



# **Emergency Solutions Grants Program (ESG)**

## **Project Guidelines for State FY 2025/ Federal FFY 2024**

**March 2024**

**Georgia Department of Community Affairs  
Office of Homeless and Special Needs Housing**

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## INTRODUCTION

The Georgia Department of Community Affairs (DCA) has developed a single application process for the distribution of Emergency Solutions Grants (ESG) funds appropriated by the U.S. Department of Housing and Urban Development (HUD), plus State matching funds for ESG provided through the State Housing Trust Fund for the Homeless (HTF). This process is used for the distribution of all HUD and HTF ESG funds budgeted by DCA for subgrantee awards.

### **Applications will be accepted within seven (7) funding categories**

- I. Emergency Shelter Operations and Services,
- II. Supportive Service Programs for Homeless Persons,
- III. Homelessness Prevention,
- IV. Rapid Re-Housing,
- V. Street Outreach,
- VI. Hotel/Motel Vouchers,
- VII. HMIS- This is not a separate application this year

Project policy, eligible beneficiaries, eligible activities and other criteria have been revised as a result of the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. HUD issued “interim regulations” to guide us until final regulations are released. HUD continues to issue implementation guidance for the project on the HUD Exchange website that takes the form of regulations. Based on the new law, key changes that applicants and FFY2024 ESG subgrantees must honor include:

- Organizations receiving HUD HEARTH funds for emergency shelter to families with children under age 18 shall not deny admission to any family based on the age of any child under the age 18;
- Organizations receiving HUD HEARTH funds for projects serving families with minor children shall serve all families with one or more adults and minor children, regardless of family composition; further, these projects must comply with all requirements specified in the 2012 Equal Access to Housing Final Rule;
- Organizations receiving HUD HEARTH funds for projects must comply with all requirements specified in the 2016 Equal Access in Accordance with Gender Identity Final Rule;
- Definitions of “homelessness” and “at risk of homelessness” finalized in 2012;
- Definition of chronic homelessness as updated in 2015;
- Additional changes that may be issued as HUD continues its HEARTH implementation.

Housing and service projects to serve persons in permanent supportive housing are not eligible for ESG funds.

It is essential that applicants prepare application documents in accordance with the instructions contained herein and as outlined at the workshop sessions. Applications should be clear, thorough and sufficiently detailed to provide all information requested. Failure to answer all questions may result in threshold rejection or denial of your application. Of the seven (7) applications listed above, only submit applications for which ESG funds are requested. *For example, if your organization is proposing to provide emergency shelter only, you should submit only that Application.*

It is important for applicants to note that proposals may be accepted only in part by DCA. DCA reserves the right to approve an application for a lesser grant amount than requested. DCA will also work with successful applicants to adjust proposed projects in order to achieve full compliance with project design, implementation strategy, eligible activities, best practices, etc. Successful applicants must adjust the scale and approach to project implementation at the time contracts are executed. In addition, applicants requesting funds for multiple projects may receive funds for one, and not all projects.

The first action recommended in the application process is to read the sections on local government approval and certification of consistency with local consolidated plans. Applicants should immediately make appropriate contact within local governments to assure timely coordination.

## **NOTICES TO APPLICANTS**

### **Eligible Service Areas**

There are nine ESG Entitlement areas/communities in Georgia. They are: Atlanta, Augusta-Richmond, Macon-Bibb, Savannah-Chatham, Clayton County, Cobb County, DeKalb County, Gwinnett County, and the DCA Entitlement, which covers all areas of the State not covered by one of the other ESG Entitlements. Congress has authorized the State of Georgia, through the Georgia Housing and Finance Authority (“GHFA”) and the Department of Community Affairs (“DCA”) to use HUD McKinney-Vento Act (modified through the HEARTH Act) federal ESG funds to primarily serve the DCA ESG Entitlement. The eight other ESG Entitlement areas receive ESG funds directly from HUD. To the maximum extent practicable, as determined by DCA, HUD ESG funds will be expended for programs to serve the State of Georgia’s ESG entitlement.

In addition to the HUD ESG program, DCA will develop and implement an expanded ESG program utilizing funds made available through Georgia’s State Housing Trust Fund for the Homeless Commission (HTF). This HTF ESG program will substantially mirror and compliment the HUD ESG program, except that eligible activities will be expanded to include hotel/motel vouchers and other activities defined herein. Further, HTF ESG funds are not prioritized to service providers operating in the DCA ESG Entitlement but are available to applicants across the state.

### **Application Rating Criteria/Thresholds**

The Georgia Department of Community Affairs wants to ensure that the limited pool of funding received is used in the most effective way possible to help organizations provide services to homeless individuals and families in the state of Georgia. To achieve this, funds awarded will be determined based on points awarded from the various scoring criteria. Individual projects will be assessed for completeness of the grant application, past performance, and other criteria. Further details are provided in this document. In addition, there are certain conditions, which may result in an application being rejected without being scored. These threshold requirements are also detailed later in these guidelines.

### **HMIS/Comparable Database for Domestic Violence Providers for New Subgrantees**

All current or previously funded ESG applicants (including those not receiving funds in the present grant year) are required to be in full compliance with the Homeless Management Information System (HMIS), the equivalent provider for domestic violence programs when applicable, implementation guidelines, and Housing Support Standards at the time of application. New subgrantees that have never received ESG funds from DCA, but are awarded funding for the FFY2024, must be in full compliance with HMIS/DV comparable database within three (3) months of the contract award date (October 1, 2024) or funding will be terminated.

DCA may conduct a site inspection during the review process. ESG funds are not intended for start-up, and DCA wishes to avoid duplicative efforts. Generally, applicants are expected to have homeless projects established prior to participating in the DCA ESG application process and applicants should have at least one year of experience in implementing housing related activities.

### **Housing Support Standards**

All DCA subgrantees must demonstrate basic standards of care across all projects. The DCA Housing Support Standards (HSS) are not meant to replace standards and guidelines required by licensing agencies. Rather, through the implementation of these basic standards, we hope to see a reduction across Georgia in the amount of time participants experience homelessness and an increase in each participant's housing stability as they are moved through the Continuum of Care to self-sustainability.

### **Housing Support Services**

Housing Support services focus on increasing a client's housing stability and self-sufficiency. Services should include: assessment, housing stability plan development; with an emphasis on acting as a liaison to secure and maintain housing; employment; a connection to mainstream resources and services; coordination with other providers; monitoring of progress; and advocating on behalf of the client. Services should also focus on building a set of supports that can help prevent the recurrence of a housing crisis.

### **Housing First**

DCA recognizes the Housing First approach as a best practice in homeless services. The Housing First approach prioritizes low barriers to project participation, a focus on permanent housing placement as quickly as possible and providing voluntary services as needed to maintain housing stability. Emphasis is placed on client choice in both housing selection and service participation. Projects demonstrating a commitment to the Housing First approach will be prioritized.

### **Immigration and Security**

Georgia law requires contractors and subcontractors to file affidavits that they have registered and participate in a federal work authorization project intended to ensure that only lawful citizens or lawful immigrants are employed by the contractor or subcontractor. Contractors must also file an affidavit to assure that they have legal status in the U.S.

### **Victim Service Providers**

DCA will work to ensure the confidentiality of records pertaining to any individual served by a victim service provider who receives housing or services under any project. The address or location of any family violence facility assisted under this program will, except with written authorization of the person or persons responsible for the operation of such facility and project, not be made public. The term 'victim service provider' means a community-based organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. Such term includes rape crisis centers, battered women's shelters, domestic violence transitional housing projects, and other projects. Agencies of this type are expected to provide de-identified data generated from the HMIS comparable database for DV agencies to comply with project requirements.

### **HEARTH Act and Relevant Regulations**

All awardees are expected to be in compliance with the HEARTH regulations including the definitions of homelessness, the ESG Interim Rule regulations, and other implementation guidance provided by HUD, including information found on the HUD Exchange website. DCA provides guidance, links to relevant information on the ESG web pages, and access to training; but it is the responsibility of service providers to implement compliant projects.

## Application and Project Information

The DCA ESG web pages serve as the primary source of information for ESG applicants and project implementation.

### **Technical Assistance**

All technical assistance provided by DCA, in addition to the ESG application workshops, will be carried out via webinars. DCA will host webinars to provide guidance with organizational documentation, overall program questions, and questions about the applications. Applicants may participate in as many webinars as desired. These webinars will be the only opportunity for technical assistance available to applicants.

### **Contract Awards and Start Dates**

Most contracts will be awarded according to the current Federal Fiscal Year, from October 1, 2024 through September 30, 2025. Successful applicants should execute their responsibilities regarding contracts, policies and procedures, staffing, HMIS/DV comparable database, etc. as quickly as

## **DEFINITIONS**

(Additional information can be found in the project applications)

**Emergency Shelter** - Any facility where the primary purpose 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. Emergency shelters are expected to have low barriers to project entry and participation, and to have a primary focus on moving clients to permanent housing solutions as quickly as possible.

**Chronic Homeless** - An individual with a disabling condition, or a family with a head of household with a disabling condition, who has either been continuously homeless for a year or more OR has had at least four (4) episodes of homelessness in the past three (3) years that total a 12 month period of homelessness, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions is at least seven (7) consecutive nights of not living in a place not meant for human habitation, a safe haven, or in an emergency shelter. To be considered chronically homeless, persons must have been sleeping in a place not meant for human habitation and/or in an emergency shelter during that time.

**Beds** - Beds provided for homeless individuals within a unit of housing. Units of housing may consist of dedicated facilities for emergency shelter or supportive housing units, etc.

**Unit** - Secure sleeping place containing beds (shelter, room, apartment, house, etc.). If a shelter houses more than one family in one room, you should consult DCA for assistance in determining the number of units.

**HMIS** - Homeless Management Information System (HMIS) - in Georgia, the system currently used for HMIS is Eccovia ClientTrack. All DCA-funded homeless service providers must use Eccovia ClientTrack and follow DCA HMIS standards in order to comply with DCA requirements for reporting and HSS compliance. Domestic violence providers must use the HMIS comparable database designated by DCA.

**HMIS Project Name** - The name that your agency assigned to a particular project when setting the project up within the ClientTrack system (for example, "Emergency Shelter" or "Homeless House"). It would be the project that you enroll your consumers into when you enter them into ClientTrack. All projects should have a project name listed in HMIS.

**Victim Service Provider** - The term '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. Such term includes rape crisis centers, battered women's shelters, domestic violence transitional housing projects, and other projects.

## **SECTION 1: DEADLINE AND SUBMISSION REQUIREMENTS**

### **Application Workshop Registration**

The information provided at the FFY2024 ESG application workshops will be emailed out and posted on the DCA website. All ESG applicants will need to register for at least one of the ESG application workshop. The details of the ESG program and the projects available for funding will be discussed during the workshops.

### **Application Submission Deadline – Friday, May 3, 2024 at 2:00 PM**

ESG applications will open from April 8, 2024, through May 3, 2024, for applicants. The application will be available online. The online link for the application will be made available on April 8, 2024. The information will be emailed to all the prospective applicants and will be posted on DCA website. The applicants will need to set-up an account in eCivis to access GrAAM, the DCA grant management system for the ESG online application database. Prospective applicants will set-up their eCIVIS account with Username and Password. After that they will have access to the online portal and the online application. The prospective organization will be able to complete additional information requests and submit applications online. No paper applications will be accepted.

All applicants must have login for eCivis to access the online application portal. All ESG applications must be submitted by the deadline, **May 3, 2024, 2:00 pm**. Applicants must submit all organizational information. All prospective applicants must make a 100% **online** submission of organizational information. Completion of this section of the application will provide DCA with information on the prospective applicant that includes complete contact information, IRS 501(c)3 determination, agency Articles of Incorporation, agency Certificate of Incorporation, organization's board list, organization's board meeting minutes (most recent three meetings), organization's staff list, organization's current IRS filing, organization's current annual financial statement, and other information that may be required by DCA.

Separate project applications must be completed for each project type (outreach, shelter, homelessness prevention or rapid re-housing project, etc.) proposed for funding. Also due are original documents executed by the applicant, to include, required certifications, local approval(s) (by project), and as applicable, Certification of Consistency with the local HUD consolidated plan.

Funding announcements will be made in August. Applications submitted after the deadline established by DCA will not be considered for funding. The Commissioner of DCA or staff designated by the Commissioner shall have the authority to make awards from funds allocated by HUD or reserved by the HTF Commission. Awards are made at the sole discretion of DCA. Funding decisions are final and not subject to appeal.

**Submission Requirements/Completeness -- To receive funding consideration, applications must be submitted on the appropriate online format provided by DCA.** All supplemental materials, i.e., local approvals, certification of consistency, etc., should be uploaded in eCivis, online ESG application portal.

Each applicant must demonstrate to the satisfaction of DCA that it is in compliance with Federal, State and local laws and regulations, and that it is capable of carrying out requested projects.

**LATE APPLICATIONS WILL NOT BE CONSIDERED FOR FUNDING.**

## **SECTION 2: LOCAL GOVERNMENT APPROVAL(S)**

Nonprofit organizations providing emergency shelter only are eligible to receive funds only if such funding is approved by the local government jurisdiction where projects are based. Community-based state entities, local boards and authorities are not subject to the local approval requirement. Ultimate responsibility for local approval remains with the Applicant. This responsibility cannot be assigned by the Applicant.

In issuing approval, the local government may use its discretion regarding the depth of review. Factors that may be considered by local governments in granting approval might include participation in local provider networks, local Continuum of Care Planning, past performance, etc. Approval may also be subject to local codes and ordinances. Local approval subject to locally specified conditions is acceptable and welcomed by DCA, provided that the local government clearly authorizes DCA to proceed with funding. Applications for emergency shelter that do not adequately address local approval may be denied or returned unprocessed.

**Which local government “approves” my shelter application?** To determine the appropriate approving local jurisdiction(s) the applicant must determine whether the project or applicant-controlled project site is located within the corporate limits of a city. If so, then the appropriate approving jurisdiction is that city. If not, the appropriate approving jurisdiction is the county. If the applicant proposes ESG funding for primary project sites in multiple jurisdictions, then multiple jurisdictional approvals are necessary. Contact DCA and proceed based upon written guidance if you should have questions about local approval.

In most cases the authority to issue local government approval is vested in the agency head responsible for the HUD Consolidated plans. Please refer to the next section for this information. If your project is located in one of these jurisdictions, you should contact the designated representative(s). Otherwise, please contact the city/county administrator/manager, or the senior elected official, as appropriate to each jurisdiction.

Incomplete or ineligible applications for emergency shelter, including applications that do not adequately address local approval(s) may be denied or returned unprocessed. Regarding local approval, DCA will consider an application to be “complete” if the application contains a letter from appropriate approving jurisdiction(s) that:

- The applicant has complied with its request(s) for application and project information and that the approval process has been initiated,
- The applicant has identified each project under consideration, and
- The approving jurisdiction includes a timetable for completion of the process on or before May 3, 2024.



### SECTION 3: CONSOLIDATED PLAN CERTIFICATION

All applicants for housing and service projects located within local HUD Consolidated Plan jurisdictions must obtain “certification of consistency” with the local HUD Consolidated Plan. Local HUD Consolidated Plan jurisdictions are the cities of Albany, Atlanta, Brunswick, Dalton, Gainesville, Hinesville, Johns Creek, Macon, Rome, Sandy Springs, Savannah, Valdosta and Warner Robins, the counties of Cherokee, Clayton, Cobb (including Marietta), DeKalb, Fulton (including Roswell) and Gwinnett, and the consolidated governments of Athens-Clarke, Augusta-Richmond, Columbus-Muscogee, and Macon-Bibb. Information of the contacts is listed as available.

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#### SECTION 4: PROGRAM PURPOSE AND DESCRIPTION

The HEARTH Act of 2009 and resulting ESG Interim regulation (ESG Interim Rule) renamed and significantly modified the Emergency Solutions Grants (HUD ESG) program. The revised program maintains support for a crisis response system through emergency shelters but places an emphasis on identifying and preventing homelessness and returning those who experience homelessness back into housing within the community as quickly as possible.

## SECTION 5: PROGRAM FUNDING PRIORITIES

DCA priorities for Federal ESG funds for State Fiscal Year 2024 are rapid re-housing, homeless prevention (rental assistance and stabilization services), emergency shelter (operations and essential services), Street Outreach, and HMIS.

Priorities for State Housing Trust Fund dollars are hotel/motel vouchers and supportive services.

DCA will reserve a minimum of 75% of federal funds to be awarded to the DCA ESG Entitlement communities.

State funds will be awarded to the best applications regardless of location.

## SECTION 6: ELIGIBLE APPLICANTS - APPLICANT QUALIFICATIONS

**Eligible Applicants:** Local units of government are eligible to apply. To the extent determined under State law by HTF and DCA, private, secular or faith-based nonprofit organizations are also eligible to apply for funds. Nonprofit organizations must demonstrate collaboration with local mainstream service providers and local homeless provider groups. Applicants are expected to participate in continuum of care planning appropriate to the jurisdiction where their activities are located to the satisfaction of those jurisdiction(s).

According to Federal law and regulation, the term "*private nonprofit organization*" means a secular or religious organization described in section 501(c) of Title 26 that is exempt from taxation under Subtitle A, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance in a manner that is free from religious influences.

According to the State law, '*nonprofit organization*' means any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; is not organized primarily for profit; and uses its net proceeds to maintain, improve, or expand its operations. The term nonprofit organization includes nonprofit institutions of higher education and hospitals.

While all projects must be provided in a manner that is free from religious influences, it should be noted that the Georgia Constitution allows the State Housing Trust Fund for the Homeless to expend funds "... for projects of purely public charity for the homeless, including projects involving the participation of churches and religious institutions ...".

Under State law, DCA must collect and evaluate organizational and financial information from nonprofit organizations in order to establish the capacity of the nonprofit organization prior to making an award, and to report funding amounts to the Georgia Department of Audits and Accounts.

**Additional Eligibility Criteria:** Current or past DCA grantees must be in compliance with all DCA programs and grant agreements to apply for and receive funds under this program.

## SECTION 7: NONPROFIT ORGANIZATIONS – CAPACITY CONSIDERATIONS

DCA is required by state law to perform due diligence around organizational capacity before making awards to nonprofit organizations. Funding decisions for non-profit agencies will be based, in part, on a review of the following:

- The complexity or nature of the request,

- Organizational structure, operating processes and capacity,
- The extent to which the organization operates under the authority of a diversified, involved, volunteer, community-based board of directors,
- Professional management,
- The consistency of the organization’s identity or its mission to the provision of homeless or HIV (as applicable) services,
- The extent to which the organization utilizes networks to avoid duplication of housing and services,
- Participation in appropriate provider groups and Continuums of Care,
- Sound operating procedures, accounting policy and controls;
- The presence and accuracy of financial management systems, accounts, funds, reports, tax returns, etc.,
- Unrestricted financial resources available to the agency; and
- Organizational and financial policy, controls, stability and capacity.

## SECTION 8: ELIGIBLE ACTIVITIES AND BENEFICIARIES

This section is based on the HEARTH Act and is subject to change based upon further refinement of regulations or other rules issued by HUD.

### A. HUD ESG Eligible Activities

- (1) **Street Outreach** – 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, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility. For the purposes of this section, the term “unsheltered homeless people” means individuals and families who qualify as homeless under paragraph (1)(i) of the “homeless” definition under § 576.2. The eligible costs and requirements for essential services consist of:

a. 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 projects and/or mainstream social services and housing projects. 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 projects targeted to homeless people and mainstream social services and housing projects, including emergency shelter, transitional housing, community-based services, permanent supportive housing, and rapid re-housing projects. Eligible costs include the cell phone costs of outreach workers during the performance of these activities.

b. 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 project 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 project 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.

c. 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 project participant's health problems and developing a treatment plan; assisting project participants to understand their health needs; providing directly or assisting project participants to obtain appropriate emergency medical treatment; and providing medication and follow-up services.

d. 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.

e. 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 project participant's travel on public transportation; (ii) If service workers use their own vehicles, mileage allowance for service workers to visit project participants; (iii) The cost of purchasing or leasing a vehicle for the recipient or subrecipient in which staff transports project participants and/or staff serving project 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 project participants to use public transportation.

- (2) **Emergency Shelter** - ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters, operating emergency shelters and issuing hotel/motel vouchers.

Services:

a. Case management. The cost of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the project participant is eligible. Component services and activities consist of: (A) Using the centralized or coordinated assessment system as required under § 576.400(d); (B) Conducting the initial evaluation required under § 576.401(a), including verifying and documenting eligibility; (C) Counseling; (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits; (E) Monitoring and evaluating project participant progress; (F) Providing information and referrals to other providers; (G) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and (H) Developing an individualized housing and service plan, including planning a path to permanent housing stability.

- b. Child-care. The costs of child-care for project participants, including providing meals and snacks, and comprehensive and coordinated sets of appropriate developmental activities, are eligible. The children must be under the age of 13, unless they are disabled. Children with disabilities must be under the age of 18. The child-care center must be licensed by the jurisdiction in which it operates for its costs to be eligible.
- c. Education services. When necessary for the project participant to obtain and maintain housing, the costs of improving knowledge and basic educational skills are eligible. Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED). Component services or activities are screening, assessment and testing; individual or group instruction; tutoring; provision of books, supplies and instructional material; counseling; and referral to community resources.
- d. Employment assistance and job training. The costs of employment assistance and job training projects are eligible, including classroom, online, and/or computer instruction; on-the-job instruction; and services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. Learning skills include those skills that can be used to secure and retain a job. Services that assist individuals in securing employment consist of employment screening, assessment, or testing; structured job skills and job-seeking skills; special training and tutoring, including literacy training and prevocational training; books and instructional material; counseling or job coaching; and referral to community resources.
- e. Outpatient health services. Eligible costs are for the direct outpatient treatment of medical conditions and are provided by licensed medical professionals. Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate health services are unavailable within the community. Eligible treatment consists of assessing a project participant's health problems and developing a treatment plan; assisting project participants to understand their health needs; providing directly or assisting project participants to obtain appropriate medical treatment, preventive medical care, and health maintenance services, including emergency medical services; providing medication and follow-up services; and providing preventive and non-cosmetic dental care.
- f. Legal services. (A) Eligible costs are the 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, and by person(s) under the supervision of the licensed attorney, regarding matters that interfere with the project participant's ability to obtain and retain housing. (B) Emergency Solutions Grant (ESG) funds may be used only for these services to the extent that other appropriate legal services are unavailable or inaccessible within the community. (C) Eligible subject matters are child support, guardianship, paternity, emancipation, and legal separation, orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking, and appeal of veterans and public benefit claim denials. (D) Component services or activities may include client intake, preparation of cases for trial, provision of legal advice, representation at hearings, and counseling. (E) Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost would be less than the cost of hourly fees. Filing fees and other necessary court costs are also eligible. If the subrecipient is a legal services provider and performs the services itself, the eligible costs are the subrecipient's employees' salaries and other costs necessary to perform the services. (F) Legal services for immigration and citizenship matters and issues relating to mortgages are

ineligible costs. Retainer fee arrangements and contingency fee arrangements are ineligible costs.

g. Life skills training. The 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 are eligible costs. These services must be necessary to assist the project participant to function independently in the community. Component life skills training are budgeting resources, managing money, managing a household, resolving conflict, shopping for food and needed items, improving nutrition, using public transportation, and parenting.

h. Mental health services. (A) Eligible costs are the direct outpatient treatment by licensed professionals of mental health conditions. (B) ESG funds may only be used for these services to the extent that other appropriate mental health services are unavailable or inaccessible within the community. (C) 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. Problem areas may include family and marital relationships, parent-child problems, or symptom management. (D) Eligible treatment consists of crisis interventions; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.

i. Substance abuse treatment services. (A) Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals. (B) ESG funds may only be used for these services to the extent that other appropriate substance abuse treatment services are unavailable or inaccessible within the community. (C) Eligible treatment consists of client intake and assessment, and outpatient treatment for up to 30 days. Group and individual counseling and drug testing are eligible costs. Inpatient detoxification and other inpatient drug or alcohol treatment are not eligible costs.

j. Transportation. Eligible costs consist of the transportation costs of a project participant's travel to and from medical care, employment, child-care, or other eligible essential services facilities. These costs include the following: (A) The cost of a project participant's travel on public transportation; (B) If service workers use their own vehicles, mileage allowance for service workers to visit project participants; (C) The travel costs of recipient or subrecipient staff to accompany or assist project participants to use public transportation.

k. Shelter operations. Eligible costs are the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, food, furnishings, and supplies necessary for the operation of the emergency shelter. Where no appropriate emergency shelter is available for a homeless family or individual, eligible costs may also include a hotel or motel voucher for that family or individual.

The age, of a child under age 18 must not be used as a basis for denying any family's admission to an emergency shelter that uses Emergency Solutions Grant (ESG) funding or services and provides shelter to families with children under age 18.

l. Hotel/Motel Vouchers. For the purposes of providing overflow shelter accommodations when the main site is full and need for emergency shelter has not been met.

- (3) **Rental Assistance** – See 24 CFR 576.104 – 106 for detailed and further guidance. Includes the provision of short-term or medium-term payments for rents or utilities. Assistance may be tenant or project based. Beneficiaries may include homeless individuals or families (rapid re-housing), or individuals or families at risk of homelessness (homelessness prevention). Regional implementations are preferred for this activity.
- (4) **Stabilization Services** – See 24 CFR 576.104 – 106 for detailed and further guidance. Includes services associated with rental assistance, to include housing search, mediation or outreach to landlords, legal services, credit repair, providing security or utility deposits, utility payments, rental assistance for a final month at a location, assistance with moving costs, or other activities (including hotel/motel vouchers) that are effective at:
  - (a) stabilizing individuals and families in their current housing (homelessness prevention); or
  - (b) quickly moving such individuals and families to other permanent housing (rapid re-housing).
- (5) **HMIS** – See 24 CFR 576.107 for detailed and further guidance. Includes costs of contributing data to the Eccovia Solutions ClientTrack Homeless Management Information System (HMIS) or DV comparable database in support of the efforts of an emergency shelter, rapid re-housing, prevention project, or centralized assessment hub. These funds are reserved for Balance of State Continuum of Care or DCA ESG Entitlement areas for ESG projects with large implementations; those serving a high volume of clients or projects with particularly demanding HMIS requirements such as rapid rehousing. Eligible costs include data entry and limited assistance obtaining HMIS technical assistance and training.

## B. HTF ESG Eligible Activities

In addition to the HUD ESG Eligible Activities named in the preceding section, HTF ESG Eligibility Activities may also include:

- (1) Hotel/Motel Vouchers – to be used in the absence of adequate or appropriate shelter based upon documented needs in areas where rapid re-housing or outreach projects exist. Recipients awarded with this funding must have a direct connection to a project making placements into permanent housing. Additionally, hotel/motel vouchers can be used as temporary placement for individuals who have been through the Coordinated Assessment process when emergency shelter beds are at capacity or inappropriate placement in the Balance of State or Georgia ESG Entitlement.
- (2) Supportive Services - the provision of essential services, limited to case management, transportation, and child-care. These projects must be directly connected to projects moving clients into permanent housing.

## C. Definition of “Homeless” Individual or Family Category 1

- (1) A “homeless” individual or family is generally defined as follows:
  - a. an individual or family who lacks a fixed, regular, and adequate nighttime residence;
  - b. 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;
  - c. a homeless, as defined above, individual or family immediately thereafter living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local



- government projects for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
- d. an individual who resided in a shelter or place not meant for human habitation [see a. and b. above] and who is exiting an institution where he or she ... resided less than 90-days;

### **Category 2**

- (2) an individual or family who—
  - a. will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government projects for low-income individuals or by charitable organizations, as evidenced by:
    - (i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;
    - (ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or
    - (iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;
  - b. has no subsequent residence identified; and
  - c. lacks the resources or support networks needed to obtain other permanent housing.

### **Category 3**

- (3) unaccompanied youth and homeless families with children and youth defined as homeless under other Federal statutes who--
  - a. have experienced a long-term period without living independently in permanent housing,
  - b. have experienced persistent instability as measured by frequent moves over such period, and
  - c. 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, the presence of a child or youth with a disability, or multiple barriers to employment.

### **Category 4**

- (4) Notwithstanding any other provision of this section, any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing.

### **Exclusion**

- (5) Exclusion – Eligible persons do not include any individual imprisoned or otherwise detained pursuant to an Act of the Congress or a State law.
- (6) Exclusion – Individuals and families who meet Category 3 of the homeless definition can be served with ESG funds under limited circumstances. These households may only qualify for emergency shelter or homelessness prevention as long as all eligibility requirements for the definition of homelessness as defined by other federal statutes are accurately met and documented. Furthermore, eligible participants in ESG emergency shelter and prevention

projects who qualify under Category 3 must also meet all eligibility requirements outlined in the ESG regulations and subsequent HUD ESG program guidance. Evidence of compliance with all ESG requirements must be documented.

#### **D. Definition of “At Risk” Individual or Family**

An “at risk” individual or family is generally defined as follows:

##### **Category 1**

- (1) has *family* income below 30 percent of median income for the geographic area;
- (2) has insufficient resources immediately available to attain housing stability; and
- (3) meets one or more of the following criteria:
  - (i) has moved frequently because of economic reasons;
  - (ii) is living in the home of another because of economic hardship;
  - (iii) has been notified that their right to occupy their current housing or living situation will be terminated;
  - (iv) lives in a hotel or motel;
  - (v) lives in severely overcrowded housing;
  - (vi) is exiting an institution; or
  - (vii) otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness (as defined in the Consolidated Plan for the jurisdiction).

##### **Category 2**

Such term includes all families with children and youth defined as homeless under other Federal statutes. Note that there are limits on expenses within this category in continuums where homelessness (sheltered and unsheltered) is 1/10 or more of 1% of the total population (reference CPD-12-001).

##### **Category 3**

This category includes children/youth who qualify as homeless under the Education for Children and Youth project (Section 725(2) of the McKinney-Vento Act) and the parents or guardians of that child/youth if living with him/her.

#### **E. Definition of “Chronically Homeless” Individual or Family**

- (1) The term “chronically homeless” means a homeless individual with a disability who:
  - i lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
  - ii has been homeless and living as described in paragraph (1)(i) for at least 12 months OR on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions is at least 7 consecutive nights of not living as described in paragraph (1)(i). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12 month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility;
- (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility for fewer than 90 days and met all of the criteria in paragraph (1) before entering that facility;
- (3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

## **F. Definition of “Homeless Individual with a Disability”**

The term ‘homeless individual with a disability’ means an individual who is “homeless,” as otherwise defined herein, and has a disability that -

- (1) meets all four of the following criteria:
  - a. is expected to be long-continuing or of indefinite duration;
  - b. substantially impedes the individual's ability to live independently;
  - c. could be improved by the provision of more suitable housing conditions; and
  - d. is either
    - (A) a physical, mental, or emotional impairment, including an impairment caused by alcohol or drug abuse, post-traumatic stress disorder, or brain injury;
    - (B) a developmental disability, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002); OR
    - (C) the disease of acquired immunodeficiency syndrome (AIDS) or any condition arising from the etiologic agency for acquired immunodeficiency syndrome.

For all ESG activities besides Homelessness Prevention, only “homeless persons” are eligible to receive benefits. Organizations receiving funds must maintain DCA-prescribed documentation to support benefit to homeless persons.

## **SECTION 9: SERVING FAMILIES WITH CHILDREN**

If your facility serves families, provisions must be made for the facility to accommodate all families. Organizations that provide HUD HEARTH funds for emergency shelter to families with children under age 18 shall not deny admission to any family based on the age of any child under age 18. Providing these families with stays in a hotel/motel or other off-site facility does not suffice.

On February 3, 2012, HUD published a final rule in the Federal Register entitled Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity. This rule, published by HUD's Office of Fair Housing and Equal Opportunity (FHEO), became effective on March 5, 2012. The rule creates a new regulatory provision that generally prohibits considering a person's marital status, sexual orientation, or gender identity (a person's internal sense of being male or female) in making homeless housing assistance available. The Rule also defines the term ‘family.’

*Family* includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, any group of persons presenting for assistance together with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

Any group of people that present together for assistance and identify themselves as a family, regardless of age or relationship or other factors, are considered to be a family and must be served together as such. Further, a recipient or subrecipient receiving funds under the ESG Program cannot discriminate against a group of people presenting as a family based on the composition of the family (e.g., adults and children or just adults), the age of any member's family, the disability status of any members of the family, marital status, actual or perceived sexual orientation, or gender identity.

While it is acceptable for a shelter or housing program to limit assistance to households with children, it may not limit assistance to only women with children. Such a shelter must also serve the following family types, should they present, in order to be in compliance with the Equal Access rule:

- Single male head of household with minor child(ren); and
- Any household made up of two or more adults, regardless of sexual orientation, marital status, or gender identity, presenting with minor child(ren).

## SECTION 10: RAPID RE-HOUSING AND HOMELESSNESS PREVENTION

There is a congressional requirement to spend at least 40% of the total federal allotment of ESG funds allocated to DCA on prevention and rapid re-housing activities.

**Rapid Re-Housing** projects are designed to help those who are homeless quickly transition out of homelessness into permanent housing. The primary goal is to stabilize a project participant in permanent housing as quickly as possible and to provide wrap-around services after the family or individual obtains housing. Individuals or households receiving this funding must have an income level at or below 50% AMI. Enrollment in a rapid re-housing project should rely heavily on a guided case management plan to ensure long term stability for project participants. First preference for this funding will be given to applicants who demonstrate an effective implementation plan that will increase household incomes for project participants and those who demonstrate low barriers to entry for project participants. Length of stay should be based on the needs of individual households participating in the project.

**Homelessness Prevention** services are most efficiently used when targeted to those at greatest risk of losing housing due to an eviction notice. Households receiving this funding must have an income level below 30% AMI, must demonstrate that they do not have sufficient resources or support networks to prevent them from moving to an emergency shelter or other place defined under Category 1 of the homeless definition. Successful implementation of a prevention project relies heavily on a guided case management plan to ensure long term stability for project participants. First preference for this funding will be given to applicants who demonstrate an ability to negotiate with landlords as the first step in resolving eviction crises. First preference will also be given to applicants who demonstrate an implementation plan to effectively target households at greatest risk of homelessness. Successful applicants will demonstrate a plan to effectively increase household incomes for project participants. Length of stay should be based on the needs of individual households participating in the project.

## SECTION 11: FUNDING LIMITS

DCA will make minimum grant awards of \$30,000 for all eligible activities except Emergency Shelter, Supportive Services, HMIS, and Hotel/Motel Voucher.

Maximum grant amounts are as follows:

- Emergency Shelter - \$70,000 per project
- Street Outreach - \$50,000
- Supportive Services - \$30,000
- Homelessness Prevention – No Limit
  - Short- and Medium-Term Rental Assistance and Stabilization Services - average costs per family/household will vary by region according to rent reasonableness and fair market rents for the area and approval by DCA.
- Rapid Re-Housing – No Limit
  - Short- and Medium-Term Rental Assistance and Stabilization Services - average costs per family/household will vary by region according to rent reasonableness and fair market rents for the area and approval by DCA.
- Hotel/Motel Voucher - \$20,000
- HMIS - \$40,000

## SECTION 12: RATING CRITERIA

Funding decisions and amounts will be based upon the following:

### 1. Threshold Criteria

There are certain considerations that may result in an application being automatically returned or denied for funding without being scored. These threshold requirements include, but are not limited to:

- The deadline is missed,
- HMIS or DV comparable database non-participation,
- Application substantially incomplete,
- Consistent and/or significant non-compliance (financial, reporting, other),
- Ineligible applicant – lacks 501(c)3, Housing Authorities
- New organizations should have been in business and fully operational for 2 years and able to produce minimum financial statements and filings with the IRS for that period, financial policies and procedures, project policies and procedures,
- Failure to Obtain Local Approval or Certification of Consistency, as applicable,
- Serving ineligible populations (not homeless by HUD definition and verification standard),
- Insufficient or ineligible match amount or source,
- Use of projected project income or client fees as a match source,
- Inability to keep families intact for service,
- Inability to comply with Equal Access requirements,
- Non-compliance with McKinney-Vento education requirements (DCA policy),
- Non-compliance with coordinated assessment/intake,

### 2. Rating Criteria

Individual scores by project will be assessed according to the following criteria --

- Extent to which project serves exclusively (100%) “homeless” persons,
- Completeness of the grant application,
- Whether project is in Georgia ESG Entitlement area or Balance of State Continuum of Care (CoC),
- Housing First project philosophy, including low barriers to project entry and proven track record of serving project participants with high needs, such as chronically homeless, and clients with mental health or substance abuse issues,
- Demonstrated need for project and population serviced,
- Agency participation in:
  - CoC Planning, Homeless Coalition meetings
  - Homeless Count
  - DCA-sponsored trainings for current ESG grantees
- Ability to design and successfully manage project under current regulations and priorities for the ESG program,
- Project and agency performance including --
  - monitoring compliance,
  - compliance with HMIS or DV comparable database policies and procedures,
  - ability to meet project requirements and goals successfully,
  - ability to spend past grant awards in timely manner,
  - increases in income and benefits during project enrollment,
  - exits to permanent destinations,
  - returns to homelessness

- Strength of project design and implementation strategy,
- Use of reputable data to describe need (homeless counts), clients served, local coordination, goals, outputs, outcomes, etc.),
- Staffing and match levels promote ability to serve number of participants projected,
- Organizational experience, capacity, and stability,
  - Capacity and oversight of Board of Directors,
  - Budgeting and financial reporting,
- Efficient and effective use of HMIS, adherence to HMIS policy and procedures, and ability to deliver data of high quality,
- Adherence to DCA Housing Support Standards,
- For supportive services, the degree to which the application demonstrates that mainstream services are not available for the project,
- Consistency with local need, conformance to local plans and service delivery strategy, and priorities outlined by the local Continuum of Care,
- Ability to procure outside resources for projects in application, including the value and quality of applicant's contributions (cash and in-kind),
- Ability to demonstrate how match sources benefit specific project participants,
- Standard costs for housing and services in the area,
- Degree of compliance demonstrated during DCA monitoring visits or in desk audits,
- Relative quality of housing or standards for services to be provided,
- Amount of funds requested compared to service provided,
- Level of service (numbers of persons, hours of service, etc.),
- Demonstrated ability of the agency to provide necessary services to homeless individuals or through documented MOUs or letters of agreement with other service providers,
- Other relevant factors.

**Lower scoring applications will not be funded.**

**SECTION 13: MATCHING REQUIREMENTS**

DCA should not be the sole source of funding for any project for which application is made in this competition. In addition, all match sources and amounts reported in applications should reflect resources that directly benefit recipients of the project contained within the application.

Unless otherwise specified, all applicants must provide at least a 100% match consisting of documented non-McKinney Vento resources. DCA reserves the right to decrease the required match percentage for applicants providing high priority services in areas with demonstrated need for such services. Exceptions may be considered by DCA on a case-by-case basis. In addition to cash, match sources may include the value of any lease on a building, the actual value of professional services, any salary paid to staff to carry out the project, and the value of the time and services contributed by volunteers to carry out the project. The value of volunteer hours should equal the cost necessary to provide the services in question if the agency had to pay for these services at market rates.

Regulation states that, "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."

## SECTION 14: OTHER APPLICATION GUIDANCE AND REQUIREMENTS

### **A. Shelter and Housing Standards**

The Emergency Solutions Grants (ESG) Program interim rule, at 24 CFR 576.403, establishes minimum standards for safety, sanitation, and privacy in emergency shelters program funded with ESG funds, and minimum habitability standards for permanent housing funded under the Rapid Re-Housing and Homelessness Prevention components of ESG.

All emergency shelters project must comply with the standards in §576.403(b).

All rapid re-housing and prevention projects must comply with the standards in §576.403(c).

#### **ESG Program Interim Rule §576.403(b)**

These standards apply to facilities operating as Emergency Shelter project. Hotel/Motel Voucher projects in the DCA ESG Entitlement operating as emergency shelters are not required to meet this standard.

All emergency shelter facilities funded by ESG must comply with Section 576.403 of the regulations requiring the following minimum safety, sanitation, and privacy standards:

(b) Minimum standards for emergency shelters.

(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 project 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 project 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 another emergency.

#### **ESG Program Interim Rule §576.403(c)**

All homelessness prevention and rapid re-housing projects funded by ESG must comply with Section 576.403 of the regulations requiring minimum safety, sanitation and privacy standards. Please see the ESG webpage for more information including requisite forms for completing inspections and ensuring compliance with this standard. The required forms will be completed when specific units are inspected

#### **B. Homeless Management Information Systems (HMIS) and Comparable Compliance**

In conjunction with Entitlement communities, Continua of Care, other partners throughout the State and the Eccovia Solutions, DCA will continue to support agency level implementation and use of HMIS.

Applicants with existing DCA ESG awards must be in compliance with DCA's HMIS policies and procedures, as updated from time to time and posted on the DCA website. New applicants must be in full compliance prior to grant agreement and drawdown of funds required within the first quarter of the grant year. Substantial failure to address DCA's written HMIS concerns or findings may result in application rejection without scoring. DV providers must provide DCA with data in the DV comparable database that meets the same standards required of agencies using HMIS.

#### **C. Faith-Based Activities**

Faith-based and religious organizations may not discriminate against a project beneficiary or prospective project beneficiary based on religion or religious belief.

Organizations that are religious or faith-based are eligible on the same basis as any other non-profit organization. These organizations may not engage in inherently religious activities, such as worship, religious instruction or proselytization as a part of projects or services funded under the ESG program. If an organization conducts such activities, the activities must be offered separately in time or location from the projects or services funded under the ESG program. Participation in these projects must be voluntary for clients.

Faith-based or religious organizations will retain their independence from Federal, State and local governments, and may carry out their missions, including the definition, practice and expression of religious beliefs, provided that no ESG funds are used to support any inherently religious activities, such as worship, instruction or proselytization. Organizations may use space in their facilities to provide ESG services without removing religious art, icons, scriptures or other religious symbols. Organizations may also retain authority over internal governance, including terms in organization name, selection of board members on a religious basis, and religious references in mission statements and other governing documents.



#### **D. Georgia Open Records Act**

All records created as a result of the submission of an Application to participate are subject to disclosure under the Georgia Open Records Act and the applicant expressly consents to such disclosure. The Applicant agrees to hold harmless the State Housing Trust Fund for the Homeless, the Georgia Housing and Finance Authority and the Georgia Department of Community Affairs against all losses, costs, damages, expenses, and liability of any nature or kind (including but not limited to attorney's fees, litigation and court costs) directly or indirectly resulting from or arising out of the release of any information pertaining to the Applicant's submission of an Application and implementation of any activities as a result of funding under this program, pursuant to a request under the Georgia Open Records Act.

#### **E. Persons With Disabilities**

ESG grantees are strongly encouraged to document disability at first encounter. This is because HUD places much preference for persons with disabilities in its Continuum of Care projects.

In general, HUD finds a person with disabilities to be an adult who is either (1) on SSI/SSDI, (2) with developmental disability, or (3) based on physician certification, *a person with a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently; and is of such a nature that ability to live independently could be improved by more suitable housing conditions.*

#### **F. Compliance with Fair Housing Laws**

All ESG subrecipients are expected to comply with the fair housing requirements including all applicable provisions of the Americans with Disabilities Act (Title 42, United States Code Sections 12101–12213) and implementing regulations at Title 28, CFR, Part 35 (States and local government grantees) and Part 36 (public accommodations and requirements for certain types of short-term housing assistance).

#### **G. Limited English Proficiency**

In order to ensure meaningful access by persons with Limited English Proficiency (LEP persons) to its ESG funded programs, ESG grantees must take steps in accordance with DCA's Language Access Plan to encourage the participation of LEP persons for services provided by the grantee in any of the 18 counties identified by DCA where LEP populations exceed the Department of Justice's Safe Harbor 5% threshold: Atkinson, Clayton, Cobb, Colquitt, DeKalb, Echols, Evans, Gilmer, Gordon, Grady, Gwinnett, Habersham, Hall, Murray, Polk, Telfair, Tift, and Whitfield. Within this population in each of these counties, the native language is Spanish. To review DCA's Language Access Plan, please visit DCA's website at <https://www.dca.ga.gov/node/3285>.

#### **H. Equal Access**

All ESG subrecipients are expected to comply with the 2012 Equal Access to Housing Final Rule, and the 2016 Equal Access in Accordance with Gender Identity Final Rule. The 2012 Equal Access to Housing Final Rule generally prohibits considering a person's marital status, sexual orientation, or gender identity in making eligibility determinations for housing. The Equal Access in Accordance with Gender Identity Final Rule ensures that all individuals have equal access to the Department's core programs, including shelters and other buildings and facilities, in accordance with their gender identity and in a manner that affords equal access to the individual's family. Providers that operate single-sex projects using funds awarded through the Office of Community Planning and Development (CPD) are required by the rule to provide all individuals, including transgender individuals and other individuals who do not identify with the sex they were assigned at birth, with access to programs, benefits, services, and accommodations in accordance with their gender identity without being subjected to intrusive questioning or being asked to provide documentation. This requirement includes tenant selection and admission preferences. The rule also amended the original EAR definitions for sexual orientation and gender identity.

### **I. Affirmative Outreach**

Grantees 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 grantee 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, grantee must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services.

### **J. State and Federal Financial Reporting/Audit Requirements for Nonprofit Agencies**

On July 1, 1998 Senate Bill 474 became effective as law (OCGA Title 50, Chapter 20) in Georgia. This chapter is entitled Relations With Nonprofit Contractors. The law states that *“The intent of this chapter is to provide auditing and reporting requirements for nonprofit organizations which provide services and facilities to the state, to ensure the financial accountability of nonprofit contractors, and to develop adequate information concerning nonprofit contractors. The General Assembly finds that the state has a right and a duty to monitor nonprofit organizations which contract with the state to ensure that their activities are in the public interest and to ensure that public funds are used for proper purposes.”*

### **K. Other State and Federal Requirements**

Project requirements include, but are by no means limited to, the following:

To the extent practicable, as determined by DCA, grantees must comply with the HUD Emergency Solutions Grant Program Regulations at 24 CFR Part 576, as amended.

- 1) All grants to non-profit organizations are subject to the administrative requirements and cost principals outlined in OMB Circulars A-110 and A-122. These requirements for local governments are outlined in 24 CFR, Part 85 and OMB Circular A-87.
- 2) Costs requested for reimbursement via automatic deposit by DCA must be “reasonable and justifiable,” and are only eligible to the extent that they are consistent with the project approved by DCA.
- 3) All funds will be reimbursable to grantees based upon actual project expenses with supporting documentation (retained by grantee).
- 4) Expenses are only eligible to the extent that they benefit “homeless persons” under the ESG program, as defined or referenced herein.
- 5) All grants are subject to environmental review in accordance with the federal regulations governing ESG projects.
- 6) Provisions of House Bill (HB) 87 The Illegal Immigration Reform and Enforcement Act of 2011, including Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1) and Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3) must be met.
- 7) All grants are subject to the Federal Requirements of the ESG regulations at 24 CFR 576.407  
(a) 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 projects and activities for limited English proficiency (LEP) persons.

## **SECTION 15: FINANCIAL COMPLIANCE FOR NONPROFIT AGENCIES**

*According to the State law, 'nonprofit organization' means any corporation, trust, association, cooperative, or other organization that is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest; is not organized primarily for profit; and uses its net proceeds to maintain, improve, or expand its operations. The term nonprofit organization includes nonprofit institutions of higher education and hospitals. For financial reporting purposes, guidelines issued by the American Institute of Certified Public Accountants should be followed in determining nonprofit status.*

As a result, and among other requirements, DCA must obtain minimum organizational and financial information from nonprofit organizations in order to establish the viability of the nonprofit organization and to report award and funding amounts to the Georgia Department of Audits and Accounts.

In return for funds, and among other requirements, nonprofit organizations must make appropriate reports to the state auditor and to each state agency from which it received funds for each fiscal year within 180 days from the close of the nonprofit organization's fiscal year. Reporting formats vary based upon the amount of "state funds" received by nonprofit organizations during the organization's fiscal year.

This law also sets forth responsibilities of the state auditor and covers measures to be taken by state agencies if there are matters of non-compliance. For further compliance information nonprofit applicants are encouraged to first contact their own internal auditors. Additional information may be obtained from the State Office of Audits as follows: Georgia Department of Audits and Accounts, Non-Profit and Local Government Audits Division, 270 Washington Street SW, Room 4-101, Atlanta, GA 30334-8400. The contact phone is (404) 656-2180.

## **SECTION 16: LIST OF REQUIRED DOCUMENTS PER PROJECT TYPE**

### **List of Required Documents Per Project Type**

#### **Emergency Shelter**

Applicants should upload the following completed files:

1. Local Approval- For Emergency Shelter
2. ESG Minimum Habitability Standards for Emergency Shelter Standards Checklist
3. Certificate of Consistency- For All Program Types
4. Site information- For All Program Types
5. LEP Acknowledgement- For All Program Types
6. Board Member Worksheet- All Agencies Must Complete
7. Emergency Shelter Budget
8. Program Staffing Worksheet

Guides to be uploaded to eCivis for Application:

1. How to Complete Application Budget and Goals
2. Application Submission
3. Portal Registration Procedure
4. Housing Support Standards
5. ESG Application Manual
6. ESG Emergency Shelter Match Source Guidelines-Budget Guidance
7. Point in Time Homeless Count Report

#### **Street Outreach**

Applicants should upload the following completed files:

1. Certificate of Consistency- For All Program Types
2. Site information- For All Program Types
3. LEP Acknowledgement- For All Program Types
4. Board Member Worksheet- All Agencies Must Complete
5. Street Outreach Budget
6. Program Staffing Worksheet

Guides to be uploaded to eCivis for Application:

1. How to Complete Application Budget and Goals
2. Application Submission
3. Portal Registration Procedure
4. Housing Support Standards
5. ESG Application Manual
6. Point in Time Homeless Count Report

## **Homelessness Prevention**

Applicants should upload the following completed files:

1. Certificate of Consistency- For All Program Types
2. Site information- For All Program Types
3. LEP Acknowledgement- For All Program Types
4. Board Member Worksheet- All Agencies Must Complete
5. Homelessness Prevention Budget
6. Program Staffing Worksheet

Guides to be uploaded to eCivis for Application:

1. How to Complete Application Budget and Goals
2. Application Submission
3. Portal Registration Procedure
4. Housing Support Standards
5. ESG Application Manual
6. Point in Time Homeless Count Report

## **Rapid Re-Housing**

Applicants should upload the following completed files:

1. Certificate of Consistency- For All Program Types
2. Site information- For All Program Types
3. LEP Acknowledgement- For All Program Types
4. Board Member Worksheet- All Agencies Must Complete
5. Rapid Re-Housing Budget
6. Program Staffing Worksheet

Guides to be uploaded to eCivis for Application:

1. How to Complete Application Budget and Goals
2. Application Submission
3. Portal Registration Procedure
4. Housing Support Standards
5. ESG Application Manual
6. Point in Time Homeless Count Report

## **Supportive Services**

Applicants should upload the following completed files:

1. Certificate of Consistency- For All Program Types
2. Site information- For All Program Types
3. LEP Acknowledgement- For All Program Types
4. Board Member Worksheet- All Agencies Must Complete
5. Supportive Services Only Budget
6. Program Staffing Worksheet

Guides to be uploaded to eCivis for Application:

1. How to Complete Application Budget and Goals
2. Application Submission
3. Portal Registration Procedure
4. Housing Support Standards
5. ESG Application Manual
6. Point in Time Homeless Count Report

**Hotel Motel Voucher**

Applicants should upload the following completed files:

1. Certificate of Consistency- For All Program Types
2. Site information- For All Program Types
3. LEP Acknowledgement- For All Program Types
4. Board Member Worksheet- All Agencies Must Complete
5. Hotel Motel Voucher Budget
6. Hotel Motel Location Worksheet
7. Program Staffing Worksheet

Guides to be uploaded to eCivis for Application:

1. How to Complete Application Budget and Goals
2. Application Submission
3. Portal Registration Procedure
4. Housing Support Standards
5. ESG Application Manual
6. Point in Time Homeless Count Report

## **SECTION 17: LIST OF ENTITLEMENTS**

- 1) Atlanta
- 2) Augusta-Richmond
- 3) Macon-Bibb
- 4) Savannah-Chatham
- 5) Clayton County
- 6) Cobb County
- 7) DeKalb County
- 8) Gwinnett County
- 9) DCA

## **SECTION 18: LIST OF CONTINUUM OF CARE (CoC)**

- 1) Atlanta (GA-500 – Atlanta CoC)
- 2) Georgia Department of Community Affairs (GA-501 – Georgia Balance of State CoC)
- 3) Fulton County Board of Commissioners (GA-502 – Fulton County CoC)
- 4) Unified Government of Athens-Clarke County (GA-503 – Athens-Clarke County CoC)
- 5) Augusta (GA-504 – Augusta-Richmond County CoC)
- 6) United Way of the Chattahoochee Valley (GA-505 – Columbus-Muscogee/Russell County CoC)
- 7) The Center for Family Resources (GA-506 – Marietta/Cobb County CoC)
- 8) Chatham-Savannah Authority for the Homeless (GA-507 – Savannah/Chatham County CoC)
- 9) DeKalb County (GA-508 – DeKalb County CoC)