPARISON UNIT #3
ADDRESS				
NUMBER OF BEDROOMS				
SQUARE FEET				
TYPE OF UNIT/CONSTRUCTION				
HOUSING CONDITION				
LOCATION/ACCESSIBILITY				
AMENITIES UNIT: SITE: NEIGHBORHOOD:				
AGE IN YEARS				
UTILITIES (TYPE)				
UNIT RENT UTILITY ALLOWANCE GROSS RENT				
HANDICAP ACCESSIBLE?				

CERTIFICATION:

A. Compliance with Payment Standard

 Proposed Contract Rent + Utility Allowance = Proposed Gross Rent

Approved rent does not exceed applicable Payment Standard of \$_____.

B. Rent Reasonableness

Based upon a comparison with rents for comparable units, I have determined that the proposed rent for the unit [] is [] is not reasonable.

NAME:	SIGNATURE:	DATE:
-------	------------	-------

Habitability Standards Inspection Form

(click [here](#) to return to relevant section of the manual)

(based on HUD's HQS and the HPRP Notice; Certified HQS Inspectors may use an HQS form instead)

Name of Participant	Participant Phone Number	Date of Request (mm/dd/yyyy)
Inspector		Date of Initial Inspection (mm/dd/yyyy)
Type of Inspection <input type="checkbox"/> Initial <input type="checkbox"/> Special <input type="checkbox"/> Re-inspection	Date of Last Inspection (mm/dd/yyyy)	Agency

A. General Information

INSPECTED UNIT		Year Constructed (yyyy):
Full Address		Housing Type (check as appropriate) <input type="checkbox"/> Single Family <input type="checkbox"/> Detached Duplex <input type="checkbox"/> 2 or two family <input type="checkbox"/> Row House or Town House <input type="checkbox"/> Low Rise; 3,4 stories including garden apt. High Rise; 5 or more stories <input type="checkbox"/> Manufactured Home <input type="checkbox"/> Congregate
Number of Children in Family Under 6:		
OWNER NAME	OWNER PHONE	
ADDRESS OF OWNER/AGENT		

Is Lead Paint inspection required? (unit was constructed prior to 1978 and children under age 6 or a pregnant woman are in the household.) Yes No

B. Summary Decision on Unit (to be completed after form is filled out)

<input type="checkbox"/> Pass	Number of bedrooms	Number of sleeping rooms	Signature of Inspector
<input type="checkbox"/> Fail			
<input type="checkbox"/> Inconclusi			

How to use this form

- Review each room in the house as listing in the form (1. Living Room; 2. Kitchen; 3. Bathroom; 4. Other Rooms Used for Living or Halls (use as many as needed); 5. All Secondary Rooms Not Used for Living; 6. Building Exterior; 7. Heating, Plumbing and Installation; 8. General Health and Safety.
 Important: For each item numbered on the checklist, check one box only (e.g., check one box only for item 1.4 "Security," in the Living Room).
- In the space to the right of the item, if the decision is "Fail," write what repairs are necessary.
- If the item passes inspection, check the "Pass" box.
- A final summary page to note repairs needed is provided on the final page. If owner/manager is present at inspection, gather signature on final page.
- For lead paint inspections, if not required, mark "not applicable." Otherwise, note if the unit is a "pass" or "fail."

INSPECTION CHECKLIST

Item #	1. LIVING ROOM Description	DECISION		Repairs
		Yes, PASS	No, FAIL	
1.1	LIVING ROOM PRESENT			
1.2	ELECTRICITY Are there at least two working outlets or one working outlet and one working			
1.3	ELECTRICAL HAZARDS Is the room free from electrical hazards?			
1.4	SECURITY Are all windows and doors that are accessible from the outside lockable?			
1.5	WINDOW CONDITION Is there at least one window, are all windows free of signs of severe deterioration or missing or broken			
1.6	CEILING CONDITION Is the ceiling sound and free from			
1.7	WALL CONDITION Are the walls sound and free from hazardous			
1.8	FLOOR CONDITION Is the floor sound and free from hazardous defects?			
1.9	LEAD PAINT Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10%			<input type="checkbox"/> Not Applicable
Item #	2. KITCHEN Description	DECISION		Repairs Required
		Yes, PASS	No, FAIL	
2.1	KITCHEN AREA PRESENT			
2.2	ELECTRICITY Is there at least <i>one</i> working electric outlet and <i>one</i> working, permanently installed light fixture?			
2.3	ELECTRICAL HAZARDS Is the kitchen free from electrical hazards?			
2.4	SECURITY Are <i>all</i> windows and doors that are accessible from the outside lockable?			
2.5	WINDOW CONDITION Are all windows free of signs of deterioration or missing or broken out panes?			
2.6	CEILING CONDITION Is the ceiling sound and free from hazardous			
2.7	WALL CONDITION Are the walls sound and free from hazardous			
2.8	FLOOR CONDITION Is the floor sound and free from hazardous			
2.9	LEAD PAINT Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more than 10% of a component?			<input type="checkbox"/> Not Applicable
2.10	STOVE OR RANGE WITH OVEN Is there a working oven and a stove (or range) with top burners that work?			
2.11	REFRIGERATOR Is there a refrigerator that works and maintains a temperature low enough so that food does not spoil over a reasonable period of time?			

2.12	SINK Is there a kitchen sink that works with hot and cold running water?			
2.13	SPACE FOR STORAGE AND PREPARATION OF FOOD Is there space to store and prepare food?			
	3. BATHROOM	DECISION		Repairs Required
Item #	Description	Yes, PASS	No, FAIL	
3.1	BATHROOM PRESENT			
3.2	ELECTRICITY Is there at least <i>one</i> permanently installed			
3.3	ELECTRICAL HAZARDS Is the bathroom free from electrical hazards?			
3.4	SECURITY Are <i>all</i> windows and doors that are accessible from the outside lockable?			
3.5	WINDOW CONDITION Are all windows free of signs of deterioration or missing or broken out panes?			
3.6	CEILING CONDITION Is the ceiling sound and free from hazardous			
3.7	WALL CONDITION Are the walls sound and free from			
3.8	FLOOR CONDITION Is the floor sound and free from hazardous			
3.9	LEAD PAINT Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed more than two square feet per from and/or is more			Not Applicable <input type="checkbox"/>
3.10	FLUSH TOILET IN ENCLOSED ROOM IN UNIT Is there a working toilet in the unit for exclusive private use of the tenant?			
3.11	FIXED WASH BASIN OR LAVATORY IN UNIT Is there a working, permanently installed wash basin with hot and cold			
3.12	TUB OR SHOWER IN UNIT Is there a working tub or shower with hot and cold running water in the unit?			
3.13	VENTILATION Are there operable windows or a working			
	4. OTHER ROOMS USED FOR LIVING OR HALLS	DECISION		Repairs Required
Item #	Description	Yes, PASS	No, FAIL	
4.1	ROOM CODE and ROOM LOCATION: right/left _____ front/rear _____ floor level _____	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom 6 = Other		

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4.2	ELECTRICITY If Room Code = 1, are there at least two working outlets or one working outlet and one working, permanently installed light fixture? If Room Code does not = 1, is there a means of illumination?			
4.3	ELECTRICAL HAZARDS Is the room free from electrical hazards?			
4.4	SECURITY Are <i>all</i> windows and doors that are accessible from the outside lockable?			
4.5	WINDOW CONDITION If Room Code = 1, is there at least one window? And, regardless of Room Code, are all windows free of signs of severe deterioration or missing OR broken			
4.6	CEILING CONDITION Is the ceiling sound and free from			
4.7	WALL CONDITION Are the walls sound and free from			
4.8	FLOOR CONDITION Is the floor sound and free from hazardous			
4.9	LEAD PAINT Are all painted surfaces free of deteriorated paint? If not, do			<input type="checkbox"/> Not Applicable
4.10	SMOKE DETECTORS Are smoke detectors in each room used for sleeping? Are they working?			
	4. OTHER ROOMS USED FOR LIVING OR HALLS	DECISION		Repairs Required
Item #	Description	Yes, PASS	No, FAIL	
4.1	ROOM CODE and ROOM LOCATION: right/left _____ front/rear _____ floor level _____	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of room) 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom		
4.2	ELECTRICITY			
4.3	ELECTRICAL HAZARDS			
4.4	SECURITY			
4.5	WINDOW CONDITION			
4.6	CEILING CONDITION			
4.7	WALL CONDITION			
4.8	FLOOR CONDITION			
4.9	LEAD PAINT			<input type="checkbox"/> Not Applicable
4.10	SMOKE DETECTORS			
	4. OTHER ROOMS USED FOR LIVING OR HALLS	DECISION		Repairs Required
Item #	Description	Yes, PASS	No, FAIL	

4.1	ROOM CODE and ROOM LOCATION: right/left _____ front/rear _____ floor level _____	ROOM CODES 1 = Bedroom or any other room used for sleeping (regardless of type of room) 2 = Dining Room, or Dining Area 3 = Second Living Room, Family Room, Den, Playroom, TV Room 4 = Entrance Halls, Corridors, Halls, Staircases 5 = Additional Bathroom 6 = Other		
4.2	ELECTRICITY			
4.3	ELECTRICAL HAZARDS			
4.4	SECURITY			
4.5	WINDOW CONDITION			
4.6	CEILING CONDITION			
4.7	WALL CONDITION			
4.8	FLOOR CONDITION			
4.9	LEAD PAINT			<input type="checkbox"/> Not Applicable
4.10	SMOKE DETECTORS			
Item #	Description	DECISION		Repairs Required
		Yes, PASS	No, FAIL	
5.1	NONE. GO TO PART 6			
5.2	SECURITY Are <i>all</i> windows and doors that are accessible from the outside lockable in			
5.3	ELECTRICAL HAZARDS Are all these rooms free from electrical			
5.4	OTHER POTENTIALLY HAZARDOUS FEATURES IN ANY OF THESE ROOMS Are all of these rooms free of any other potentially hazardous features? For each room with an "other potentially			
Item #	Description	DECISION		Repairs Required
		Yes, PASS	No, FAIL	
6.1	CONDITION OF FOUNDATION Is the foundation sound and free from			
6.2	CONDITION OF STAIRS, RAILS, AND PORCHES Are all the exterior stairs, rails and porches sound and free from hazards?			
6.3	CONDITION OF ROOF AND GUTTERS Are the roof, gutters and downspouts sound and free from hazards?			
6.4	CONDITION OF EXTERIOR SURFACES Are exterior surfaces sound and free from			
6.5	CONDITION OF CHIMNEY Is the chimney sound and free from			
6.6	LEAD PAINT: EXTERIOR SURFACES Are all painted surfaces free of deteriorated paint? If not, do deteriorated surfaces exceed			<input type="checkbox"/> Not Applicable
6.7	MANUFACTURED HOMES: TIE DOWNS If the unit is a mobile home, it is properly placed and tied down? If not a mobile home, check Not Applicable.			
7.	HEATING, PLUMBING AND	DECISION		

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Item #	Description	Yes, PASS	No, FAIL	Repairs Required
7.1	ADEQUACY OF HEATING EQUIPMENT a. Is the heating equipment capable of providing adequate heat (either directly or indirectly) to all rooms b. Is the heating equipment oversized by more than 15%? c. Are pipes and ducts located in unconditioned space insulated?			
7.2	SAFETY OF HEATING EQUIPMENT Is the unit free from unvented fuel burning			
7.3	VENTILATION AND ADEQUACY OF COOLING Does this unit have adequate ventilation and cooling by means of operable windows or a			
7.4	HOT WATER HEATER Is hot water heater located, equipped, and installed in a safe manner?			
7.5	WATER SUPPLY Is the unit served by an approvable public or private sanitary water supply?			
7.6	PLUMBING Is plumbing free from major leaks or corrosion that causes serious and			
7.7	SEWER CONNECTION Is plumbing connected to an approvable			
	8. GENERAL HEALTH AND SAFETY	DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
8.1	ACCESS TO UNIT Can the unit be entered without having to go through			
8.2	EXITS: Is there an acceptable fire exit from this building that is not blocked?			
8.3	EVIDENCE OF INFESTATION Is the unit free from rats or severe infestation by mice or vermin?			
8.4	GARBAGE AND DEBRIS Is the unit free from heavy accumulation of garbage or debris inside and outside?			
8.5	REFUSE DISPOSAL Are there adequate covered facilities for temporary storage and disposal of food			
8.6	INTERIOR STAIRS AND COMMON HALLS Are interior stairs and common halls free from hazards to the occupant because of loose, broken or missing steps on			
8.7	OTHER INTERIOR HAZARDS Is the interior of the unit free from any other hazards not specifically identified			
8.8	ELEVATORS Are they working and safe?			

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8.9	INTERIOR AIR QUALITY Is the unit free from abnormally high levels of air pollution from vehicular exhaust, sewer gas, fuel gas, dust, or other pollutants?			
8.10	SITE AND NEIGHBORHOOD CONDITIONS Are the site and immediate neighborhood free			
8.11	LEAD PAINT: OWNER CERTIFICATION If the owner of the unit is required to treat or cover any interior or exterior surfaces, has the certification of			<input type="checkbox"/> Not Applicable
9. MISCELLANEOUS		DECISION		
Item #	Description	Yes, PASS	No, FAIL	Repairs Required
9.1	Is there sufficient sleeping place for each individual?			
9.2	Is there adequate natural or artificial illumination to permit activities in the home?			
9.3	Is home and equipment maintained in a sanitary condition?			

Summary of Repairs Needed:

Item Number:	Repair Needed:

Owner/Manager's Signature:

Rental Assistance Agreement Letter

(click [here](#) to return to relevant section of the manual)

(date)

(landlord address)

_____ (Head of Household) has been approved to receive temporary financial assistance through the Emergency Solutions Grant program. The program is designed to help the participant secure and/or retain housing and be a successful tenant. Our agency will maintain regular contact during his/her time in the program to assist him/her with any problems related to his/her housing or tenancy. The program does not, however, assume any responsibility for the tenant's rent or for compliance with the lease. The tenant is fully responsible for complying with the terms of the lease he/she has with you.

The person named above has been approved for assistance with (check all that apply):

- A rental deposit in the amount of \$ _____
- A short-term rent subsidy in the amount of \$ _____ (currently approved until _____

date. This subsidy may be extended at the program's discretion)

- Assistance with past due rent in the amount of \$ _____

All other payments under the terms of the lease are the responsibility of the tenant.

[Name of Housing Agency] _____, will provide the above housing assistance payments to you beginning [date]. By signing below, you agree to apply all payments you receive on the tenant's behalf toward the specified housing-related costs on the check. The termination of housing assistance payments shall not affect the household's other rights under the lease.

The tenant is required to notify us if he or she moves; however, if you ever receive a subsidy check for a tenant who has moved, it is your responsibility to return the check to us. Financial assistance from this program can only be used toward the housing-related costs of the tenant named above while he/she resides in your housing. You also must notify us if during the term of this agreement you notify the tenant to vacate or if you lodge any complaint under state or local law to commence an eviction.

You are welcome to contact me if you have any questions or concerns regarding the program or this tenant's housing. [name, title at 510 XXX-XXXX or [housing specialist @ agency.org](mailto:housing.specialist@agency.org)]. Thank you for working with us.

Sincerely,

I have read this agreement and I agree to accept payments on behalf of the tenant listed above as described in this letter. I have provided a W-9 form to the agency.

Property Owner/Property Manager Name: _____

Signature: _____ **Date:** _____

Three Month Reassessment of Eligibility

(click [here](#) to return to relevant section of the manual)

Reassessment Date: ____ / ____ / ____

Staff Name: _____

Agency: _____

Program: ESG FRHP PRCS Other: _____

Head of Household Name: _____

Service Point ID: _____



Before beginning this Reassessment form, collect copies of updated income documentation for the household.

Has there been a change in address or phone since the last assessment?

- No Change
- Address and/or phone has changed; new information below **(Enter into HMIS Housing Sub-assessment)**

Current STREET Address: _____ Apartment or Unit Number: ____

City: _____ State: _____ Zip: _____

Phone Number: _____ Alternate Phone: _____


Start Date (Date moved into Permanent Housing) ____ / ____ / ____

- a) Total Household Members living/will live at this address: ____
- b) Total ADULTS living/will live at this address: ____
- c) Total CHILDREN living/will live at this address ____ (NOTE: a - b = c)

Time in Program

Has household **a)** received 24 months of ESG assistance in last 36 months or **b)** exceeded other program time limits?

- Yes No

 **If household has exceeded eligible time in program, record the determination below, and complete the HMIS Exit Form for all adults.**

Income Status Eligibility (Complete the income reassessment form attached for each adult and enter into HMIS)

What is the total gross household monthly income (include all household members)? \$ ____

What is the total gross household annual income? \$ _____ (monthly amount x 12)

Using the chart below, circle the household size and determine the percent of Area Median Income (AMI)

Household Size	1	2	3	4	5	6
30% AMI	\$26,050	\$29,750	\$33,450	\$37,150	\$40,150	\$43,100
31-50% AMI	\$43,400	\$49,600	\$55,800	\$61,950	\$66,950	\$71,900

AMI information current as of 2019

Please check the household's current income status AND the documentation attached

- No Income

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1-30% AMI

31-50% AMI

Over 50% AMI

Copy of Payment
Statement / Benefit
Notice

Alimony, spousal
or child support

GA, SSI, SSDI, or
TANF

Private Disability

Pension /
Retirement

Unemployment
or Workers'
Comp

Interest /
Dividend Income

Copy of Pay Stubs

Earned Income

Copy of Federal or
State Tax Return

Self-Employment
Income Self-
Certification

No Income

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If household has income greater than 30% of Median Income for the ESG program, or greater than 50% of AMI for the PRCS or FRHP program, discontinue assistance. Record the determination below, and complete the Exit Form for all adults.

Is household receiving now or going to begin to receive a housing subsidy from another program?

Yes

No

Subsidy: _____ Start date: /_____/_____



If household receives another subsidy, household is not eligible for continued *financial* assistance at the same time.

Household may continue to receive supportive services if needed to prevent homelessness. Skip to Housing Stability Plan

Progress.

Rent as Portion of Income

Is the household receiving Financial Assistance to remain housed? Yes

No

What is the **TOTAL** monthly rent? ___ (the total rent, *not the portion currently paid by tenant*) Rent to Income ratio:

$$\frac{\text{Total Monthly Rent (\underline{\hspace{2cm}})}{\text{Gross Monthly Household Income (\underline{\hspace{2cm}})}} \times 100 = \underline{\hspace{2cm}} \%$$



Housing Stability Plan Progress

Progress toward Obtaining or Maintaining Appropriate Housing:

- Achieved and Complete Making adequate progress Not making adequate progress

Progress toward Income or Employment Goals:

- Achieved and Complete Making adequate progress Not making adequate progress Does Not Apply

Progress toward Other Stability Goals:

- Achieved and Complete Making adequate progress Not making adequate progress Does Not Apply

Comments on Plan Progress, Accomplishments and Barriers:

Does household have financial resources and/or support networks that can help them gain/remain in housing?



If household has other resources or support networks that can help them gain or remain in housing that are adequate to secure their housing, **discontinue assistance**. Record the determination below, and complete the HMIS Exit Form for all adults.

RESULT OF REASSESSMENT:

Discontinuing Program Assistance:

- Received maximum permitted assistance
- Over Income
- Below targeted rent to
- Receiving housing income ratio and does not subsidy and does not require services.
- Completed Housing Stability Plan Goals
- Has other resources

Continuing Assistance:

- Continue housing stability if income has changed
- Continue financial assistance, revise/update housing stabilization plan and prepare new budget
- New Budget (if applicable)

Attached:

- Revised Housing Stability Plan

*After completing the reassessment of eligibility, I have been informed that I/my household am/are eligible for continued assistance from this program. I understand that my participation agreement remains in force and that a new stability plan, budget and financial contribution may be required. I understand that I will be reassessed again within three months **or less** and that assistance may be discontinued at any time.*

Head of Household Signature: _____

Date: _____

Staff member signature: _____

Date: _____

3 MO. INCOMEREASSESSMENT FORM

Assessment Date: _____/_____/_____ (For backdate mode) ServicePoint ID# _____
 Program/Provider: _____

Client Profile

First: _____ Middle: _____ Last: _____ Suffix: _____

Monthly Income	Non-Cash Benefits																																											
Have you received income from any source in the past 30 days? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Don't Know <input type="checkbox"/> Refused	Have you received any of the non-cash benefits listed below in the past 30 days? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Don't Know <input type="checkbox"/> Refused																																											
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Total monthly income \$ _____ .00

Complete one income reassessment for each adult in the household and combine for total household income for program reassessment purposes.

Notification of Termination of ESG Assistance

(click [here](#) to return to relevant section of the manual)

You/your household has violated the terms of your ESG Participation Agreement, signed by _____ on _____(date.) The program violation(s) consist of

The program is hereby advising you that as _____ no further of _____/_____/_____

- financial assistance
- housing stabilization services

Will be provided to you/your household.

You/your household will be solely responsible for covering all housing/utility costs as of that date.

_____(Staff signature) _____(Date)

I have reviewed and authorized this notification:

(Supervisor signature and date)

Procedure for due process: If you disagree with this determination, you may request a review of this decision within 10 days of the date of this notice by making a request **in writing*** to:

{Job title}
{Address}
{Address}

The {job title} will review your request and may investigate your claims, ask to interview you, members of your household, your landlord, or call a hearing with yourself, agency staff and any others that may be needed to review this decision. The {job title} must review your request and make a final determination within 14 calendar days. A written notice of the final decision will be provided to you.

**Reasonable accommodation: If you are unable to prepare a request in writing due to a disability and need a reasonable accommodation, you may request a specific accommodation, such as assistance in preparing the request, from the program manager or another staff member.*



Appendix Part III: Monitoring of Subrecipients



City of Berkeley
Contract Monitoring Guide
Agency Administrative Review
 Housing and Community Services Department
 2180 Milvia Street/2nd Floor
 Berkeley, CA 94704

1. General Information

Agency:	
Address:	
Phone:	
Date of Last Visit:	Review file for last monitoring. Make note of findings.
Visit Date:	Later summer – fall. Done by end of November for RFP
Contract Number:	
Monitoring Review Period:	1st year of a two year contract
Amount of Contract:	
Funding Sources:	
Agency Staff Interviewed During Visit:	
(Name and Job Title)	Executive Director, Operations Director, HR Director
Monitoring Type:	

2. Administration

A. Contract Review	Y	N	N/A	Comments
1. Are copies of current contracts, subcontracts and amendments kept on file at agency for review? (If no, note where items are kept.)				
2. Has agency submitted reports, invoices, and other required materials on a timely basis? (If no, state actions taken to resolve problem.)				Monitor check prior to visit.
3. 501(c)(3) Letter of Determination uploaded in CDS?				“ “
4. Is the agency in good standing with the State of CA? https://www.ftb.ca.gov/businesses/Exempt_organizations/Entity_list.shtml				“ “
5. Is the agency in good standing with the IRS? IRS Agency Check https://www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations-Select-Check				“ “
6. Articles of Incorporation uploaded in CDS?				“ “
7. Agency By-Laws uploaded in CDS?				“ “
8. Authorized Signatory uploaded in CDS?				“ “
9. Berkeley Business License uploaded in CDS?				“ “
10. Certificates of Insurance uploaded in CDS?: (Article 12.C.)				“ “
a. Workers' Compensation				“ “
b. General Liability, including Endorsement Certificate				“ “
c. Vehicle				“ “

B. Agency Policy and Procedures	Y	N	N/A	Comments
1. Does the agency have an Operations Manual?				Ask for copy if not on file.
2. Is the agency's current organizational chart on file?				Monitor check prior to visit.
3. Is the agency's current Non-discrimination Assurance Policy on file? (See City Ordinance No. 5876 N.S. and Americans with Disabilities Act of 1990, Civil Rights, Housing & Community Development, and Age Discrimination Acts, Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and others listed in COB contract Articles 13.A.5&6. & 21.)				“ “
4. Is the Agency's Written Conflict of Interest Policy with				“ “

B. Agency Policy and Procedures	Y	N	N/A	Comments
appropriate safeguards in place on file? (See 2 CFR Part 215.42) (Article 15.) “ https://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a110/2cfr215-0.pdf				
5. Have there been any problems with conflicts of interest within the agency? (If yes, explain how agency has addressed the conflict.)				

C. Board of Directors Review (reference: Brown Act, By Laws)	Y	N	N/A	Comments
1. What is the date of the last board meeting?				Check for on-site copies.
2. How many meetings were held during the contract review period? Is the number of meetings in compliance with the Agency's By-Laws?				
3. Is a current list of Board Members (Board Roster) on file with HCS?				Monitor check prior to visit.
a. Does the board composition comply with Agency by-laws? (Contact information, titles, committees, low- income representatives, etc.)				
4. Is there a copy of agenda and board minutes for each meeting on file at agency? (If no, explain.)				
5. Has the Board or board committee members conducted any closed meetings, Executive Sessions or special meetings during contract review period? (If yes, explain.)				
6. Describe any strategic planning/organizational development activities undertaken since last visit in comments section.				

Monitoring Results: Administration			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

3. Personnel Management

A. Personnel Management	Y	N	N/A	Comments
1. Does the agency have a personnel manual with clear and comprehensive policies and procedures?				
a. If yes, does the manual contain an employee grievance procedure?				
2. Does the agency require all of its employees to sign a code of conduct or conflict of interest statement? (Article 15.)				
3. Does the agency service clients under the age of 18? If yes, does the agency have a policy and procedure for complying with the following requirements:				
a. TB Testing (Article 17.B.)				
b. Criminal Background Check (Article 17.A.)				
c. Is the agency's Child Abuse Reporting Policy on File? (Agencies with Mandated Reporters only.)				
4. Does the agency have an Adult Abuse Report policy on file? (Agencies with Mandated reporters only.)				
5. Are current job descriptions prepared for all COB				Obtain any new/updated documents.

A. Personnel Management	Y	N	N/A	Comments
positions? Are they on file? (Article 6.)				
6. Are the resumes of all staff included in the COB contract budget/Statement of Expense reports on file? (Article 1.A.)				Check all, within reason. Some exceptions may apply (such as rotating clinical staff).
7. Was there any violation to the City's Employment of Near Relatives Policy during the review period?				
a. Waiver Requested?				
b. Waiver Approved?				
c. If yes, explain the exception and how the agency is managing the personnel functions of employees involved.				
8. Are there significant staff vacancies for the program? (Explain.)				
9. Does the agency adequately supervise staff? (Describe the method.)				Describe method and frequencies.
10. Does the agency provide staff development and training? (Describe the efforts.)				
11. Does the agency conduct regular staff meetings to coordinate program activities? (Provide the frequency.)				
12. Does the agency make efforts to hire Berkeley residents, patronize Berkeley businesses, and/or hire women- and minority-owned business?				

Monitoring Results: Personnel Management			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

4. Agency Strengths

Note agency strengths below:
1.
2.
3.
4.

Contract Monitor

Date

Division Manager

Date



**City of Berkeley
Contract Monitoring Guide
Program Review**

Housing and Community Services Department
2180 Milvia Street/2nd Floor
Berkeley, CA 94704

1. General Information

Agency:	
Program Name:	
Address:	
Phone:	
Date of Last Visit:	
Visit Date:	
Contract Number:	
Monitoring Review Period:	
Amount of Contract:	
Funding Sources:	
Agency Staff Interviewed During Visit:	
(Name and Job Title)	Program Manager, Case Manager, line staff, etc.
Monitoring Type:	

2. Resource Coordination *(complete this section for each program reviewed)*

A. Volunteer Resources	Y	N	N/A	Comments
1. Does the program seek and receive volunteer support from the local community or past clients? (describe how services are documented in comments)				

B. Collaboration	Y	N	N/A	Comments
1. Does the program have a mutual referral system established with other CBO's?				
2. Does the agency/program participate in other collaborations to maximize services/minimize duplication of services?				
3. If the program is required to collaborate with other COB funded agencies, do they have supporting documentation providing evidence of this collaboration and/or referral system?				

Monitoring Results: Resource Coordination			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

3. Facility Safety *(complete this section for each program reviewed)*

A. Safety	Y	N	N/A	Comments
1. Does the program site(s) have an Emergency Evacuation Plan?				
2. Does the program have a First Aid kit on site(s)?				
3. Does the agency/program have a Disaster Response Plan?				
4. Are relevant material safety data sheets (MSDS)				

A. Safety	Y	N	N/A	Comments
sheets posted on site?				

Monitoring Results: Facility Safety			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

4. Client Services (complete this section for each program reviewed)

A. Outreach	Y	N	N/A	Comments
1. Does the agency/program conduct outreach to inform potentially eligible recipients of available assistance? Note what type of outreach below.				
a. Public Services Announcements				
b. Presentations				
c. Mail				
d. Flyers				
e. Brochures/Pamphlets				
f. Internet				
g. Other				
2. Are outreach materials available in languages other than English? (Note other languages if applicable.)				

B. Program Accessibility	Y	N	N/A	Comments
1. Is the program's facility close to public transit?				
2. Is the program's facility accessible to clients with disabilities?				ADA checklist and other resources available for agencies in monitor tools.
3. Are the program hours accessible to the desired population?				
4. Did the agency maintain records regarding the implementation of procedures intended to:				
a. Advertise the eligibility of facilities and services on a non-discriminatory basis to all persons regardless of race, color, religion, sex, age, national origin, familial status and disability? (Obtain copy.)				
b. Make available to interested persons information concerning the availability and location of services and facilities accessible to persons with disabilities?				

C. Policies and Procedures	Y	N	N/A	Comments
1. Does the program have a written "policies and procedures" manual? Does this manual include how clients engage with the program?				Monitor review available information prior to visit for full discussion during visit.
2. Does the program have a written policy that provides a clear description of eligibility criteria for program services? (If yes, obtain copy.)				“ “
3. Is there a process or procedure by which higher-level management (supervisor) reviews documentation of services delivered for each client, as well as eligibility determinations?				“ “

C. Policies and Procedures	Y	N	N/A	Comments
4. Does the agency have a written statement of client rights?				“ “
5. Does the agency have a written client grievance policy and procedure? (Obtain a copy.)				“ “
a. Does this policy and procedure include denial of services or termination of a client’s participation in services?				“ “
b. Does this policy include appeals for clients who have been denied services? (If yes, obtain a copy.)				“ “
c. How and when are clients provided a copy of the policy? (I.e.: enrollment, intake, denial of service?)				“ “
d. Is a signed copy kept in the client file?				“ “
e. Is the policy reviewed at intake?				“ “
f. Is the policy posted on site?				“ “
g. Is the policy easy to understand?				“ “
h. Does the policy describe how to initiate appeals?				“ “
i. Does the policy include a clear description of staff positions and contact information?				“ “
j. Does the policy include timelines for appeal and appeal response at each stage of the appeal?				“ “
k. Is the client informed in writing of the result of the appeal at each stage of the appeal?				“ “
l. Does the policy allow for an advocate or other assistance to file grievance/appeal?				“ “
m. Are clients provided a written notice when denied services explaining the reason for denial?				“ “
n. Does the written notice provide the appeal process?				“ “
6. How are grievances tracked by the agency?				
a. Have any grievances been filed against the agency in the period?				
b. If yes, how many?				

D. Client Files	Y	N	N/A	Comments
1. Are adequate files maintained to document services provided to each client?				Obtain a list of clients prior to visit and/or alert program to have this available in order to identify the client files to review (min. 10% or 10 count).
2. Do the files include adequate documentation of program eligibility?				
3. Do the files contain adequate documentation of income level? Note below which method the agency uses to document income:				
a. Income verified through copies of paychecks or verification from other income source				
b. Income verified through self-certification				
c. Income verified through classification in a presumed category.				
4. If the agency uses the presumed category, does the client file demonstrate that the service provided is limited to one or a combination of the 8 population				

D. Client Files	Y	N	N/A	Comments
segments presumed to be low- and moderate-income by HUD: (Note which categories apply below.)				
a. Abused children				
b. Battered spouses				
c. Elderly persons				
d. Adults meeting the Bureau of Census' Population Report definition of "severely disabled" that applied at the time of this review				
e. Homeless persons				
f. Illiterate adults				
g. Persons living with AIDS				
h. Migrant farm workers				
5. Do the client files include adequate documentation of client contacts, referrals made, and progress in reaching client goals and appropriate service outcomes?				
6. Does the agency charge rent/fees to clients?				
a. If yes, described how rent/fee is calculated in the comments section.				
b. Does the client file indicate that client rents/fees were charged correctly?				
7. Are client files kept in a secure and locked manner to ensure confidentiality?				
8. Are computerized client files kept in a secure manner to ensure confidentiality?				
9. Does the agency have an electronic data backup system?				
10. What is the agency's policies and procedures related to retaining client files? Is the agency complying with Article 6 of the contract and retaining files for a minimum of 5 years?				
11. How are client files destroyed?				

E. Payee and Money Management Services	Y	N	N/A	Comments
1. Does the agency provide payee or money management services? (If NO, skip section)				
2. Does the agency have written policies on how these services are provided? (Obtain copy.)				
3. Can the agency demonstrate client fund balance, both aggregate fund balance and individual client balance?				
4. Does the agency have a bank statement for accounts?				
5. What is the frequency of reconciliation? Please provide the last date of reconciliation.				
6. Is there supporting documentation for expenses paid on behalf of the client?				
7. Are there records of client approval of expenses paid on his/her behalf?				
8. Are any cash, checks and other fiscal records kept in a secure, locked location?				
9. Are financial services managed by more than one person (separation of duties)? (Describe.)				

F. Shelter Plus Care Matching Services	Y	N	N/A	Comments
1. Does the agency provide services to City of Berkeley Shelter Plus Care clients? (If NO, skip section)				Needs to be yes. Coordinate with S+C staff for policies and procedures.
2. Does the agency provide matching services to City's				" "

Shelter Plus Care program?				
3. How is the agency's matching services calculated? (describe in the comments section)				“ “
4. Does the agency have on-site support for previously-submitted match reports?				“ “

Monitoring Results: Client Services			
Total Number of Files: _____	Total Number of Files Reviewed: _____		
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding/Concern Resolved? (Y/N)
1.			
2.			

5. Program Reporting and Evaluation *(complete this section for each program reviewed)*

A. Program Reporting (Article 7.)	Y	N	N/A	Comments
1. Were Program Reports submitted on or before due date?				
2. Were the reports accurate?				

B. Program Outcomes				
1. Do more than 51% of clients served have incomes below 80% of Area Median Income? http://www.hcd.ca.gov/				Print out program reports.
2. Has the agency accomplished the outcomes goals as stipulated in the contract? (If no, explain.)				
3. Does the agency have adequate back-up documentation for the outcomes reported in the (client) file? (If yes, describe documentation method in comments. If no, explain why.)				
4. Has the agency accomplished the service measures as stipulated in the contract? (If no, explain.)				
5. Does the agency have adequate back-up documentation for the service measures reported in the (client) file? (If yes, describe documentation method. If no, explain why.)				
6. Does the agency make additional efforts to monitor and evaluate the effectiveness of agency services? Explain how in the comments section.				

Monitoring Results: Program Outcomes			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

6. Rehab Services (complete this section for each rehab program reviewed)

A. Single Family	Y	N	N/A	Comments
1. Does the project file for the CDBG assistance provide a full description sufficient to show that the activity is eligible and has been properly classified under Subpart C of Part 570? [24 CFR 570.506(a)]				
2. Is there documentation that shows that the applicant is low- and moderate-income, based on the applicant's household size and household income at the time the assistance was provided? [24 CFR 570.208(a)(3) and 24 CFR 570.506(b)(4)(iii)]				
3. Is there a copy of a written agreement (lease) between the program participant and the landlord receiving CDBG assistance? [24 CFR 570.506(b)(4)(i)]				
4. Is there a copy of an initial property inspection on file?				
5. Does the file contain a Work Write-Up and Cost Estimate that addresses the issues raised in the initial inspection?				
6. Is there a contract between the owner and the subrecipient, or the owner and the contractor in the file, which contains either: (i) a list of all of the work to be performed, or (ii) refer to some other document (e.g., a work write-up) that lists all of the work to be performed?				
7. Was a local building permit obtained for the job? Did the building official sign off on the permit, indicating that the work was completed?				
8. If applicable, were Davis-Bacon requirements met?				
9. Were the environmental requirements at Part 58 met?				

B. Other	Y	N	N/A	Comments
1.				

Monitoring Results: Rehab Services			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

7. Program Strengths

Note program strengths below:
1.
2.
3.
4.

Contract Monitor

Date

Division Manager

Date



**City of Berkeley
Contract Monitoring Guide
Financial Services Review**

Housing and Community Services Department
2180 Milvia Street/2nd Floor
Berkeley, CA 94704

1. General Information

Agency:	
Address:	
Phone:	
Date of Last Visit:	
Visit Date:	
Contract Number:	
Monitoring Review Period:	
Amount of Contract:	
Funding Sources:	
Agency Staff Interviewed During Visit:	
(Name and Job Title)	Executive Director, Financial Officer, Accountant, etc.
Monitoring Type:	

2. Financial Management

A. Fiscal Policies and Procedures (Article 8.)	Y	N	N/A	Comments
1. Does the Agency have clear and comprehensive fiscal policies and procedures?				
2. If yes, do they include the following key internal controls?				
a. Do the policies include procedures for determining the reasonableness, allowability, and allocability of costs?				
b. A fiscal records retention policy that complies with the 5-year minimum retention policy listed in the COB Contract. (Article 6.)				
c. How does the agency assure security of agency funds and property so they are used solely for authorized purposes? (Article 8.) Provide onsite confirmation.				Check for red flag items like petty cash box, cash/credit cards, valuable equipment, etc.
d. Adequate segregation of duties?				
e. Do the policies outline who is authorized to approve financial transactions?				Segregation of duties.
f. How does the Agency secure storage of assets, blank checks, and confidential documents. Provide onsite confirmation.				Agency should submit a list of assets at 4th quarter (in CDS).

B. Record Keeping (Article 6 & 8.)	Y	N	N/A	Comments
1. What is the agency's basis for accounting? (Note in comments: Cash, Accrual, Modified Accrual, Other.)				See glossary of accounting terms in monitoring tools.
2. Are books of accounts and financial statements prepared in-house, and supported by a clear and comprehensive accounting manual? (If no, note where in comments.)				Obtain a copy.
3. Does the financial system contain sufficient information and reflect proper accounting treatment of financial transactions, including:				
a. Bank accounts and cash balances?				
b. Disbursement details, including date, payee,				

B. Record Keeping (Article 6 & 8.)	Y	N	N/A	Comments
name, account, expense classification, and other relevant information?				
c. Segregation of funds from different sources? Does agency have existing standard financial record keeping system to be used for accounting for grant/COB contract funds? (Article 6.A.3.a & 8.A. in COB contract.)				
d. Comparison of expense against budgets? (Article 8.A. & 8.C. in COB contract.)				
e. Initial records and subsequent clearing of cash advances?				
f. Accrual of expenditures to match costs to proper period (if accrual method is used).				

C. Financial Reports (Article 6.)	Y	N	N/A	Comments
1. Are financial records (including balance sheet and statement of revenue and expense) reconciled, maintained, up-to-date, and reviewed by Executive Director on a monthly basis? (Note the frequency.)				
2. Does the Board review the financial reports? (Note the frequency.)				
3. Are the financial statements audited by an independent account? Or has the agency been monitored by any other funder during the period? (Note date of most recent Audited Financial Statement in comments.)				
a. If yes, were there any findings? (Findings must be included in City Desk Audit and their resolution tracked.)				
b. Did the agency correct the findings? (Note how corrected.)				
4. If the agency was not independently audited, were year-end financial statements prepared and available for review?				
5. Did the Agency receive more than \$750,000 in federal funds during the review period? 2 CFR Part 200.501. https://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf				
a. If so, what is the date of the Agency's most recent Single Audit? Please provide a copy. Search Audit Database here: https://harvester.census.gov/facdissem/main.aspx				

D. Cash/Check Handling	Y	N	N/A	Comments
1. Are disbursements properly authorized prior to check issuance or cash outlay?				
2. Is there proper segregation of duties for signing checks and withdrawing sub-grant funds?				
3. Were checks signed by authorized signatories?				
4. Were invoices marked "paid" to avoid double payment?				
5. Are bank accounts reconciled monthly? (Note frequency and responsible staff.)				
6. Are bank reconciliation statements reviewed by appropriate staff? (Note responsible staff.)				
7. Are petty cash balances kept at the office premises?				

D. Cash/Check Handling	Y	N	N/A	Comments
Provide Policies & Procedures. (Note size of petty cash fund.)				
a. How often was petty cash fund count conducted?				
b. Was petty cash fund count conducted by someone other than the person handling the fund?				
c. Was individual handling the petty cash fund different from the staff authorizing replenishment of petty cash?				

E. Procurement/Commodity Tracking (Articles 9 & 11.)	Y	N	N/A	Comments
1. Does the agency have clear and comprehensive written procurement policies and procedures that are aligned with the COB contract, Article 11, as it relates to OMB 2 CFR Part 215.40? Website: https://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a110/2cfr215-0.pdf				Obtain a copy.
2. Does the agency require competitive bidding for all major (over \$5,000) procurement?				
a. Is the bidding process adequately documented? Provide documentation.				
b. Are the functions for solicitation and evaluation of bids separate from the selection of winning bid? Is there evidence of proper separation of duties?				
3. Has the agency purchased any equipment valued at over \$600 with COB funds? (Article 9.)				
a. Were the purchases approved as part of the contract budget? If no, agencies need written approval and must add the item to the equipment inventory located at the bottom of the Q4 SOE.				
4. If applicable, has the agency submitted an equipment inventory along with their Q4 SOE?				
5. Has the agency disposed of any property paid for with COB funds during the period? (Article 9.)				
a. If so, how was the property disposed of and did the agency follow the use and disposition requirements contained in Article 9 of the COB contract?				
6. Does the agency have a fixed assets listing/equipment inventory containing sufficient information to identify items acquired by grant/contract funds?				
7. Does the agency subcontract with other agencies or vendors? (If no, skip to next section.)				
a. Do written agreements contain provisions which allow for legal remedies in case of breach of contract and for termination in case of default or other similar instance?				
b. Does the agency have an appropriate and adequate record-keeping system for monitoring its sub-grant-related activities?				Example: financial reports, statements of expenses, timesheets.

3. City of Berkeley Reporting

A. Budget Review	Y	N	N/A	Comments
1. What is the agency's total budget for the current year? (Note amount.)				Cross check with contract.
2. Did the agency/program expenditures stay on track with the expenditure budget in the contract?				Print out SOEs. Check for budget modifications.

B. Statement of Expense (SOE) Reporting and Advance Payment (AP) Requests (Article 7.)	Y	N	N/A	Comments
1. Are requests for advances/reimbursements prepared, reviewed and approved properly and submitted by required deadlines?				
2. Are financial reports prepared, reviewed and approved properly and submitted by required deadline?				
3. In the period under review, were the SOEs accurate?				Typical review period is 4th quarter.
4. Are receiving reports and inventory records used to evidence receipt of commodities and supplies?				Supplies tracking sheet. Can review this as SOE line item.
5. Are shared direct costs allocated to funding sources?				Needs to be yes. Ask for the cost allocation plan.
a. If yes, is the method for allocated shared direct costs documented?				Obtain related documents. If no, this is a finding to be corrected.

C. Line Item #1: Salaries and Payroll (Article 6 & 23.)	Y	N	N/A	Comments
1. Does the agency have an appropriate and adequate timecard/reporting systems for hours worked?				
2. Was the payroll register/ledger available for review?				Use <i>Payroll Worksheet</i> in monitoring tools. Accrued (payroll) vs. taken leave (timecards) tracking.
3. Did timecards reflect distribution of hours worked by fund? Specifically, does the timesheet include distribution of hours of hours charged to the City of Berkeley contract?				See sample timecards in monitoring tools.
a. Were timecards signed by the employee?				
b. Were timecards approved by the supervisor?				
4. Are salary rates consistent with the contract rate schedule?				Refer to contract budget.
5. Were fringe benefits such as medical and dental insurance supported by invoices and agency payments towards invoice?				Ask to see invoices and/or payroll docs.
6. Are all payroll deductions remitted to the appropriate government agency on a timely basis?				Found in check/payroll register.
a. Did the agency pay Berkeley Living Wage for all applicable positions funded under this program? (Article 23.)				
b. Living Wage Ordinance (2016) http://www.ci.berkeley.ca.us/Finance/Home/Endors_Living_Wage_Ordinance.aspx				Make sure these rates are correct prior to your visit.
i. Without Benefits: \$16.37				
ii. With Benefits: \$14.04				
c. Did the agency pay Berkeley Minimum Wage for all positions funded under this program? http://www.cityofberkeley.info/MWO/				Make sure these rates are correct prior to your visit.
i. Minimum wage in Berkeley \$11, effective Oct. 1, 2015, \$12.50 effective Oct. 1, 2016.				
7. Was the agency in compliance with the Equal Benefit Ordinance? (Article 24.)				Self-certification with signatory document on file.

C. Line Item #1: Salaries and Payroll (Article 6 & 23.)	Y	N	N/A	Comments
8. Have any bonuses been paid to employees with City funds? (If yes, please explain.) (Article 16.)				COB does not allow for City funds paid in bonus. Red flag.
9. Are appropriate documents or vouchers prepared and signed by the recipient of the payroll funds?				
a. Do those vouchers clearly indicate the rate and period covered by the payroll payment?				

D. Line Item #2: Example: Client expenses/cash-like \$	Y	N	N/A	Comments
1. Are expenses fully supported by invoices, receipts, or similar documents?				See <i>Sampling of Expenses</i> worksheet in monitor tools. Check 10% or min. of 10 charges in category.
2. Other				

E. Line Item #3: Review past file for prior items of concern	Y	N	N/A	Comments
1. Are expenses fully supported by invoices, receipts, or similar documents?				See <i>Sampling of Expenses</i> worksheet in monitor tools. Check 10% or min. of 10 charges in category.
2. Other				

Monitoring Results: Financial Management			
Finding, Concern or Recommendation	Correction Action Needed (For Findings and Concerns only)	Deadline for Corrective Action	Finding or Concern Resolved? (Y/N)
1.			
2.			

4. Strengths

Note agency financial management strengths below:
1.
2.
3.
4.

Contract Monitor

Date

Division Manager

Date

Sampling of Expenses

Program						
Total Number of charges						
Sampling Number: (10% of total charges or minimum 10 records)						
Date	Check Number	Payee	Type of Expense	Are there supports for check? (y/n)	Is expense Allowable? (y/n)	Comments

Guide for Review of ESG Subrecipient Grant Management			
Name of Recipient:			
Name of Subrecipient(s):			
Staff Consulted:			
Name(s) of Reviewer(s)		Date	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, or grant agreement). If the requirement is not met, HUD must select “NO” in response to the question and make a finding of noncompliance. All other questions that do not contain the citation for the requirement do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to assess the recipient’s compliance with subrecipient grant management requirements of the Emergency Solutions Grants (ESG) program. HUD reviewers should use a combination of the information in program files and subrecipient staff interviews to answer the questions below. The Exhibit is divided into eight sections: Subgrants Management and Oversight; Systems Coordination Requirements; Recordkeeping; Homeless Management Information System (HMIS); Other ESG-Specific Requirements; Administrative Costs and Financial Management; Other Federal Requirements; and Additional 2 CFR 200 Review for Sub-Subawards.

As previously noted, the ESG rule at 24 CFR part 576 generally incorporates the uniform administrative requirements, cost principles, and audit requirements, which were recently revised and codified at 2 CFR part 200. This Exhibit contains both questions to monitor compliance with 2 CFR part 200 and questions to monitor compliance with the former uniform administrative requirements, cost principles, and audit requirements (i.e., 24 CFR parts 84 and 85 (2013), 2 CFR 225 and 230 (2013), OMB Circular A-133). For HUD’s expectations on monitoring for compliance with the uniform administrative requirements, cost principles, and audit requirements during the period of transition to 2 CFR part 200, please see HUD’s April 13, 2016, Notice CPD-16-04 (<http://portal.hud.gov/hudportal/documents/huddoc?id=16-04cpdn.pdf>).

The HUD reviewer must supplement this Exhibit with Exhibit 28-9 (covering the procurement requirements in 24 CFR parts 85 and 84) and Exhibit 34-3 (covering the procurement requirements in 2 CFR part 200), as applicable.

Where ESG funds were used for rental assistance or services, the HUD reviewer **MUST** complete the applicable Exhibits in Chapter 24 of this Handbook, *Lead-Based Paint Compliance*. NOTE: See Exhibit 24-2 (Services), Exhibit 24-3 (Tenant-Based Rental Assistance), or Exhibit 24-4 (Project-Based Rental Assistance).

This Exhibit can be used to either monitor a single subrecipient or multiple subrecipients. It is the responsibility of the HUD reviewer to ensure that the responses provide sufficient documentation to support the basis for the conclusions. Keep in mind that, if multiple entities are reviewed and a deficiency is identified for a single entity, a “No” response is required.

Questions:

A. SUBGRANTS MANAGEMENT AND OVERSIGHT

1.

<p><u>Eligible Subrecipients:</u></p> <p>a. If the organization is a subrecipient of a state, is it a unit of general purpose local government (which can include a metropolitan city or urban county that receives ESG funds directly from HUD, or a combination of general purpose local governments recognized by HUD), or a private nonprofit organization within the state; or</p> <p>b. If the organization is a subrecipient of a metropolitan city, urban county, or territory, is it a private nonprofit organization?</p> <p>NOTE: A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.</p> <p>[24 CFR 576.2; 24 CFR 576.202]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

2.

<p><u>Obligation Requirements (State subrecipients that are units of general purpose local government):</u> Within 120 days after the date the state obligated its funds to a unit of general purpose local government, did the subrecipient obligate all of those funds by: a subgrant agreement with, or a letter of award requiring payment to, a private nonprofit organization; a procurement contract; and/or the written designation of a department within the government of the subrecipient to directly carry out an eligible activity?</p> <p>[24 CFR 576.203(a)(1)(ii)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

3.

<p><u>Payments to Subrecipients (Units of General Purpose Local Government):</u> If the subrecipient is a unit of general purpose local government, did it pay each of its subrecipients for allowable costs within 30 days after receiving the subrecipient's complete payment request?</p> <p>[24 CFR 576.203(c)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

B. SYSTEMS COORDINATION REQUIREMENTS

4.

<p><u>Coordination with Other Targeted Homeless Services:</u> Does each subrecipient's records reflect that it coordinated and integrated, to the maximum extent practicable, ESG-funded activities with the programs, including those listed under 24 CFR 576.400(b), that are targeted to homeless people in the area covered by the Continuum of Care (CoC) or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area? [24 CFR 576.400(b); 24 CFR 576.500(m)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

5.

<p><u>System and Program Coordination with Mainstream Resources:</u> Does each subrecipient's records reflect that it coordinated and integrated, to the maximum extent practicable, ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs for which homeless and at-risk persons might be eligible? [24 CFR 576.400(c); 24 CFR 576.500(m)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

6.

<p><u>Use of the Coordinated Assessment System:</u> If the CoC for the area in which the program or project is located has established a coordinated assessment system that meets HUD's requirements, do the records show:</p> <ul style="list-style-type: none"> a. that the subrecipient (unless it is a victim service provider) uses that assessment system; and b. all initial evaluations were conducted in accordance with the coordinated assessment system requirements? <p>NOTE: ESG-funded victim service providers may choose not to use the CoC's coordinated assessment system. [24 CFR 576.400(d); 24 CFR 576.401(a); 24 CFR 576.500(g)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

7.

<p><u>Coordinated Assessment (Consistency with Written Standards):</u> Did each subrecipient work with the CoC to ensure that the screening, assessment, and referral of program participants are consistent with the ESG written standards required under 24 CFR 576.400(e)? [24 CFR 576.400(d)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

8.

<u>Establishing Written Standards (State Subrecipients)</u> : If a subrecipient of a state is required to establish its own written standards, did the subrecipient follow the state recipient's requirements for the establishment and implementation of these standards? [24 CFR 576.400(e)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

9.

<u>Written Standards (Content)</u> : If a subrecipient of a state is required to establish its own written standards, did the written standards include the minimum required elements described in 24 CFR 576.400(e)(3)? [24 CFR 576.400(e)(3)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

C. RECORDKEEPING

10.

<u>Recordkeeping (Subrecipients)</u> : If applicable, did the subrecipient retain copies of all solicitations of and agreements with its subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients? [24 CFR 576.500(v)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

11.

<u>Recordkeeping (Eligibility)</u> : Does each subrecipient's records document that staff followed the recipient's policies and procedures to: a. conduct an initial evaluation and re-evaluations as required, and b. document eligibility in accordance with HUD's requirements? [24 CFR 576.400(e)(3); 24 CFR 576.401(a), (b), and (c); 24 CFR 576.500(a), (b), (c), and (e)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

12.

<u>Recordkeeping (Program Participant Records)</u> : Did each subrecipient ensure that each program participant record documented compliance with applicable requirements for providing services and assistance to that program participant under the program components and eligible activities provisions at 24 CFR 576.101 through 24 CFR 576.106? [24 CFR 576.500(f)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

13.

<p>Confidentiality: Did each subrecipient have written procedures to ensure confidentiality, including:</p> <ul style="list-style-type: none"> a. all records containing personally identifying information of any individual or family who applies for and/or receives ESG assistance are kept secure and confidential; b. the address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under ESG; and c. the address or location of any program participant housing? <p>[24 CFR 576.500(x)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

14.

<p>Recordkeeping (Record Retention): Did the recipient or its subrecipients retain copies of the required records for the greater of 5 years or the applicable time period below:</p> <ul style="list-style-type: none"> a. for emergency shelters subject to a 10-year minimum period of use: at least 10 years from the date that ESG funds were first obligated for the major rehabilitation or conversion of the building; or b. for program participant files: at least 5 years after the expenditure of all funds from the grant under which the program participant was served? <p>[24 CFR 576.500(y)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

D. HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)

15.

<p>Data Collection and Recordkeeping: Do records reflect that each subrecipient entered data on all persons it served under ESG and on all of its ESG activities into the applicable community-wide HMIS or, for victim services providers (and legal services providers that opt out), into a comparable database, in accordance with HUD's HMIS data standards?</p> <p>NOTE: Each subrecipient must be able to provide documentation, such as HMIS reports, that shows subrecipient client-level and activity-level data are being entered into the applicable CoC's HMIS (or a comparable database).</p> <p>[24 CFR 576.400(f); 24 CFR 576.500(n); 2014 HMIS Data Standards]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

16.

<u>Eligible costs (HMIS)</u> : If the subrecipient is not a victim service provider, or a legal service provider that uses a comparable database, did the subrecipient use ESG funds only for costs eligible for the purpose of contributing data to the HMIS designated by the CoC? [24 CFR 576.107(a)(1)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A	
Describe Basis for Conclusion:	

17.

<u>Data entry (Comparable database)</u> : If the subrecipient is a victim service provider, or a legal services provider that uses a comparable database, were data maintained in the comparable database and not contributed or entered into an HMIS? [24 CFR 576.400(f)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A	
Describe Basis for Conclusion:	

18.

<u>Eligible costs (Comparable database)</u> : If the subrecipient is a victim service provider, or a legal services provider that uses a comparable database, were funds used for establishing and operating a comparable database that complies with HUD's HMIS requirements, including collecting client-level data over time (i.e., longitudinal data) and generating unduplicated aggregate reports? [24 CFR 576.400(f); 24 CFR 576.107(a)(3); 24 CFR 576.107(b)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A	
Describe Basis for Conclusion:	

E. OTHER ESG-SPECIFIC REQUIREMENTS

19.

<u>Matching Requirements</u> : If the recipient required its subrecipients to contribute match, did the subrecipients' records reflect that they met the applicable requirements, including records of the source and use of matching funds? [24 CFR 576.201; 24 CFR 576.500(o) and (v)(3)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A	
Describe Basis for Conclusion:	

20.

<u>Conflicts of Interest (Organizational)</u> : Did a representative sample of the subrecipients' records reveal zero instances where: a. any type or amount of ESG assistance was conditioned on acceptance of shelter or housing owned by the recipient, subrecipient, contractor, or any parent or subsidiary of the subrecipient or contractor; or b. a subrecipient or contractor carried out the initial evaluation for a program participant while the individual or family was occupying housing owned by the subrecipient or contractor, or any parent or subsidiary of the subrecipient or contractor; or	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A	

<p>c. a subrecipient or contractor administered any homelessness prevention assistance to an individual or family occupying housing owned by the subrecipient or contractor, or any parent or subsidiary of the subrecipient or contractor? [24 CFR 576.404(a); regarding contractors, 24 CFR 576.404(c); 24 CFR 576.500(p)]</p>	
<p>Describe Basis for Conclusion:</p>	

21.

<p><u>Conflicts of Interest (Individual)</u>: Does each subrecipient's records:</p> <p>a. contain personal conflicts of interest policy or codes of conduct developed and implemented to comply with requirements;</p> <p>b. demonstrate that the officers and staff of the subrecipient and any contractors complied with the individual conflict of interest requirements at 24 CFR 576.404(b); or</p> <p>c. contain documentation supporting any exceptions to the personal conflicts of interest prohibition? [24 CFR 576.404(b); 24 CFR 576.500(p)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

22.

<p><u>Homeless Participation</u>: Did each subrecipient involve homeless individuals and families, to the maximum extent practicable, in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG (could include employment or volunteer services)? [24 CFR 576.405(c)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

23.

<p><u>Faith-Based Activities</u>: Did each subrecipient ensure that it did not engage in inherently religious activities as part of the programs or services funded under ESG? If the subrecipient conducted these activities, were they offered separately, in time or location, from the programs or services funded under ESG, and was participation voluntary for all program participants? [24 CFR 576.406(b); 24 CFR 576.500(r)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

24.

<p><u>Faith-Based Activities</u>: Did each subrecipient ensure that it did not discriminate against a program participant or prospective program participant on the basis of religion or religious belief? [24 CFR 576.406(d); 24 CFR 576.500(r)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

25.

Faith-Based Activities (Rehabilitation): Did each subrecipient ensure that ESG funds were not used for the rehabilitation of sanctuaries, chapels, or other rooms that an ESG-funded religious congregation uses as its principal place of worship? [24 CFR 576.406(e); 24 CFR 576.500(r)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

26.

Faith-Based Activities (Rehabilitation): If a structure is used for both eligible and inherently religious activities, did the subrecipient ensure that the amount of ESG funds used was limited to the costs of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds? [24 CFR 576.406(e); 24 CFR 576.500(r)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

F. ADMINISTRATIVE COSTS AND FINANCIAL MANAGEMENT

27.

Eligible activities: Were subrecipients' expenses allowable? NOTE: To answer this question with respect to 2 CFR 200.403, the HUD reviewer MUST complete Exhibit 34-2, <i>Guide for Review of Cost Allowability</i> . [24 CFR 576.100-576.109; 24 CFR 576.500(u)(2); 24 CFR 84.21(b)(6); 24 CFR 85.22, 2 CFR 200.403]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

28.

Eligible Costs: Did each subrecipient charge staff and overhead costs directly related to carrying out activities eligible under one of the components to the applicable activity, and retain supporting documentation for all costs charged to the grant? [24 CFR 576.100(d); 24 CFR 576.108(a); 24 CFR 576.500(u)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

29.

Eligible Administrative Costs: If a subrecipient received Administrative funds: a. were all administrative costs eligible in accordance with 24 CFR 576.108; and b. were the costs of carrying out the environmental review charged as an Administrative activity? [24 CFR 576.108(a)(1), (2), and (4)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

30.

<p>Training Costs: If any staff time was spent on training:</p> <p>a. was it only for providing training on ESG requirements, attending HUD-sponsored ESG training, training staff on using HMIS or a comparable database, or attending HUD-approved training on HMIS and the ESG program; and</p> <p>b. was it charged to the appropriate component (only HMIS for HMIS-related training, and Administrative costs for all other training)?</p> <p>[24 CFR 576.108(a)(1), (2), and (4); 24 CFR 576.107]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

31.

<p>Indirect Costs: If any indirect costs were charged to the grant, were allocations made to each eligible activity and consistent with an indirect cost rate proposal developed in accordance with the Uniform Administrative Requirements?</p> <p>[24 CFR 576.109; 2 CFR 576.500(u)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

32.

<p>Eligible activities: Did a review of personnel costs charged to ESG, including a review of job descriptions, reveal that, for all staff time paid for with ESG funds, the staff member was working on eligible ESG activities?</p> <p>[24 CFR 576.500(u)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

G. OTHER FEDERAL REQUIREMENTS

33.

<p>Drug-Free Workplace: Did each subrecipient have a drug-free workplace statement per the requirements of 2 CFR part 2429?</p> <p>[24 CFR 5.105(d) and 24 CFR 576.407(a)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

34.

<p>If the requirements of the Drug-Free Workplace Certification were reviewed, is each subrecipient in compliance?</p> <p>[24 CFR 5.105(d); 24 CFR 576.407(a); 2 CFR part 2429]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

35.

<p><u>Non-Discrimination, Section 504 of the Rehabilitation Act of 1973, and Other Equal Opportunity Requirements:</u> Did records demonstrate that each subrecipient is in compliance with the applicable requirements in 24 CFR part 5, Subpart A, including the nondiscrimination and equal opportunity requirements at 24 CFR part 5.105(a)? (Use pertinent Exhibits in Chapter 22, as necessary.) [24 CFR part 5, Subpart A; 24 CFR 576.407(a); 24 CFR 576.500(s)(1)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

36.

<p><u>Affirmative Outreach:</u> Do the records indicate that the recipient and its subrecipients:</p> <ul style="list-style-type: none"> a. make known that the use of the facilities, assistance, and services are available to all on a nondiscriminatory basis, and establish additional procedures, as required under 24 CFR 576.407(b), to ensure that the “target population” who may qualify are made aware of the availability of these facilities, assistance, or services; and b. take appropriate steps to ensure effective communication with persons with disabilities; and c. take reasonable steps to ensure meaningful access to programs and activities for persons with limited English proficiency (LEP)? (Use pertinent Exhibits in Chapter 22 as necessary.) <p>[24 CFR part 5, Subpart A; 24 CFR 576.407(b); 24 CFR 576.500(s)(1)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

37.

<p><u>Applicability of Uniform Administrative Requirements and OMB Circulars:</u> If this area was reviewed, did each subrecipient maintain records documenting compliance with the applicable requirements outlined in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards? [24 CFR 576.407(c); 24 CFR 576.500(s)(2)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

38.

<p><u>Audits:</u> If this area was reviewed, was each subrecipient in compliance with the Single Audit Act of 1984, as amended, and implementing regulations? NOTE: To answer this question with respect to 2 CFR 200.501, the HUD reviewer MUST complete Exhibit 34-1, section K (“Audit Requirements”). [24 CFR 84.26; 24 CFR 85.26; 24 CFR 576.407(c); 2 CFR 200.501]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

39.

<p>Lead-Based Paint: Where ESG funds were used for rental assistance (TBRA or PBRA) or supportive services, do records reflect that the subrecipient complied with all lead-based paint requirements? NOTE: See Chapter 24, <i>Lead-Based Paint Compliance</i>, in this Handbook: Exhibit 24-2 (Supportive Services), Exhibit 24-3 (TBRA), or Exhibit 24-4 (PBRA), as applicable, MUST be completed to answer this question. [24 CFR 35.700-730 (PBRA); 24 CFR 35.1000-1020 (Supportive Services); 24 CFR 35.1200-1225 (TBRA); 24 CFR 576.403(a)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

40.

<p>In making an award to the subrecipient, did the recipient evaluate the subrecipient’s risk of noncompliance with the Federal statutes, regulations, and terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring? NOTE: This evaluation may include consideration of factors such as:</p> <ul style="list-style-type: none"> • the subrecipient’s prior experience with the same or similar subawards; • the results of previous audits, including whether or not the subrecipient receives a Single Audit in accordance with Subpart F of 2 CFR part 200, and the extent to which the same or similar subaward has been audited as a major program; • whether the subrecipient has new personnel or new or substantially changed systems; and • the extent and results of previous HUD monitoring, if the subrecipient also receives funds directly from HUD. <p>[24 CFR 576.407(c) and 2 CFR 200.331(b)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

41.

<p>Section 3: If applicable, was each subrecipient in compliance with the applicable requirements of Section 3 of the Housing and Urban Development Act of 1968? [24 CFR part 135; 24 CFR 576.407(a); 24 CFR 576.405(c)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

H. ADDITIONAL 2 CFR PART 200 REVIEW FOR SUB-SUBAWARDS

NOTE: The following questions apply when a subrecipient carries out its subgrant by making subgrants to a lower tier of subrecipients. To ensure clarity and consistency with part 200, the term “pass-through entity” refers to the first or higher-tier subrecipient, and the term “subrecipient” refers to the subrecipient(s) at the lower tier.

42.

<p>If the pass-through entity provides funds through either a subrecipient agreement or a contract, has it followed the criteria in 2 CFR 200.330 for making case-by-case determinations of whether the entity is receiving the funds in the role of either a subrecipient or contractor? [24 CFR 576.407(c); 2 CFR 200.330]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

43.

<p>In making an award to a subrecipient, has the pass-through entity evaluated each subrecipient’s risk of noncompliance with the Federal statutes, regulations, and terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring? NOTE: This evaluation may include consideration of factors such as:</p> <ul style="list-style-type: none"> • the subrecipient’s prior experience with the same or similar subawards; • the results of previous audits, including whether or not the subrecipient receives a Single Audit in accordance with Subpart F of 2 CFR part 200, and the extent to which the same or similar subaward has been audited as a major program; • whether the subrecipient has new personnel or new or substantially changed systems; and • the extent and results of previous HUD monitoring, if the subrecipient also receives funds directly from HUD. <p>[24 CFR 576.407(c); 2 CFR 200.331(b)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

44.

<p>For each subaward provided to a subrecipient, has the pass-through entity clearly identified it as a subaward to a subrecipient and included the following information at the time of the subaward:</p> <ol style="list-style-type: none"> a. Federal award identification? b. Subrecipient name (which must match the name associated with the unique entity identifier)? c. Subrecipient’s unique entity identifier? d. HUD award identification number? e. Federal award date, as defined in 2 CFR 200.39 (the date that HUD signed the award to the recipient)? f. Subaward period of performance start and end date? g. Total amount of the Federal award committed to the subrecipient by the pass-through entity? h. Amount of Federal funds obligated by this action by the pass-through entity to the subrecipient? i. Total amount of Federal funds obligated to the subrecipient by the pass-through entity, including the current obligation? 	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
---	---

<p>j. Federal Award project description, as required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA)?</p> <p>k. HUD’s name, the name of the pass-through entity, and contact information for the awarding official of the pass-through entity?</p> <p>l. Catalog of Federal Domestic Assistance (CFDA) number and name of the HUD program under which the award is made?</p> <p>m. Identification of whether the award is Research & Development (R&D), if applicable?</p> <p>n. Indirect cost rate for the HUD award to the recipient?</p> <p>o. Indirect cost rate for the subaward (which must be an approved Federally-recognized indirect cost rate negotiated between the subrecipient and the Federal government or, if no such rate exists, either a rate negotiated between the pass-through entity and the subrecipient (in compliance with 2 CFR part 200), or a de minimis indirect cost rate as defined in §200.414(f))?</p> <p>p. All requirements imposed by the pass-through entity on the subrecipient so that the subaward is used in accordance with the Federal statutes, regulations, and the terms and conditions of the HUD award to the recipient?</p> <p>q. Any additional requirements imposed by the pass-through entity on the subrecipient in order for the pass-through entity to meet its own obligations under the ESG program, including identification of any required financial or performance reports?</p> <p>r. A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient’s records and financial statements as necessary for the pass-through entity to meet its requirements under 2 CFR part 200?</p> <p>s. Appropriate terms and conditions concerning closeout of the subaward?</p> <p>[24 CFR 576.407(c); 2 CFR 200.331(a)]</p>	
<p>Describe Basis for Conclusion:</p>	

45.

<p>a. For subawards provided to subrecipients, has the pass-through entity monitored the activities of the subrecipient as necessary, to ensure that the subaward was used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are being, or have been, achieved?</p> <p>[24 CFR 576.407(c); 2 CFR 200.331(d)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

Exhibit 28-3
Emergency Solutions Grants

<p>b. Did the pass-through entity’s monitoring of the subrecipient include:</p> <ul style="list-style-type: none"> • Reviewing financial and performance reports required by the pass-through entity? • Following up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the subaward detected through audits, on-site reviews, or other means? • Issuing a management decision for audit findings pertaining to the subaward a required by 2 CFR 200.521? <p>[24 CFR 576.407(c); 2 CFR 200.331(d)(1) – (3)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

46.

<p>a. For each subrecipient provided a subaward, has the pass-through entity determined whether the subrecipient met or exceeded the audit threshold set in 2 CFR 200.501 for the respective fiscal year?</p> <p>[24 CFR 576.407(c); 2 CFR 200.331(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							
<p>b. If a subrecipient meets the audit threshold in 2 CFR 200.501, has the pass-through entity verified that the subrecipient is audited as required by Subpart F of 2 CFR part 200?</p> <p>[24 CFR 576.407(c); 2 CFR 200.331(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

47.

<p>For each subrecipient receiving a subaward, has the pass-through entity considered whether the results of the subrecipient’s audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity’s own records?</p> <p>[24 CFR 576.407(c); 2 CFR 200.331(g)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

48.

<p>If the pass-through entity found any subrecipient non-compliant, did the pass-through entity consider taking enforcement action against the subrecipient per 2 CFR 200.338 and the program regulations?</p> <p>[24 CFR 576.407(c); 2 CFR 200.331(h)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

Guide for Review of ESG Rapid Re-housing and Homelessness Prevention Requirements			
Name of Recipient:			
Name of Subrecipient(s):			
Staff Consulted:			
Name(s) of Reviewer(s)		Date	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, or grant agreement). If the requirement is not met, HUD must select “NO” in response to the question and make a finding of noncompliance. All other questions that do not contain the citation for the requirement do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to assess the recipient’s compliance with the Rapid Re-housing and/or Homelessness Prevention component(s) of the Emergency Solutions Grant (ESG) program. The eligible activity areas of review include: Housing Relocation and Stabilization Services – Services; Housing Relocation and Stabilization Services – Financial Assistance; and Short- and Medium-term Rental Assistance. These activities are eligible when necessary to either (1) help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing, or (2) prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the “homeless” definition in 24 CFR 576.2. The Exhibit is divided into three sections: General Requirements; Housing Relocation and Stabilization Services; and Short- and Medium-term Rental Assistance. Section B is broken down into sub-sections for Financial Assistance Costs and Services Costs. Section C is broken down into sub-sections for General Requirements and Project-based Rental Assistance. Every question has a header identifying the specific area of review. If the ESG recipient has not funded a particular activity or cost, check the N/A box and continue on to the next section, sub-section, or question of the Exhibit.

This Exhibit can be used to monitor a recipient, a single subrecipient, or multiple subrecipients. It is the responsibility of the HUD reviewer to ensure that the responses provide sufficient documentation to support the basis for the conclusions. Keep in mind that, if multiple entities are reviewed and a deficiency is identified for a single entity, a “No” response is required.

Questions:

A. GENERAL REQUIREMENTS

1.

<p>Initial Evaluation: Did the recipient or its subrecipient conduct an initial evaluation to determine each individual’s or family’s eligibility for rapid re-housing or homelessness prevention assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing? [24 CFR 576.401(a)]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

2.

<p>Eligibility Criteria (Homelessness Prevention): Did the recipient or its subrecipient document that all program participants who received homelessness prevention assistance:</p> <p>a. met the eligibility criteria of the “at risk of homelessness” definition or categories 2, 3, or 4 (if category 4, not sleeping in a place described in category (1)) of the “homeless” definition; and</p> <p>b. have an annual income (as determined in accordance with 24 CFR 5.609) below 30% AMI?</p> <p>[24 CFR 576.103; 24 CFR 576.401(c); 24 CFR 576.500(b); 24 CFR 576.500(c); 24 CFR 576.500(e); 24 CFR 576.500(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

3.

<p>Eligibility Criteria (Rapid Re-housing): Did the recipient or its subrecipient document that all program participants who received rapid re-housing assistance met the eligibility criteria:</p> <p>a. under category (1) of the homeless definition, <u>or</u></p> <p>b. under category (4) <u>and</u> live in an emergency shelter or place described in category (1) of the homeless definition?</p> <p>[24 CFR 576.104; 24 CFR 576.500(b); 24 CFR 576.500(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

4.

<p>Re-evaluations (Rapid Re-housing/Homelessness Prevention): Do program participant records document that the recipient or its subrecipient re-evaluated program participants’ eligibility and the types and amounts of assistance the program participant needs 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?</p> <p>[24 CFR 576.401(b)(1); 24 CFR 576.500(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

5.

<p><u>Written Standards:</u></p> <p>a. Did the recipient and/or its subrecipients adopt written standards for the provision of homelessness prevention and rapid re-housing assistance, as required by 24 CFR 576.400(e)(1) and 24 CFR 576.400(e)(2)?</p> <p>b. Did these written standards cover the following topics (listed in 24 CFR 576.400(e)(3)):</p> <ol style="list-style-type: none"> 1. evaluating individuals' and families' eligibility for assistance under ESG; 2. coordination among emergency shelter providers, essential services providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers; 3. determining and prioritizing which eligible families and individuals would receive homelessness prevention assistance and which eligible families and individuals would receive rapid re-housing assistance; 4. determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance; 5. determining how long the program participant will be provided with rental assistance and whether and how the amount of that assistance would be adjusted over time; 6. determining the type, amount, and duration of housing stabilization and/or relocation services to provide to the program participant? <p>c. Do the program participant records show that homelessness prevention and rapid re-housing assistance were provided in accordance with the applicable written standards? [24 CFR 576.400(e)(1); 24 CFR 576.400(e)(2); 24 CFR 576.400(e)(3)(i); 24 CFR 576.400(e)(3)(v); 24 CFR 576.400(e)(3)(vi); 24 CFR 576.400(e)(3)(vii); 24 CFR 576.400(e)(3)(viii); 24 CFR 576.400(e)(3)(ix); 24 CFR 576.500(f)]</p>	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">Yes</td> <td style="text-align: center;">No</td> <td style="text-align: center;">N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

6.

<p><u>Re-evaluations (Rapid Re-housing/Homelessness Prevention):</u> Do program participant records document that each re-evaluation of eligibility established that the program participant:</p> <p>a. did not have an annual income that exceeds 30% AMI as established by HUD; and</p> <p>b. lacked sufficient resources and support networks necessary to retain housing without ESG assistance? [24 CFR 576.401(b)(1)(i)-(ii); 24 CFR 576.500(e); 24 CFR 576.500(f)]</p>	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">Yes</td> <td style="text-align: center;">No</td> <td style="text-align: center;">N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

7.

<u>Recordkeeping (Ineligibility)</u> : For each individual and family determined ineligible to receive ESG assistance, did the recipient or its subrecipient document the reason for that determination? [24 CFR 576.500(d)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

8.

<u>Eligible Costs (Homelessness Prevention)</u> : Were all homelessness prevention costs eligible and necessary to help the program participant regain stability in the program participant's current housing or to move into other permanent housing and achieve stability in that housing? [24 CFR 576.103; 24 CFR 576.500(f)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

9.

<u>Housing Stability Case Management</u> : While providing rapid re-housing or homelessness prevention assistance to a program participant, does the program participant file document that the program participant met with a case manager at least once per month to assist the participant in ensuring long-term housing stability? [24 CFR 576.401(e)(1); 24 CFR 576.500(f)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

10.

<u>Housing Stability Case Management</u> : While providing rapid re-housing or homelessness prevention assistance to a program participant, did the recipient or its subrecipient document in the program participant's file that it developed a plan to assist the program participant to retain permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses, other public or private assistance for which the program participant will be eligible and likely to receive; and the relative affordability of available housing in the area? [24 CFR 576.401(e)(2); 24 CFR 576.500(f)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

11.

<p>Connections to Mainstream and Other Resources: While providing rapid re-housing or homelessness prevention assistance to program participants, did the recipient or its subrecipients assist each program participant to obtain mainstream and other resources as needed? [24 CFR 576.401(d)(1); 24 CFR 576.401(d)(2); 24 CFR 576.500(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

12.

<p>Recordkeeping (Program Participant Records): Did each program participant record document:</p> <p>a. the services and assistance provided to that program participant, including, as applicable, security deposit, rental assistance, and utility payments made on behalf of the program participant; and</p> <p>b. compliance with all applicable requirements for providing services and assistance to that program participant? [24 CFR 576.500(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

13.

<p>Terminating Assistance:</p> <p>a. If the recipient or any of its subrecipients terminated any participants from the program, did they do so in accordance with a formal process established by the recipient or its subrecipient(s) that recognizes the rights of individuals affected, that met the following requirements:</p> <p>(1) written notice to the program participant containing a clear statement of the reasons for termination,</p> <p>(2) a review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate) who made or approved the termination decision, and</p> <p>(3) prompt written notice of the final decision to the program participant?</p> <p>b. Did the recipient and/or its subrecipient examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases? [24 CFR 576.402(a); 24 CFR 576.402(b)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

14.

<p>Lead-Based Paint: Where ESG funds were used for rental assistance (TBRA or PBRA) or supportive services, do records reflect that the recipient and subrecipient complied with all lead-based paint requirements? NOTE: Exhibit 24-2 (Supportive Services), Exhibit 24-3 (TBRA), or Exhibit 24-4 (PBRA), as applicable, MUST be completed to answer this question. See Chapter 24, <i>Lead-Based Paint Compliance</i>, in this Handbook. [24 CFR 35.700-730 (PBRA); 24 CFR 35.1000-1020 (Supportive Services); 24 CFR 35.1200-1225 (TBRA); 24 CFR 576.403(a)]</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Describe Basis for Conclusion:</p>	

15.

<p>Minimum Habitability Standards: Did the recipient and its subrecipients ensure that all housing units met the minimum habitability standards before incurring any costs to help program participants remain in or move into those housing units? [24 CFR 576.403(c); 24 CFR 576.500(j)]</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Describe Basis for Conclusion:</p>	

16.

<p>Conflicts of Interest (Organizational): Did the recipient and its subrecipients ensure that:</p> <p>a. no type or amount of ESG assistance was conditioned on an individual or family’s acceptance of housing owned by the recipient, subrecipient, contractor, parent, or subsidiary of the subrecipient; and</p> <p>b. no subrecipient (nor any of its parent or subsidiary organizations) that owns housing, carried out the initial evaluation under 24 CFR 576.401, or administered homelessness prevention assistance for occupants of that subrecipient’s housing? [24 CFR 576.404(a)]</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>
<p>Describe Basis for Conclusion:</p>	

B. HOUSING RELOCATION AND STABILIZATION SERVICES

Financial Assistance Costs: If the recipient has not expended ESG funds on Financial Assistance costs, check the N/A boxes and skip to the Services Costs subsection of this Exhibit.

17.

<p><u>Financial Assistance Costs:</u> Did the recipient and its subrecipients ensure that:</p> <p>a. no program participant received financial assistance under 24 CFR 576.105(a) that was of the same type of assistance that the program participant was receiving through other public sources; and</p> <p>b. no program participant who received replacement housing payments under the Uniform Relocation Act (URA) received financial assistance under 24 CFR 576.105(a) during the period of time covered by the URA payments? [24 CFR 576.105(d)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

18.

<p><u>Financial Assistance Costs:</u> Were eligible costs listed in 24 CFR 576.105(a) paid only to a housing owner, utility company, or other third party (not directly to the program participant)? [24 CFR 576.105(a)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

19.

<p><u>Financial Assistance Costs (Rental Housing Application Fees):</u> Were rental housing application fees paid for with ESG funds a standard charge issued by the owner to all applicants? [24 CFR 576.105(a)(1)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

20.

Financial Assistance Costs (Security Deposits): Were security deposits paid for with ESG funds equal to no more than 2 months' rent? [24 CFR 576.105(a)(2)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

21.

Financial Assistance Costs (Last Month's Rent): Were costs for the last month's rent paid for with ESG funds: a. necessary to obtain housing for a program participant; b. paid to the owner of the housing at the time the owner was paid the security deposit and first month's rent; c. less than or equal to one month's rent; <u>and</u> d. included in calculating the program participant's total rental assistance? [24 CFR 576.105(a)(3)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

22.

Financial Assistance Costs (Utility Deposits): Were utility deposits paid for with ESG funds only for eligible types of utility services (gas, electric, water, and sewage) and required by the utility company for all customers? [24 CFR 576.105(a)(4)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

23.

Financial Assistance Costs (Utility Payments): Were utility payments paid for with ESG funds: a. within the limit of 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service; b. only provided when the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments; <u>and</u> c. only for eligible types of utility services (gas, electric, water, and sewage)? [24 CFR 576.105(a)(5)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

24.

<p>Financial Assistance Costs (Moving Costs): Were moving costs paid for with ESG funds only for moving-related activities such as truck rental, hiring a moving company, and allowable temporary storage fees (up to 3 months, fees accrued after the date the program participant began receiving services and before the program participant moves into permanent housing, and excluding storage fees in arrears)? [24 CFR 576.105(a)(6)]</p>	<table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

Services Costs: If the recipient has not expended ESG funds on Services costs, check the N/A boxes and skip to the Short- and Medium-Term Rental Assistance section of this Exhibit (Section C).

25.

<p>Services Costs (Housing Search and Placement): Were housing search and placement costs paid for with ESG funds: a. necessary to assist program participants in locating, obtaining, and retaining suitable permanent housing; and b. one of those listed in 24 CFR 576.105(b)(1)(i)-(viii)? [24 CFR 576.105(b)(1)]</p>	<table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

26.

<p>Services Costs (Housing Stability Case Management): Were the activities paid for with ESG funds: a. one of those listed in 24 CFR 576.105(b)(2)(A)-(H), and b. for the purposes of assessing, arranging, coordinating, or monitoring the delivery of individualized services to: (1) facilitate housing stability for a program participant who resides in permanent housing; or (2) to assist a program participant in overcoming immediate barriers to obtaining housing? [24 CFR 576.105(b)(2)(A)-(H)]</p>	<table style="width: 100%; text-align: center;"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

27.

<p>Services Costs (Housing Stability Case Management): Were the housing stability case management costs paid for with ESG funds:</p> <p>a. under the Rapid Re-housing component, limited to:</p> <p>(1) 30 days during the period the program participant is seeking permanent housing; and</p> <p>(2) 24 months during the period the program participant is living in permanent housing; and</p> <p>b. under the Homelessness Prevention component, limited to 24 months? [24 CFR 576.105(b)(2)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

28.

<p>Services Costs (Mediation Costs): Were mediation costs paid for with ESG funds necessary to prevent the program participant from losing permanent housing in which the program participant currently resides, and used for mediation between the program participant and the owner or person(s) with whom the participant is living? [24 CFR 576.105(b)(3)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

29.

<p>Services Costs (Legal Services): Did the recipient and its subrecipients ensure that the legal services costs paid for with ESG funds consisted only of the following types of costs:</p> <p>a. for either: hourly fees for legal advice and representation by attorneys licensed and in good standing with the bar association of the State in which the services are provided, or by person(s) under the supervision of the licensed attorney; or fees based on the actual service performed (i.e., fee for service), where the recipient/ subrecipient documented that such costs were less than what the cost of hourly fees would have been;</p> <p>b. for filing fees and other necessary court costs;</p> <p>c. subrecipients' employees' salaries and other costs necessary to perform the services (if the subrecipient is a legal services provider and performs the services itself); and</p> <p>d. for the following component services:</p> <p>(1) client intake;</p> <p>(2) preparation of cases for trial;</p> <p>(3) provision of legal advice;</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
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<p>(4) representation at hearings; (5) counseling? [24 CFR 576.102(a)(1)(vi)(A); 24 CFR 576.102(a)(1)(vi)(D); 24 CFR 576.102(a)(1)(vi)(E); 24 CFR 576.105(b)(4)]</p>	
<p>Describe Basis for Conclusion:</p>	

30.

<p>Services Costs (Legal Services): Did the recipient and its subrecipients ensure that the legal services costs paid for with ESG funds were only used:</p> <p>a. to the extent necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which they currently reside;</p> <p>b. for the following subject matters:</p> <p>(1) landlord/tenant matters; (2) child support; (3) guardianship; (4) paternity; (5) emancipation; (6) legal separation; (7) orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking; (8) appeal of veterans and public benefit claim denials; and (9) the resolution of outstanding criminal warrants; and</p> <p>c. to the extent that other appropriate legal services were unavailable or inaccessible in the community? [24 CFR 576.105(b)(4); 24 CFR 576.102(a)(1)(vi)(B); 24 CFR 576.102(a)(1)(vi)(C)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

31.

<p>Services Costs (Credit Repair): Were credit repair costs paid for with ESG funds for counseling or other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, or resolving personal credit problems? [24 CFR 576.105(b)(5)]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

32.

<u>Services Costs (Credit Repair)</u> : Did credit repair costs paid for with ESG funds exclude the payment or modification of a debt? [24 CFR 576.105(b)(5)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

C. SHORT- AND MEDIUM-TERM RENTAL ASSISTANCE

General Requirements: If the recipient has not expended ESG funds on Short- or Medium-Term Rental Assistance, check the N/A boxes and skip to the next section.

33.

<u>Rental Assistance (Limit)</u> : Did each program participant's total rental assistance, including any rental arrears and last month's rent, stay within the limit of 24 months during any 3-year period? [24 CFR 576.106(a)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

34.

<u>Rental Assistance (Changes in Household Composition)</u> : Did the recipient and its subrecipients apply the limits on rental assistance to the total assistance each individual received, either as an individual or as part of a household? [24 CFR 576.106(j)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

35.

<u>Rental Assistance (Use with Other Subsidies)</u> : Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, did the provision of rental assistance exclude: a. program participants who were receiving tenant-based rental assistance or living in a housing unit receiving project-based rental assistance or operating assistance through other public sources; and b. program participants who were provided with replacement housing payments under the URA during the period of time covered by the URA payments? [24 CFR 576.106(c)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

36.

<p><u>Rental Assistance (Fair Market Rent and Rent Reasonableness)</u>: Did the recipient and its subrecipients ensure that ESG rental assistance was only provided to units for which the rent complied with HUD's standard of rent reasonableness and did not exceed the applicable Fair Market Rent?</p> <p>NOTE: For this purpose, rent equals 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 paid 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)(1); 24 CFR 576.106(d)(2); 24 CFR 576.500(i)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

37.

<p><u>Rental Assistance (Rental Assistance Agreement)</u>: Does the documentation show that the recipient or its subrecipients entered into a rental assistance agreement with each owner before providing the owner with rental assistance payments, including rental arrears? [24 CFR 576.106(e); 24 CFR 576.500(h)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

38.

<p><u>Rental Assistance (Rental Assistance Agreement)</u>: Did each rental assistance agreement:</p> <ol style="list-style-type: none"> set forth the terms under which rental assistance will be provided, including the requirements that apply under 24 CFR 576.106; provide that, during the term of the agreement, the owner must give the recipient or its subrecipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant; and contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease? <p>[24 CFR 576.106(e); 24 CFR 576.106(f)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

39.

<u>Rental Assistance (Payments)</u> : Did the recipient or its subrecipient make timely payments to each owner in accordance with the rental assistance agreement? [24 CFR 576.106(f)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

40.

<u>Rental Assistance (Payments)</u> : Did the recipient and its subrecipients pay any late payment penalties that they incurred only with <u>non-ESG funds</u> (i.e., no ESG funds were used to pay late payment penalties incurred by the recipient or subrecipient)? [24 CFR 576.106(f)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

41.

<u>Rental Assistance (Leases)</u> : a. Does each program participant receiving rental assistance have a file that contains a legally binding, written lease between the program participant and the owner of the property or his/her agent for the rental unit; OR b. If the assistance was solely for rental arrears for a program participant who had an oral lease agreement in place: (1) does each agreement give the program participant an enforceable leasehold interest under state law; and (2) are the agreement and rent owed sufficiently documented by the owner's financial records, rent ledgers, or canceled checks? [24 CFR 576.106(g); 24 CFR 576.500(h)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

42.

<u>Rental Assistance (Rental Arrears)</u> : Were the rental arrears paid for with ESG funds one-time payments that did not exceed 6 months of rent in arrears (including any late fees on those arrears)? [24 CFR 576.106(a)(3)]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Describe Basis for Conclusion:	

43.

<p>Recordkeeping (Homelessness Prevention and Rapid Re-housing): Did the recipient or its subrecipient keep records, including copies of documentation of payments made to owners for rental assistance provided, and supporting documentation for these payments, including dates of occupancy by program participants? [24 CFR 576.500(h)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

44.

<p>Rental Assistance (TBRA): For tenant-based rental assistance, did the recipient and its subrecipients terminate the rental assistance agreement with the owner and stop providing rental assistance payments under that agreement when any of the following conditions were met: a. the program participant moved out of the unit for which the program participant has a lease; b. the lease terminated and was not renewed; or c. the program participant became ineligible to receive ESG assistance? [24 CFR 576.106(h)(3)(i)-(iii)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

Project-Based Rental Assistance (PBRA): If the recipient has not expended funds on PBRA, check the N/A boxes. This is the final subsection of the Exhibit.

45.

<p>Rental Assistance (Project-based Rental Assistance): If the recipient or any of its subrecipients used ESG funds to pay the rent for a project-based unit before a program participant moved into the unit, does the program participant file reflect that : a. the program participant signed a lease and moved into the unit before the end of the month for which the first month's rent was paid; and b. the amount paid was less than or equal to the rent to be charged under the program participant's lease and included when determining that program participant's total rental assistance? [24 CFR 576.106(i)(2)]</p>	<table border="0"> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					
<p>Describe Basis for Conclusion:</p>							

46.

Rental Assistance (PBRA): Did the recipient and its subrecipients make monthly rental assistance payments only for months when a unit was leased to a program participant (either partial or the whole month)? [24 CFR 576.106(i)(3)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

47.

Rental Assistance (PBRA): For program participants living in housing with project-based rental assistance, does the program participant's file contain a lease with an initial term of at least 1 year AND did the recipient or its subrecipient (whoever signed the agreement) enter into a rental assistance agreement with the owner for an initial term of 1 year? [24 CFR 576.106(g); 24 CFR 576.106(i)(5)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

48.

Rental Assistance (PBRA): If a program participant was determined ineligible or reaches the maximum number of months over which rental assistance could be provided, did the recipient or its subrecipient suspend or terminate the rental assistance payments for the unit? [24 CFR 576.106(i)(4)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

49.

Rental Assistance (PBRA): Did the recipient and its subrecipients ensure that the term of occupancy in each program participant's lease was not conditioned on the provision of rental assistance payments, and if ESG-funded rental assistance was suspended, was the program participant allowed to remain in the unit as permitted under the lease? [24 CFR 576.106(i)(4)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

50.

Rental Assistance (PBRA – Expenditure Deadline): Did the recipient and its subrecipients commit ESG funds only to be expended: a. within the expenditure deadline in 24 CFR 576.203; and b. for current ESG grants (i.e., not before a grant is awarded)? [24 CFR 576.106(i)(5)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

Guide for Review of ESG Financial Management and Cost Allowability			
Name of Recipient:			
Name of Subrecipient(s):			
Grant Number:			
Staff Consulted:			
Name(s) of Reviewer(s)		Date	

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute and regulation). If the requirement is not met, HUD must select “NO” in response to the question and make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding.**"

Instructions: This Exhibit is designed to assess a recipient’s and/or its subrecipient’s financial management system, as well as the eligibility of the program’s expenditures. **Note:** This Exhibit is designed only to monitor compliance with the ESG interim rule, the Uniform Administrative Requirements (24 CFR part 84 and 85), and the cost principles at 2 CFR part 225 (OMB Circular A-87) and 2 CFR part 230 (OMB Circular A-122), as in effect prior to December 26, 2014. Accordingly, this Exhibit includes citations to regulations and OMB Circulars that pre-dated HUD’s implementation of 2 CFR Part 200 (e.g., 24 CFR Part 576 (2013 edition), OMB Circular A-87, 24 CFR Part 85 (2013), 24 CFR Part 84 (2013), and OMB Circular A-122). CPD staff should use the citations in this Exhibit when making findings.

To monitor compliance with the new requirements at 2 CFR part 200, the HUD reviewer must complete Exhibit 34-1, *Guide for Review of Financial Management and Audits* and Exhibit 34-2, *Guide for Review of Cost Allowability*. For HUD’s expectations on monitoring for compliance with the uniform administrative requirements, cost principles, and audit requirements during the period of transition to 2 CFR part 200, please see HUD’s April 13, 2016, Notice CPD-16-04 (<http://portal.hud.gov/hudportal/documents/huddoc?id=16-04cpdn.pdf>). When completing this Exhibit or Exhibits 34-1 and 34-2, the HUD reviewer must also complete Exhibit 28-7, *Guide for Review of ESG Match Requirements*.

This Exhibit can be used to either monitor the recipient alone, the recipient with a single subrecipient, or the recipient with multiple subrecipients. It is the responsibility of the HUD reviewer to ensure that the responses provide sufficient documentation to support the basis for the conclusions. Keep in mind that, if multiple entities are reviewed and a deficiency is identified for a single entity, a “No” response is required.

Questions:

1.

Did the recipient and its subrecipients have written policies and procedures to ensure that ESG funds are used in accordance with ESG requirements and sufficient records to enable HUD and the recipient to determine whether ESG requirements are being met? [24 CFR 576.500(a)]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No	N/A
Describe Basis for Conclusion:			

Exhibit 28-8
Emergency Solutions Grants

2.

<p>Did the recipient and its subrecipients maintain records that identify adequately the source and application of funds for federally-sponsored activities?</p> <p>NOTE: These records shall contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, outlays, income and interest. [24 CFR 576.407(c); 24 CFR 576.500(s)(2); 24 CFR 84.21(b)(2); 24 CFR 85.20]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

3.

<p><u>Eligible Activities:</u> Are the recipient's and its subrecipients' expenses allowable, allocable, and reasonable? [24 CFR 576.100-576.109; 24 CFR 576.500(u)(2); 24 CFR 84.21(b)(6); 24 CFR 85.22]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

4.

<p>Do the fiscal records indicate evidence that the recipient and its subrecipients have effective internal control over, and accountability of, all grant funds, property and other assets? [24 CFR 576.500(u); 24 CFR 84.21(b)(3); 24 CFR 85.20]</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

Internal Controls (Reference for some of the questions: GAO/AIMD-98-21.2.1, "Framework for Federal Financial Management System Checklist," May 1998)

5.

<p>a. Do the recipient and its subrecipients have an organization chart that illustrates the actual lines of authority/responsibility?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

<p>b. Are primary duties for key employees of the recipient and its subrecipients defined?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

<p>c. Does the recipient's and its subrecipients' chart of accounts include a complete listing of the account numbers used to support the control required to ensure that resources used do not exceed resources authorized?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	
<p>d. Do the approval controls provide reasonable assurance that appropriate individuals approve recorded transactions in accordance with management's general or specific criteria?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	
<p>e. Do the controls over the design and use of documents and records provide reasonable assurance that transactions and events are properly documented, recorded, and auditable?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	
<p>f. In the normal course of the position's requirements, are duties segregated to effectively reduce the opportunity for someone to perpetrate or conceal errors or irregularities?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	
<p>g. Is it clear that all personnel are responsible for communicating to appropriate supervisory officials the recipient's or its subrecipients' operating problems and noncompliance with laws and regulations?</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	
<p>h. Do the internal control procedures support the ability to prepare financial statements that are accurately presented in conformity with generally accepted or other relevant and appropriate accounting principles and regulatory requirements? (One level of assurance of the accuracy and integrity of data is provided by the recipient attaining an unqualified opinion on the audited annual financial statements and internal controls.)</p>	<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion:</p>	

Exhibit 28-8
Emergency Solutions Grants

6.

Do the recipient and its subrecipients identify expenditures in their accounting records according to eligible program activities identified in the program regulation, the recipient’s Action Plan, and the drawdown activity information? [24 CFR 576.100; 24 CFR 576.500(u); 24 CFR 84.21(b)(2); 24 CFR 85.20]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

7.

Does a review of the sample transaction records indicate that grant expenditures were eligible costs under regulations, were necessary and reasonable for proper and efficient administration of the program, were allocable to the program, and supported by adequate source documentation (invoices, contracts, or purchase orders)? [24 CFR 576.100-576.109; 24 CFR 576.500(u); 24 CFR 84.21(b); 24 CFR 85.20(b)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

8.

Does the source documentation support the amount drawn down from the payment requests? [24 CFR 576.500(u); 24 CFR 84.21(b); 24 CFR 85.20]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

9.

Do the recipient’s financial information (e.g., drawdowns, unexpended balances) records match the information in HUD’s financial systems (e.g., Line of Credit Control System (LOCCS), Integrated Disbursement and Information System (IDIS)) for the period under review? [24 CFR 576.500(aa); 24 CFR 85.20]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

10.

Are payments for salaries and wages supported by documented payrolls and personnel activity reports as specified in the applicable cost principles? [24 CFR 576.500(u)(2); OMB Circular A-122, Attachment B, 8(m); OMB Circular A-87, Attachment B, 8(h)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

11. Are charges to the grant by both governmental units and nonprofit organizations for salaries and wages, whether treated as direct or indirect costs, based on payrolls documented in accordance with generally accepted accounting principles and approved by a responsible official(s) of the organization being monitored?
[24 CFR 576.500(u)(2); OMB Circular A-122, Attachment B, 8(m); OMB Circular A-87, Attachment B, 8(h)]
- | | |
|---------------------------------------|--|
| | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A |
| Describe Basis for Conclusion: | |
12. For government employees working solely on the grant, are charges for their salaries and wages supported by periodic certifications that the employees worked solely on that program for the period covered by the certification?
[24 CFR 576.500(u)(2); OMB Circular A-87, Attachment B, 8(h)(3)]
- | | |
|---------------------------------------|--|
| | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A |
| Describe Basis for Conclusion: | |
13. For government employees, were the certifications prepared at least semi-annually and signed by the employee or a supervisory official having first-hand knowledge of the work performed by the employee?
[24 CFR 576.500(u)(2); OMB Circular A-87, Attachment B, 8(h)(3)]
- | | |
|---------------------------------------|--|
| | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A |
| Describe Basis for Conclusion: | |
14. Does a random selection of administrative costs reflect that grant funds were used for eligible administrative costs?
[24 CFR 576.108; 24 CFR 84.21; 24 CFR 85.20]
- | | |
|---------------------------------------|--|
| | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A |
| Describe Basis for Conclusion: | |
15. Are all of the administrative costs reviewed allocable to the program, and necessary and reasonable for proper and efficient administration of the program?
[24 CFR 576.108; 24 CFR 576.500(u)(2); OMB Circular A-122; OMB Circular A-87]
- | | |
|---------------------------------------|--|
| | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Yes No N/A |
| Describe Basis for Conclusion: | |

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16.

Is the recipient in compliance with the component or activity caps imposed by program regulations, and are all costs subject to the expenditure caps properly classified? [24 CFR 576.100; 24 CFR 576.500(u)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

17.

If the recipient advances grant funds to subrecipients, are there procedures to minimize the time elapsed between the transfer of funds to, and disbursement by, the subrecipients? [24 CFR 576.407(c); 24 CFR 84.22(b)(1); 24 CFR 85.21(c)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

18.

If the recipient uses advances, is there evidence that any interest earned on grant advances over the amount specified in the uniform administrative requirements has been remitted to the U.S. Treasury as required by HUD? [24 CFR 576.407(c); 24 CFR 85.21(i)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

19.

If indirect costs are charged to the grant program by the recipient or its subrecipients, are the costs supported by an Indirect Cost Rate Proposal or Cost Allocation Plan prepared in accordance with OMB Circular A-87 (for governments) or OMB Circular A-122 (for nonprofit organizations)? [24 CFR 576.109; OMB Circular A-87; OMB Circular A-122]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

20.

a. If single audits are required, does the recipient or its subrecipients have a system or methodology to ensure that such audits are conducted? [24 CFR 576.407(c); 24 CFR 85.26; 24 CFR 84.26]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

b. If single audits are required for any recipient or subrecipient, is there documentation that the audits have been reviewed for compliance and that the recipient or subrecipient has taken appropriate follow-up actions, if necessary? [24 CFR 576.407(c); 24 CFR 85.26; 24 CFR 84.26]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

21.

Do the recipient and its subrecipients maintain records of their receipt and use of program income? [24 CFR 576.500(u)(3)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

22.

Do the recipient and its subrecipients use program income as the nonfederal share of eligible costs (i.e., match)? [24 CFR 576.201(f); 24 CFR 576.407(c); 24 CFR 84.24(b) or 24 CFR 85.25(g)]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

23.

Does a review of program expenditures indicate the absence of any unallowable costs including entertainment, contributions and donations, fines and penalties, or general governmental expenditures including salary and expenses of the chief executive officer of the recipient or its subrecipients? [24 CFR 576.100(d); 24 CFR 576.500(u)(2); OMB Circular A-87 or OMB Circular A-122]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

24.

Does a review of the expenditures indicate that costs related to lobbying political activities have not been charged to the program? [24 CFR 576.100(d); 24 CFR 576.500(u)(2); OMB Circular A-87 or OMB Circular A-122]	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion:	

City of Berkeley – Priority Home Partnership Program File Review Check List

Last Name: _____ First Name: _____ HMIS ID: _____

Staff Name: _____

Supervisor Approval - Name: _____

I. Eligibility Documentation

ESG Application for Assistance and Eligibility Determination Form (8 pages)

_____ Rapid Rehousing Assistance

_____ Homeless Prevention

Attached	Document	COB Review
<input type="checkbox"/>	Homeless Status Supporting Documentation (Rapid Rehousing-RR)	<input type="checkbox"/>
<input type="checkbox"/>	At Imminent Risk Housing Status Supporting Documentation (Homeless Prevention-HP)	<input type="checkbox"/>
<input type="checkbox"/>	Income Eligibility Supporting Documentation (RR&HP)	<input type="checkbox"/>
<input type="checkbox"/>	Asset Verification Supporting Documentation (RR&HP)	<input type="checkbox"/>
<input type="checkbox"/>	Current ROI - Date: _____	<input type="checkbox"/>

II. Documentation of Assistance/Ongoing Services

Attached	Document	COB Review
<input type="checkbox"/>	1. Request for Tenancy Approval	<input type="checkbox"/>
<input type="checkbox"/>	2. Household Budget	<input type="checkbox"/>
<input type="checkbox"/>	3. Housing Stability Plan	<input type="checkbox"/>
<input type="checkbox"/>	4. Financial Assistance Calculation Form	<input type="checkbox"/>
<input type="checkbox"/>	5. Program Participation Agreement	<input type="checkbox"/>
<input type="checkbox"/>	6. Lease Between Participant and Landlord	<input type="checkbox"/>
<input type="checkbox"/>	7. Rental Assistance Agreement with Landlord	<input type="checkbox"/>
<input type="checkbox"/>	8. W-9 Form	<input type="checkbox"/>
<input type="checkbox"/>	Three Month Reassessment(s) <i>(if applicable, insert dates)</i> 1. _____ 2. _____	<input type="checkbox"/>
<input type="checkbox"/>	Budget/Housing Stability Plan, if recertified for additional 3 months	<input type="checkbox"/>
<input type="checkbox"/>	Exit Form (HMIS form), if exited from program.	<input type="checkbox"/>
<input type="checkbox"/>	Termination of Housing Assistance <i>(if applicable)</i>	<input type="checkbox"/>
<input type="checkbox"/>	Other	<input type="checkbox"/>

City of Berkeley – Priority Home Partnership Program File Review Check List

Inspection Documentation Verification

Last Name: _____ First Name: _____ HMIS ID: _____

Unit
Address: _____

In File	Document	Inspector's Signature	Unit Pass	Unit Inconclusive /Fail	Date
<input type="checkbox"/>	Rent Reasonableness		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	Habitability Inspection (includes Lead Assessment)		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	FMR certification		<input type="checkbox"/>	<input type="checkbox"/>	

NOTES:

City of Berkeley
Program Monitoring File Checklist

Client File Reviewed: (first initial, last initial) _____ Date: _____ Case Manager: _____
 Staff Reviewer _____ Signature _____

Item (All Files)	Yes	No	N/A	Comments
Client Intake				
Needs Assessment				
Income Verification				
Disability Verification				
Homelessness Verification				
Client ID				
Program Participation Agreement				
Notice of Grievance Policies				
Notice of Privacy Policies				
Release of Information				
Individual Service Plan (current)				
Case Notes: Documentation of case management sessions (note frequency) and of ongoing efforts to achieve ISP goals.				
Documentation of Referrals to other needed services				
Documentation of Increased Income				
Documentation of Housing Placement (address)				
Exit Documentation				
Emergency Contact				
Is file stored in secure area with restricted access?				
Is file organized, complete, uses standard forms, entries legible?				
File clearly notes client's status? (active, closed, inactive)				
SHELTER OR TRANSITIONAL HOUSING SERVICES				
Savings Program? Documentation of deposits and withdrawals?				
Other Info:				
Other Info:				
TB Test In File				
OVERALL COMMENTS				

--

NOTATIONS ON REVIEW ITEMS
INCOME VERIFICATION: If program uses "presumed income" category, file must include verification of qualification for presumed category.
HOMELESS VERIFICATION: HUD guidelines indicate that third-party verification is best practice; self-certification and homeless history are also acceptable.
DISABILITY VERIFICATION: For programs funded to serve disabled, verification should be by a licensed professional.

Excerpted ESG Interim Regulations as Applicable to Subrecipients Subpart A—General Provisions

§ 576.1 Applicability and purpose.

This part implements the Emergency Solutions Grants (ESG) program authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371–11378). The program authorizes the Department of Housing and Urban Development (HUD) to make grants to States, units of general purpose local government, and territories for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re-housing assistance.

§ 576.2 Definitions.

At risk of homelessness means: (1) An individual or family who: Has an annual income below 30 percent of median family income for the area, as determined by HUD; Does not have sufficient resources or support networks, *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “homeless” definition in this section; and

1. Meets one of the following conditions:

- Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
- Is living in the home of another because of economic hardship;
- Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
- Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
- Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
- Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
- Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient’s approved consolidated plan;

2. A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e– 2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

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

Consolidated plan means a plan prepared in accordance with 24 CFR part 91. An *approved consolidated plan* means a consolidated plan that has been approved by HUD in accordance with 24 CFR part 91.

Continuum of Care means the group composed of representatives of relevant organizations, which generally includes nonprofit homeless providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless persons and persons at risk of homelessness for a specific geographic area.

Emergency shelter means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. Any project funded as an emergency shelter under a Fiscal Year 2010 Emergency Solutions grant may continue to be funded under ESG.

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or
 - (iii) An individual who is exiting an institution where he or she 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;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime 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, *e.g.*, family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (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 section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or
- (4) Any individual or family who:
 - (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
 - (ii) Has no other residence; and
 - (iii) Lacks the resources or support networks, *e.g.*, family, friends, faith-based or other social networks, to obtain other permanent housing.

Homeless Management Information System (HMIS) means the information system designated by the Continuum of Care to comply with the HUD's data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at-risk of homelessness.

Metropolitan city means a city that was classified as a metropolitan city under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available. This term includes the District of Columbia.

Private nonprofit organization means a private nonprofit organization that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance. A private nonprofit organization does not include a governmental organization, such as a public housing agency or housing finance agency.

Program income shall have the meaning provided in 24 CFR 85.25. Program income includes any amount of a security or utility deposit returned to the recipient or subrecipient.

Program participant means an individual or family who is assisted under ESG program.

Program year means the consolidated program year established by the recipient under 24 CFR part 91.

Recipient means any State, territory, metropolitan city, or urban county, or in the case of reallocation, any unit of general purpose local government that is approved by HUD to assume financial responsibility and enters into a grant agreement with HUD to administer assistance under this part.

State means each of the several States and the Commonwealth of Puerto Rico.

Subrecipient means a unit of general purpose local government or private nonprofit organization to which a recipient makes available ESG funds.

Unit of general purpose local government means any city, county, town, township, parish, village, or other general purpose political subdivision of a State.

Urban county means a county that was classified as an urban county under 42 U.S.C. 5302(a) for the fiscal year immediately preceding the fiscal year for which ESG funds are made available.

Victim service provider means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.

Subpart B—Program Components and Eligible Activities

§ 576.100 General provisions and expenditure limits.

(a) ESG funds may be used for five program components: street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and HMIS; as well as administrative activities. The five program components and the eligible activities that may be funded under each are set forth in § 576.101 through § 576.107. Eligible administrative activities are set forth in § 576.108.

(b) The total amount of the recipient's fiscal year grant that may be used for street outreach and emergency shelter activities cannot exceed the greater of:

(1) 60 percent of the recipient's fiscal year grant; or

(2) The amount of Fiscal Year 2010 grant funds committed for homeless assistance activities.

(c) The total amount of ESG funds that may be used for administrative activities cannot exceed 7.5 percent of the recipient's fiscal year grant.

(d) Subject to the cost principles in OMB Circulars A-87 (2 CFR 225) and A-122 (2 CFR 230) and other requirements in this part, employee compensation and other overhead costs directly related to carrying out street outreach, emergency shelter, homelessness prevention, rapid re-housing, and HMIS are eligible costs of those program components. These costs are not subject to the expenditure limit in paragraph (c) of this section.

§ 576.101 Street outreach component.

(a) *Eligible costs.* Subject to the expenditure limit in § 576.100(b), ESG funds may be used for costs of providing essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, nonfacility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term "unsheltered homeless people" means individuals and families who qualify as homeless under paragraph (1)(i) of the "homeless" definition under § 576.2. The eligible costs and requirements for essential services consist of:

(1) *Engagement.* The costs of 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. These activities consist of making an initial assessment of needs and eligibility; providing crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; and actively connecting and providing information and referrals to programs targeted to homeless people and mainstream social services and housing programs, including emergency shelter, transitional housing, community-based services, permanent supportive housing, and rapid re-housing programs. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.

(2) *Case management.* The cost of assessing housing and service needs, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant. Eligible services and activities are as follows: using the centralized or coordinated assessment system as required under § 576.400(d); conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; counseling; developing, securing and coordinating services; obtaining Federal, State, and local benefits; monitoring and evaluating program participant

progress; providing information and referrals to other providers; and developing an individualized housing and service plan, including planning a path to permanent housing stability.

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

(ii) ESG funds may be used only for these services to the extent that other appropriate health services are inaccessible or unavailable within the area.

(iii) Eligible treatment consists of assessing a program participant's health problems and developing a treatment plan; assisting program participants to understand their health needs; providing directly or assisting program participants to obtain appropriate emergency medical treatment; and providing medication and follow-up services.

(4) *Emergency mental health services.*

(i) Eligible costs are the 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.

(ii) ESG funds may be used only for these services to the extent that other appropriate mental health services are inaccessible or unavailable within the community.

(iii) Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances.

(iv) Eligible treatment consists of crisis interventions, the prescription of psychotropic medications, explanation about the use and management of medications, and combinations of therapeutic approaches to address multiple problems.

(5) *Transportation.* The transportation costs of travel by outreach workers, social workers, medical professionals, or other service providers are eligible, provided that this travel takes place during the provision of services eligible under this section. The costs of transporting unsheltered people to emergency shelters or other service facilities are also eligible. These costs include the following:

(i) The cost of a program participant's travel on public transportation;

(ii) If service workers use their own vehicles, mileage allowance for service workers to visit program participants;

(iii) The cost of purchasing or leasing a vehicle for the recipient or subrecipient in which staff transports program participants and/or staff serving program participants, and the cost of gas, insurance, taxes and maintenance for the vehicle; and

(iv) The travel costs of recipient or subrecipient staff to accompany or assist program participants to use public transportation.

(6) *Services for special populations.*

ESG funds may be used to provide services for homeless youth, victim services, and services for people living with HIV/AIDS, so long as the costs of providing these services are eligible under paragraphs (a)(1) through (a)(5) of this section. The term *victim services* means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

(b) *Minimum period of use.* The recipient or subrecipient must provide services to homeless individuals and families for at least the period during which ESG funds are provided.

(c) *Maintenance of effort.* (1) If the recipient or subrecipient is a unit of general purpose local government, its ESG funds cannot be used to replace funds the local government provided for street outreach and emergency shelter services during the immediately preceding 12-month period, unless HUD determines that the unit of general purpose local government is in a severe financial deficit.

(2) Upon the recipient's request, HUD will determine whether the unit of general purpose local government is in a severe financial deficit, based on the recipient's demonstration of each of the following:

(i) The average poverty rate in the unit of general purpose local government's jurisdiction was equal to or greater than 125 percent of the average national poverty rate, during the calendar year for which the most recent data are available, as determined according to information from the U.S. Census Bureau.

(ii) The average per-capita income in the unit of general purpose local government's jurisdiction was less than 75 percent of the average national per-capita income, during the calendar year for which the most recent data are available, as determined according to information from the Census Bureau.

(iii) The unit of general purpose local government has a current annual budget deficit that requires a reduction in funding for services for homeless people.

(iv) The unit of general-purpose local government has taken all reasonable steps to prevent a reduction in funding of services for homeless people. Reasonable steps may include steps to increase revenue generation, steps to maximize cost savings, or steps to reduce expenditures in areas other than services for homeless people.

§ 576.103 Homelessness prevention component.

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the “homeless” definition in § 576.2. This assistance, referred to as homelessness prevention, may be provided to individuals and families who meet the criteria under the “at risk of homelessness” definition, or who meet the criteria in paragraph (2), (3), or (4) of the “homeless” definition in § 576.2 and have an annual income below 30 percent of median family income for the area, as determined by HUD. The costs of homelessness prevention are only eligible to the extent that the assistance is necessary to help the program participant regain stability in the program participant’s current permanent housing or move into other permanent housing and achieve stability in that housing. Homelessness prevention must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short-term and medium-term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

§ 576.104 Rapid re-housing assistance component.

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. This assistance, referred to as rapid re-housing assistance, may be provided to program participants who meet the criteria under paragraph (1) of the “homeless” definition in § 576.2 or who meet the criteria under paragraph 4 of the “homeless” definition and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. The rapid re- housing assistance must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short- and medium- term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

§ 576.105 Housing relocation and stabilization services.

(a) *Financial assistance costs.* Subject to the general conditions under § 576.103 and § 576.104, ESG funds may be used to pay housing owners, utility companies, and other third parties for the following costs:

(1) *Rental application fees.* ESG funds may pay for the rental housing application fee that is charged by the owner to all applicants.

(2) *Security deposits.* ESG funds may pay for a security deposit that is equal to no more than 2 months’ rent.

(3) *Last month’s rent.* If necessary to obtain housing for a program participant, the last month’s rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month’s rent. This assistance must not exceed one month’s rent and must be included in calculating the program participant’s total rental assistance, which cannot exceed 24 months during any 3-year period.

(4) *Utility deposits.* ESG funds may pay for a standard utility deposit required by the utility company for all customers for the utilities listed in paragraph (5) of this section.

(5) *Utility payments.* ESG funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.

(6) *Moving costs.* ESG funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance under paragraph (b) of this section and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.

(b) *Services costs.* Subject to the general restrictions under § 576.103 and § 576.104, ESG funds may be used to pay the costs of providing the following services:

(1) *Housing search and placement.*

Services or activities necessary to assist program participants in locating, obtaining, and retaining suitable permanent

housing, include the following:

- (i) Assessment of housing barriers, needs, and preferences;
 - (ii) Development of an action plan for locating housing;
 - (iii) Housing search;
 - (iv) Outreach to and negotiation with owners;
 - (v) Assistance with submitting rental applications and understanding leases;
 - (vi) Assessment of housing for compliance with Emergency Solutions Grant (ESG) requirements for habitability, lead-based paint, and rent reasonableness;
 - (vii) Assistance with obtaining utilities and making moving arrangements; and
 - (viii) Tenant counseling.
- (2) *Housing stability case management.* ESG funds may be used to pay cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to facilitate housing stability for a program participant who resides in permanent housing or to assist a program participant in overcoming immediate barriers to obtaining housing. This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing. Component services and activities consist of:
- (A) Using the centralized or coordinated assessment system as required under § 576.400(d), to evaluate individuals and families applying for or receiving homelessness prevention or rapid re-housing assistance;
 - (B) Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility, for individuals and families applying for homelessness prevention or rapid re- housing assistance;
 - (C) Counseling;
 - (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits;
 - (E) Monitoring and evaluating program participant progress;
 - (F) Providing information and referrals to other providers;
 - (G) Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
 - (H) Conducting re-evaluations required under § 576.401(b).
- (3) *Mediation.* ESG funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.
- (4) *Legal services.* ESG funds may pay for legal services, as set forth in § 576.102(a)(1)(vi), except that the eligible subject matters also include landlord/tenant matters, and the services must be necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.
- (5) *Credit repair.* ESG funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.
- (c) *Maximum amounts and periods of assistance.* The recipient may set a maximum dollar amount that a program participant may receive for each type of financial assistance under paragraph (a) of this section. The recipient may also set a maximum period for which a program participant may receive any of the types of assistance or services under this section. However, except for housing stability case management, the total period for which any program participant may receive the services under paragraph (b) of this section must not exceed 24 months during any 3-year period. The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.
- (d) *Use with other subsidies.* Financial assistance under paragraph (a) of this section cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been provided with replacement housing payments under the URA, during the period of time covered by the URA payments.

§ 576.106 Short-term and medium-term rental assistance.

- (a) *General provisions.* Subject to the general conditions under § 576.103 and § 576.104, the recipient or subrecipient may provide a program participant with up to 24 months of rental assistance during any 3-year period. This assistance may be short-term rental assistance, medium-term rental assistance, payment of rental arrears, or any combination of this

assistance.

- (1) Short-term rental assistance is assistance for up to 3 months of rent.
- (2) Medium-term rental assistance is assistance for more than 3 months but not more than 24 months of rent.
- (3) Payment of rental arrears consists of a one-time payment for up to 6 months of rent in arrears, including any late fees on those arrears.
- (4) Rental assistance may be tenant-based or project-based, as set forth in paragraphs (h) and (i) of this section.
- (b) *Discretion to set caps and conditions.* Subject to the requirements of this section, the recipient may set a maximum amount or percentage of rental assistance that a program participant may receive, a maximum number of months that a program participant may receive rental assistance, or a maximum number of times that a program participant may receive rental assistance. The recipient may also require program participants to share in the costs of rent.
- (c) *Use with other subsidies.* Except for a one-time payment of rental arrears on the tenant's portion of the rental payment, rental assistance cannot be provided to a program participant who is receiving tenant-based rental assistance, or living in a housing unit receiving project-based rental assistance or operating assistance, through other public sources. Rental assistance may not be provided to a program participant who has been provided with replacement housing payments under the URA during the period of time covered by the URAs payments.
- (d) *Rent restrictions.* (1) Rental assistance cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507.
(2) For purposes of calculating rent under this section, the 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.
- (e) *Rental assistance agreement.* The recipient or subrecipient may make rental assistance payments only to an owner with whom the recipient or subrecipient has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the recipient or subrecipient a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.
- (f) *Late payments.* The recipient or subrecipient must make timely payments to each owner in accordance with the rental assistance agreement. The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The recipient or subrecipient is solely responsible for paying late payment penalties that it incurs with non-ESG funds.
- (g) *Lease.* Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. For program participants living in housing with project-based rental assistance under paragraph (i) of this section, the lease must have an initial term of one year.
- (h) *Tenant-based rental assistance.*
 - (1) A program participant who receives tenant-based rental assistance may select a housing unit in which to live and may move to another unit or building and continue to receive rental assistance, as long as the program participant continues to meet the program requirements.
 - (2) The recipient may require that all program participants live within a particular area for the period in which the rental assistance is provided.
 - (3) The rental assistance agreement with the owner must terminate and no further rental assistance payments under that agreement may be made if:
 - (i) The program participant moves out of the housing unit for which the program participant has a lease;
 - (ii) The lease terminates and is not renewed; or
 - (iii) The program participant becomes ineligible to receive ESG rental assistance.
 - (i) *Project-based rental assistance.* If the recipient or subrecipient identifies a permanent housing unit that meets ESG requirements and becomes available before a program participant is identified to lease the unit, the recipient or subrecipient may enter into a rental assistance agreement with the owner to reserve the unit and

subsidize its rent in accordance with the following requirements:

1. The rental assistance agreement may cover one or more permanent housing units in the same building. Each unit covered by the rental assistance agreement (“assisted unit”) may only be occupied by program participants, except as provided under paragraph (i)(4) of this section.
2. The recipient or subrecipient may pay up to 100 percent of the first month’s rent, provided that a program participant signs a lease and moves into the unit before the end of the month for which the first month’s rent is paid. The rent paid before a program participant moves into the unit must not exceed the rent to be charged under the program participant’s lease and must be included when determining that program participant’s total rental assistance.
3. The recipient or subrecipient may make monthly rental assistance payments only for each whole or partial month an assisted unit is leased to a program participant. When a program participant moves out of an assisted unit, the recipient or subrecipient may pay the next month’s rent, *i.e.*, the first month’s rent for a new program participant, as provided in paragraph (i)(2) of this section.
4. The program participant’s lease must not condition the term of occupancy to the provision of rental assistance payments. If the program participant is determined ineligible or reaches the maximum number of months over which rental assistance can be provided, the recipient or subrecipient must suspend or terminate the rental assistance payments for the unit. If the payments are suspended, the individual or family may remain in the assisted unit as permitted under the lease, and the recipient or subrecipient may resume payments if the individual or family again becomes eligible and needs further rental assistance. If the payments are terminated, the rental assistance may be transferred to another available unit in the same building, provided that the other unit meets all ESG requirements.

(1) The rental assistance agreement must have an initial term of one year. When a new program participant moves into an assisted unit, the term of the rental assistance agreement may be extended to cover the initial term of the program participant’s lease. If the program participant’s lease is renewed, the rental assistance agreement may be renewed or extended, as needed, up to the maximum number of months for which the program participant remains eligible. However, under no circumstances may the recipient or subrecipient commit ESG funds to be expended beyond the expenditure deadline in § 576.203 or commit funds for a future ESG grant before the grant is awarded.

(j) *Changes in household composition.*

The limits on the assistance under this section apply to the total assistance an individual receives, either as an individual or as part of a family.

§ 576.107 HMIS component.

(a) *Eligible costs.*

(1) The recipient or subrecipient may use ESG funds to pay the costs of contributing data to the HMIS designated by the Continuum of Care for the area, including the costs of:

- (i) Purchasing or leasing computer hardware;
- (ii) Purchasing software or software licenses;
- (iii) Purchasing or leasing equipment, including telephones, fax machines, and furniture;
- (iv) Obtaining technical support; Leasing office space;
- (v) Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;

(vi) Paying salaries for operating HMIS, including:

- (A) Completing data entry;
 - (B) Monitoring and reviewing data quality;
 - (C) Completing data analysis;
 - (D) Reporting to the HMIS Lead;
 - (F) Training staff on using the HMIS or comparable database; and
 - (G) Implementing and complying with HMIS requirements;
- (vii) Paying costs of staff to travel to and attend HUD-sponsored and HUD- approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;
- (viii) Paying staff travel costs to conduct intake; and
- (ix) Paying participation fees charged by the HMIS Lead, if the recipient or subrecipient is not the HMIS Lead. The HMIS Lead is the entity designated by the Continuum of Care to operate the area’s HMIS.

(2) If the recipient is the HMIS lead agency, as designated by the Continuum of Care in the most recent fiscal year Continuum of Care Homeless Assistance Grants Competition, it may also use ESG funds to pay the costs of:

- (i) Hosting and maintaining HMIS software or data;
 - (ii) Backing up, recovering, or repairing HMIS software or data;
 - (iii) Upgrading, customizing, and enhancing the HMIS;
 - (iv) Integrating and warehousing data, including development of a data warehouse for use in aggregating data from subrecipients using multiple software systems;
 - (v) Administering the system;
 - (vi) Reporting to providers, the Continuum of Care, and HUD; and
 - (vii) Conducting training on using the system or a comparable database, including traveling to the training.
- (3) If the subrecipient is a victim services provider or a legal services provider, it may use ESG funds to establish and operate a comparable database that collects client-level data over time (*i.e.*, longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to an HMIS.
- (b) *General restrictions.* Activities funded under this section must comply with HUD's standards on participation, data collection, and reporting under a local HMIS.

§ 576.108 Administrative activities.

- (a) *Eligible costs.* The recipient may use up to 7.5 percent of its ESG grant for the payment of administrative costs related to the planning and execution of ESG activities. This does not include staff and overhead costs directly related to carrying out activities eligible under § 576.101 through § 576.107, because those costs are eligible as part of those activities. Eligible administrative costs include:
- (1) *General management, oversight and coordination.* Costs of overall program management, coordination, monitoring, and evaluation. These costs include, but are not limited to, necessary expenditures for the following:
 - (i) Salaries, wages, and related costs of the recipient's staff, the staff of subrecipients, or other staff engaged in program administration. In charging costs to this category, the recipient may either include the entire salary, wages, and related costs allocable to the program of each person whose *primary* responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes *any* program administration assignments. The recipient may use only one of these methods for each fiscal year grant. Program administration assignments include the following:
 - (A) Preparing program budgets and schedules, and amendments to those budgets and schedules;
 - (B) Developing systems for assuring compliance with program requirements;
 - (C) Developing interagency agreements and agreements with subrecipients and contractors to carry out program activities;
 - (D) Monitoring program activities for progress and compliance with program requirements;
 - (E) Preparing reports and other documents directly related to the program for submission to HUD;
 - (F) Coordinating the resolution of audit and monitoring findings;
 - (G) Evaluating program results against stated objectives; and
 - (H) Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described in paragraph (a)(1)(i)(A) through (G) of this section.
 - (ii) Travel costs incurred for monitoring of subrecipients;
 - (iii) Administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; and
 - (iv) Other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.
 - (2) *Training on ESG requirements.* Costs of providing training on ESG requirements and attending HUD- sponsored ESG trainings.
 - (3) *Consolidated plan.* Costs of preparing and amending the ESG and homelessness-related sections of the consolidated plan in accordance with ESG requirements and 24 CFR part 91.
 - (4) *Environmental review.* Costs of carrying out the environmental review responsibilities under § 576.407.
- (b) *Sharing requirement.* (1) *States.* If the recipient is a State, the recipient must share its funds for administrative costs with its subrecipients that are units of general-purpose local government. The amount shared must be reasonable under the circumstances. The recipient may share its funds for administrative costs with its subrecipients that are private nonprofit organizations.
- (2) *Territories, metropolitan cities, and urban counties.* If the recipient is a territory, metropolitan city, or urban

county, the recipient may share its funds for administrative costs with its subrecipients.

Subpart C—Award and Use of Funds

§ 576.201 Matching requirement.

- (a) *Required amount of matching contributions.* (1) Except as provided under paragraphs (a)(2) and (a)(3) of this section, the recipient must make matching contributions to supplement the recipient's ESG program in an amount that equals the amount of ESG funds provided by HUD.
- (b) *Eligible sources of matching contributions.* (1) Subject to the requirement for States under paragraph (a)(2) of this section, the recipient may require its subrecipients to make matching contributions consistent with this section to help meet the recipient's matching requirement.
- (2) Matching contributions may be obtained from any source, including any Federal source other than the ESG program, as well as state, local, and private sources. However, the following requirements apply to matching contributions from a Federal source of funds:
- (i) The recipient must ensure the laws governing any funds to be used as matching contributions do not prohibit those funds from being used to match Emergency Solutions Grant (ESG) funds.
- (ii) If ESG funds are used to satisfy the matching requirements of another Federal program, then funding from that program may not be used to satisfy the matching requirements under this section.
- (c) *Recognition of matching contributions.* (1) In order to meet the matching requirement, the matching contributions must meet all requirements that apply to the ESG funds provided by HUD, except for the expenditure limits in § 576.100.
- (2) The matching contributions must be provided after the date that HUD signs the grant agreement.
- (3) To count toward the required match for the recipient's fiscal year grant, cash contributions must be expended within the expenditure deadline in § 576.203, and noncash contributions must be made within the expenditure deadline in § 576.203.
- (4) Contributions used to match a previous ESG grant may not be used to match a subsequent ESG grant.
- (5) Contributions that have been or will be counted as satisfying a matching requirement of another Federal grant or award may not count as satisfying the matching requirement of this section.
- (d) *Eligible types of matching contributions.* The matching requirement may be met by one or both of the following:
- (1) *Cash contributions.* Cash expended for allowable costs, as defined in OMB Circulars A-87 (2 CFR part 225) and A-122 (2 CFR part 230), of the recipient or subrecipient.
- (2) *Noncash contributions.* The value of any real property, equipment, goods, or services contributed to the recipient's or subrecipient's ESG program, provided that if the recipient or subrecipient had to pay for them with grant funds, the costs would have been allowable. Noncash contributions may also include the purchase value of any donated building.
- (e) *Calculating the amount of noncash contributions.* (1) To determine the value of any donated material or building, or of any lease, the recipient must use a method reasonably calculated to establish the fair market value.
- (2) Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in the recipient's or subrecipient's organization. If the recipient or subrecipient does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.
- (3) Some noncash contributions are real property, equipment, goods, or services that, if the recipient or subrecipient had to pay for them with grant funds, the payments would have been indirect costs. Matching credit for these contributions must be given only if the recipient or subrecipient has established, along with its regular indirect cost rate, a special rate for allocating to individual projects or programs the value of those contributions.
- (f) *Costs paid by program income.*
Costs paid by program income shall count toward meeting the recipient's matching requirements, provided the costs are eligible ESG costs that supplement the recipient's ESG program.

Subpart E—Program Requirements

§ 576.400 Area-wide systems coordination requirements.

- (a) *Consultation with Continuums of Care.* The recipient must consult with each Continuum of Care that serves the recipient's jurisdiction in determining how to allocate ESG funds each program year; developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and developing funding, policies, and procedures for the administration and operation of the HMIS.

- (b) *Coordination with other targeted homeless services.* The recipient and its subrecipients must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to homeless people in the area covered by the Continuum of Care or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area. These programs include:
- (1) Shelter Plus Care Program (24 CFR part 582);
 - (2) Supportive Housing Program (24 CFR part 583);
 - (3) Section 8 Moderate Rehabilitation Program for Single Room Occupancy Program for Homeless Individuals (24 CFR part 882);
 - (4) HUD—Veterans Affairs Supportive Housing (HUD—VASH) (division K, title II, Consolidated Appropriations Act, 2008, Pub. L. 110–161 (2007), 73 FR 25026 (May 6, 2008));
 - (5) Education for Homeless Children and Youth Grants for State and Local Activities (title VII–B of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*));
 - (6) Grants for the Benefit of Homeless Individuals (section 506 of the Public Health Services Act (42 U.S.C. 290aa– 5));
 - (7) Healthcare for the Homeless (42 CFR part 51c);
 - (8) Programs for Runaway and Homeless Youth (Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*));
 - (9) Projects for Assistance in Transition from Homelessness (part C of title V of the Public Health Service Act (42 U.S.C. 290cc–21 *et seq.*));
 - (10) Services in Supportive Housing Grants (section 520A of the Public Health Service Act);
 - (11) Emergency Food and Shelter Program (title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331 *et seq.*));
 - (12) Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program (section 40299 of the Violent Crime Control and Law Enforcement Act (42 U.S.C. 13975));
 - (13) Homeless Veterans Reintegration Program (section 5(a)(1)) of the Homeless Veterans Comprehensive Assistance Act (38 U.S.C. 2021);
 - (14) Domiciliary Care for Homeless Veterans Program (38 U.S.C. 2043);
 - (15) VA Homeless Providers Grant and Per Diem Program (38 CFR part 61);
 - (16) Health Care for Homeless Veterans Program (38 U.S.C. 2031);
 - (17) Homeless Veterans Dental Program (38 U.S.C. 2062);
 - (18) Supportive Services for Veteran Families Program (38 CFR part 62); and
 - (19) Veteran Justice Outreach Initiative (38 U.S.C. 2031).
- (c) *System and program coordination with mainstream resources.* The recipient and its subrecipients must coordinate and integrate, to the maximum extent practicable, ESG- funded activities with mainstream housing, health, social services, employment, education, and youth programs for which families and individuals at risk of homelessness and homeless individuals and families may be eligible. Examples of these programs include:
- (1) Public housing programs assisted under section 9 of the U.S. Housing Act of 1937 (42 U.S.C. 1437g) (24 CFR parts 905, 968, and 990);
 - (2) Housing programs receiving tenant-based or project-based assistance under section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f) (respectively 24 CFR parts 982 and 983);
 - (3) Supportive Housing for Persons with Disabilities (Section 811) (24 CFR part 891);
 - (4) HOME Investment Partnerships Program (24 CFR part 92);
 - (5) Temporary Assistance for Needy Families (TANF) (45 CFR parts 260–265);
 - (6) Health Center Program (42 CFR part 51c);
 - (7) State Children’s Health Insurance Program (42 CFR part 457);
 - (8) Head Start (45 CFR chapter XIII, subchapter B);
 - (9) Mental Health and Substance Abuse Block Grants (45 CFR part 96); and
 - (10) Services funded under the Workforce Investment Act (29 U.S.C. 2801 *et seq.*).

§ 576.401 Evaluation of program participant eligibility and needs.

- (a) *Evaluations.* The recipient or its subrecipient 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. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under § 576.400(d) and the written standards established under § 576.400(e).

(b) *Re-evaluations for homelessness prevention and rapid re-housing assistance.* (1) The recipient or subrecipient must re-evaluate the program participant's eligibility and the types and amounts of assistance the program participant needs 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 and support networks necessary to retain housing without ESG assistance.

(2) The recipient or subrecipient may require each program participant receiving homelessness prevention or rapid re-housing assistance to notify the recipient or subrecipient regarding changes in the program participant's income or other circumstances (*e.g.*, changes in household composition) that affect the program participant's need for assistance under ESG. When notified of a relevant change, the recipient or subrecipient must re-evaluate the program participant's eligibility and the amount and types of assistance the program participant needs.

(c) *Annual income.* When determining the annual income of an individual or family, the recipient or subrecipient must use the standard for calculating annual income under 24 CFR 5.609.

(d) *Connecting program participants to mainstream and other resources.* The recipient and its subrecipients must assist each program participant, as needed, to obtain:

(1) Appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; and Other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability, including:

- (i) Medicaid (42 CFR chapter IV, subchapter C);
- (ii) Supplemental Nutrition Assistance Program (7 CFR parts 271–283);
- (iii) Women, Infants and Children (WIC) (7 CFR part 246);
- (iv) Federal-State Unemployment Insurance Program (20 CFR parts 601–603, 606, 609, 614–617, 625, 640,
- (v) Social Security Disability Insurance (SSDI) (20 CFR part 404);
- (vi) Supplemental Security Income (SSI) (20 CFR part 416);
- (vii) Child and Adult Care Food Program (42 U.S.C. 1766(t) (7 CFR part 226));
- (viii) Other assistance available under the programs listed in §576.400(c).

(e) *Housing stability case management.* (1) While providing homelessness prevention or rapid re-housing assistance to a program participant, the recipient or subrecipient must:

- (i) Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability; and
- (ii) Develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends, taking into account all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligible and likely to receive; and the relative affordability of available housing in the area.

(2) The recipient or subrecipient is exempt from the requirement under paragraph (e)(1)(i) of this section if the Violence Against Women Act of 1994 (42 U.S.C. 13701 *et seq.*) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 *et seq.*) prohibits that recipient or subrecipient from making its shelter or housing conditional on the participant's acceptance of services.

§ 576.402 Terminating assistance.

(a) *In general,* If a program participant violates program requirements, the recipient or subrecipient may terminate the assistance in accordance with a formal process established by the recipient or subrecipient that recognizes the rights of individuals affected. The recipient or subrecipient must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases.

(b) *Program participants receiving rental assistance or housing relocation and stabilization services.* To terminate rental assistance or housing relocation and stabilization services to a program participant, the required formal process, at a minimum, must consist of:

- (1) Written notice to the program participant containing a clear statement of the reasons for termination;

- (2) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- (3) Prompt written notice of the final decision to the program participant.
- (c) Ability to provide further assistance. Termination under this section does not bar the recipient or subrecipient from providing further assistance at a later date to the same family or individual.

§ 576.403 Shelter and housing standards.

- (a) Lead-based paint remediation and disclosure. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821–4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851–4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to all shelters assisted under ESG program and all housing occupied by program participants.
- (b) Minimum standards for emergency shelters. Any building for which Emergency Solutions Grant (ESG) funds are used for conversion, major rehabilitation, or other renovation, must meet state or local government safety and sanitation standards, as applicable, and the following minimum safety, sanitation, and privacy standards. Any emergency shelter that receives assistance for shelter operations must also meet the following minimum safety, sanitation, and privacy standards. The recipient may also establish standards that exceed or add to these minimum standards.
 - (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.
- (c) Minimum standards for permanent housing. The recipient or subrecipient cannot use ESG funds to help a program participant remain or move into housing that does not meet the minimum habitability standards provided in this paragraph (c). The recipient may also establish standards that exceed or add to these minimum 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.

§ 576.404 Conflicts of interest.

- (a) *Organizational conflicts of interest.* The provision of any type or amount of ESG assistance may not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the recipient, the subrecipient, or a parent or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent or subsidiary of the subrecipient, carry out the initial evaluation required under § 576.401 or administer homelessness prevention assistance under § 576.103.
- (b) *Individual conflicts of interest.* For the procurement of goods and services, the recipient and its subrecipients must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) and 24 CFR 84.42 (for private nonprofit organizations). For all other transactions and activities, the following restrictions apply:
 - (1) *Conflicts prohibited.* No person described in paragraph (b)(2) of this section who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.
 - (2) *Persons covered.* The conflict-of-interest provisions of paragraph (b)(1) of this section apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its subrecipients.
 - (3) *Exceptions.* Upon the written request of the recipient, HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (b)(3)(ii) of this section, provided that the recipient has satisfactorily met the threshold requirements of paragraph (b)(3)(i) of this section.
 - (i) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:
 - (A) If the recipient or subrecipient is a government, disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
 - (B) An opinion exception is sought would not violate state or local law.
 - (ii) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements under paragraph (b)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the ESG program and the effective and efficient administration of the recipient's or subrecipient's program or project, taking into account the cumulative effect of the following factors, as applicable:
 - (A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

- (B) Whether an opportunity was provided for open competitive bidding or negotiation;
 - (C) Whether the affected person has withdrawn from his or her functions, responsibilities or the decision-making process with respect to the specific activity in question;
 - (D) Whether the interest or benefit was present before the affected person was in the position described in paragraph (b)(1) of this section;
 - (E) Whether undue hardship results to the recipient, the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict; and
 - (F) Any other relevant considerations.
- (c) Contractors. All contractors of the recipient or subrecipient must comply with the same requirements that apply to subrecipients under this section.

§ 576.405 Homeless participation.

- (a) Unless the recipient is a State, the recipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policy- making entity of the recipient, to the extent that the entity considers and makes policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG).
- (b) If the recipient is unable to meet requirement under paragraph (a), it must instead develop and implement a plan to consult with homeless or formerly homeless individuals in considering and making policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG). The plan must be included in the annual action plan required under 24 CFR 91.220.
- (c) To the maximum extent practicable, the recipient or subrecipient must involve homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG. This involvement may include employment or volunteer services.

§ 576.406 Faith-based activities.

- (a) Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to receive ESG funds. Neither the Federal Government nor a State or local government receiving funds under ESG shall discriminate against an organization on the basis of the organization's religious character or affiliation.
- (b) Organizations that are directly funded under the ESG program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under ESG. If an organization conducts these activities, the activities must be offered separately, in time or location, from the programs or services funded under ESG, and participation must be voluntary for program participants.
- (c) Any religious organization that receives ESG funds retains its independence from Federal, State, and local governments, and may continue to carry out its mission, including the definition, practice, and expression of its religious beliefs, provided that the religious organization does not use direct ESG funds to support any inherently religious activities, such as worship, religious instruction, or proselytization. Among other things, faith-based organizations may use space in their facilities to provide ESG-funded services, without removing religious art, icons, scriptures, or other religious symbols. In addition, an ESG-funded religious organization retains its authority over its internal governance, and the organization may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
- (d) An organization that receives ESG funds shall not, in providing ESG assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief.
- (e) ESG funds may not be used for the rehabilitation of structures to the extent that those structures are used for inherently religious activities. Solutions ESG funds may be used for the rehabilitation of structures only to the extent that those structures are used for conducting eligible activities under the ESG program. Where a structure is used for both eligible and inherently religious activities, ESG funds may not exceed the cost of those portions of the rehabilitation that are attributable to eligible activities in accordance with the cost accounting requirements applicable to ESG funds. Sanctuaries, chapels, or other rooms that an ESG-funded religious congregation uses as its principal place of worship, however, are ineligible for funded improvements under the program. Disposition of real property after the term of the grant, or any change in use of the property during the term of the grant, is subject to government-wide regulations governing real property disposition (see 24 CFR parts 84 and 85).
- (f) If the recipient or a subrecipient that is a local government voluntarily contributes its own funds to supplement

federally funded activities, the recipient or subrecipient has the option to segregate the Federal funds or commingle them. However, if the funds are commingled, this section applies to all of the commingled funds.

§ 576.407 Other Federal requirements.

- (a) *General.* The requirements in 24 CFR part 5, subpart A are applicable, including the nondiscrimination and equal opportunity requirements at 24 CFR 5.105(a). Section 3 of the Housing and Urban Development Act of 1968, 12 U.S.C. 1701u, and implementing regulations at 24 CFR part 135 apply, except that homeless individuals have priority over other Section 3 residents in accordance with § 576.405(c).
- (b) *Affirmative outreach.* The recipient or subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the recipient or subrecipient intends to use to make known the availability of the facilities, assistance, and services will reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the recipient or subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services. The recipient and its subrecipients must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, recipients and subrecipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons.
- (c) *Uniform Administrative Requirements.* The requirements of 24 CFR part 85 apply to the recipient and subrecipients that are units of general purpose local government, except that 24 CFR 85.24 and 85.42 do not apply, and program income is to be used as match under 24 CFR 85.25(g). The requirements of 24 CFR part 84 apply to subrecipients that are private nonprofit organizations, except that 24 CFR 84.23 and 84.53 do not apply, and program income is to be used as the nonfederal share under 24 CFR 84.24(b). These regulations include allowable costs and non-Federal audit requirements.
- (d) *Environmental review responsibilities.* (1) Activities under this part are subject to environmental review by HUD under 24 CFR part 50. The recipient shall supply all available, relevant information necessary for HUD to perform for each property any environmental review required by 24 CFR part 50. The recipient also shall carry out mitigating measures required by HUD or select alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement (EIS).
- (2) The recipient or subrecipient, or any contractor of the recipient or subrecipient, may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this part, or commit or expend HUD or local funds for eligible activities under this part, until HUD has performed an environmental review under 24 CFR part 50 and the recipient has received HUD approval of the property.
- (e) *Davis-Bacon Act.* The provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a–5) do not apply to the ESG program.
- (f) *Procurement of Recovered Materials.* The recipient and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Subpart F—Grant Administration

§ 576.500 Recordkeeping and reporting requirements.

- (a) *In general.* The recipient must have policies and procedures to ensure the requirements of this part are met. The policies and procedures must be established in writing and implemented by the recipient and its subrecipients to ensure that ESG funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable the recipient and HUD to determine whether ESG requirements are being met.
- (b) *Homeless status.* The recipient must maintain and follow written intake procedures to ensure compliance with the homeless definition in § 576.2. The procedures must require documentation at intake of the evidence relied upon to establish and verify homeless status. The procedures must establish the order of priority for obtaining evidence as third-

party documentation first, intake worker observations second, and certification from the person seeking assistance third. However, lack of third-party documentation must not prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider. Records contained in an HMIS or comparable database used by victim service or legal service providers are acceptable evidence of third-party documentation and intake worker observations if the HMIS retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made; and if the HMIS prevents overrides or changes of the dates on which entries are made.

(1) If the individual or family qualifies as homeless under paragraph (1)(i) or (ii) of the homeless definition in § 576.2, acceptable evidence includes a written observation by an outreach worker of the conditions where the individual or family was living, a written referral by another housing or service provider, or a certification by the individual or head of household seeking assistance.

(2) If the individual qualifies as homeless under paragraph (1)(iii) of the homeless definition in § 576.2, because he or she resided in an emergency shelter or place not meant for human habitation and is exiting an institution where he or she resided for 90 days or less, acceptable evidence includes the evidence described in paragraph (b)(1) of this section and one of the following:

(i) Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution. All oral statements must be recorded by the intake worker; or

(ii) Where the evidence in paragraph (b)(2)(i) of this section is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in paragraph (b)(2)(i) and a certification by the individual seeking assistance that states he or she is exiting or has just exited an institution where he or she resided for 90 days or less.

(3) If the individual or family qualifies as homeless under paragraph (2) of the homeless definition in § 576.2, because the individual or family will imminently lose their housing, the evidence must include:

(i)(A) A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days after the date of their application for homeless assistance; or the equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law;

(B) For individuals and families whose primary nighttime residence is a hotel or motel room not paid for by charitable organizations or federal, state, or local government programs for low-income individuals, evidence that the individual or family lacks the resources necessary to reside there for more than 14 days after the date of application for homeless assistance; or

(C) An oral statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 14 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible. To be found credible, the oral statement must either:

(I) be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance and documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement; or (II) if the intake worker is unable to contact the owner or renter, be documented by a written certification by the intake worker of his or her due diligence in attempting to obtain the owner or renter's verification and the written certification by the individual or head of household seeking assistance that his or her statement was true and complete;

(ii) Certification by the individual or head of household that no subsequent residence has been identified; and

(iii) Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.

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

(i) For paragraph (3)(i) of the homeless definition in § 576.2, certification of homeless status by the local private nonprofit organization or state or local governmental entity responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*), the Head Start Act (42 U.S.C. 9831 *et seq.*), subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e *et seq.*), section 330 of the Public Health Service Act (42 U.S.C. 254b), the

Food and Nutrition Act of 2008 (7 U.S.C. 2011 *et seq.*), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*), as applicable;

(ii) For paragraph (3)(ii) of the homeless definition in § 576.2, referral by a housing or service provider, written observation by an outreach worker, or certification by the homeless individual or head of household seeking assistance;

(iii) For paragraph (3)(iii) of the homeless definition in § 576.2, certification by the individual or head of household and any available supporting documentation that the individual or family moved two or more times during the 60-day period immediately preceding the date of application for homeless assistance, including: recorded statements or records obtained from each owner or renter of housing, provider of shelter or housing, or social worker, case worker, or other appropriate official of a hospital or institution in which the individual or family resided; or, where these statements or records are unobtainable, a written record of the intake worker's due diligence in attempting to obtain these statements or records. Where a move was due to the individual or family fleeing domestic violence, dating violence, sexual assault, or stalking, then the intake worker may alternatively obtain a written certification from the individual or head of household seeking assistance that they were fleeing that situation and that they resided at that address; and

(iv) For paragraph (3)(iv) of the homeless definition in § 576.2, written diagnosis from a professional who is licensed by the state to diagnose and treat that condition (or intake staff- recorded observation of disability that within 45 days of date of the application for assistance is confirmed by a professional who is licensed by the state to diagnose and treat that condition); employment records; department of corrections records; literacy, English proficiency tests; or other reasonable documentation of the conditions required under paragraph (3)(iv) of the homeless definition.

(5) If the individual or family qualifies under paragraph (4) of the homeless definition in § 576.2, because the individual or family is fleeing domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions related to violence, then acceptable evidence includes an oral statement by the individual or head of household seeking assistance that they are fleeing that situation, that no subsequent residence has been identified and that they lack the resources or support networks, *e.g.*, family, friends, faith-based or other social networks, needed to obtain other housing. If the individual or family is receiving shelter or services provided by a victim service provider, the oral statement must be documented by either a certification by the individual or head of household; or a certification by the intake worker. Otherwise, the oral statement that the individual or head of household seeking assistance has not identified a subsequent residence and lacks the resources or support networks, *e.g.*, family, friends, faith-based or other social networks, needed to obtain housing must be documented by a certification by the individual or head of household that the oral statement is true and complete, and, where the safety of the individual or family would not be jeopardized, the domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening condition must be verified by a written observation by the intake worker or a written referral by a housing or service provider, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or any other organization from whom the individual or head of household has sought assistance for domestic violence, dating violence, sexual assault, or stalking. The written referral or observation need only include the minimum amount of information necessary to document that the individual or family is fleeing, or attempting to flee domestic violence, dating violence, sexual assault, and stalking.

(c) *At risk of homelessness status.* For each individual or family who receives Emergency Solutions Grant (ESG) homelessness prevention assistance, the records must include the evidence relied upon to establish and verify the individual or family's "at risk of homelessness" status. This evidence must include an intake and certification form that meets HUD specifications and is completed by the recipient or subrecipient. The evidence must also include:

(1) If the program participant meets the criteria under paragraph (1) of the "at risk of homelessness" definition in § 576.2:

(i) The documentation specified under this section for determining annual income;

(ii) The program participant's certification on a form specified by HUD that the program participant has insufficient financial resources and support networks; *e.g.*, family, friends, faith-based or other social networks, immediately available to attain housing stability and meets one or more of the conditions under paragraph (1)(iii) of the definition of "at risk of homelessness" in § 576.2;

(iii) The most reliable evidence available to show that the program participant does not have sufficient resources or support networks; *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the "homeless" definition. Acceptable evidence includes:

(A) Source documents (*e.g.*, notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears);

- (B) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, former employer, public administrator, relative) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria under paragraph (1)(ii) of the definition of "at risk of homelessness" in § 576.2; or
- (C) To the extent that source documents and third-party verification are unobtainable, a written statement by the recipient's or subrecipient's intake staff describing the efforts taken to obtain the required evidence; and
- (iv) The most reliable evidence available to show that the program participant meets one or more of the conditions under paragraph (1)(iii) of the definition of "at risk of homelessness" in § 576.2. Acceptable evidence includes:
- (A) Source documents that evidence one or more of the conditions under paragraph (1)(iii) of the definition (*e.g.*, eviction notice, notice of termination from employment, bankstatement);
- (B) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, former employer, owner, primary leaseholder, public administrator, hotel or motel manager) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or more of the criteria under paragraph (1)(iii) of the definition of "at risk of homelessness"; or To the extent that source documents and third-party verification are unobtainable, a written statement by the recipient's or subrecipient's intake staff that the staff person has visited the applicant's residence and determined that the applicant meets one or more of the criteria under paragraph (1)(iii) of the definition or, if a visit is not practicable or relevant to the determination, a written statement by the recipient's or subrecipient's intake staff describing the efforts taken to obtain the required evidence; or
- (2) If the program participant meets the criteria under paragraph (2) or (3) of the "at risk of homelessness" definition in § 576.2, certification of the child or youth's homeless status by the agency or organization responsible for administering assistance under the Runaway and Homeless Youth Act (42 U.S.C. 5701 *et seq.*), the Head Start Act (42 U.S.C. 9831 *et seq.*), subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e *et seq.*), section 330 of the Public Health Service Act (42 U.S.C. 254b), the Food and Nutrition Act of 2008 (7 U.S.C. 2011 *et seq.*), section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 *et seq.*), as applicable.
- (d) *Determinations of ineligibility.* For each individual and family determined ineligible to receive Emergency Solutions Grant (ESG) assistance, the record must include documentation of the reason for that determination.
- (e) *Annual income.* For each program participant who receives homelessness prevention assistance, or who receives rapid re-housing assistance longer than one year, the following documentation of annual income must be maintained:
- (1) Income evaluation form containing the minimum requirements specified by HUD and completed by the recipient or subrecipient; and
- (2) Source documents for the assets held by the program participant and income received over the most recent period for which representative data is available before the date of the evaluation (*e.g.*, wage statement, unemployment compensation statement, public benefits statement, bankstatement);
- (3) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.*, employer, government benefits administrator) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period for which representative data is available; or
- (4) To the extent that source documents and third party verification are unobtainable, the written certification by the program participant of the amount of income the program participant received for the most recent period representative of the income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.
- (f) *Program participant records.* In addition to evidence of homeless status or "at risk of homelessness" status, as applicable, records must be kept for each program participant that document:
- (1) The services and assistance provided to that program participant, including, as applicable, the security deposit, rental assistance, and utility payments made on behalf of the program participant;
- (2) Compliance with the applicable requirements for providing services and assistance to that program participant under the program components and eligible activities provisions at § 576.101 through § 576.106, the provision on determining eligibility and amount and type of assistance at § 576.401(a) and (b), and the provision on using appropriate assistance and services at § 576.401(d) and (e); and
- (3) Where applicable, compliance with the termination of assistance requirement in § 576.402.
- (g) *Centralized or coordinated assessment systems and procedures.* The recipient and its subrecipients must keep documentation evidencing the use of, and written intake procedures for, the centralized or coordinated assessment

system(s) developed by the Continuum of Care(s) in accordance with the requirements established by HUD.

- (h) *Rental assistance agreements and payments.* The records must include copies of all leases and rental assistance agreements for the provision of rental assistance, documentation of payments made to owners for the provision of rental assistance, and supporting documentation for these payments, including dates of occupancy by program participants.
- (i) *Utility allowance.* The records must document the monthly allowance for utilities (excluding telephone) used to determine compliance with the rent restriction.
- (j) *Shelter and housing standards.* The records must include documentation of compliance with the shelter and housing standards in § 576.403, including inspection reports.
- (k) *Emergency shelter facilities.* The recipient must keep records of the emergency shelters assisted under the ESG program, including the amount and type of assistance provided to each emergency shelter. As applicable, the recipient's records must also include documentation of the value of the building before the rehabilitation of an existing emergency shelter or after the conversion of a building into an emergency shelter and copies of the recorded deed or use restrictions.
- (l) *Services and assistance provided.* The recipient must keep records of the types of essential services, rental assistance, and housing stabilization and relocation services provided under the recipient's program and the amounts spent on these services and assistance. The recipient and its subrecipients that are units of general purpose local government must keep records to demonstrate compliance with the maintenance of effort requirement, including records of the unit of the general purpose local government's annual budgets and sources of funding for street outreach and emergency shelter services.
- (m) *Coordination with Continuum(s) of Care and other programs.* The recipient and its subrecipients must document their compliance with the requirements of § 576.400 for consulting with the Continuum(s) of Care and coordinating and integrating ESG assistance with programs targeted toward homeless people and mainstream service and assistance programs.
- (n) *HMIS.* The recipient must keep records of the participation in HMIS or a comparable database by all projects of the recipient and its subrecipients.
- (o) *Matching.* The recipient must keep records of the source and use of contributions made to satisfy the matching requirement in § 576.201. The records must indicate the particular fiscal year grant for which each matching contribution is counted. The records must show how the value placed on third-party, noncash contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that the organization uses to support the allocation of regular personnel costs.
- (p) *Conflicts of interest.* The recipient and its subrecipients must keep records to show compliance with the organizational conflicts-of-interest requirements in § 576.404(a), a copy of the personal conflicts of interest policy or codes of conduct developed and implemented to comply with the requirements in § 576.404(b), and records supporting exceptions to the personal conflicts of interest prohibitions.
- (q) *Homeless participation.* The recipient must document its compliance with the homeless participation requirements under § 576.405.
- (r) *Faith-based activities.* The recipient and its subrecipients must document their compliance with the faith-based activities requirements under § 576.406.
- (s) *Other Federal requirements.* The recipient and its subrecipients must document their compliance with the Federal requirements in § 576.407, as applicable, including:
 - (1) Records demonstrating compliance with the nondiscrimination and equal opportunity requirements under § 576.407(a), including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds and the affirmative outreach requirements in § 576.407(b).
 - (2) Records demonstrating compliance with the uniform administrative requirements in 24 CFR part 85 (for governments) and 24 CFR part 84 (for nonprofit organizations).
 - (3) Records demonstrating compliance with the environmental review requirements, including flood insurance requirements.
 - (4) Certifications and disclosure forms required under the lobbying and disclosure requirements in 24 CFR part 87.
- (t) *Relocation.* The records must include documentation of compliance with the displacement, relocation, and acquisition requirements in § 576.408.
- (u) *Financial records.* (1) The recipient must retain supporting documentation for all costs charged to the ESG grant.
(2) The recipient and its subrecipients must keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under § 576.101-§ 576.109 and the cost

principles in OMB Circulars A–87 (2 CFR part 225) and A–122 (2 CFR part 230).

- (3) The recipient and its subrecipients must retain records of the receipt and use of program income.
- (4) The recipient must keep documentation of compliance with the expenditure limits in § 576.100 and the expenditure deadline in § 576.203.
- (v) *Subrecipients and contractors.* (1) The recipient must retain copies of all solicitations of and agreements with subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable. If the recipient is a State, the recipient must keep records of each recapture and distribution of recaptured funds under §576.501.
- (2) The recipient and its subrecipients must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 24 CFR 85.36 and 24 CFR 84.40–84.48.
- (3) The recipient must ensure that its subrecipients comply with the recordkeeping requirements specified by the recipient and HUD notice or regulations.
- (w) *Other records specified by HUD.* The recipient must keep other records specified by HUD.
- (x) *Confidentiality.* (1) The recipient and its subrecipients must develop and implement written procedures to ensure:
 - (i) All records containing personally identifying information (as defined in HUD’s standards for participation, data collection, and reporting in a local HMIS) of any individual or family who applies for and/or receives ESG assistance will be kept secure and confidential;
 - (ii) The address or location of any domestic violence, dating violence, sexual assault, or stalking shelter project assisted under the ESG will not be made public, except with written authorization of the person responsible for the operation of the shelter; and
 - (iii) The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with state and local laws regarding privacy and obligations of confidentiality.
- (2) The confidentiality procedures of the recipient and its subrecipients must be in writing and must be maintained in accordance with this section.
- (y) *Period of record retention.* All records pertaining to each fiscal year of ESG funds must be retained for the greater of 5 years or the period specified below. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.
- (1) Documentation of each program participant’s qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be retained for 5 years after the expenditure of all funds from the grant under which the program participant was served;
- (2) Where ESG funds are used for the renovation of an emergency shelter involves costs charged to the ESG grant that exceed 75 percent of the value of the building before renovation, records must be retained until 10 years after the date that ESG funds are first obligated for the renovation; and
- (3) Where ESG funds are used to convert a building into an emergency shelter and the costs charged to the ESG grant for the conversion exceed 75 percent of the value of the building after conversion, records must be retained until 10 years after the date that ESG funds are first obligated for the conversion.
- (z) *Access to records.* (1) *Federal government rights.* Notwithstanding the confidentiality procedures established under paragraph (w) of this section, HUD, the HUD Office of the Inspector General, and the Comptroller General of the United States, or any of their authorized representatives, must have the right of access to all books, documents, papers, or other records of the recipient and its subrecipients that are pertinent to the ESG grant, in order to make audits, examinations, excerpts, and transcripts. These rights of access are not limited to the required retention period but last as long as the records are retained.