

# **Public Comment Notice**

## **FFY2024 Goals and Action Steps**

### **for HOPWA Program**

The State of Georgia Department of Community Affairs (DCA) is currently preparing its 2023-2027 Consolidated Plan and FFY2024/SFY2025 Annual Action Plan for the for the State fiscal year beginning July 1, 2024. The application submission periods for the Housing Opportunities for Persons with AIDS (HOPWA) Programs will begin in March 2024.

As a result, DCA has prepared a draft of the FFY2024 action steps for each project along with other project specific requirements including the proposed methods of funding distribution and the project priorities for funding. Comments regarding these and other issues will be accepted for a 30-day period for review and consideration prior to the beginning of these application submission periods.

The State encourages citizens and other interested parties to review the draft document and to submit their written comments no later than **February 29, 2024 at 5:00 PM**. All written comments should be emailed to [harvinder.makkar@dca.ga.gov](mailto:harvinder.makkar@dca.ga.gov) or mailed to:

FFY2024 HOPWA Method of Distribution  
Georgia Department of Community Affairs  
Office of Homeless and Special Needs Housing  
Attn: Dr. Harvinder Kaur Makkar  
60 Executive Park South NE  
Atlanta, GA 30329-2231

The Georgia Department of Community Affairs is committed to providing all persons with equal access to its services, programs, activities, education, and employment regardless of race, color, national origin, religion, sex, familial status, disability, or age. For reasonable accommodation or if you need an alternative format or language, please contact Christy Lovett at: [fairhousing@dca.ga.gov](mailto:fairhousing@dca.ga.gov).

## Georgia Department of Community Affairs (DCA)

### Proposed Federal FY2024/ State FY2025

#### Goals and Action Steps for the

#### Housing Opportunities for Persons With AIDS Programs (HOPWA)

##### Method of Distribution

The Georgia Housing and Finance Authority (GHFA) is the recipient of the State’s HOPWA allocation. GHFA contracts with the Department of Community Affairs (DCA) to administer the programs funded by the HOPWA allocation. The HOPWA Program provides resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of low-income Persons living with HIV/AIDS (PLWHA). HOPWA funding is sub-awarded to regional Project Sponsors including nonprofit agencies or health departments directly working with PLWHA within their communities. To the extent determined under State law, DCA may also fund private, secular, or faith-based nonprofit organizations. These agencies are responsible for designing their own rules for programs; however, their program policies and design must be within the scope of HOPWA regulations and guidance from HUD.

The HOPWA Modernization Act shifted the focus to the changing scenario where, with HIV treatment and care, an increasing number of people are living with HIV and not developing AIDS. States and metropolitan areas coordinate the use of HOPWA funds with their respective Consolidated Plans, a collaborative process, which establishes a unified vision for community development actions. In Georgia, HUD provides HOPWA formula funds to 3 jurisdictions, DCA for 125 counties, City of Atlanta for the Atlanta Eligible Metropolitan Statistical Area (EMSA) including 29 counties, and Augusta-Richmond County government for 5 Augusta MSA counties and 2 South Carolina counties.

The State of Georgia currently funds twelve (12) regional programs. HOPWA Sponsors and areas covered are listed below.

##### Georgia HOPWA Project Sponsors and Area of Coverage

<u>Sponsor Name</u>	<u>Regional Location</u>	<u>Contact Name</u>	<u>Phone</u>
AID Atlanta, Inc.	LaGrange	Nicole Roebuck <a href="mailto:nicole.roebuck@aidatlanta.org">nicole.roebuck@aidatlanta.org</a>	(404) 870-7720
AIDS Athens dba Live Forward, Inc.	Athens	Cassandra Bray <a href="mailto:cassandra@liveforward.org">cassandra@liveforward.org</a>	(706) 549-3730
CSRA Economic Opportunity Authority, Inc.	Augusta	Sharon Scott <a href="mailto:sscott@csra.org">sscott@csra.org</a>	(706)722-0493
Southwest Georgia Housing Opportunities	Columbus	Elizabeth Dillard <a href="mailto:liz@swgaho.org">liz@swgaho.org</a>	(706) 571.0131

Laurens County Board of Health	Dublin	Sarah Hough <a href="mailto:sarah.hough@dph.ga.gov">sarah.hough@dph.ga.gov</a>	(478) 274.7605
Lowndes Co. Board of Health (a/k/a South Health District 8-1)	Valdosta	Terri Ball <a href="mailto:terri.ball@dph.ga.gov">terri.ball@dph.ga.gov</a>	(229) 245.8711 x207
Cherokee County BOH/North Georgia Health District	Dalton 1-2	Jeff Vollman <a href="mailto:Jeffery.Vollman@dph.ga.gov">Jeffery.Vollman@dph.ga.gov</a>	(706) 281-2360 x 19500
North Central Health District	Macon-Bibb	Brian Easom <a href="mailto:Brian.Easom@dph.ga.gov">Brian.Easom@dph.ga.gov</a>	(478) 309-1008
East Central Health District	Augusta	Maira Colon <a href="mailto:Omaira.Colon@dph.ga.gov">Omaira.Colon@dph.ga.gov</a>	(706) 721-5830
Ware County Board of Health/ SE Health District	Waycross	Regina Renfroe <a href="mailto:Regina.Renfroe@dph.ga.gov">Regina.Renfroe@dph.ga.gov</a>	(912) 764-2402
Union Mission, Inc.	Savannah	Michael Traynor <a href="mailto:Mtraynor@unionmission.org">Mtraynor@unionmission.org</a>	(912) 238-2777 x1318
View Point Health	Norcross	Chad Jones <a href="mailto:Chad.Jones@VPHealth.org">Chad.Jones@VPHealth.org</a>	(770) 856-8019

### **State of Georgia HOPWA Program**

The HOPWA program is the only Federal Program dedicated to addressing the housing needs of persons living with HIV/AIDS. DCA follows the HOPWA program guidelines of Office of HIV Housing (OHH) about program administration, performance evaluation, monitoring, and reporting.

### **Funding Priorities**

Funding priorities for federal fiscal year 2024 are listed below in the State's priority order of HOPWA Funding. Proposals to use HOPWA funds to provide services must give a full description of what is to be funded and offer clear justification for the use of HOPWA funds.

1. Permanent Housing Programs
  - a. Tenant Based Rent Assistance (TBRA)
  - b. Project-Based Facility Based Housing (FBH)
2. Emergency and Short-term/ Transitional Housing
  - a. Short-term Hotel/Motel Lodging/ Transitional Housing (FBH – STH)
3. Homeless Prevention Services
  - a. Short-term Rent, Mortgage and Utility assistance (STRMU)
4. Permanent Housing Placement (PHP)
  - a. Rent and Utility Deposit assistance

- b. First Month Rent assistance
5. Supportive Services (Supportive Services are funded in conjunction with HOPWA Housing Programs)
  - a. Case management services
  - b. Mental Health
  - c. Substance Abuse Treatment
  - d. Meals and Nutritional service
  - e. Transportation assistance
  - f. GHFA Permanent Supportive Housing (PSH) Support
6. Housing Information and Referral Services (HIRS)
7. Resource Identification (RI)

The HOPWA housing priority listed above is based on the changing needs of the community. To ensure that HOPWA services can meet the community members' needs, the goal is to have a full housing continuum in each community. Project Sponsors are encouraged to participate in the Coordinated Entry system developed by the Continuum of Care (CoC) in the project areas. They are also required to utilize the Homeless Management Information System (HMIS) database to document HOPWA beneficiaries, services provided, and to report project outcomes. The Housing First model should be adopted as a best practice to provide consumer-based services.

- Funding priorities will focus on incorporating these values in the programs. Agencies will be directed to create housing stability plans for HOPWA participants to ensure they do not become homeless upon discharge from the program. Agencies will also be directed to produce positive health outcomes based on client Viral Load and CD4 data by ensuring that they are in medical care. Agencies' financial management practices will also be assessed.
- DCA HOPWA Project Sponsors (HOPWA sub-grantee agencies) must use either HUD Fair Market Rent (FMR) standards for their area, or they may also opt to use the local Public Housing Authority (PHA) rent standards. They must disclose the chosen option with DCA.
- Continuous quality improvement is a process to ensure programs are systematically and intentionally improving services and increasing positive outcomes for the individuals and families served with HOPWA funds. Applicants must describe their methodology to incorporate the meaningful involvement of PLWHA, their input and feedback in program development, services, policies, and procedures.
- Permanent Supportive Housing Program participants including those in both Project-Based Facility Based Housing (FBH) and Tenant-Based Rental Assistance (TBRA) must have annual assessments and certifications for renewal. They also must be assisted to create a housing stability plan to ensure housing upon discharge from the program. All the applicants must have written HOPWA policies and procedures that reflect these requirements.

- All HOPWA housing program beneficiaries should have access to supportive services helping them with case plans and housing stability plans. They must receive the support of a qualified case manager assisting them to access HIV medical care, sustainable and affordable housing, and income generation.
- Within fifteen (15) days of the start of any HOPWA assistance, the beneficiaries with the help of the HOPWA case manager will develop and commit to an Individualized Housing Stability Plan. The aim should be to assist beneficiaries with attaining self-sufficiency outside of HOPWA assistance. All the client services and case notes, along with the individualized case plan, should be documented in each client's case file and in the HMIS system. Applicants must submit with the application a job description for each case manager.

### **Compliance Criteria**

Non-profit organizations must demonstrate collaboration with local mainstream service providers and local homeless and HIV/AIDS provider groups. The applicants are encouraged to participate in the Coordinated Entry process and participate in their Continuum-of-Care (CoC) to access all available resources for the HOPWA beneficiaries.

The successful applicant will be responsible for the collection and maintenance of records and information necessary to identify the number of unduplicated program recipients, the types of services provided, the dates of service delivery, and other data elements as specified by DCA. All the client data must be entered in the HMIS so that the Consolidated Annual Performance and Evaluation Report (CAPER) data can be retrieved from it.

Grantees must comply with the HUD HOPWA Program Regulations at 24 CFR Part 574, as amended. Program requirements include, but are by no means limited to, the following:

- 1) 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 program approved by DCA.
- 2) All funds will be reimbursable to sub-grantees based upon actual program expenses with supporting documentation (retained by sub-grantee and submitted as requested) and subject to monitoring by HUD and DCA.
- 3) Expenses are only eligible to the extent that they benefit "eligible persons" under the HOPWA program, as defined herein.
- 4) Environmental - All grants are subject to environmental review in accordance with the federal regulations governing HOPWA program.
- 5) All grants to non-profit organizations are subject to the administrative requirements and cost principles 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.
- 6) Sponsor administrative costs are limited to 7% of the grant amount.
- 7) All agencies funded must comply with the Violence Against Women Act (VAWA) and have a Language Accessibility Plan (LAP) for the Limited English Proficiency (LEP) population as per HUD guidelines.

- 8) All agencies must participate in Homeless Management Information System (HMIS) by DCA to enter client level data as required by HUD.

### **Compliance with House Bill (HB) 87**

The "Illegal Immigration Reform and Enforcement Act of 2011" signed into law by Governor Nathan Deal on May 13, 2011, for contracts signed on or after July 1, 2011, requires DCA and GHFA to only contract with entities that are registered with the e-verify program and to obtain an affidavit from the entity certifying participation in the e-verify program. Any subsequent subcontractors (or subcontractors of subcontractors) utilizing DCA or GHFA funds must also participate in the e-verify program and must provide a sworn Affidavit with the e-verify I.D. number. DCA-funded organizations must complete and execute a "*Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)*." Note that this Affidavit must be executed by the person that executes the DCA HOPWA application. It is necessary also that any subcontractors (and subcontractors of subcontractors) utilizing funds under the Agreement provide the "*Subcontractor Affidavit under O.C.G.A. § 13-10-91(b)(3)*."

### **Federal Reporting Requirements**

*Important notice regarding mandatory federal reporting requirements:* The Federal Funding Accountability and Transparency Act of 2006 requires sub-recipients receiving federal funds to register with Dun and Bradstreet (D & B) to obtain a D-U-N-S number and complete or renew their registration in the System for Award Management (SAM). They are also required to get the Unique Entity Identifier number (UEI). To find information on how to obtain a D-U-N-S number, UEI number and register in SAM please visit the following websites:

- <https://www.dnb.com/duns-number.html>  
and  
<https://sam.gov/SAM/pages/public/index.jsf>

Completing these registration processes is free but may take up to 10 days to complete. A D-U-N-S number, Unique Entity Identifier number (UEI) and confirmation that your agency is active in SAM is required as part of the application. No awards will be made without this information.

### **Compliance with Fair Housing Laws**

All HOPWA project sponsors 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).

### **Eligible Activities**

Eligible activities are those named in current HUD regulations (24 CFR 574.300) for the HOPWA Program that include but are not limited to the following: housing or fair housing information, acquisition,

rehabilitation, limited new construction, project or tenant-based rental assistance (including shared housing), homelessness prevention, supportive services (to include health, mental health, assessment, permanent housing placement, drug and alcohol, day care, personal assistance, nutritional services, etc.), general case management, housing operating costs, technical assistance and administrative expenses. DCA reserves the right to exclude any of the above activities based on funding availability.

### **HOPWA Program Goals**

The goal of the HOPWA Program is to provide allowable services to eligible persons through:

- Sound fiscal management
- Appropriate eligibility determination
- Suitable service access
- Proper documentation
- Improving access to HIV treatment and other healthcare support
- Utilization of HMIS
- Reducing the risk of homelessness among persons living with HIV/AIDS and their families
- Fostering long-term solutions to housing programs.

The Office of HIV/AIDS Housing (OHH) has established a set of values for implementing HOPWA Modernization, including,

1. No person should become homeless as the result of HOPWA Modernization;
2. All funds should be used to meet the needs of eligible households, with no funds recaptured from grants; and
3. Grantees should ensure their project designs meet the changing needs of the modern HIV epidemic, with the goal of positive health outcomes and reduced viral loads for HOPWA-assisted households.

### **Selection Process and Application Submission Requirements**

Applications will be solicited through a Notice of Funds Availability for the FFY2024 Program Year. This notice will be posted on the DCA website. The notice will also be emailed to known HIV/AIDS services and housing providers, public health departments, local governments, and other interested parties. Faith-based organizations have full access to the selection process as described in regulations and within the application. Applications must be submitted online to DCA before the application deadline. The applicant must also provide required certifications and provide all supporting documentation requested by DCA. 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 applicable programs. DCA may require additional information during the review process and applicants are expected to comply with these requests.

DCA will hold HOPWA Application workshops to support the applicants with application completion. Application workshops will be conducted in-person. The application process, including deadlines for HOPWA application submission will be announced on the DCA HOPWA webpage.

DCA staff will review all HOPWA applications. Existing funded agencies applying for renewal of funding will be assessed based on their performance outcomes. The funding decisions will be announced on or around August 15, 2024, for applications that are complete and submitted on or before the deadline. The Commissioner of DCA or staff designated by the Commissioner shall have the authority to make awards from funds allocated by HUD at the sole discretion of DCA.

The Method of Distribution will be posted on DCA website for the thirty (30) day public comment period.

DCA reserves the right to fund any agency for the HOPWA program to address DCA priorities including, but not limited to, providing HOPWA services in geographical areas lacking adequate service coverage. DCA also reserves the right to distribute HOPWA funds outside of the annual application process based on changing needs and subject to funding availability. Funds may be distributed to currently funded agencies with additional service needs or to new or existing agencies that have the capacity to provide HOPWA services in service areas that have unmet needs.

Please direct questions regarding this process to Dr. Harvinder Kaur Makkar by email at [harvinder.makkar@dca.ga.gov](mailto:harvinder.makkar@dca.ga.gov).

### **Maximum Grant Amounts and Funding Factors**

The next funding cycle will correspond with FFY2024 from October 1, 2024, through September 30, 2025. There are no minimum and maximum funding amounts established for this program, and there are no predetermined funding amounts by type of assistance. Applicants are advised to scale their requests based on housing need for eligible persons, organizational capacity, funding history, the types of activities proposed, number of counties served, participation in state or regional referral networks, and other relevant factors as determined by the applicant and DCA. Efforts will be made to fund providers to cover all the DCA HOPWA jurisdiction counties.

Existing Project Sponsors can submit funding requests for Housing, Supportive Services, and Administrative Costs. All staff training is part of Administrative Costs unless otherwise indicated by HUD. Project sponsor administrative costs are limited to 7% of the grant amount. All Project Sponsors are encouraged to have other funding sources as well to show the financial stability of the agency. Awards are made at the sole discretion of DCA. Funding decisions are final and not subject to appeal. If a project falls within DCA's Balance of State Consolidated Plan jurisdiction, then no certification needs to be submitted with the application and DCA will make the final determination regarding consistency.

Funding determinations under the HOPWA program will be made using a "threshold" method for selecting returning Project Sponsors. Some of the factors that may be considered include: the complexity or nature of the project; organizational development 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 HIV/AIDS (as applicable) services; the extent to which the organization utilizes networks to avoid



duplication of housing and services; participation in appropriate Continua of Care; sound operating procedures, accounting policy and controls; and organizational and financial policy, stability and capacity.

All funded agencies will receive HOPWA Implementation training to explain the HOPWA contract, program activities, guidelines, requirements, and expectations, HMIS usage and enrollment and financial reimbursement process. In addition, all agencies will also receive individual Technical Assistance for HOPWA program and HMIS guidance. All funded agencies can also access Technical Assistance as needed.

If all contract conditions are met, payments to recipient organizations will be made on a cost-reimbursement basis. Exceptions may be made on a case-by-case basis by DCA staff.

HOPWA project sponsors will be expected to provide performance information (goals and actual outputs) for all activities undertaken during the operating year supported with HOPWA funds. Performance is measured by the number of households and units of housing that were supported with HOPWA or other federal, state, local, or private funds for the purposes of providing housing assistance and support to persons living with HIV/AIDS and their families. HOPWA project sponsors must also report the source(s) of cash or in-kind leveraged federal, state, local or private resources used in the delivery of the HOPWA program and the amount of leverage dollars. Project sponsors must also meet Federal, State, financial, and other reporting requirements.

All activities must be conducted in full compliance with program regulations published at 24 CFR § 574, as well as all Federal, State, and local laws and regulations.

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.

Agencies receiving HOPWA funds must maintain (for a five-year period from the close of a grant) financial records and client files sufficient to ensure proper accounting and disbursing of amounts received from HOPWA funds and make the records available to HUD or DCA for inspection.

### **Monitoring**

Effective oversight of sub recipients is an important function of the Department of Community Affairs (DCA). Monitoring provides information about sub-recipients that is critical for making informed decisions about program effectiveness and management efficiency. DCA approaches monitoring as a cooperative endeavor with sub-recipients and an ongoing process of continuous communication and

evaluation. DCA's monitoring policy adheres to and reflects 2 CFR § 200.331 (Requirements for pass-through entities) and 2 CFR § 200.501 (Audit requirements), and all regulations referenced therein. Additionally, 2 CFR § 200.501 mandates that any non-Federal sub-recipient that expends more than \$750,000 during a fiscal year must have a single audit conducted in accordance with 2 CFR § 200.514 (Scope of audit) except when it elects to have a program-specific audit conducted in accordance with 2 CFR § 200.501(c).

Program monitoring is an ongoing process of reviewing the progress of HOPWA program in lieu of performance goals met by its funded sponsors. DCA will conduct on-site and/or desk monitoring of the HOPWA housing programs and its financial expenditures to identify any gaps and needs and provide corrective actions.