

PUBLIC NOTICE:



Home Forward
BOARD OF COMMISSIONERS
will meet on
Tuesday, August 20, 2024
At 5:30 pm
Zoom Register here:

[https://homeforward.zoom.us/j/85179639793?pwd=qYB373cEhaEh4OpkN
XyDXs3djCgY2p.1](https://homeforward.zoom.us/j/85179639793?pwd=qYB373cEhaEh4OpkNXyDXs3djCgY2p.1)



MEMORANDUM

To:	Community Partners	Date:	August 13, 2024
From:	Ivory N. Mathews, Chief Executive Officer	Subject:	Home Forward Board of Commissioners August Meeting

The Board of Commissioners of Home Forward will meet on Tuesday, August 20 at 5:30 PM virtually using the Zoom platform. The meeting will be accessible to the public via phone and electronic device.

If you would like to provide public testimony or view the meeting, please use this link:
<https://homeforward.zoom.us/j/85179639793?pwd=qYB373cEhaEh4OpkNXyDXs3djCgY2p.1>

The commission meeting is open to the public.

AGENDA



BOARD OF COMMISSIONERS MEETING

HOME FORWARD
135 SW ASH STREET
PORTLAND, OREGON

<https://homeforward.zoom.us/j/85179639793?pwd=qYB373cEhaEh4OpkNXyDXs3djCgY2p.>

1

VIA ZOOM

AUGUST 20, 2024, 5:30 PM

AGENDA

INTRODUCTION AND WELCOME

Welcome new Commissioner Shannon Olive

PUBLIC COMMENT

General comments not pertaining to specific resolutions. Any public comment regarding a specific resolution will be heard when the resolution is considered.

MEETING MINUTES

Topic
Minutes of June 18, 2024 Board of Commissioners Virtual Meeting

CONSENT CALENDAR

Following Reports and Resolutions:			
24-08	Topic	Presenter/POC	Phone #
01	Authorize Guaranteed Maximum Price Construction Amendment to Gretchen Kafoury Commons and Peter Paulson Apts. Envelope Rehabilitation Design-Build Contract with Walsh Construction	Juli Garvey	503.802.8457

02	Authorize Amendments or Contracts for Construction Management/General Contractor (CMGC) Services with LMC Construction for the redevelopment of the Peaceful Villa Apartments	April Berg Leslie Crehan	503.802.8326 503.802.8453
03	Authorize Execution of Documents in Connection with Financing, Leasing of Property Interests, Development and Operations for the redevelopment of the Peaceful Villa Apartments	April Berg Jeff Lane	503.802.8326 503.802.8591
04	Authorize Changes to Chapters 4 and 20 of the Administrative Plan	Terren Wing	503.802.8554

REPORTS AND RESOLUTIONS

Following Reports and Resolutions:			
24-08	Topic	Presenter/POC	Phone #
05	Authorize Home Forward Economic Equity Policy Update	Celeste King Peter Garcia	503.802.8541 503.802.8549
06	Authorize Contract with HealthShare for Health Related Social and Community Capacity Building Needs	Ian Slingerland Jessica Karam Christina Dirks	503.802.8370 503.280.3744 503.802.8494
07	Authorize Approval of Fiscal Year 2023 Single Audit Reports, Schedule of Close Grants, and Governance Communication Letter to the Board of Commissioners	Linda Uppinghouse Kandy Sage	503.802.8317 503.802.8585

THE NEXT MEETING OF THE BOARD OF COMMISSIONERS

Home Forward is currently operating in a state of emergency. We will continue to conduct board-related business as it is currently scheduled but will update the public on the venue or forum by which it occurs as we assess the situation.

The Board Work Session will be on Thursday, September 5, 2024 at Noon. The next Board of Commissioners meeting will be Tuesday, September 17, 2024 at 5:30 PM.

EXECUTIVE SESSION

The Board of Commissioners of Home Forward may meet in Executive Session pursuant to ORS 192.660(2). Only representatives of the news media and designated staff are allowed to attend. News media and all other attendees are specifically directed not to disclose information that is the subject of the session. No final decision will be made in the session.

ADJOURN

MINUTES



BOARD OF COMMISSIONERS MONTHLY MEETING
HOME FORWARD
HELD VIRTUALLY
135 SW Ash Street Portland, OR 97204
June 18, 2024

COMMISSIONERS PRESENT

Chair Matthew Gebhardt, Vice Chair Jenny Kim, Chair Emeritus and Treasurer Damien Hall, Commissioners TomiRene Hettman, Jessy Ledesma, Rakeem Washington

STAFF PRESENT

Juhi Aggarwal, Elise Anderson, April Berg, Martha Calhoon, Ian Davie, Christina Dirks, Dena Ford-Avery, Juli Garvey, Carolina Gomez, Biljana Jesic, Casey Little, Ivory Mathews, Kitty Miller, Kandy Sage, Amanda Saul, Shannon Schmidt, Ian Slingerland, Celia Strauss, Jonathan Trutt, Linda Uppinghouse

LEGAL COUNSEL

Sarah Stauffer Curtiss

Chair Matthew Gebhardt convened the meeting of the Board of Commissioners at 5:32 PM.

Cathy Millis, Dahlke Manor resident reported over the past week staff has been sporadic onsite. Fortunately, she is not aware of resident complaints. Millis is looking forward to an upcoming community builders training. Prior to the meeting she would like to connect with Community Services Director Biljana Jesic about options available to residents during the upcoming warmer weather.

Chair Matthew Gebhardt thanked Millis for attending and welcomed hearing how things are going along with her continued involvement as a community builder. Staff is preparing for the extreme weather and will be providing more updates. We appreciate the reminder as we get prepared.

MEETING MINUTES

Minutes of the May 21, 2024 Board of Commissioners Work Session

Chair Matthew Gebhardt requested a motion authorizing approval of the minutes for the May 21, 2024 Board of Commissioners Virtual Meeting

There being no discussion, Chair Emeritus Damien Hall moved to approve the meeting minutes. Commissioner Rakeem Washington seconded the motion.

The vote was as follows:

Chair Matthew Gebhardt—Aye
Vice Chair Jenny Kim—Abstained
Chair Emeritus Damien Hall—Aye
Commissioner TomiRene Hettman—Aye
Commissioner Jessy Ledesma—Aye
Commissioner Rakeem Washington—Aye

CONSENT CALENDAR

Resolution 24-06-01 Authorize Execution of Early Procurements for Peter Paulson Apartments and the Gretchen Kafoury Commons Envelope Rehabilitation

There being no discussion, Chair Matthew Gebhardt requested a motion to approve Resolution 24-06-01. Chair Emeritus Damien Hall moved to adopt Resolution 24-06-01. Vice Chair Jenny Kim seconded the motion.

The vote was as follows:

Chair Matthew Gebhardt—Aye
Vice Chair Jenny Kim—Aye
Chair Emeritus Damien Hall—Aye
Commissioner TomiRene Hettman—Aye
Commissioner Jessy Ledesma—Aye
Commissioner Rakeem Washington—Aye

RESOLUTIONS

Resolution 24-06-02 Authorize Acceptance of Fiscal Year 2023 Audit Report

Linda Uppinghouse, Controller described the financial aspect of the audit and Chief Financial Officer Kandy Sage broke it down saying the end of the audit effort is near, taking an opportunity to profile the Finance and Accounting team recognizing the technical breadth of what they do. This audit cycle was the first year Controller Uppinghouse shepherd the audit with our consultant CLA. Sage also noted that this was the first year

since the pandemic that we will meet the State of Oregon deadline of June 30, 2024. This year the single audit report is absent. In wrapping up the compliance review there are still outstanding items that warrant more attention. Tonight, the board will review the final audit report and with approval we will be able to submit the report by the State's deadline. We anticipate returning in August with the single audit report. There were no questions regarding separating the single audit. Sage introduced CLA Principal Justin Measley who presented the financial reports.

Measley began by saying that in working with other housing authorities due to the pandemic, delaying an audit report is not unusual. Adding that the final report is due to HUD September 30, 2024.

Using a Power Point Measley reviewed the agenda and walked through the aspects of the draft audit results. This included the CLA team and the scope of engagement, saying this is like prior years. Measley said they will be issuing an unmodified opinion. Moving through the financial statements he highlighted what was significant in 2023. This included acquisitions of limited partner interest, transfer of ownership interest, property sales and GASB 96 implementation, adding that this IT company arrangement will be assessed annually.

Measley reviewed the statements of net position with current assets, noncurrent assets, capital assets, current liabilities and noncurrent liabilities and explained the changes based on the previous year. The statement of revenue and expenses is like prior years and Measley reviewed the snapshot of operating revenues and expenses along with nonoperating revenues and capital contributions. The significant disclosures were consistent with prior disclosures.

The single audit report review has four programs tested: Moving To Work, Housing Choice Voucher Program, Continuum of Care and Coronavirus State and Local Fiscal Recovery Funds. As previously stated, the single audit findings are in process, and we expect to return with the report in August. The final report will show that there are no findings in the financial statements.

The Auditor Communications saw no changes in the planned scope. Measley said no audit adjustments is huge and reflects on the strong accounting team. In wrapping up the report, he reviewed the upcoming GASB pronouncements and what is involved in next steps. Measley thanked the program staff for all their work which allowed the team to close out in a timely fashion.

Chair Emeritus Damien Hall appreciated the presentation and the work involved. He gave a shout out to CFO Kandy Sage and the finance team, calling out Controller Linda Uppinghouse and Assistant Controller Casey Little for their part as they stepped into new leadership roles. Sage added that the audit got underway in January and at the same time 20 independent audits on limited tax credit properties were taking place. This stellar team has a solid understanding of it all and it couldn't have been done without the help from the operating groups. Chair Matthew Gebhardt applauded everyone for all the wonderful work and meeting the June deadline. Recognizing Uppinghouse and Little for leading the charge, Sage for her continued leadership, and the CLA team for completing with welcome news of the positive results. Commissioner Jessy Ledesma appreciated the report summary, which provided a better understanding of her first audit report.

Chair Gebhardt clarified with Measley the yellow highlighted cell on page 14 was a reminder to reclassify and will be corrected in the finalized report.

There being no discussion, Chair Matthew Gebhardt requested a motion to approve Resolution 24-06-02. Commissioner Jessy Ledesma moved to adopt Resolution 24-06-02. Chair Emeritus Damien Hall seconded the motion.

The vote was as follows:

Chair Matthew Gebhardt—Aye
Vice Chair Jenny Kim—Aye
Chair Emeritus Damien Hall—Aye
Commissioner TomiRene Hettman—Aye
Commissioner Jessy Ledesma—Aye
Commissioner Rakeem Washington—Aye

There being no further business, Chair Matthew Gebhardt adjourned the meeting at 6:11 PM.

Celia M. Strauss
Recorder, on behalf of
Ivory N. Mathews, Secretary

ADOPTED: AUGUST 20, 2024

Attest:

Home Forward:

Ivory N. Mathews, Secretary

Matthew Gebhardt, Chair

CONSENT CALENDAR



MEMORANDUM

To: Board of Commissioners

Date: August 20, 2024

From: Juli Garvey
Director of Asset Management
503.802.8457

Ian Davie, Chief Operating Officer
503.802.8565

Subject: Authorize Guaranteed Maximum
Price (GMP) Construction
Amendment to Gretchen Kafoury
Commons and Peter Paulson
Apartments Envelope
Rehabilitation Design-Build (DB)
contract with Walsh Construction
Resolution 24-08-01

The Board of Commissioners is requested to approve this resolution for Gretchen Kafoury Commons and Peter Paulson Apartments Envelope Rehabilitation, 24-08-01 authorizing:

- 1) Home Forward to execute a \$5,693,230 Guaranteed Maximum Price (GMP) amendment to an existing Design-Build (DB) contract between Home Forward and Walsh Construction Company (WCC) for Gretchen Kafoury Commons (GKC-\$3,507,463) and Peter Paulson Apartments (PP-\$2,185,767) Envelope Rehabilitation.
- 2) Home Forward to expend a \$368,111 owner-controlled construction contingency during the course of Gretchen Kafoury Commons (GKC-\$164,027) and Peter Paulson Apartments (PP-\$204,084) Envelope Rehabilitation projects.

These actions support the 2023-2026 Strategic Plan Priority to improve utilization of the existing portfolio while planning for future portfolio needs.

BACKGROUND

Peter Paulson Apartments, built in 1995, is a 5-story building with 93 single room occupancy (SRO) units that is located at 1530 SW 13th Avenue, Portland, OR. Gretchen Kafoury Commons, built in 2000, is a 9-story 129-unit affordable property consisting of one- and two-bedroom units located at 1240 SW Columbia, Portland, OR.

The KASA Architects design led by Walsh Construction (WCC), investigated the Peter Paulson (PP) and Gretchen Kafoury Commons (GKC) buildings during the preconstruction and design phases. A scope of work was designed for each building and resulted in 2 sets of construction documents focused on the following rehabilitation improvements.

Peter Paulson Apartments:

- Window replacement
- Remove and replace EFIS in entries
- New mini split Heat Pump in elevator room

Gretchen Kafoury Commons:

- Roofing replacement
- 2 Elevator Modernization upgrades
- Window replacement
- New mini split Heat Pump in elevator penthouse

Previous Board of Commissioners action related to Gretchen Kafoury and Peter Paulson include resolutions (22-08-01 PP & 22-08-02 GKC) that executed and delivered documents to Oregon Housing and Community Services (OHCS) to apply for grant funds, (23-08-02) for preconstruction services, (24-01-02) to execute design amendment, and (24-03-01) for early procurement.

OVERVIEW

In August of 2023, Home Forward selected Walsh Construction (WCC) through a competitive process to serve as the design-build contractor for the Peter Paulson (PP) and Gretchen Kafoury Commons (GKC) projects. Walsh received competitive bids from subcontractors and suppliers to develop a GMP of \$5,693,230 to renovate both buildings. Walsh Construction plans to achieve an overall Certification Office for Business Inclusion and Diversity (COBID) of 40% of the work at Peter Paulson and 27% for Gretchen Kafoury. Construction will begin on August 22, 2024, and substantial completion is expected August 2025.

In addition, staff are requesting contracting authorization for an average of 6.5% budgeted Owner's construction contingency of \$368,111 for unexpected conditions, increases to the scope of work, and/or upgrades.

Accordingly, staff request approval according to the following schedule:

Pre-Construction Design Services (authorized August 2023)	\$89,750
Design Services amendment (authorized February 2024)	\$907,383
Early Purchase amendment (authorized March 2024)	\$1,084,628
Emergency water heater replacement (pre-construction design services contract amendment)	\$78,070

GMP Amendment (this authorization)	\$5,693,230
Owner's contingency (this authorization)	\$368,111
Total, CM/GC contract (this authorization)	\$8,221,172

The total contract amount is within the current Asset Management budget according to the following schedule:

Source Amounts	
OHCS Preservation Grant	\$7,400,000
HUD CPF Grant	\$900,000
Home Forward Funds	\$300,000
Total	\$8,600,000

CONCLUSION

Staff requests the Board of Commissioners to approve resolution 24-08-01 to authorize:

- Increasing WCC's contract by the GMP amount: \$5,693,230.
- The approval of the expenditure of an Owner's contingency of \$368,111

The Real Estate and Development (READ) Committee of Home Forward's board reviewed a draft of this resolution at its meeting on August 2, 2024.



RESOLUTION 24-08-01

RESOLUTION 24-08-01 AUTHORIZES THE EXECUTIVE DIRECTOR OR HER DESIGNEE TO EXECUTE A CONSTRUCTION AMENDMENT TO THE DESIGN-BUILD SERVICES CONTRACT WITH WALSH CONSTRUCTION COMPANY FOR THE PETER PAULSON APARTMENTS/GRETCHEN KAFOURY COMMONS ENVELOPE REHABILITATION PROJECTS

WHEREAS, Home Forward, a housing authority and a public body corporate and politic of the State of Oregon, seeks to encourage the provision of long-term housing for persons with low income residing in Multnomah County, Oregon; and

WHEREAS, Home Forward owns the Peter Paulson apartments located at 1530 SW 13th Avenue, Portland, OR and Gretchen Kafoury Commons located at 1240 SW Columbia St., Portland, OR; and

WHEREAS, Home Forward staff managed a competitive procurement process to select and awarded Walsh Construction Company (WCC) the design-build (DB) contract for the Peter Paulson Apartments and Gretchen Kafoury Commons Envelope Rehabilitation project; and

WHEREAS, Home Forward's preconstruction services with Walsh are complete and the project is fully bid with a planned start date of August 22, 2024; and

WHEREAS, Walsh Construction Company has estimated that overall Certification Office for Business Inclusion and Diversity (COBID) will complete 40% of the work at Peter Paulson and 27% for Gretchen Kafoury.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Home Forward authorizes and directs the Chief Executive Officer or her designee to execute an amendment with Walsh Construction Company Design Build services in the amount of \$5,693,230.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Home Forward hereby authorizes the Chief Executive Officer or her designee to execute amendments to the contracts with Walsh Construction Company to spend the Owner's contingency in the amount of \$368,111.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Home Forward hereby authorizes the Chief Executive Officer or her designee to execute amendments to the contracts with Walsh Construction Company to establish an Guaranteed Maximum Price of \$8,221,172, inclusive of all contract amendments to date.

ADOPTED: AUGUST 20, 2024

Attest:

Home Forward:

Ivory N. Mathews, Secretary

Matthew Gebhardt, Chair

MEMORANDUM

To:	Board of Commissioners	Date:	August 20, 2024
From:	April Berg Assistant Director, Development & Community Revitalization 503.802.8326 Leslie Crehan Senior Project Manager 503.802.8463 Jeff Lane Affordable Housing Developer 503.802.8591	Subject:	Authorize Amendments or Contracts for Construction Management/General Contractor (CMGC) Services with LMC Construction for the redevelopment of the Peaceful Villa Apartments Resolution 24-08-02 Authorize Execution of Documents in Connection with Financing, Leasing of Property Interests, Development and Operations for the redevelopment of the Peaceful Villa Apartments Resolution 24-08-03

The Board of Commissioners is requested to approve two separate Resolutions for the redevelopment of the Peaceful Villa Apartments, 24-08-02 and 24-08-03:

1. Home Forward to execute contracts and amendments between Home Forward and LMC Construction for construction management and general contractor (CM/GC) services in the amount of \$66,149,450. This amount includes the Guaranteed Maximum Price (GMP) proposal developed by LMC Construction, the original pre-construction contracts together with all previous amendments, and Home Forward's owner's construction contingency (Resolution 24-08-02).
2. The execution and delivery of documents by Home Forward, on its own behalf and in its capacity as general partner of Peaceful Villa Limited Partnership (the "Partnership"), in connection with the financing, development and operation of Peaceful Villa redevelopment (Resolution 24-08-03).

These actions support the 2023-2026 Strategic Plan Priority to Lead Within the Housing Stability Ecosystem and Goal: Use our development expertise to advance innovative solutions that expand supply and address community needs.

BACKGROUND

Peaceful Villa is one of the public housing properties included in the 85 Stories Initiative. It will convert from Public Housing to project-based Section 8 rental assistance via the Rental Assistance Demonstration (RAD) and HUD's Faircloth-to-RAD programs.

Built in 1948, Peaceful Villa's 70 homes consist of 8 studios, 54 one-bedroom and 8 two-bedroom units. The property sits on four acres of land at the corner of SE 47th Avenue and SE Clinton Street. Home Forward has maintained the property with several renovations, but the structures have reached the end of their useful life.

Peaceful Villa's redevelopment will replace the 70 physically obsolete affordable homes with 166 new affordable homes, with a unit mix of 14 studios, 61 one-bedrooms, 53 two-bedrooms, 34 three-bedrooms and 4 four-bedrooms. All units will be available to households earning 50% AMI or less.

The new development will include the following amenities:

- A community room for social events, computer lounge and food pantry
- Resident services offices for Immigrant and Refugee Community Organization (IRCO) and Home Forward
- A teen room, separate lounge space, and two roof terraces
- Children's play area both indoor and exterior
- Gardening space with raised beds
- A barbeque area and several outdoor courtyards with seating
- Two laundry rooms, plus washer/dryer hook ups in each unit
- Solar panels for house power and large mechanical equipment.
- Two parking lots
- New Woodward St. between 47th Ave. and 46th Ave as required by Portland Bureau of Transportation.

Existing residents will relocate off site during construction and will have the opportunity to return to the new Peaceful Villa once complete. The construction is scheduled to be complete in the Fall of 2026.

Previous Board of Commissioners action related to Peacefull Villa redevelopment includes authorization of the submission of low-income housing tax credits and funding applications (Resolution 22-10-03), contracting professional architectural and engineering services with Bora Architects (Resolution 22-03-02), and contracting with LMC Construction for Construction Manager / General Contractor (CM/GC) services (Resolution 22-03-03).

OVERVIEW

In March of 2022, Home Forward selected LMC Construction, through a competitive process to serve as the CM/GC for preconstruction services on the Peaceful Villa project. LMC Construction received bids from subcontractors and presented a GMP of \$65,646,145 for the CM/GC services to build the Peaceful Villa project. LMC Construction plans to achieve an overall Certification Office for Business Inclusion and Diversity (COBID) participation of 39% for all their subcontracts, exceeding Home Forward and OHCS's goal of 30%. Construction is expected to start late September 2024.

In addition, staff are requesting contracting authorization for an owner's contingency of \$3,282,307 (5% of the GMP) for unexpected field conditions, increases to the scope of work and/or upgrades.

GMP	\$ 65,646,145
<u>Owner's Contingency</u>	<u>\$ 3,282,307</u>
Total, this authorization	\$ 68,928,452
Total, past additions to the contract	\$ 503,305
Total, CM/GC Contact	\$ 69,431,757

This total contract amount is within the current development budget.

Home Forward will be the developer and general partner in a Low-Income Housing Tax Credit (LIHTC) partnership entity. The project will be financed with the sources in the approximate amounts below. At financing closing, Home Forward's line of credit will be reimbursed for predevelopment expenses, though the line of credit may be used at times during construction for interim needs.

Permanent Funders and Funding Amounts (amounts to be finalized prior to closing)	
4% LIHTC Equity/45L Credit Equity	\$ 32,641,295.00
OHCS Preservation Loan	\$ 8,750,000.00
Permanent Loan	\$ 31,275,000.00
Sponsor Loan 1 – OHCS GHAP Grant	\$ 10,000,000.00

Sponsor Loan 2 – PCEF Grant	\$ 4,607,602.50
Sponsor Loan 3 – HUD Capital Grant	\$ 1,644,050.00
Sponsor Loan 4 – Federal Appropriation Grant	\$ 3,577,027.00
Sponsor Loan 5 – Ground Lease Lessor Loan	\$ 5,980,000.00
Deferred Developer Fee	\$ 5,640,879.00
Total	\$ 104,115,85.00

CONCLUSION

Staff requests the Board of Commissioners to approve resolution 24-08-02 to authorize:

- Increasing LMC Construction’s contract for Peaceful Villa by \$65,646,145 to pay for construction.
- Executing future amendments between Home Forward and LMC Construction for expenditures from the owner’s contingency of \$3,282,307.

Staff requests the Board of Commissioners to approve resolution 24-08-03 to authorize the execution and delivery of documents by Home Forward, on its own behalf and in its capacity as general partner of Peaceful Villa Limited Partnership, in connection with the financing, development and operation of the Project, and to authorize the execution and authorization of Sponsor Loans on behalf of Home Forward to the Partnership.

The Real Estate and Development (READ) Committee of Home Forward’s board reviewed a draft of this resolution at its August 2, 2024 meeting.

ATTACHMENTS

Resolution 24-08-02

Resolution 24-08-03

Exhibit A Project Documents

Certificate of Secretary



RESOLUTION 24-08-02

RESOLUTION 24-08-02 AUTHORIZES THE CHIEF EXECUTIVE OFFICER, OR HER DESIGNEE, TO EXECUTE AMENDMENTS OR CONTRACTS WITH LMC CONSTRUCTION FOR CM/GC SERVICES FOR THE REDEVELOPMENT OF PEACEFUL VILLA, A 166-UNIT, AFFORDABLE HOUSING DEVELOPMENT

WHEREAS, Home Forward, a housing authority and a public body corporate and politic of the State of Oregon, seeks to encourage the provision of long-term housing for persons with low income residing in Multnomah county, Oregon; and

WHEREAS, Home Forward owns the 4-acre property located at 47th Ave and Clinton St. in Portland, Oregon that is properly zoned for the Peaceful Villa development; and

WHEREAS, Home Forward staff managed a competitive procurement process to select and award LMC Construction the contract to undertake construction manager and general contractor (CM/GC) services for the Peaceful Villa redevelopment; and

WHEREAS, Home Forward's preconstruction services with LMC Construction are complete and the project is fully bid with a planned start date in September 2024; and

WHEREAS, Home Forward has worked with LMC Construction to exceed the 30% COBID participation; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Home Forward authorizes and directs the Chief Executive Officer, or her designee, to execute amendments with LMC Construction for CM/GC services for Peaceful Villa redevelopment in the amount of \$65,646,145.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Home Forward hereby authorizes the Chief Executive Officer, or her designee, to execute amendments to the contracts with LMC Construction to spend the Home Forward – controlled construction contingency for Peaceful Villa redevelopment in the amount of \$3,282,307.

ADOPTED: AUGUST 20, 2024

Attest:

Home Forward:

Ivory N. Mathews, Secretary

Matthew Gebhardt, Chair



RESOLUTION 24-08-03

RESOLUTION 24-08-03 AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS BY HOME FORWARD, ON ITS OWN BEHALF AND IN ITS CAPACITY AS GENERAL PARTNER OF PEACEFUL VILLA LIMITED PARTNERSHIP, TO EFFECTUATE THE ACQUISITION, FINANCING, AND DEVELOPMENT OF THE HOUSING PROJECT KNOWN AS THE PEACEFUL VILLA APARTMENTS LOCATED IN PORTLAND, MULTNOMAH COUNTY, OREGON

WHEREAS, Home Forward seeks to encourage the provision of long-term housing for low-income persons residing in the City of Portland, Oregon;

WHEREAS, ORS 456.120(18) provides that a housing authority may enter in a partnership agreement with or loan money to an individual, partnership, Housing Authority or other association to finance, plan, undertake, construct, acquire or operate a housing project; and

WHEREAS, ORS 456.065 defines “housing project” to include, among other things, “any work or undertaking ...to provide decent, safe, sanitary urban or rural housings for persons or families of lower income”; and

WHEREAS, ORS 456.055 and 456.175 provide that a housing authority may issue bonds, notes, interim certificates, debentures or other obligations for any of its corporate purposes; and

WHEREAS, Home Forward has determined that it is consistent with its purposes to demolish an existing 18-building project (the “**Original Project**”) and develop in its place a 166-unit affordable housing development known as the Peaceful Villa Apartments (the “**Project**”) located at 2840 SE 46th Ave., Portland, OR 97206, 4660 SE Clinton St., Portland, OR 97206, and 4680 SE Clinton St., Portland, OR 97206 (the “**Property**”); and

WHEREAS, for the purpose of carrying out the Project, Home Forward has formed and is the general partner of Peaceful Villa Limited Partnership, an Oregon limited partnership (the “**Partnership**”); and

WHEREAS, Home Forward Development Enterprises Corporation (“**HFDEC**”) is the initial limited partner of the Partnership; and

WHEREAS, the Property is owned by Home Forward; and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to authorize Home Forward to ground lease the Property to the Partnership pursuant to a ground lease (the “**Ground Lease**”) in order for the Partnership to develop and operate the Project, for a term of approximately 99-years and at a rent of **\$5,980,000** for the term of the Ground Lease (which amount may change based on appraisal of the Property and underwriting), for a term and at an interest rate as shall be determined by an Authorized Officer (such determination to be conclusively demonstrated by the signature of any Authorized Officer on such document); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project for Home Forward to hold a note from the Partnership for a portion of the approximately **\$5,980,000** Ground Lease rent for the Project (as such amount may change based on an appraisal of the Project) in the amount of approximately **\$5,980,000** (the “**Lessor Loan**”) (as such amount may change based on an appraisal of the Improvements); and

WHEREAS, Home Forward expects that the State of Oregon acting by and through its Housing and Community Services Department (“**OHCS**”) will award the Project a reservation of 4 percent low-income housing tax credits (“**LIHTC**”); and

WHEREAS, USA Institutional Peaceful Villa LLC, a Delaware limited liability company (“**UIPV**”) or one or more of its affiliates is expected to offer to acquire a limited partner interest in the Partnership and Home Forward has determined it to be in the best interest of Home Forward, the Partnership and the Project, to admit UIPV as an investor limited partner of the Partnership in exchange for the capital contributions to be made to the Partnership in the estimated amount of **\$32,641,295** (which may change based on factors including, but not limited to, underwriting) (the “**LP Investment**”); and

WHEREAS, upon the admission of UIPV as a limited partner of the Partnership, HFDEC shall withdraw from the Partnership; and

WHEREAS, as a condition to acquiring the limited partner interest in the Partnership and making the LP Investment, UIPV requires that the current Agreement of Limited Partnership

of the Partnership be amended and restated in its entirety to reflect the terms of the LP Investment (the “**Amended Partnership Agreement**”) and that Home Forward and the Partnership execute and deliver certain other agreements, certificates and other instruments relating to the Partnership and the Project; and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to take all actions reasonably necessary to facilitate the LP Investment in the Partnership by UIPV by entering into all reasonably necessary agreements with UIPV and the Partnership (collectively the “**Partnership Documents**”) and by taking such further actions as are reasonably necessary as to facilitate the LP Investment in the Partnership by UIPV; and

WHEREAS, the State of Oregon acting by and through its State Treasurer and its Oregon Housing and Community Services Department (the “**Issuer**”) will issue its Housing Development Revenue Bonds (collectively, the “**Bonds**”) and lend the proceeds of the Bonds to the Partnership (the “**Issuer Loan**”); and

WHEREAS, JPMorgan Chase Bank, N.A. (the “**Lender**”) will purchase the Bonds, the proceeds of which will be used to fund the Issuer Loan, and the Issuer Loan documents will be assigned to Lender; and

WHEREAS, Home Forward anticipates that a portion of the Issuer Loan in the approximate amount of **\$31,275,000** and not to exceed **\$33,000,000** (which amounts may changed based on underwriting) will be converted to permanent financing for the Project (the “**Permanent Loan**”); and

WHEREAS, the Issuer Loan and the Permanent Loan will be partially subsidized by Oregon Affordable Housing Tax Credits (“**OAHTC**”) and Home Forward has determined it to be in the best interest of Home Forward, the Partnership, and the Project to enter into an Oregon Affordable Housing Tax Credit Program Declaration of Land Use Restrictive Covenants with OHCS, and any other documents as are reasonably necessary to obtain the award of the OAHTC; and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to cause Home Forward to enter into such agreements as may be required by Lender and Issuer in connection with the Issuer Loan and Permanent Loan including, without limitation, any guaranty agreements, environmental indemnity

agreements, and assignment of its partnership interests, capital contributions, or tax credits which may be required by Lender or Issuer; and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project for the Partnership to enter into such agreements as are reasonably necessary to obtain a loan of General Housing Account Program funds from OHCS to the Partnership in the approximate amount of **\$8,750,000** (the “**OHCS Loan**”); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to enter into such agreements as are reasonably necessary to obtain a grant in the approximate amount of **\$10,000,000** of General Housing Account Program funds (the “**GHAP Grant**”) from OHCS and thereafter, for Home Forward to lend the proceeds of such GHAP Grant to the Partnership (“**Sponsor GHAP Loan**”) for a term and at an interest rate as shall be determined by an Authorized Officer (such determination to be conclusively demonstrated by the signature of any Authorized Officer on such document); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to enter into such agreements as are reasonably necessary to make loan of Capital Grant funds from Home Forward to the Partnership in the approximate amount of **\$1,644,050** (the “**Sponsor Capital Grant Loan**”) for a term and at an interest rate as shall be determined by an Authorized Officer (such determination to be conclusively demonstrated by the signature of any Authorized Officer on such document); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to enter into such agreements as are reasonably necessary to obtain a grant in the approximate amount of **\$4,607,602.50** of Portland Clean Energy Funds (the “**PCEF Grant**”) from the City of Portland and thereafter, for Home Forward to lend the proceeds of such PCEF Grant to the Partnership (“**Sponsor PCEF Loan**”) for a term and at an interest rate as shall be determined by an Authorized Officer (such determination to be conclusively demonstrated by the signature of any Authorized Officer on such document); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to enter into such agreements as are reasonably necessary to make loan of funds from Home Forward to the Partnership in the approximate amount of **\$3,577,027** (the “**Sponsor Gap Loan**”) for a term and at an interest rate as shall be

determined by an Authorized Officer (such determination to be conclusively demonstrated by the signature of any Authorized Officer on such document); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to enter into such agreements as are reasonably necessary to obtain a grant in the approximate amount of **\$3,577,027** of funds federally appropriated to the Project (the **"Federal Appropriation Grant"**) and thereafter, for Home Forward to lend the proceeds of such Federal Appropriation Grant to the Partnership; and

WHEREAS, if the Federal Appropriation Grant is received by Home Forward, Home Forward will use the Federal Appropriation Grant to replace the funds used to initially fund the Sponsor Gap Loan and the documents evidencing the Sponsor Gap Loan will be amended, as necessary, to include any requirements related to the Federal Appropriations Grant that must be passed on to the Partnership, all as shall be determined by an Authorized Officer (such determination to be conclusively demonstrated by the signature of any Authorized Officer on such document); and

WHEREAS, additional financing for the development of the Project will be in the form of a capital contribution from Home Forward in the approximate amount of **\$100** (the **"Home Forward Equity Contribution"**); and a deferred development fee in an approximate amount of **\$5,640,879** (the **"Deferred Fee"**) (as each such amount may change based on underwriting); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward the Partnership, and the Project to convert the 70 public housing units from the Original Project to 70 project-based Section 8 units in the Project pursuant to the United States Department of Housing and Urban Development's (**"HUD"**) Rental Assistance Demonstration program (the **"Initial RAD Transaction"**); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward the Partnership, and the Project to develop the other 96 units in the Project as public housing units pursuant to HUD's Mixed-Finance program (the **"Mixed-Finance Transaction"**), and thereafter to convert the 96 public housing units to project-based Section 8 units pursuant to HUD's Rental Assistance Demonstration Program (the **"Completion RAD Transaction"**); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward the Partnership, and the Project to authorize the execution and delivery of certain documents

pursuant to which the Project will be granted an exemption under the City of Portland's System Development Charges Exemption Program (the "**SDC Exemption Agreements**"); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward the Partnership, and the Project to authorize the execution and delivery of certain documents pursuant to which the Project will be subject to inclusionary housing covenants required in the City of Portland (collectively the "**IH Covenants**"); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward the Partnership, and the Project to authorize the execution and delivery of certain documents pursuant to which the Project will be subject to deeper housing affordability covenants required in the City of Portland (collectively the "**DHA Covenants**"); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to engage Home Forward as the developer, property manager, and a resident services provider for the Project; and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to engage The Immigrant and Refugee Community Organization ("**IRCO**") as a resident services provider for the Project; and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project to authorize the execution and delivery of certain agreements for architectural, construction, property management, and technical related services related to the Project (the "**Project Documents**"); and

WHEREAS, Home Forward has determined it to be in the best interests of Home Forward, the Partnership, and the Project for Home Forward to assign to the Partnership certain Project Documents Home Forward entered into prior to the admission of UIPV as the limited partner; and

WHEREAS, the Board of Commissioners of Home Forward desires to authorize the transactions described above, authorize the negotiation, execution and delivery of documents in connection with such transaction, to delegate authority to certain individuals to execute documents on behalf of Home Forward in its own corporate capacity and as the general partner of the Partnership, and to ratify certain actions pertaining to these transactions taken prior to the date of this resolution; and

WHEREAS, ORS 456.135 authorizes Home Forward and/or the Partnership to delegate to one or more of its agents and employees such powers as it deems proper.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF HOME FORWARD, IN ITS OWN CAPACITY AND ITS SEPARATE CAPACITY AS THE GENERAL PARTNER OF THE PARTNERSHIP, ADOPTS THE FOLLOWING RESOLUTIONS:

1. **RESOLVED**, that Home Forward ratifies and affirms its actions in the formation of the Partnership.
2. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to enter into the Ground Lease between Home Forward and the Partnership with such terms and conditions as any single Authorized Officer (as hereinafter defined) shall approve (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents) and to make the Lessor Loan to the Partnership.
3. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver such documents as may be required to receive the LIHTC, including but not limited to those documents listed in Exhibit A, in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
4. **RESOLVED**, that Home Forward is authorized to negotiate, execute and deliver on behalf of Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, a letter of intent relating to an anticipated Amended Partnership Agreement of the Partnership among Home Forward as the general partner, HFDEC as the withdrawing limited partner, and UIPV, in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
5. **RESOLVED**, that Home Forward is authorized to negotiate, execute and deliver on behalf of Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, the documents listed on the attached

Exhibit A (whether bearing the name listed or names to similar effect) and such other documents as reasonably may be required in connection with the closing of the LP Investment by UIPV, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).

6. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver such documents as may be required to close on the Issuer Loan and Permanent Loan, including those documents listed on the attached Exhibit A (whether bearing the name listed or names to similar effect) and such other documents as reasonably may be required in connection with the closing of the Issuer Loan and Permanent Loan, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
7. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver such documents as may be required to receive the OAHTC, including but not limited to those documents listed in Exhibit A, in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
8. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver such documents necessary to close on the OHCS Loan including those documents listed on the attached Exhibit A, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
9. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver such documents as may be required to close on the PCEF Grant, GHAP Grant, and Federal Appropriations Grant, and to make Sponsor PCEF Loan, Sponsor GHAP Loan, Sponsor Capital Funds Loan, and the Sponsor Gap Loan to the Partnership, including but not limited to the execution and delivery of those documents set forth on Exhibit A (whether bearing the name listed or names to similar effect) and such other documents as reasonably may be required in connection with

the closing of the PCEF Grant, GHAP Grant, Federal Appropriations Grant, Sponsor PCEF Loan, Sponsor GHAP Loan, Sponsor Capital Funds Loan, and the Sponsor Gap Loan, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).

10. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver such documents as may be required to make and close on the Home Forward Equity Contribution.
11. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver such documents, including but not limited to, those documents set forth on Exhibit A (whether bearing the name listed or names to similar effect) and such other documents as reasonably may be required in connection with the closing of the Initial RAD Transaction, Mixed-Finance Transaction, and Completion RAD Transaction, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
12. **RESOLVED**, that Home Forward is authorized to negotiate, execute, and deliver on behalf of Home Forward or the Partnership, as the case may be, the SDC Exemption Agreements, the IH Covenants, and the DHA Covenants, all in the form approved by any Authorized Officer (such approval to be conclusively demonstrated by the signature of any Authorized Officer on such document).
13. **RESOLVED**, that Home Forward is authorized to serve as the property manager and a resident services provider of the Project and to negotiate, execute and deliver on behalf of Home Forward or the Partnership, as the case may be, the documents necessary to engage Home Forward as property manager and resident services provider of the Project, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
14. **RESOLVED**, that IRCO is authorized to serve as a resident services provider of the Project and Home Forward or the Partnership, as the case may be, is authorized to negotiate, execute and deliver the documents necessary to engage IRCO as a

resident services provider of the Project, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).

15. **RESOLVED**, that Home Forward is authorized to serve as developer of the Project and to negotiate, execute and deliver on behalf of Home Forward or the Partnership, as the case may be, the documents necessary to engage Home Forward as developer and to defer the Deferred Fee, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
16. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute and deliver all contracts and other documents respecting the design, construction, and technical assistance for the Project, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
17. **RESOLVED**, that Home Forward is authorized to assign to the Partnership and the Partnership is authorized to assume the Project Documents entered into by Home Forward before UIPV was admitted as limited partner, all in the form approved by any single Authorized Officer (such approval to be conclusively demonstrated by the signature of any single Authorized Officer on such documents).
18. **RESOLVED**, that Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, is authorized and directed to execute, deliver and/or file (or cause to be delivered and/or filed) any affidavits, certificates, letters, government forms, documents, agreements and instruments determined to be necessary or desirable: (i) to give effect to this resolution and/or (ii) to consummate the transactions contemplated herein;
19. **RESOLVED**, that any action required by this Resolution is authorized to be taken by Ivory N. Mathews, Chief Executive Officer of Home Forward, Matthew Gebhardt, Chair of the Board, Kitty Miller, Chief Administrative Officer of Home Forward, or Kandy Sage, Chief Financial Officer of Home Forward, or the respective successors or assigns of each (each individually, an “**Authorized Officer**”), and each of them acting alone, is authorized to take action as an Authorized Officer, and in the absence of such Authorized Officer, may be taken by the duly authorized acting Chief

Executive Officer of Home Forward, Chair of the Board, acting Chief Administrative Officer of Home Forward, or acting Chief Financial Officer of Home Forward, respectively.

In addition to the Authorized Officers named above, the following named individual(s) shall have authorization to execute draw requests, monthly progress reports and miscellaneous forms associated with tax credits, grants and loans:

- Linda Uppinghouse, Controller, or her designee

20. **RESOLVED**, that Home Forward is authorized to expend such funds (and to cause the Partnership to expend such funds) as are necessary to pay for all filing fees, application fees, registration fees and other costs relating to the actions authorized by this resolution.

21. **RESOLVED**, that each Authorized Officer is individually authorized to decrease the principal amount of any individual loan or capital contribution authorized by this resolution by any amount, or to increase the principal amount of any such individual loan or capital contribution by an amount up to \$1,000,000 more than the maximum principal amount for such loan or capital contribution stated in this resolution. The Board directs the Chief Executive Officer to report to the Board if the total amount borrowed by the Partnership for the Development exceeds the aggregate maximum principal amount stated in this resolution for all loans to the Partnership.

22. **RESOLVED**, that any Authorized Officer is authorized to negotiate, execute and deliver on behalf of Home Forward, in its individual capacity, as general partner of the Partnership and on behalf of the Partnership, as the case may be, such other agreements, certificates, and documents, and to take or authorize to be taken all such other actions any Authorized Officer shall deem necessary or desirable to carry out the transactions contemplated by the foregoing resolutions (such determination to be conclusively demonstrated by the signature of any single Authorized Officer on such document); and

23. **RESOLVED**, that to the extent any action, agreement, document, or certification has heretofore been taken, executed, delivered, or performed by an Authorized Officer named in these Resolutions on behalf of Home Forward (whether in its own capacity, or as the general partner of the Partnership) or the Partnership and in furtherance of the Project, the same is hereby ratified and affirmed.

This Resolution shall be in full force and effect from and after its adoption and approval.

ADOPTED: AUGUST 20, 2024

Attest:

Home Forward:

Ivory N. Mathews, Secretary

Matthew Gebhardt, Chair

EXHIBIT A
LIST OF TRANSACTION DOCUMENTS

Below is a list of the anticipated transaction documents for the financial closing of Peaceful Villa Apartments Project:

PARTNERSHIP DOCUMENTS

- (a) Letter of Intent
- (b) Amended and Restated Agreement of Limited Partnership
- (c) Development Agreement

CONVEYANCE & REAL ESTATE DOCUMENTS

- (a) Ground Lease
- (b) Memorandum of Ground Lease

LIHTC DOCUMENTS

- (a) 4% Low-Income Housing Tax Credit Declaration of Land Use Restrictive Covenants
- (b) 4% Tax Credit Indemnity and Hold Harmless Agreement
- (c) 4% Low-Income Housing Tax Credit Reservation and Extended Use Agreement
- (d) Tripartite Agreement

ISSUER AND PERMANENT LOAN DOCUMENTS

- (a) Loan Agreement
- (b) Trust Indenture
- (c) Housing Finance Bond Declaration
- (d) Regulatory Agreement
- (e) Operating Agreement and Declaration of Restrictive Covenants
- (f) Promissory Note(s)
- (g) Construction and Permanent Loan Agreement
- (h) Line of Credit Instrument Construction and Permanent Leasehold Trust Deed, Security Agreement, Assignment of Leases and Rents and Fixture Filing
- (i) Payment Guaranty
- (j) Completion Guaranty
- (k) Carve-Out Guaranty
- (l) Lessor's Estoppel Certificate, Consent and Agreement
- (m) Collateral Assignment and Pledge of Developer Fees and Security Agreement
- (n) Assignment of Construction and Design Agreements
- (o) Assignment of Management Agreement and Consent and Subordination of Manager
- (p) Assignment of Housing Assistance Payments Contract (New Subsidy Units)
- (q) Assignment of Housing Assistance Payments Contract (Converted Subsidy Units)
- (r) Consent to Assignment of HAP Contract as Security for Financing (New Subsidy Units)
- (s) Consent to Assignment of HAP Contract as Security for Financing (Converted Subsidy Units)

- (t) Collateral Assignment of Rights to Tax Credits and Partnership Interests
- (u) UCC Financing Statements
- (v) Assignment of Loan Documents (Collateral Assignment in Part and Absolute Assignment in Part)
- (w) Replacement Reserve Agreement
- (x) Environmental Indemnity Agreement

OHCS Loan Documents

- (a) GHAP Preservation Loan Agreement
- (b) GHAP Preservation Loan Promissory Note
- (c) GHAP Preservation Loan Trust Deed

GRANT DOCUMENTS

- (a) PCEF Grant Documents
- (b) Federal Appropriations Grant Documents
- (c) GHAP Grant Documents

SPONSOR AND LESSOR LOAN DOCUMENTS

- (a) Promissory Note(s)
- (b) Trust Deed(s)

RAD AND MIXED-FINANCE TRANSACTION DOCUMENTS

- (a) RAD Conversion Commitment
- (b) Amendment to RAD Conversion Commitment
- (c) RAD Use Agreement
- (d) Rental Assistance Demonstration (RAD) for Conversion of Public Housing to Section 8 Project-Based Voucher (PBV) Program Housing Assistance Payments Contract (Part 1, Part 2, Exhibits A-E)
- (e) Consolidated Owner Certification
- (f) Certification and Assurances
- (g) RAD Conversion Commitment
- (h) First Amendment to RAD Use Agreement
- (i) Rental Assistance Demonstration (RAD) for Conversion of Public Housing to Section 8 Project-Based Voucher (PBV) Program Housing Assistance Payments Contract (Part 1, Part 2, Exhibits A-E)
- (j) Termination of Mixed-Finance Amendment to Annual Contributions Contract
- (k) Release of Declaration of Trust/Restrictive Covenants
- (l) Termination of Regulatory and Operating Agreement
- (m) Consolidated Owner Certification
- (n) Certification and Assurances

OTHER DOCUMENTS

- (a) Priority and Subordination Agreement
- (b) OAHTC Declaration
- (c) Property Management Agreement
- (d) Resident Services Agreement

- (e) SDC Exemption Agreements
- (f) DHA Covenants
- (g) IH Covenants

CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Chief Executive Officer and Secretary of Home Forward and keeper of the records of Home Forward, CERTIFY:

1. That the attached Resolution 24-08-03 (the "Resolution") is a true and correct copy of the resolution of the Board of Commissioners of Home Forward, as adopted at a meeting of Home Forward held on August 20, 2024, and duly recorded in the minute books of Home Forward.

2. That such meeting was duly convened and held in all respects in accordance with law, and, to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a majority of the members of the Board of Commissioners of Home Forward present at the meeting voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of August, 2024.

HOME FORWARD

Ivory N. Mathews, Secretary



MEMORANDUM

To: Board of Commissioners

Date: August 20, 2024

From: Terren Wing
Director, Strategy & Federal Policy
503.802.8554

Subject: Authorize Changes to Chapters 4
and 20 of the Administrative Plan
Resolution 24-08-04

The Board of Commissioners is requested to authorize changes to Home Forward's Administrative Plan, the programmatic policy document for our Rent Assistance program. The requested changes are to Chapters 4 and 20 of the Administrative Plan. These changes are needed to reflect a Department of Housing and Urban Development (HUD) approval to apply existing Moving to Work (MTW) flexibilities to the Foster Youth to Independence (FYI), Family Unification Program (FUP), and Mainstream voucher programs.

These clarifications reduce administrative burden and wait time between referral and issuance of FUP, FYI, and Mainstream vouchers, while also decreasing work for service partners. The changes will also increase choice for participant families. These actions support Strategic Plan Priorities: Improve Services to Residents and Participants; Support Employees; and Lead Within the Housing Stability Ecosystem.

BACKGROUND

Home Forward's most recent FY2024 Moving To Work Plan includes a previously approved MTW Activity that allows us to use our MTW authority to align MTW Housing Choice Vouchers with services and supports from partners. This is designed to increase housing stability and success for families with barriers to succeeding with a voucher alone. This Tenant-Based Voucher Set Asides Activity allows us to align households for Housing Choice Voucher assistance without using the tenant-based voucher waiting list.

With Tenant-Based Voucher Set Asides, Home Forward accepts Housing Choice Voucher referrals from dedicated partners. We maintain documentation of the referral in the tenant file, but do not add these households to the HCV waiting list. This increases efficiency, relieves administrative burden on staff and referring agencies, and reduces the amount of time a family must wait between referral and issuance of the voucher.

Before accepting referrals and issuing vouchers, we execute a Memorandum of Understanding (MOU) with the partner specifying:

- Number of vouchers included in the Tenant-Based Voucher Set Aside;
- Eligibility criteria for the Tenant-Based Voucher Set Aside;
- Criteria for determining how families will be selected and referred to Home Forward;
- Type and duration of services the partner will make available to the household; and
- All referrals must be in writing and include a certification from the partner that the family was selected and referred to Home Forward in accordance with the criteria outlined in the MOU.

Home Forward has been implementing this Activity since 2016, and to date has instituted set aside programs for up to 200 vouchers for families served by Multnomah County's Homeless Family System of Care and up to 50 vouchers for families that include a veteran experiencing homelessness, who is ineligible for VASH vouchers. Recently, Home Forward received clarification from the HUD MTW Office that our MTW Agreement already provides us with the necessary authority to apply this Activity to Special Purpose Vouchers, including Foster Youth to Independence, Family Unification Program, and Mainstream vouchers. Home Forward has approval from the HUD MTW Office to begin implementing this non-significant change to our already HUD-approved Activity without waiting for approval in the next FY2025 MTW Plan. Home Forward will include reference to the change in our upcoming FY2024 MTW Report.

Home Forward's most recent FY2024 Moving To Work Plan also includes a previously approved MTW Activity that allows us to use our MTW authority to establish payment standards up to 120% of Fair Market Rents (FMR). This gives us additional flexibility to create reasonable choice for participant families, especially in low-poverty, high-opportunity areas.

ADMINISTRATIVE PLAN CHANGES

Home Forward is proposing the following changes to Chapters 4 and 20 of the Administrative Plan.

Chapter 4	
Current policy	Amended policy
<ul style="list-style-type: none"> ○ Outlines process for adding FYI, FUP, and Mainstream applicants to the HCV waitlist. ○ Details limited local preferences for families exiting homelessness and people with disabilities who are experiencing homelessness are referred via Multnomah County's Coordinated Access System. ○ Outlines approved tenant-based voucher set asides including the set aside for up to 200 vouchers for families served by Multnomah County's Homeless Family System of Care 	<ul style="list-style-type: none"> ○ Clarifies that adding FYI, FUP, and Mainstream applicants to the HCV waitlist was PHA policy prior to August 2024. ○ Clarifies that as of August 2024, both local preferences have sunsetted and access is now instead through the MTW Tenant-Based Voucher Set Aside. ○ Adds language to include the approved set asides for FYI, FUP, and Mainstream vouchers.

Chapter 20	
Current policy	Amended policy
<ul style="list-style-type: none"> ○ Outlines waiting list placement and selection policies for FYI, FUP, and Mainstream vouchers ○ References limited local preferences for FYI, FUP, and Mainstream vouchers ○ Does not include information on payment standards 	<ul style="list-style-type: none"> ○ Clarifies that as of August 2024, Home Forward follows its MTW Tenant-Based Set Aside Activity per edits in Chapter 4 ○ Clarifies that limited local preferences for FYI, FUP, and Mainstream were Home Forward's policy before August 2024 ○ Adds language to clarify that as of August 2024, Home Forward follows its MTW Broaden Range of Approved Payment Standards Activity to establish higher payment standards for FUP, FYI, and Mainstream

CONCLUSION

Accordingly, staff request approval for changes to Chapters 4 and 20 of the Administrative Plan.

ATTACHMENTS

Chapter 4 Administrative Plan (Redline)
Chapter 4 Administrative Plan (Blackline)
Chapter 20 Administrative Plan (Redline)
Chapter 20 Administrative Plan (Blackline)



RESOLUTION 24-08-04

RESOLUTION 24-08-04 AUTHORIZES HOME FORWARD STAFF TO AMEND CHAPTERS 4 AND 20 OF HOME FORWARD'S ADMINISTRATIVE PLAN

WHEREAS, the Department of Housing and Urban Development (HUD) permits a Public Housing Authority to amend and modify its Administrative Plan with Board of Commissioners' approval; and

WHEREAS, on July 17, 2024, HUD confirmed that Home Forward may implement the non-significant changes to its HUD-approved Tenant-Based Set Aside Moving to Work (MTW) Activity and apply the approved flexibilities to the Foster Youth to Independence (FYI), Family Unification Program (FUP), and Mainstream voucher programs; and

WHEREAS, Home Forward proposes amendments to Chapters 4 and 20 of the Administrative Plan to apply the flexibilities in its approved Tenant-Based Set Aside MTW Activity and Broaden Range of Approved Payment Standards MTW Activity to the FYI, FUP, and Mainstream voucher programs; and

WHEREAS, from time to time, Home Forward reviews its programmatic policy documents to bring them into alignment with current policies and practices; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Home Forward that Home Forward staff is authorized to make the changes to Chapters 4 and 20 of the Administrative Plan as outlined in the August 20, 2024 Memorandum and attachments from Home Forward staff to the Board of Commissioners.

ADOPTED: AUGUST 20, 2024

Attest:

Home Forward:

Ivory N. Mathews, Secretary

Matthew Gebhardt, Chair

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to receive assistance under the HCV program, the family must submit an application that provides the PHA with the information needed to determine the family's eligibility. HUD requires the PHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, the PHA must select families from the waiting list in accordance with HUD requirements and PHA policies as stated in the administrative plan and the annual plan.

The PHA is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or the PHA that justify their selection. Examples of this are the selection of families for income targeting and the selection of families that qualify for targeted funding.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the PHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that the PHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and PHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how the PHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how the PHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process the PHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide the PHA in selecting families for HCV assistance as such assistance becomes available.

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This part describes the PHA policies for making applications available, accepting applications, making preliminary determinations of eligibility, and the placement of applicants on the waiting list. This part also describes the PHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16]

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits the PHA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by the PHA. The PHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of the PHA's application.

PHA Policy

The PHA will use a two-step application process. The PHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

When the waiting list is open, application forms will be available in electronic and paper version. The applications will include Form HUD-92006, Supplement to Application for Federally Assisted Housing.

Completed applications must be returned to the PHA by mail or electronically (if an option) by the deadline determined and advertised by the PHA. Special advocacy groups and community social service agencies may submit applications on behalf of their clients using the standard completion and submission methods available to the community at large. Applications must be complete in order to be accepted by the PHA for processing. The PHA will retain one application per family.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]

The PHA must take steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). The PHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the PHA must provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of the PHA's policies related to providing reasonable accommodations for people with disabilities.

Limited English Proficiency

PHAs are required to take reasonable steps to ensure equal access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on the PHA's policies related to ensuring access to people with limited English proficiency (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

The PHA must review each complete application received and make a preliminary assessment of the family's eligibility. The PHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, the PHA must notify the family in writing [24 CFR 982.201(f)].

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

PHA Policy

The PHA will not conduct a preliminary assessment of the family's eligibility at the time of initial application. The family's application will be entered into the PHA's computer system. The PHA will randomly order all applications after the application deadline has passed, then select an adequate number of applications to maintain full utilization of available HCV assistance for a period of two years to be placed on the waiting list. The PHA will place the selected applications on the waiting list in order of the assigned numbers and according to the PHA preferences, and will notify applicants of the results of random selection.

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

The PHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how a PHA may structure its waiting list and how families must be treated if they apply for assistance from a PHA that administers more than one assisted housing program.

4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

The PHA's HCV waiting list must be organized in such a manner to allow the PHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires the PHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

PHA Policy

The PHA will maintain a single waiting list for the HCV program.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program the PHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

PHA Policy

The PHA will not merge the HCV waiting list with the waiting list for any other program the PHA operates.

4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

Closing the Waiting List

A PHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, the PHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

PHA Policy

The PHA will open the waiting list for a number of consecutive days. The PHA will announce the opening and closing date in its notice. Where the PHA has particular preferences or funding criteria that require a specific category of family, the PHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until the PHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

PHA Policy

The PHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The PHA will give public notice by publishing the relevant information in local newspapers.

4-II.D. FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]

The PHA must conduct outreach as necessary to ensure that the PHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires the PHA to admit a specified percentage of extremely low-income families to the program (see Chapter 4, Part III), the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

PHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class.

PHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities.

PHA Policy

The PHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the PHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

PHA Policy

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

While the family is on the waiting list, the family must immediately inform the PHA of changes in family composition and contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

While the family is on the waiting list, the family may report to the PHA any changes that will qualify the family for a local preference. The changes must be submitted in writing.

Once initial eligibility process is completed, the changes to family composition will be allowed in accordance with policies in Section 11-II.C.

4-II.F. UPDATING THE WAITING LIST [24 CFR 982.204]

HUD requires the PHA to establish policies to use when removing applicant names from the waiting list.

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to a PHA request for information or updates because of the family member's disability, the PHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

PHA Policy

The waiting list will be updated at least annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, the PHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that the PHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by the PHA not later than 15 business days from the date of the PHA letter.

If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, a PHA supervisor may reinstate the family if s/he determines the lack of response was due to PHA error, or to circumstances beyond the family's control. The family must contact the PHA in writing within 6 months of being removed from the waiting list to be eligible for the PHA's consideration to reinstate.

If the family did not respond to a PHA request for information or updates because of the family member's disability, the PHA will reinstate the applicant family to their former position on the waiting list in response to a request for reasonable accommodation (see Chapter 2).

Updating Preferences

PHA Policy

Families placed on the waiting list will be informed in writing of their ability to notify the PHA of a change in preference status. The PHA will update a family's preference status upon receipt of a written notification from the family.

Removal from the Waiting List

PHA Policy

If at any time an applicant family is on the waiting list, the PHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the waiting list.

If a family is removed from the waiting list because the PHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record and, when requested as a reasonable accommodation for a disabled or elderly family, to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding the PHA's decision (see Chapter 16) [24 CFR 982.201(f)].

PART III: SELECTION FOR HCV ASSISTANCE

4-III.A. OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families are selected from the waiting list depends on the selection method chosen by the PHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

The PHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the PHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

4-III.B. SELECTION AND HCV FUNDING SOURCES

Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced because of demolition or disposition of a public housing project; a family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project; a family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the PHA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. The PHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of very low income families. The PHA must use this funding only to assist the families within the specified category.

PHA Policy

The order in which families within a specified category are assisted is determined by the order of referrals from partner agencies. Families are served as openings occur within the targeted funding awards. A waiting list is not kept by the PHA for targeted funding, with the exception of Family Unification Program (FUP), Foster Youth to Independence (FYI) Program and 2017 Mainstream Voucher Program.

The PHA administers the following types of targeted funding:

- **Project Access:** Families are referred by the Aging and Disability Services. The PHA limits the number of vouchers for this program to 20.
- **Veterans Affairs Supportive Housing (VASH):** Families are referred by the Veterans Affairs (VA) Medical Center.
- **Witness Relocation:** Families are referred by the Office of Inspector General Agent-in-Charge. The PHA limits the number of vouchers for this program to 20.

- Family Unification Program (FUP): Families and youth are referred by the State of Oregon's Department of Human Services.
- Foster Youth to Independence (FYI) Program: Youth are referred by the State of Oregon's Department of Human Services.
- 2017 Mainstream Voucher Program: Families that include a non-elderly (18 years of age or older and less than 62 years of age) person with disabilities. Eligible families will be assisted in accordance with policies in Section 4-III.C.

Family Unification Program (FUP)

FUP vouchers are designated to serve two targeted populations – FUP-eligible families and FUP-eligible youth.

Section 110 of Housing Opportunity Through Modernization Act of 2016 (HOTMA) made several changes to the FUP program for children aging out of foster care. The changes to the FUP program were effective upon enactment of HOTMA (July 29, 2016). The changes include:

- Revising the length of the term that a FUP-eligible youth may receive FUP assistance from 18 months to 36 months. This change applies to youth currently receiving FUP assistance as well as any new participants.
- Revising the eligibility requirements for FUP-eligible youth. Previously, FUP-eligible youth must be at least 18 years old and not more than 21 and have left foster care at age 16 or older. Under the new law, FUP-eligible youth must:
 - Be at least 18 years old and not more than 24;
 - Have left foster care at age 16 or older or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act; and
 - Be homeless or at risk of being homeless (refer to the definition of “at risk of homelessness” at 24 CFR 576.2).

FUP-eligible family is defined as a family that the public child welfare agency (PCWA) has certified as a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care, and that the PHA has determined is eligible for a Housing Choice Voucher (HCV).

The PHA must have determined that the family or youth is eligible for a Housing Choice Voucher (HCV).

As required by statute, a FUP voucher issued to a FUP-eligible youth may only be used to provide housing assistance for the youth for a maximum of 36 months. See Chapter 20. Special Purpose Vouchers for information on extension of assistance.

There is no statutory limitation on the time a family may receive housing assistance under the program.

PHA Policy

The following is the PHA policy prior to August 2024: The PHA will conduct a one-time outreach to the applicants on its HCV waiting list to notify them of the FUP. Applicants who self-identify as meeting the FUP criteria will be referred to the State of Oregon's Department of Human Services, Child Welfare Division (DHS) for verification of qualifying criteria.

Upon receipt of DHS referrals the PHA will compare the names with those of families and youth already on the PHA's HCV waiting list. Any family or youth on the PHA's HCV waiting list that DHS identifies and refers as eligible will maintain their position on the waiting list, will be identified as FUP-eligible, and will be served prior to the DHS referrals not currently on the HCV waiting list.

Any family or youth certified by the DHS as eligible and not on the HCV waiting list will be placed on the HCV waiting list for a FUP voucher based on the date and time of the application and in accordance with the PHA's hierarchy of preferences. Due to the fact that families or youth may be placed on the waiting list only by DHS referral, the PHA will not give a public notice of the waiting list opening for the FUP applicants.

In order to ensure access by the youth population, the PHA has agreed to set aside 25 out of 100 awarded FUP vouchers to FUP-eligible youth. Upon initial leasing of the 100 FUP vouchers, the FUP-eligible applicants will be assisted in accordance with policies described in Section 4-III.C with the exception of the youth vouchers set-aside.

If a FUP voucher becomes available and there is no FUP-eligible youth on the waiting list, the next FUP-eligible family on the waiting list will be selected. The goal of a minimum 25 vouchers for youth will be maintained through the grant.

Ongoing communication and coordination efforts will be made with DHS and local partners with the goal of maintaining a balanced number of eligible youth and families on the waiting list for a FUP voucher.

FUP referrals received from DHS will not be offered a FUP voucher unless the DHS case manager completes a certification ascertaining that the FUP-eligible family will retain or obtain custody of their child, or children, within 90 days of the date the PHA enters into a Housing Assistance Payments contract for an approved rental unit on behalf of the identified family. This policy will help ensure that valuable housing resources are not being used to house families in large units into which children are not ready to be safely placed.

Family Unification Program and Family Self Sufficiency Demonstration
[Notice PIH 2016-01]

The PHA participates in a demonstration testing the effectiveness of combining housing choice vouchers for FUP-eligible youth with assistance under the Family Self Sufficiency (FSS) program. This demonstration extends the statutory time limit on voucher assistance to match the length of the FSS contract.

Program participants with a FUP youth voucher who agree to sign an FSS Contract of Participation will maintain their housing assistance for a period not exceeding the length of the FSS Contract of Participation. In most cases, the limit will be no more than five years; however, if the FSS Contract of Participation is extended, in accordance with 24 CFR 984.303(d), the FUP youth voucher can be extended for the entire length of the FSS Contract of Participation.

Families cannot be required to participate in the FSS program as condition of receipt of assistance under the HCV program, including receipt of a FUP voucher. However, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance.

PHAs must review the availability of this demonstration with all FUP youth during the family briefing. Current FUP youth must be given opportunity to participate.

PHA Policy

The PHA will notify eligible youth about the FUP and FSS Demonstration in partnership with the local DHS office and Homeless Youth Continuum of Care during the program specialized orientations and family briefings.

The PHA, in partnership with the local DHS office and Homeless Youth Continuum of Care, will conduct one-time in-person orientation to current FUP youth participants to notify them of this opportunity. The notice will provide information on how this demonstration works, including an explanation that while the families are not required to participate in the FSS program as condition of receipt of FUP voucher assistance, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance. The time frame to enroll will be 60 days from PHA notification or before the conclusion of the statutory time limit of the FUP youth voucher, whichever is earlier.

If a FUP youth participating in this demonstration fails to comply with the terms and conditions of the FSS Contract of Participation without good cause and is terminated from the FSS program, the FUP youth is no longer considered a participant in this demonstration. With FSS termination, the FUP youth is subject to the statutory limit of the FUP youth voucher, beginning from the time the first HAP contract is signed. If FUP youth has been assisted for more than 36 months, the PHA terminates assistance to the FUP youth household. The PHA may not terminate voucher assistance for FUP youth because of failure to comply with an FSS Contract of Participation prior to the end of the first 36 months of assistance.

Prior to terminations, PHAs offer an informal hearing to a FUP youth wishing to appeal a PHA decision to terminate. Policies specifying such hearing procedures are included in the PHA's FSS Action Plan.

The requirements of compliance and consequences for not complying with the terms and conditions of the FSS Contract of Participation are reviewed with the FUP youth at the time the FSS Contract of Participation is signed.

See Chapter 20. Special Purpose Vouchers for more information.

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list or referred from partner agency as part of the PHA's Tenant-Based Voucher Set Asides (MTW). Families are selected from the waiting list or as part of the PHA's Tenant-Based Voucher Set Asides according to the policies provided in Section 4-III.C.

PHA Policy – Additional One-Time Waiting List Placement Opportunity for Applicants Not Selected by Lottery in January 2007 (MTW)

The PHA will offer an opportunity to be selected for placement on the waiting list to applicants that were randomly assigned numbers higher than 3,000 and were not selected by lottery to be placed on the waiting list in January 2007.

The PHA will inform community partners and will post notification in the newspaper and other local publications making previous applicants aware of this additional opportunity for waiting list placement. The PHA will mail a notification to the applicants with numbers of 3,001 and higher, as assigned by lottery in January 2007, requiring a verification of continued interest. Applicants must respond in writing in the format required by the PHA within 15 business days from the date the PHA mailed the notification. Applicants that respond as required by the PHA will be placed on the waiting list in order of numbers that were previously assigned by lottery in January 2007. Applicants that fail to respond as required by the PHA will forfeit their opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with no forwarding address, the family will forfeit the opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with a forwarding address, the notification will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent. If the family fails to respond as required by the PHA, the family will forfeit the opportunity to be selected for placement on the waiting list. No additional opportunity will be offered to families that failed to respond, they will be encouraged to re-apply when the waiting list opens.

PHA Policy – Additional One-Time Waiting List Placement Opportunity for Applicants Not Selected by Lottery in June 2019

The PHA will offer an opportunity to be selected for placement on the waiting list to applicants that were randomly assigned numbers higher than 170 and as a result were not selected by lottery to be placed on the waiting list in June 2019 when the waiting list was opened to families eligible for the waiting list preference for families with a non-elderly person with disabilities who is transitioning out of institutional or other segregated settings.

The PHA will inform community partners making previous applicants aware of this additional opportunity for waiting list placement. The PHA will mail a notification to the applicants with numbers of 171 and higher, as assigned by lottery in June 2019, requiring a verification of continued interest. Applicants must respond in writing in the format required by the PHA within 15 business days from the date the PHA mailed the notification. Applicants that fail to respond as required by the PHA will forfeit their opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with no forwarding address, the family will forfeit the opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with a forwarding address, the notification will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent. Applicants that fail to respond as required by the PHA will forfeit their opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

4-III.C. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

PHA Policy

Local preferences are listed below and are numerically ranked, with number 1 being the highest preference. Preferences within the same rank are treated equally.

The following program transfer preferences will be ranked #1:

- **The PHA will grant a preference to up to 20 families per calendar year that are currently served in another permanent housing assistance program administered by the PHA and experiencing domestic violence, dating violence, sexual assault or stalking if the following circumstances apply:**

The PHA received completed and signed Form HUD-5382 (Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation) or alternate documentation allowed by Form HUD-5382;

Domestic violence, dating violence, sexual assault or stalking has occurred at the level that written certification has been received from a service provider verifying the participant is in significant danger and must relocate which will likely result in the need for the participant to receive a tenant-based voucher;

The current subsidy limits the participant's ability to relocate while retaining housing assistance; and

Program transfer is authorized in writing by the Director of Housing Choice Vouchers, Director of Homeless Initiatives, or Housing Program Manager.

- **Families that are currently served (or have been certified or have reached the top of the waiting list) in another permanent housing assistance program administered by the PHA when the other program is unable to serve the family and when such assistance is necessary for the PHA to appropriately house the family. This preference requires approval of Directors of both programs.**

When the PHA grants a local preference based on a specific need (i.e., a unit with accessible entrance), the Section 8 subsidy may only be used for a unit that cures the condition for which the local preference was granted.

- **Assisted families, including individual youth, that are currently served in the Family Unification Program- Youth (FUP), Foster Youth to Independence (FYI), or Moving to Work-funded FUP rental assistance extension programs administered by the PHA, if the following circumstances apply:**

FUP Youth/FYI assisted family includes a head of household who is a person with disabilities, as defined in 24 CFR 5.403, and whose voucher is expiring due to the 36-month statutory time limit for FUP Youth and FYI programs; or

FUP Youth/FYI assisted family's voucher assistance is ending after family has used all available Fostering Stable Housing Opportunities extensions or extensions available for participants of the Family Unification Program Family Self-Sufficiency Demonstration; or

Assisted family's Moving to Work-funded FUP rental assistance extension program assistance is expiring.

- **Families that are currently served by the PHA in a Continuum of Care funded, permanent supportive housing project and no longer need supportive services to maintain housing stability. The PHA may target preference to specific permanent supportive housing projects in order to align with the local and / or federal priorities related to ending homelessness. The PHA will limit the number of families accessing Housing Choice Vouchers via this preference to twenty-five annually, for calendar years 2015 and 2016 as a pilot. This preference requires approval of Directors of both programs, and the following circumstances must apply:**

Sponsor agency providing services to participant family provides written certification that the family does not require permanent supportive housing to maintain housing stability;

Family receiving preference must have completed two full years in a Continuum of Care funded, permanent supportive housing project;

Family receiving preference has successfully adhered to permanent supportive housing project program rules and requirements; and

Family receiving preference has projected gross annual income equal to or greater than the maximum Federal Supplemental Security Income (SSI) annual payment amount. The absence of income suggests ongoing opportunities for families to engage with supportive services related to obtaining income – either benefits acquisition or employment. Additionally, Continuum of Care funded projects are structured to provide greater options in the market for families without income.

In the event a program transfer is approved for a current participant due to one of the preferences described above the current participant will not be required to complete an application and go through the formality of being pulled from the current HCV waiting list. The program transfer preferences impact households who have already been through a waiting list process; their eligibility determination for the transfer preference will be based upon the specific

criterion outlined in each preference described above. All transfer preference applicants must meet eligibility criteria for the HCV program in accordance with policies in Chapter 3. Detailed verification of the need for the transfer preference as well as two authorized signatures will be required for a voucher to be authorized and issued.

The following voucher set-asides preferences for families that are exiting homelessness will be ranked #1. The PHA will limit the number of vouchers set aside for these preferences to 250. Once 250 families lease up with vouchers issued under these preferences, the preferences will sunset. The following two voucher set-aside preferences for families that are exiting homelessness are sunsetted and access is now through the PHA's MTW Tenant-Based Voucher Set Aside.

- **The PHA will grant a preference to up to 200 families that are currently served by Multnomah County's Homeless Family System of Care if the following circumstances apply:**

The PHA has executed a Memorandum of Understanding (MOU) with a partner agency. The MOU outlines eligibility criteria for the preference and criteria for determining how families will be selected and referred to the PHA from eligible families within the Homeless Family System of Care;

The PHA received a written referral from the partner agency, including a certification that the family was selected and referred to the PHA in accordance with criteria outlined in the MOU;

The referring partner agency agrees to make ongoing supportive services available to the family for the length of the family's participation in the HCV program.

- **The PHA will grant a preference to up to 50 families that include a veteran experiencing homelessness and are ineligible for HUD – Veterans Affairs Supportive Housing (HUD – VASH) voucher if the following circumstances apply:**

The PHA has executed a Memorandum of Understanding (MOU) with a partner agency. The MOU outlines eligibility criteria for the preference and criteria for determining how families will be selected and referred to the PHA from eligible veteran families experiencing homelessness;

The PHA received a written referral from the partner agency, including a certification that the family was selected and referred to the PHA in accordance with criteria outlined in the MOU;

The referring partner agency agrees to make ongoing supportive services available to the family for the length of the family's participation in the HCV program.

Based on the capacity of the service provider and supportive services available to the families as outlined in the MOU, screening and eligibility criteria for exiting homelessness preference applicants may be different from the PHA's regular requirements for the HCV program laid out in Chapter 3, except in the situations for which denial of assistance is mandatory.

The following voucher set-aside preference for households that are at risk of displacement due to increasing rents will be ranked #1. The PHA will limit the number of vouchers set aside for this preference to sixty for calendar year 2016 as a pilot:

- **The PHA will grant a one-time preference to up to 40 families that are currently served by Northwest Pilot Project and up to 20 families that are currently served by the Urban League of Portland if the following circumstances apply:**

The PHA has executed a partnership agreement with the partner agencies;

The PHA received a written referral from the partner agency, including a certification that the family is at risk of displacement due to rent increases and housing affordability issues, and the family was selected for referral in accordance with criteria outlined in the partnership agreement; and

The referring partner agency agrees to make ongoing supportive services available to the family for the length of the family's participation in the Housing Choice Voucher program.

The following preferences will be ranked #2:

- **Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is transitioning out of institutional or other segregated settings. The PHA will limit the number of vouchers set aside for this preference to 99. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 99 vouchers. This preference will expire December 1, 2022.**

Institutional or other segregated settings include, but are not limited to:

- Congregate settings populated exclusively or primarily with individuals with disabilities;
- Congregate settings characterized by regimentation in daily activities, lack of privacy or autonomy, policies limiting visitors, or limits on individuals' ability to engage freely in community activities and to manage their own activities of daily living; or
- Settings that provide for daytime activities primarily with other individuals with disabilities.

Transitioning is defined as having a plan for exiting institutional or other segregated settings within three months.

- **Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is experiencing homelessness and was referred to the PHA from Multnomah County's Coordinated Access system managed by the City of Portland / Multnomah County Joint Office of Homeless Services. The PHA will limit the number of vouchers set aside for this preference to 130 until December 1, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 130 vouchers until December 1, 2022. The PHA will limit the number of vouchers set aside for this preference to 229 beginning December 2, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 229 vouchers beginning December 2, 2022. As of October 2024, this voucher set-aside preference has sunsetted and access is now through the PHA's MTW Tenant-Based Voucher Set Aside.**

The PHA must receive a written referral from the City of Portland / Multnomah County Joint Office of Homeless Services, including a certification that the family is experiencing homelessness and is being referred from Multnomah County's Coordinated Access system

Experiencing homelessness is defined as:

Head of household is currently:

- a. Literally homeless (staying in a tent, car, emergency shelter, transitional housing or hotel); OR
- b. In an institution or publicly funded system of care (e.g. hospital, jail or prison, foster care); OR
- c. In housing and will become literally homeless within 14 days of the date of application for homeless assistance or has received an eviction (this includes households who are involuntarily doubled up); OR
- d. Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, trafficking, or other dangerous or life-threatening conditions that relate to violence and lacks the resources or support networks to obtain other safe, permanent housing

*This can be self-certified or certified by a supportive services provider. No additional documentation is required; **AND***

Head of household meets one or more of the following criteria:

- a. Has been literally homeless, institutionalized, in a publicly funded system of care and/or involuntarily doubled-up for a combined total of 12 or more months over the past 3 years; OR
- b. Was housed through another Homeless Assistance Housing Program in the last three years and is not currently being served in that program; OR
- c. Is being served in an intensive case management program (e.g. Assertive Community Treatment)

This can be self-certified or certified by a supportive services provider. No additional documentation is required.

Households who meet this definition of homelessness and enter a Homeless Assistance program maintain their homeless status for the purpose of future eligibility under this definition.

The following preference will be ranked #3:

- **Families with a member who has a documented terminal illness with life expectancy of 12 months or less.**

The following preference will be ranked #4:

- **Households residing in Multnomah County**

The term “residence” includes shelters and other dwelling places where homeless families may be living or sleeping.

Applicants who are working or have been notified that they were hired to work in Multnomah County will be treated as residents of Multnomah County.

Graduates of, or active participants in, education and training programs in Multnomah County will be treated as residents of Multnomah County if the education or training program is designed to prepare individuals for the job market.

- The PHA defines training program as “a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period of time. It is designed to lead to a higher level of proficiency, and it enhances the individual’s ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education”.
- Employment, education, or training programs would include active participation in any of the following: GED or high school diploma, employment readiness programs, short term or long term training programs that will result in a certification; or a degree-seeking program at a college or university with a minimum enrollment requirement of six credit hours. The previous list is not inclusive of all eligible employment, education, or training programs.
- Third-party verification of active participation or graduation from such program within the past year will be required to receive a preference.

Households with no preference will be ranked #5.

Eligible RAD PBV households wishing to exercise mobility will be placed on the tenant-based HCV waiting list and will be selected for no more than seventy-five percent of turnover vouchers in accordance with policies in Chapter 18.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during the PHA's fiscal year. An ELI family is a very low-income family whose annual income does not exceed the higher of 30 percent of the area median income or the federal poverty level [FR Notice 6/25/14]. To ensure this requirement is met, a PHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low-income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

PHA Policy

The PHA will monitor progress in meeting the income targeting requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the PHA continues to serve the same population as it served prior to receiving the MTW status.

Order of Selection

The PHA system of preferences may select families based on local preferences according to the date and time of application or by a random selection process (lottery) [24 CFR 982.207(c)]. If a PHA does not have enough funding to assist the family at the top of the waiting list, it is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

PHA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the PHA's hierarchy of preferences, if applicable. No more than seventy-five percent of turnover vouchers will be targeted to eligible RAD PBV families wishing to exercise mobility. Within each targeted funding or preference category, families will be selected in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list. Documentation will be maintained by the PHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that the PHA does not have to ask higher placed families each time targeted selections are made.

Tenant-Based Voucher Set Asides (MTW)

Through Tenant-Based Voucher Set Asides, the PHA uses its MTW authority to align MTW Housing Choice Vouchers with services and supports from partners designed to increase housing stability and success for families with barriers to succeeding with a voucher alone. The Tenant-Based Voucher Set Asides allow the PHA, in specific instances, to select families for Housing Choice Voucher assistance without using the tenant-based voucher waiting list.

With Tenant-Based Voucher Set Asides, the PHA accepts referrals from specified partners and awards those households the dedicated vouchers. Written documentation of the referral is maintained in the tenant file by the PHA, but the PHA does not add these households to the Housing Choice Voucher waiting list. This flexibility increases efficiency and reduces the number of days a family has to wait between referral and issuance of the voucher.

For each Tenant-Based Voucher Set Aside, prior to accepting referrals and issuing vouchers the PHA executes a Memorandum of Understanding with the partner specifying:

- Number of vouchers included in the Tenant-Based Voucher Set Aside;
- Eligibility criteria for the Tenant-Based Voucher Set Aside;
- Criteria for determining how families will be selected and referred to the PHA by the partner(s);
- Type and duration of services the partner(s) will make available to the household; and
- All referrals must be in writing and include a certification from the partner(s) that the family was selected and referred to the PHA in accordance with the criteria outlined in the Memorandum of Understanding.

Approved Tenant-Based Voucher Set Asides

Homeless Family System of Care

The PHA sets aside up to 200 total vouchers for families currently served by Multnomah County's Homeless Family System of Care.

Previously, the PHA instituted a one-time preference in its Housing Choice Voucher program for up to 200 families served by Multnomah County's Homeless Family System of Care. At the point 200 families leased-up under the preference, the preference sunsetted. New families were not referred from the Homeless Family System of Care as families selected through the preference left the Housing Choice Voucher Program.

The PHA uses a Tenant-Based Voucher Set Aside to serve up to 200 families referred by Multnomah County's Homeless Family System of Care. Remaining families from the previous preference for families referred from the Homeless Family System of Care will be included in the count of up to 200 families covered by the Tenant-Based Voucher Set Aside.

Foster Youth to Independence and Family Unification Program

The PHA has 150 authorized Foster Youth to Independence vouchers and 300 authorized Family Unification Program Vouchers. Referrals for both programs come from the Oregon Department of Human Services as the Participating Child Welfare Agency. Beginning August 2024, the PHA uses a Tenant-Based Voucher Set Aside for the Foster Youth to Independence and Family Unification Program. Information on Foster Youth to Independence and Family Unification Program eligibility is included in

Mainstream Voucher Program

[The PHA has 229 authorized Mainstream Vouchers. Referrals for Mainstream Vouchers come from Multnomah County's Coordinated Access systems. Beginning October 2024, the PHA uses a Tenant-Based Voucher Set Aside for the Mainstream Voucher program. Information on Mainstream Voucher eligibility is included in Chapter 20.](#)

4-III.D. NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, the PHA must notify the family.

PHA Policy

The PHA will notify the family by first class mail when it is selected from the waiting list. The notice will include the required forms that have to be completed and signed by all adult family members and returned to the PHA. The notice will inform the family of the following:

Documents and information that must be provided to the PHA, including information about what constitutes acceptable documentation;

Deadline for submitting completed and signed forms and other documents and information requested by the PHA.

If a notification letter is returned to the PHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record and, when requested as a reasonable accommodation for a disabled or elderly family, to any known alternate address.

If the family fails to respond to a notification letter, the family will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends, but does not require, the PHA to hold in-person interviews with families selected from the waiting list. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if the PHA determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by the PHA [Notice PIH 2012-10].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

PHA Policy

The PHA does not require in-person eligibility interviews.

Pending disclosure and documentation of social security numbers, the PHA will allow the family to retain its place on the waiting list until the next time the PHA is issuing vouchers. If not all household members have disclosed their SSNs at the next time the

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PHA is issuing vouchers, the PHA will issue a voucher to the next eligible applicant family on the waiting list.

The family must provide to the PHA, by mail or in-person, the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completed and signed required forms and other documentation requested by the PHA.

If any materials are missing, the PHA will provide the family with a written list of items that must be submitted. The missing and/or additional items must be provided within 10 business days from the date the PHA sent the list of items to the family (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application process.

4-III.F. COMPLETING THE APPLICATION PROCESS

The PHA must verify all information provided by the family (see Chapter 7). Based on verified information, the PHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted funding admission, or selection preference that affected the order in which the family was selected from the waiting list.

PHA Policy

If the PHA determines that the family is ineligible, the PHA will send written notification of the ineligibility determination within 15 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16).

If a family fails to qualify for any criteria that affected the order of selection from the waiting list (e.g. targeted funding, extremely low-income, preferences / ranking), and the family applied and was placed on the PHA waiting list when the list was open for all applicants, the family will be returned to its original position on the waiting list within 120 calendar days from the date the PHA requested preference verification and will be selected in the future based upon updated information. The PHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

If a family fails to qualify for any criteria that affected the order of selection from the waiting list (e.g. targeted funding, extremely low-income, preferences / ranking), and the family applied when the PHA waiting list was open only for families claiming a preference or meeting specified criteria for targeted funding, the family will be removed from the waiting list. The PHA will send a notice to the family's address of record and, when requested as a reasonable accommodation for a disabled or elderly family, to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding the PHA's decision.

If the PHA determines that the family is eligible to receive assistance, the PHA will invite the family to attend a briefing in accordance with the policies in Chapter 5.

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

INTRODUCTION

When a family wishes to receive assistance under the HCV program, the family must submit an application that provides the PHA with the information needed to determine the family's eligibility. HUD requires the PHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, the PHA must select families from the waiting list in accordance with HUD requirements and PHA policies as stated in the administrative plan and the annual plan.

The PHA is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or the PHA that justify their selection. Examples of this are the selection of families for income targeting and the selection of families that qualify for targeted funding.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the PHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that the PHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and PHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how the PHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how the PHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process the PHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide the PHA in selecting families for HCV assistance as such assistance becomes available.

PART I: THE APPLICATION PROCESS

4-I.A. OVERVIEW

This part describes the PHA policies for making applications available, accepting applications, making preliminary determinations of eligibility, and the placement of applicants on the waiting list. This part also describes the PHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16]

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits the PHA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by the PHA. The PHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of the PHA's application.

PHA Policy

The PHA will use a two-step application process. The PHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

When the waiting list is open, application forms will be available in electronic and paper version. The applications will include Form HUD-92006, Supplement to Application for Federally Assisted Housing.

Completed applications must be returned to the PHA by mail or electronically (if an option) by the deadline determined and advertised by the PHA. Special advocacy groups and community social service agencies may submit applications on behalf of their clients using the standard completion and submission methods available to the community at large. Applications must be complete in order to be accepted by the PHA for processing. The PHA will retain one application per family.

4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS

Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]

The PHA must take steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). The PHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the PHA must provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of the PHA's policies related to providing reasonable accommodations for people with disabilities.

Limited English Proficiency

PHAs are required to take reasonable steps to ensure equal access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on the PHA's policies related to ensuring access to people with limited English proficiency (LEP).

4-I.D. PLACEMENT ON THE WAITING LIST

The PHA must review each complete application received and make a preliminary assessment of the family's eligibility. The PHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, the PHA must notify the family in writing [24 CFR 982.201(f)].

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

PHA Policy

The PHA will not conduct a preliminary assessment of the family's eligibility at the time of initial application. The family's application will be entered into the PHA's computer system. The PHA will randomly order all applications after the application deadline has passed, then select an adequate number of applications to maintain full utilization of available HCV assistance for a period of two years to be placed on the waiting list. The PHA will place the selected applications on the waiting list in order of the assigned numbers and according to the PHA preferences, and will notify applicants of the results of random selection.

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

PART II: MANAGING THE WAITING LIST

4-II.A. OVERVIEW

The PHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how a PHA may structure its waiting list and how families must be treated if they apply for assistance from a PHA that administers more than one assisted housing program.

4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

The PHA's HCV waiting list must be organized in such a manner to allow the PHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires the PHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

PHA Policy

The PHA will maintain a single waiting list for the HCV program.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program the PHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

PHA Policy

The PHA will not merge the HCV waiting list with the waiting list for any other program the PHA operates.

4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

Closing the Waiting List

A PHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, the PHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

PHA Policy

The PHA will open the waiting list for a number of consecutive days. The PHA will announce the opening and closing date in its notice. Where the PHA has particular preferences or funding criteria that require a specific category of family, the PHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until the PHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

PHA Policy

The PHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The PHA will give public notice by publishing the relevant information in local newspapers.

4-II.D. FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]

The PHA must conduct outreach as necessary to ensure that the PHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires the PHA to admit a specified percentage of extremely low-income families to the program (see Chapter 4, Part III), the PHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

PHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class.

PHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities.

PHA Policy

The PHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the PHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

PHA Policy

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

While the family is on the waiting list, the family must immediately inform the PHA of changes in family composition and contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

While the family is on the waiting list, the family may report to the PHA any changes that will qualify the family for a local preference. The changes must be submitted in writing.

Once initial eligibility process is completed, the changes to family composition will be allowed in accordance with policies in Section 11-II.C.

4-II.F. UPDATING THE WAITING LIST [24 CFR 982.204]

HUD requires the PHA to establish policies to use when removing applicant names from the waiting list.

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to a PHA request for information or updates because of the family member's disability, the PHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

PHA Policy

The waiting list will be updated at least annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, the PHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that the PHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by the PHA not later than 15 business days from the date of the PHA letter.

If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the family will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, a PHA supervisor may reinstate the family if s/he determines the lack of response was due to PHA error, or to circumstances beyond the family's control. The family must contact the PHA in writing within 6 months of being removed from the waiting list to be eligible for the PHA's consideration to reinstate.

If the family did not respond to a PHA request for information or updates because of the family member's disability, the PHA will reinstate the applicant family to their former position on the waiting list in response to a request for reasonable accommodation (see Chapter 2).

Updating Preferences

PHA Policy

Families placed on the waiting list will be informed in writing of their ability to notify the PHA of a change in preference status. The PHA will update a family's preference status upon receipt of a written notification from the family.

Removal from the Waiting List

PHA Policy

If at any time an applicant family is on the waiting list, the PHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the waiting list.

If a family is removed from the waiting list because the PHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record and, when requested as a reasonable accommodation for a disabled or elderly family, to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding the PHA's decision (see Chapter 16) [24 CFR 982.201(f)].

PART III: SELECTION FOR HCV ASSISTANCE

4-III.A. OVERVIEW

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families are selected from the waiting list depends on the selection method chosen by the PHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

The PHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the PHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

4-III.B. SELECTION AND HCV FUNDING SOURCES

Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced because of demolition or disposition of a public housing project; a family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project; a family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the PHA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. The PHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of very low income families. The PHA must use this funding only to assist the families within the specified category.

PHA Policy

The order in which families within a specified category are assisted is determined by the order of referrals from partner agencies. Families are served as openings occur within the targeted funding awards. A waiting list is not kept by the PHA for targeted funding, with the exception of Family Unification Program (FUP), Foster Youth to Independence (FYI) Program and 2017 Mainstream Voucher Program.

The PHA administers the following types of targeted funding:

- **Project Access:** Families are referred by the Aging and Disability Services. The PHA limits the number of vouchers for this program to 20.
- **Veterans Affairs Supportive Housing (VASH):** Families are referred by the Veterans Affairs (VA) Medical Center.
- **Witness Relocation:** Families are referred by the Office of Inspector General Agent-in-Charge. The PHA limits the number of vouchers for this program to 20.

- Family Unification Program (FUP): Families and youth are referred by the State of Oregon's Department of Human Services.
- Foster Youth to Independence (FYI) Program: Youth are referred by the State of Oregon's Department of Human Services.
- 2017 Mainstream Voucher Program: Families that include a non-elderly (18 years of age or older and less than 62 years of age) person with disabilities. Eligible families will be assisted in accordance with policies in Section 4-III.C.

Family Unification Program (FUP)

FUP vouchers are designated to serve two targeted populations – FUP-eligible families and FUP-eligible youth.

Section 110 of Housing Opportunity Through Modernization Act of 2016 (HOTMA) made several changes to the FUP program for children aging out of foster care. The changes to the FUP program were effective upon enactment of HOTMA (July 29, 2016). The changes include:

- Revising the length of the term that a FUP-eligible youth may receive FUP assistance from 18 months to 36 months. This change applies to youth currently receiving FUP assistance as well as any new participants.
- Revising the eligibility requirements for FUP-eligible youth. Previously, FUP-eligible youth must be at least 18 years old and not more than 21 and have left foster care at age 16 or older. Under the new law, FUP-eligible youth must:
 - Be at least 18 years old and not more than 24;
 - Have left foster care at age 16 or older or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act; and
 - Be homeless or at risk of being homeless (refer to the definition of “at risk of homelessness” at 24 CFR 576.2).

FUP-eligible family is defined as a family that the public child welfare agency (PCWA) has certified as a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care, and that the PHA has determined is eligible for a Housing Choice Voucher (HCV).

The PHA must have determined that the family or youth is eligible for a Housing Choice Voucher (HCV).

As required by statute, a FUP voucher issued to a FUP-eligible youth may only be used to provide housing assistance for the youth for a maximum of 36 months. See Chapter 20. Special Purpose Vouchers for information on extension of assistance.

There is no statutory limitation on the time a family may receive housing assistance under the program.

PHA Policy

The following is the PHA policy prior to August 2024: The PHA will conduct a one-time outreach to the applicants on its HCV waiting list to notify them of the FUP. Applicants who self-identify as meeting the FUP criteria will be referred to the State of Oregon's Department of Human Services, Child Welfare Division (DHS) for verification of qualifying criteria.

Upon receipt of DHS referrals the PHA will compare the names with those of families and youth already on the PHA's HCV waiting list. Any family or youth on the PHA's HCV waiting list that DHS identifies and refers as eligible will maintain their position on the waiting list, will be identified as FUP-eligible, and will be served prior to the DHS referrals not currently on the HCV waiting list.

Any family or youth certified by the DHS as eligible and not on the HCV waiting list will be placed on the HCV waiting list for a FUP voucher based on the date and time of the application and in accordance with the PHA's hierarchy of preferences. Due to the fact that families or youth may be placed on the waiting list only by DHS referral, the PHA will not give a public notice of the waiting list opening for the FUP applicants.

In order to ensure access by the youth population, the PHA has agreed to set aside 25 out of 100 awarded FUP vouchers to FUP-eligible youth. Upon initial leasing of the 100 FUP vouchers, the FUP-eligible applicants will be assisted in accordance with policies described in Section 4-III.C with the exception of the youth vouchers set-aside.

If a FUP voucher becomes available and there is no FUP-eligible youth on the waiting list, the next FUP-eligible family on the waiting list will be selected. The goal of a minimum 25 vouchers for youth will be maintained through the grant.

Ongoing communication and coordination efforts will be made with DHS and local partners with the goal of maintaining a balanced number of eligible youth and families on the waiting list for a FUP voucher.

FUP referrals received from DHS will not be offered a FUP voucher unless the DHS case manager completes a certification ascertaining that the FUP-eligible family will retain or obtain custody of their child, or children, within 90 days of the date the PHA enters into a Housing Assistance Payments contract for an approved rental unit on behalf of the identified family. This policy will help ensure that valuable housing resources are not being used to house families in large units into which children are not ready to be safely placed.

Family Unification Program and Family Self Sufficiency Demonstration
[Notice PIH 2016-01]

The PHA participates in a demonstration testing the effectiveness of combining housing choice vouchers for FUP-eligible youth with assistance under the Family Self Sufficiency (FSS) program. This demonstration extends the statutory time limit on voucher assistance to match the length of the FSS contract.

Program participants with a FUP youth voucher who agree to sign an FSS Contract of Participation will maintain their housing assistance for a period not exceeding the length of the FSS Contract of Participation. In most cases, the limit will be no more than five years; however, if the FSS Contract of Participation is extended, in accordance with 24 CFR 984.303(d), the FUP youth voucher can be extended for the entire length of the FSS Contract of Participation.

Families cannot be required to participate in the FSS program as condition of receipt of assistance under the HCV program, including receipt of a FUP voucher. However, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance.

PHAs must review the availability of this demonstration with all FUP youth during the family briefing. Current FUP youth must be given opportunity to participate.

PHA Policy

The PHA will notify eligible youth about the FUP and FSS Demonstration in partnership with the local DHS office and Homeless Youth Continuum of Care during the program specialized orientations and family briefings.

The PHA, in partnership with the local DHS office and Homeless Youth Continuum of Care, will conduct one-time in-person orientation to current FUP youth participants to notify them of this opportunity. The notice will provide information on how this demonstration works, including an explanation that while the families are not required to participate in the FSS program as condition of receipt of FUP voucher assistance, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance. The time frame to enroll will be 60 days from PHA notification or before the conclusion of the statutory time limit of the FUP youth voucher, whichever is earlier.

If a FUP youth participating in this demonstration fails to comply with the terms and conditions of the FSS Contract of Participation without good cause and is terminated from the FSS program, the FUP youth is no longer considered a participant in this demonstration. With FSS termination, the FUP youth is subject to the statutory limit of the FUP youth voucher, beginning from the time the first HAP contract is signed. If FUP youth has been assisted for more than 36 months, the PHA terminates assistance to the FUP youth household. The PHA may not terminate voucher assistance for FUP youth because of failure to comply with an FSS Contract of Participation prior to the end of the first 36 months of assistance.

Prior to terminations, PHAs offer an informal hearing to a FUP youth wishing to appeal a PHA decision to terminate. Policies specifying such hearing procedures are included in the PHA's FSS Action Plan.

The requirements of compliance and consequences for not complying with the terms and conditions of the FSS Contract of Participation are reviewed with the FUP youth at the time the FSS Contract of Participation is signed.

See Chapter 20. Special Purpose Vouchers for more information.

Regular HCV Funding

Regular HCV funding may be used to assist any eligible family on the waiting list or referred from partner agency as part of the PHA's Tenant-Based Voucher Set Asides (MTW). Families are selected from the waiting list or as part of the PHA's Tenant-Based Voucher Set Asides according to the policies provided in Section 4-III.C.

PHA Policy – Additional One-Time Waiting List Placement Opportunity for Applicants Not Selected by Lottery in January 2007 (MTW)

The PHA will offer an opportunity to be selected for placement on the waiting list to applicants that were randomly assigned numbers higher than 3,000 and were not selected by lottery to be placed on the waiting list in January 2007.

The PHA will inform community partners and will post notification in the newspaper and other local publications making previous applicants aware of this additional opportunity for waiting list placement. The PHA will mail a notification to the applicants with numbers of 3,001 and higher, as assigned by lottery in January 2007, requiring a verification of continued interest. Applicants must respond in writing in the format required by the PHA within 15 business days from the date the PHA mailed the notification. Applicants that respond as required by the PHA will be placed on the waiting list in order of numbers that were previously assigned by lottery in January 2007. Applicants that fail to respond as required by the PHA will forfeit their opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with no forwarding address, the family will forfeit the opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with a forwarding address, the notification will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent. If the family fails to respond as required by the PHA, the family will forfeit the opportunity to be selected for placement on the waiting list. No additional opportunity will be offered to families that failed to respond, they will be encouraged to re-apply when the waiting list opens.

PHA Policy – Additional One-Time Waiting List Placement Opportunity for Applicants Not Selected by Lottery in June 2019

The PHA will offer an opportunity to be selected for placement on the waiting list to applicants that were randomly assigned numbers higher than 170 and as a result were not selected by lottery to be placed on the waiting list in June 2019 when the waiting list was opened to families eligible for the waiting list preference for families with a non-elderly person with disabilities who is transitioning out of institutional or other segregated settings.

The PHA will inform community partners making previous applicants aware of this additional opportunity for waiting list placement. The PHA will mail a notification to the applicants with numbers of 171 and higher, as assigned by lottery in June 2019, requiring a verification of continued interest. Applicants must respond in writing in the format required by the PHA within 15 business days from the date the PHA mailed the notification. Applicants that fail to respond as required by the PHA will forfeit their opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with no forwarding address, the family will forfeit the opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

If the notification is returned by the post office with a forwarding address, the notification will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent. Applicants that fail to respond as required by the PHA will forfeit their opportunity to be selected for placement on the waiting list. There will be no additional opportunity offered; the families will be encouraged to re-apply when the waiting list opens.

4-III.C. SELECTION METHOD

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

PHA Policy

Local preferences are listed below and are numerically ranked, with number 1 being the highest preference. Preferences within the same rank are treated equally.

The following program transfer preferences will be ranked #1:

- **The PHA will grant a preference to up to 20 families per calendar year that are currently served in another permanent housing assistance program administered by the PHA and experiencing domestic violence, dating violence, sexual assault or stalking if the following circumstances apply:**

The PHA received completed and signed Form HUD-5382 (Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation) or alternate documentation allowed by Form HUD-5382;

Domestic violence, dating violence, sexual assault or stalking has occurred at the level that written certification has been received from a service provider verifying the participant is in significant danger and must relocate which will likely result in the need for the participant to receive a tenant-based voucher;

The current subsidy limits the participant's ability to relocate while retaining housing assistance; and

Program transfer is authorized in writing by the Director of Housing Choice Vouchers, Director of Homeless Initiatives, or Housing Program Manager.

- **Families that are currently served (or have been certified or have reached the top of the waiting list) in another permanent housing assistance program administered by the PHA when the other program is unable to serve the family and when such assistance is necessary for the PHA to appropriately house the family. This preference requires approval of Directors of both programs.**

When the PHA grants a local preference based on a specific need (i.e., a unit with accessible entrance), the Section 8 subsidy may only be used for a unit that cures the condition for which the local preference was granted.

- **Assisted families, including individual youth, that are currently served in the Family Unification Program- Youth (FUP), Foster Youth to Independence (FYI), or Moving to Work-funded FUP rental assistance extension programs administered by the PHA, if the following circumstances apply:**

FUP Youth/FYI assisted family includes a head of household who is a person with disabilities, as defined in 24 CFR 5.403, and whose voucher is expiring due to the 36-month statutory time limit for FUP Youth and FYI programs; or

FUP Youth/FYI assisted family's voucher assistance is ending after family has used all available Fostering Stable Housing Opportunities extensions or extensions available for participants of the Family Unification Program Family Self-Sufficiency Demonstration; or

Assisted family's Moving to Work-funded FUP rental assistance extension program assistance is expiring.

- **Families that are currently served by the PHA in a Continuum of Care funded, permanent supportive housing project and no longer need supportive services to maintain housing stability. The PHA may target preference to specific permanent supportive housing projects in order to align with the local and / or federal priorities related to ending homelessness. The PHA will limit the number of families accessing Housing Choice Vouchers via this preference to twenty-five annually, for calendar years 2015 and 2016 as a pilot. This preference requires approval of Directors of both programs, and the following circumstances must apply:**

Sponsor agency providing services to participant family provides written certification that the family does not require permanent supportive housing to maintain housing stability;

Family receiving preference must have completed two full years in a Continuum of Care funded, permanent supportive housing project;

Family receiving preference has successfully adhered to permanent supportive housing project program rules and requirements; and

Family receiving preference has projected gross annual income equal to or greater than the maximum Federal Supplemental Security Income (SSI) annual payment amount. The absence of income suggests ongoing opportunities for families to engage with supportive services related to obtaining income – either benefits acquisition or employment. Additionally, Continuum of Care funded projects are structured to provide greater options in the market for families without income.

In the event a program transfer is approved for a current participant due to one of the preferences described above the current participant will not be required to complete an application and go through the formality of being pulled from the current HCV waiting list. The program transfer preferences impact households who have already been through a waiting list process; their eligibility determination for the transfer preference will be based upon the specific

criterion outlined in each preference described above. All transfer preference applicants must meet eligibility criteria for the HCV program in accordance with policies in Chapter 3. Detailed verification of the need for the transfer preference as well as two authorized signatures will be required for a voucher to be authorized and issued.

The following voucher set-asides preferences for families that are exiting homelessness will be ranked #1. The PHA will limit the number of vouchers set aside for these preferences to 250. Once 250 families lease up with vouchers issued under these preferences, the preferences will sunset. The following two voucher set-aside preferences for families that are exiting homelessness are sunsetted and access is now through the PHA's MTW Tenant-Based Voucher Set Aside.

- **The PHA will grant a preference to up to 200 families that are currently served by Multnomah County's Homeless Family System of Care if the following circumstances apply:**

The PHA has executed a Memorandum of Understanding (MOU) with a partner agency. The MOU outlines eligibility criteria for the preference and criteria for determining how families will be selected and referred to the PHA from eligible families within the Homeless Family System of Care;

The PHA received a written referral from the partner agency, including a certification that the family was selected and referred to the PHA in accordance with criteria outlined in the MOU;

The referring partner agency agrees to make ongoing supportive services available to the family for the length of the family's participation in the HCV program.

- **The PHA will grant a preference to up to 50 families that include a veteran experiencing homelessness and are ineligible for HUD – Veterans Affairs Supportive Housing (HUD – VASH) voucher if the following circumstances apply:**

The PHA has executed a Memorandum of Understanding (MOU) with a partner agency. The MOU outlines eligibility criteria for the preference and criteria for determining how families will be selected and referred to the PHA from eligible veteran families experiencing homelessness;

The PHA received a written referral from the partner agency, including a certification that the family was selected and referred to the PHA in accordance with criteria outlined in the MOU;

The referring partner agency agrees to make ongoing supportive services available to the family for the length of the family's participation in the HCV program.

Based on the capacity of the service provider and supportive services available to the families as outlined in the MOU, screening and eligibility criteria for exiting homelessness preference applicants may be different from the PHA's regular requirements for the HCV program laid out in Chapter 3, except in the situations for which denial of assistance is mandatory.

The following voucher set-aside preference for households that are at risk of displacement due to increasing rents will be ranked #1. The PHA will limit the number of vouchers set aside for this preference to sixty for calendar year 2016 as a pilot:

- **The PHA will grant a one-time preference to up to 40 families that are currently served by Northwest Pilot Project and up to 20 families that are currently served by the Urban League of Portland if the following circumstances apply:**

The PHA has executed a partnership agreement with the partner agencies;

The PHA received a written referral from the partner agency, including a certification that the family is at risk of displacement due to rent increases and housing affordability issues, and the family was selected for referral in accordance with criteria outlined in the partnership agreement; and

The referring partner agency agrees to make ongoing supportive services available to the family for the length of the family's participation in the Housing Choice Voucher program.

The following preferences will be ranked #2:

- **Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is transitioning out of institutional or other segregated settings. The PHA will limit the number of vouchers set aside for this preference to 99. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 99 vouchers. This preference will expire December 1, 2022.**

Institutional or other segregated settings include, but are not limited to:

- Congregate settings populated exclusively or primarily with individuals with disabilities;
- Congregate settings characterized by regimentation in daily activities, lack of privacy or autonomy, policies limiting visitors, or limits on individuals' ability to engage freely in community activities and to manage their own activities of daily living; or
- Settings that provide for daytime activities primarily with other individuals with disabilities.

Transitioning is defined as having a plan for exiting institutional or other segregated settings within three months.

- **Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is experiencing homelessness and was referred to the PHA from Multnomah County's Coordinated Access system managed by the City of Portland / Multnomah County Joint Office of Homeless Services. The PHA will limit the number of vouchers set aside for this preference to 130 until December 1, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 130 vouchers until December 1, 2022. The PHA will limit the number of vouchers set aside for this preference to 229 beginning December 2, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 229 vouchers beginning December 2, 2022. As of October 2024, this voucher set-aside preference has sunsetted and access is now through the PHA's MTW Tenant-Based Voucher Set Aside.**

The PHA must receive a written referral from the City of Portland / Multnomah County Joint Office of Homeless Services, including a certification that the family is experiencing homelessness and is being referred from Multnomah County's Coordinated Access system

Experiencing homelessness is defined as:

Head of household is currently:

- a. Literally homeless (staying in a tent, car, emergency shelter, transitional housing or hotel); OR
- b. In an institution or publicly funded system of care (e.g. hospital, jail or prison, foster care); OR
- c. In housing and will become literally homeless within 14 days of the date of application for homeless assistance or has received an eviction (this includes households who are involuntarily doubled up); OR
- d. Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, trafficking, or other dangerous or life-threatening conditions that relate to violence and lacks the resources or support networks to obtain other safe, permanent housing

*This can be self-certified or certified by a supportive services provider. No additional documentation is required; **AND***

Head of household meets one or more of the following criteria:

- a. Has been literally homeless, institutionalized, in a publicly funded system of care and/or involuntarily doubled-up for a combined total of 12 or more months over the past 3 years; OR
- b. Was housed through another Homeless Assistance Housing Program in the last three years and is not currently being served in that program; OR
- c. Is being served in an intensive case management program (e.g. Assertive Community Treatment)

This can be self-certified or certified by a supportive services provider. No additional documentation is required.

Households who meet this definition of homelessness and enter a Homeless Assistance program maintain their homeless status for the purpose of future eligibility under this definition.

The following preference will be ranked #3:

- **Families with a member who has a documented terminal illness with life expectancy of 12 months or less.**

The following preference will be ranked #4:

- **Households residing in Multnomah County**

The term “residence” includes shelters and other dwelling places where homeless families may be living or sleeping.

Applicants who are working or have been notified that they were hired to work in Multnomah County will be treated as residents of Multnomah County.

Graduates of, or active participants in, education and training programs in Multnomah County will be treated as residents of Multnomah County if the education or training program is designed to prepare individuals for the job market.

- The PHA defines training program as “a learning process with goals and objectives, generally having a variety of components, and taking place in a series of sessions over a period to time. It is designed to lead to a higher level of proficiency, and it enhances the individual’s ability to obtain employment. It may have performance standards to measure proficiency. Training may include, but is not limited to: (1) classroom training in a specific occupational skill, (2) on-the-job training with wages subsidized by the program, or (3) basic education”.
- Employment, education, or training programs would include active participation in any of the following: GED or high school diploma, employment readiness programs, short term or long term training programs that will result in a certification; or a degree-seeking program at a college or university with a minimum enrollment requirement of six credit hours. The previous list is not inclusive of all eligible employment, education, or training programs.
- Third-party verification of active participation or graduation from such program within the past year will be required to receive a preference.

Households with no preference will be ranked #5.

Eligible RAD PBV households wishing to exercise mobility will be placed on the tenant-based HCV waiting list and will be selected for no more than seventy-five percent of turnover vouchers in accordance with policies in Chapter 18.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during the PHA's fiscal year. An ELI family is a very low-income family whose annual income does not exceed the higher of 30 percent of the area median income or the federal poverty level [FR Notice 6/25/14]. To ensure this requirement is met, a PHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low-income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

PHA Policy

The PHA will monitor progress in meeting the income targeting requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the PHA continues to serve the same population as it served prior to receiving the MTW status.

Order of Selection

The PHA system of preferences may select families based on local preferences according to the date and time of application or by a random selection process (lottery) [24 CFR 982.207(c)]. If a PHA does not have enough funding to assist the family at the top of the waiting list, it is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

PHA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with the PHA's hierarchy of preferences, if applicable. No more than seventy-five percent of turnover vouchers will be targeted to eligible RAD PBV families wishing to exercise mobility. Within each targeted funding or preference category, families will be selected in numerical order based on the numbers that were assigned to each application, by lottery, at the time the applications were placed on the waiting list. Documentation will be maintained by the PHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that the PHA does not have to ask higher placed families each time targeted selections are made.

Tenant-Based Voucher Set Asides (MTW)

Through Tenant-Based Voucher Set Asides, the PHA uses its MTW authority to align MTW Housing Choice Vouchers with services and supports from partners designed to increase housing stability and success for families with barriers to succeeding with a voucher alone. The Tenant-Based Voucher Set Asides allow the PHA, in specific instances, to select families for Housing Choice Voucher assistance without using the tenant-based voucher waiting list.

With Tenant-Based Voucher Set Asides, the PHA accepts referrals from specified partners and awards those households the dedicated vouchers. Written documentation of the referral is maintained in the tenant file by the PHA, but the PHA does not add these households to the Housing Choice Voucher waiting list. This flexibility increases efficiency and reduces the number of days a family has to wait between referral and issuance of the voucher.

For each Tenant-Based Voucher Set Aside, prior to accepting referrals and issuing vouchers the PHA executes a Memorandum of Understanding with the partner specifying:

- Number of vouchers included in the Tenant-Based Voucher Set Aside;
- Eligibility criteria for the Tenant-Based Voucher Set Aside;
- Criteria for determining how families will be selected and referred to the PHA by the partner(s);
- Type and duration of services the partner(s) will make available to the household; and
- All referrals must be in writing and include a certification from the partner(s) that the family was selected and referred to the PHA in accordance with the criteria outlined in the Memorandum of Understanding.

Approved Tenant-Based Voucher Set Asides

Homeless Family System of Care

The PHA sets aside up to 200 total vouchers for families currently served by Multnomah County's Homeless Family System of Care.

Previously, the PHA instituted a one-time preference in its Housing Choice Voucher program for up to 200 families served by Multnomah County's Homeless Family System of Care. At the point 200 families leased-up under the preference, the preference sunsetted. New families were not referred from the Homeless Family System of Care as families selected through the preference left the Housing Choice Voucher Program.

The PHA uses a Tenant-Based Voucher Set Aside to serve up to 200 families referred by Multnomah County's Homeless Family System of Care. Remaining families from the previous preference for families referred from the Homeless Family System of Care will be included in the count of up to 200 families covered by the Tenant-Based Voucher Set Aside.

Foster Youth to Independence and Family Unification Program

The PHA has 150 authorized Foster Youth to Independence vouchers and 300 authorized Family Unification Program Vouchers. Referrals for both programs come from the Oregon Department of Human Services as the Participating Child Welfare Agency. Beginning August 2024, the PHA uses a Tenant-Based Voucher Set Aside for the Foster Youth to Independence and Family Unification Program. Information on Foster Youth to Independence and Family Unification Program eligibility is included in

Mainstream Voucher Program

The PHA has 229 authorized Mainstream Vouchers. Referrals for Mainstream Vouchers come from Multnomah County's Coordinated Access systems. Beginning October 2024, the PHA uses a Tenant-Based Voucher Set Aside for the Mainstream Voucher program. Information on Mainstream Voucher eligibility is included in Chapter 20.

4-III.D. NOTIFICATION OF SELECTION

When a family has been selected from the waiting list, the PHA must notify the family.

PHA Policy

The PHA will notify the family by first class mail when it is selected from the waiting list. The notice will include the required forms that have to be completed and signed by all adult family members and returned to the PHA. The notice will inform the family of the following:

Documents and information that must be provided to the PHA, including information about what constitutes acceptable documentation;

Deadline for submitting completed and signed forms and other documents and information requested by the PHA.

If a notification letter is returned to the PHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record and, when requested as a reasonable accommodation for a disabled or elderly family, to any known alternate address.

If the family fails to respond to a notification letter, the family will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

4-III.E. THE APPLICATION INTERVIEW

HUD recommends, but does not require, the PHA to hold in-person interviews with families selected from the waiting list. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if the PHA determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by the PHA [Notice PIH 2012-10].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

PHA Policy

The PHA does not require in-person eligibility interviews.

Pending disclosure and documentation of social security numbers, the PHA will allow the family to retain its place on the waiting list until the next time the PHA is issuing vouchers. If not all household members have disclosed their SSNs at the next time the PHA is issuing vouchers, the PHA will issue a voucher to the next eligible applicant

family on the waiting list.

The family must provide to the PHA, by mail or in-person, the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completed and signed required forms and other documentation requested by the PHA.

If any materials are missing, the PHA will provide the family with a written list of items that must be submitted. The missing and/or additional items must be provided within 10 business days from the date the PHA sent the list of items to the family (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application process.

4-III.F. COMPLETING THE APPLICATION PROCESS

The PHA must verify all information provided by the family (see Chapter 7). Based on verified information, the PHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted funding admission, or selection preference that affected the order in which the family was selected from the waiting list.

PHA Policy

If the PHA determines that the family is ineligible, the PHA will send written notification of the ineligibility determination within 15 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16).

If a family fails to qualify for any criteria that affected the order of selection from the waiting list (e.g. targeted funding, extremely low-income, preferences / ranking), and the family applied and was placed on the PHA waiting list when the list was open for all applicants, the family will be returned to its original position on the waiting list within 120 calendar days from the date the PHA requested preference verification and will be selected in the future based upon updated information. The PHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

If a family fails to qualify for any criteria that affected the order of selection from the waiting list (e.g. targeted funding, extremely low-income, preferences / ranking), and the family applied when the PHA waiting list was open only for families claiming a preference or meeting specified criteria for targeted funding, the family will be removed from the waiting list. The PHA will send a notice to the family's address of record and, when requested as a reasonable accommodation for a disabled or elderly family, to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding the PHA's decision.

If the PHA determines that the family is eligible to receive assistance, the PHA will invite the family to attend a briefing in accordance with the policies in Chapter 5.

Chapter 20

SPECIAL PURPOSE VOUCHERS

INTRODUCTION

Special purpose vouchers are specifically funded by Congress in separate appropriations from regular HCV program funding in order to target specific populations. Special purpose vouchers include vouchers for the following programs:

- Family Unification Program (FUP)
- Foster Youth to Independence (FYI) program
- Veterans Affairs Supportive Housing (VASH)
- Mainstream
- Non-Elderly Disabled (NED)
- Stability Vouchers

PHA Policy

The PHA will administer the following types of special purpose vouchers:

- Family Unification Program (FUP)
- Foster Youth to Independence (FYI) program
- Veterans Affairs Supportive Housing (VASH)
- Mainstream
- Non-Elderly Disabled (NED)
- Stability Vouchers

This chapter describes HUD regulations and PHA policies for administering special purpose vouchers. The policies outlined in this chapter are organized into six sections, as follows:

Part I: Family Unification Program (FUP)

Part II: Foster Youth to Independence (FYI) program

Part III: Veterans Affairs Supportive Housing (VASH)

Part IV: Mainstream voucher program

Part V: Non-Elderly Disabled (NED) vouchers

Part VI: Stability Vouchers

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to special purpose vouchers.

PART I: FAMILY UNIFICATION PROGRAM (FUP)

20-1A. PROGRAM OVERVIEW [Fact Sheet, Housing Choice Voucher Program Family Unification Program (FUP)]

Overview

The Family Unification Program (FUP) was authorized by Congress in 1990 to help preserve and reunify families. PHAs that administer the program provide vouchers to two different populations—FUP families and FUP youth.

Families eligible for FUP are families for whom the lack of adequate housing is a primary factor in:

- The imminent placement of the family’s child or children in out-of-home care; or
- The delay in the discharge of the child or children to the family from out-of-home care.

There is no time limitation on FUP family vouchers, and the family retains their voucher as long as they are HCV-eligible. There is no requirement for the provision of supportive services for FUP family vouchers.

Youth eligible for FUP are those who:

- Are at least 18 years old and not more than 24 years of age;
- Have left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 and older; and
- Are homeless or at risk of becoming homeless.

FUP youth vouchers are limited by statute to a period between 36 and 60 months of housing assistance. Supportive services must also be provided to FUP-eligible youth by the Public Child Welfare Agency (PCWA) or by another agency or organization under contract with the PCWA for the period of time defined in the notice or Notice of Funding Availability/Opportunity (NOFA/O) for which funding was made available.

PHAs that wish to administer FUP vouchers must apply to HUD by submitting an application under an active Notice of Funding Opportunity (NOFO). While the FUP program is administered in accordance with HCV regulations, the FUP NOFOs issued by HUD provide specific program information and requirements.

In order to administer the program, the PHA must also form a partnership with a local PCWA who is responsible for determining the family or youth meets FUP eligibility requirements and referring them to the PHA. Once the referral is received, the PHA is responsible for placing the FUP family or youth on the PHA’s waiting list and determining whether they are eligible to receive assistance under the PHA’s HCV program.

Assigning Vouchers [FUP FAQs]

The PHA may, but is not required to, assign a specific number or percentage of FUP vouchers for FUP youths and FUP families. Unless the PHA assigns a specific number or percentage of FUP vouchers to a designated FUP population, the PHA must serve any referrals (youths or families) that meet all program eligibility requirements up to the PHA's designated FUP program size.

PHA Policy

The PHA has designated 75% of FUP vouchers for families and 25% for youth.

20-I.B. PUBLIC CHILD WELFARE AGENCY (PCWA)

Families and youth do not apply directly to the PHA for FUP vouchers. They are instead referred by a PCWA with whom the PHA has entered into a Memorandum of Understanding (MOU). The partnering PCWA initially determines whether the family or youth meets the FUP program eligibility requirements listed in 20-I.C. and 20-I.D. and then refers those families or youths to the PHA.

HUD strongly encourages PHAs and PCWAs to make decisions collaboratively on the administration of the program and to maintain open and continuous communication. The PCWA must have a system for identifying FUP-eligible youth within the agency's caseload and for reviewing referrals from a Continuum of Care (COC) if applicable.

PHA Policy

The PHA has entered into an MOU with the following partnering organizations: Oregon Department of Human Services Child Welfare Division, City of Portland / Multnomah County Joint Office of Homeless Services, Multnomah County Department of County Human Services, Youth and Family Services Division.

Supportive Services

The PCWA must provide supportive services for the period of time defined in the notice or NOFA/O for which the funding was made available to all FUP-eligible youth regardless of their age. The MOU between the PHA and the PCWA should identify the period of time in which supportive services will be provided.

PHA Policy

Oregon Department of Human Services Child Welfare Division and/or member organizations of the Multnomah County Homeless Youth Continuum will provide supportive services for all FUP youth for a period of 36 months as indicated in the FUP MOU.

Supportive services may be provided to FUP-eligible youth by the PCWA or by another agency or organization under agreement or contract with the PCWA, including the PHA. The organization providing the services and resources must be identified in the MOU. The following services must be offered:

- Basic life skills information or counseling on money management, use of credit, housekeeping, proper nutrition or meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services);
- Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance or referrals for assistance on security deposits, utility hook-up fees, and utility deposits;
- Providing such assurances to owners of rental property as are reasonable and necessary to assist a FUP-eligible youth to rent a unit with a FUP voucher;
- Job preparation and attainment counseling (where to look and how to apply, dress, grooming, relationships with supervisory personnel, etc.); and
- Educational and career advancement counseling regarding attainment of general equivalency diploma (GED), or attendance or financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

A FUP-eligible youth cannot be required to participate in these services as condition of receipt of the FUP voucher.

20-I.C. FUP FAMILY VOUCHER ELIGIBILITY CRITERIA

FUP family assistance is reserved for eligible families that the PCWA has certified are a family for whom a lack of adequate housing is a primary factor in:

- The imminent placement of the family's child or children in out-of-home care, or
- The delay in the discharge of the child or children to the family from out-of-home care.

Lack of adequate housing means the family meets any one of the following conditions:

- Living in substandard housing, which refers to a unit that meets any one of the following conditions:
 - Does not have operable indoor plumbing
 - Does not have a usable flush toilet inside the unit for the exclusive use of a family or youth
 - Does not have a usable bathtub or shower inside the unit for the exclusive use of a family or youth
 - Does not have electricity, or has inadequate or unsafe electrical service
 - Does not have a safe or adequate source of heat
 - Should, but does not, have a kitchen
 - Has been declared unfit for habitation by an agency or unit of government, or in its present condition otherwise endangers the health, safety, or well-being of the family or youth
 - Has one or more critical defects, or a combination of intermediate defects in sufficient number or to the extent that it requires considerable repair or rebuilding. The defects may result from original construction, from continued neglect or lack of repair, or from serious damage to the structure
- Being homeless as defined in 24 CFR 578.3
- Living in a unit where the presence of a household member with certain characteristics (i.e., conviction for certain criminal activities) would result in the imminent placement of the family's child or children in out-of-home care, or the delay in the discharge of the child or children to the family from out-of-home care
- Living in housing not accessible to the family's disabled child or children due to the nature of the disability

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- Living in an overcrowded unit, which is defined as living in a unit where one of the following conditions has been met:
 - The family is separated from its child or children and the parents are living in an otherwise standard housing unit, but, after the family is reunited, the parents' housing unit would be overcrowded for the entire family and would be considered substandard; or
 - The family is living with its child or children in a unit that is overcrowded for the entire family and this overcrowded condition may result, in addition to other factors, in the imminent placement of its child or children in out-of-home care.
 - For purposes of this definition, the determination as to whether the unit is overcrowded is made in accordance with the PHA subsidy standards in Chapter 5, Part II of this policy.

Since HUD does not define *imminent placement*, the partnering PCWA may use its discretion to determine whether the potential out of home placement of the family's child or children is imminent [FUP FAQs].

20-I.D. FUP YOUTH VOUCHER ELIGIBILITY CRITERIA

While FUP family vouchers operate as regular HCVs after the family is referred from the PCWA, there are several aspects of the FUP youth vouchers that make them distinct from the FUP family vouchers and from regular HCVs.

Eligibility Criteria

A FUP-eligible youth is a youth the PCWA has certified:

- Is at least 18 years old and not more than 24 years of age (has not yet reached their 25th birthday);
 - The FUP youth must be no more than 24 years old at the time the PCWA certifies them as eligible and at the time of HAP contract execution.
- Has left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act;
 - Foster care placement can include, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes in accordance with 24 CFR 5.576.
- Is homeless or at risk of becoming homeless at age 16 or older;
 - *At risk of being homeless* is fully defined at 24 CFR 576.2.
 - o This includes a person that is exiting a publicly funded institution, or system of care (such as a healthcare facility, a mental health facility, foster care or other youth facility, or correction program or institution).
 - o Therefore, youth being discharged from an institution may be eligible for a FUP voucher [FUP FAQs].

20-1.E. ASSISTANCE PERIOD [FR Notice 1/24/22]

Maximum Assistance Period

Although there is no time limit on FUP family vouchers, FUP youth vouchers are limited by statute. Unless the FUP youth meets an exception outlined below, after 36 months of assistance, the FUP youth voucher must be terminated. However, any period of time for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the 36-month limitation.

If the FUP youth does meet the requirements outlined below, the statutory limit on FUP assistance is a total of 60 months of FUP voucher assistance [FR Notice 1/24/22].

Extension of Assistance (Fostering Stable Housing Opportunities)

Per the Fostering Stable Housing Opportunities amendments enacted as part of the Consolidated Appropriations Act, 2021, FUP youth who first leased or lease a unit after December 27, 2020, may be eligible for an extension of assistance up to 24 months beyond the 36-month time limit (for a total of 60 months of assistance).

While FUP youth cannot be required to participate in the Family Self-Sufficiency (FSS) program as a condition of receipt of assistance, an eligible youth who participates in the FSS program and is in compliance with the applicable terms and conditions of the program is entitled to receive assistance for the length of their FSS contract as part of the Family Unification Program and Family Self-Sufficiency Demonstration. A FUP youth must accept an FSS slot if it is offered to them prior to the 36-month mark in order to receive an extension of assistance (unless the youth meets one of the statutory exceptions described below).

Statutory Exceptions

A FUP youth will be entitled to receive an extension of assistance for up to 24 months beyond the 36-month time limit without participating in the PHA's FSS program if they certify that they meet one of the exceptions below:

- The FUP youth is a parent or other household member responsible for the care of a dependent child under the age of six or for the care of an incapacitated person.

PHA Policy

The PHA defines *incapacitated person* as a person whose ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that the person presently lacks the capacity to meet the essential requirements for the person's physical health or safety. "Meeting the essential requirements for physical health and safety" means those actions necessary to provide the health care, food, shelter, clothing, personal hygiene and other care without which serious physical injury or illness is likely to occur.

The PHA will apply this exception in a manner that provides extensions of FUP youth assistance to the broadest population possible consistent with the statutory requirements.

The FUP youth will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FUP youth must submit.

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The child or incapacitated person is not required to reside in the household in order for the youth to certify they meet this exception. For example, a child in a joint custody arrangement under the age of six who resides in the household only part-time may qualify the youth for this exception.

- The FUP youth is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.

PHA Policy

The PHA will define *regular and active participation* in a manner that provides extensions of FUP youth assistance to the broadest population possible consistent with the statutory requirements.

The FUP youth will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FUP youth must submit.

- The FUP youth is a person who is incapable of complying with the requirement to participate in a FSS program as described above or engage in education, workforce development, or employment activities as described below, as applicable, due to a documented medical condition.

PHA Policy

The PHA will apply this requirement in a manner that provides extensions of FUP youth assistance to the broadest population possible consistent with statutory requirements.

The FUP youth will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FUP youth must submit.

A FUP youth that meets one of the above exceptions must still be offered an opportunity to enroll in the PHA's FSS program (if it is available to them) and receive any supportive services available to FUP youth. A FUP youth may choose to participate in an FSS program or engage in education, workforce development, or employment activities, even if they meet one of the above statutory exceptions.

Education, Workforce Development, or Employment Activities

If a PHA that carries out an FSS program is unable to offer a FUP youth an FSS slot during their first 36 months of receiving FUP youth assistance, the youth is considered to have been “unable to enroll” in the program and may have their voucher extended by meeting the education, workforce development, or employment criteria described below:

- For not less than 9 months of the 12-month period preceding each extension, the youth was engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent.

PHA Policy

The PHA will use the definitions of *recognized postsecondary credential* and *secondary school diploma or its recognized equivalent* under the Workforce Innovation and Opportunity Act (WIOA). WIOA defines a *recognized postsecondary credential* as a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the state involved or federal government, or an associate or baccalaureate degree (29 U.S.C. 3102). Examples of a recognized postsecondary credential include, but are not limited to, an associate’s degree, bachelor’s degree, occupational licensure, or occupational certification (see U.S. Department of Labor, Training and Employment Guidance Letter No. 10–16, Change 1). For the purpose of WIOA, the U.S. Department of Labor defines a *secondary school diploma or its recognized equivalent* as a secondary school diploma (or alternate diploma) that is recognized by a state and that is included for accountability purposes under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). A secondary school equivalency certification signifies that a student has completed the requirement for a high school education. Examples of a secondary school diploma or its recognized equivalent include, but are not limited to, obtaining certification of attaining passing scores on a state-recognized high school equivalency test, earning a secondary school diploma or state-recognized equivalent, or obtaining certification of passing a state-recognized competency-based assessment.

- For not less than 9 months of the 12-month period preceding each extension, the youth was enrolled in an *institution of higher education*, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or an institution that meets the definition of a *proprietary institution of higher education* or a *postsecondary vocational institution* under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)(1) and (c)(1)), respectively.

PHA Policy

Youth must be enrolled for a minimum of six credit hours. However, the PHA may make exceptions to this requirement if the youth is unable to enroll in a sufficient number of classes due to a lack of course offerings by the educational institution where the youth is enrolled.

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- For not less than 9 months of the 12-month period preceding each extension, the youth was participating in a career pathway, as such term is defined in Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102). The term *career pathway* means a combination of rigorous and high-quality education, training, and other services that:
 - Aligns with the skill needs of industries in the economy of the state or regional economy involved;
 - Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an *apprenticeship*, except in section 3226 of this title);
 - Includes counseling to support an individual in achieving the individual’s education and career goals;
 - Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
 - Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
 - Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least one recognized postsecondary credential; and
 - Helps an individual enter or advance within a specific occupation or occupational cluster.
- For not less than 9 months of the 12-month period preceding each extension, the youth was employed.

PHA Policy

The PHA will consider the youth to be employed if they work a minimum of 30 hours per month. The PHA may make exceptions to this requirement if the youth’s hours are reduced due to circumstances beyond their control or the youth must temporarily reduce their work hours due to a verified family emergency.

FSS Enrollment at 24 Months

If the FUP youth has not been provided an opportunity to enroll in the FSS program during the first 24 months of FUP assistance, HUD encourages the PHA to remind the youth at the 24-month reexamination of the education, workforce development, and employment requirements described above so that the youth has enough time to meet these requirements prior to the expiration of the 36-month time period for FUP assistance.

PHA Policy

If the FUP youth has not been provided an opportunity to enroll in the FSS program during the first 24 months of FUP assistance, the PHA will remind the youth at least 60-days prior to the end of the youth’s 24th month of assistance of the education, workforce development, and employment requirements described above.

FSS Enrollment Between 36 and 48 Months

If an FSS slot becomes available between the 36-month and 48-month mark:

- The PHA must offer the slot to a FUP youth who had their voucher extended based on meeting the education, workforce development, or employment requirement listed above, or one of the statutory exceptions listed above (even if the youth previously declined an FSS slot because they met one of the statutory exceptions).
- The PHA must work with the youth to determine whether enrollment in FSS is feasible and in their best interest given any education, workforce development, or employment activities that the youth is engaged in and any statutory exceptions that apply to the youth, as well as the remaining time on their voucher.
- If the FUP youth accepts the FSS slot, the PHA must work with the youth to establish Contract of Participation goals and an Individual Training and Services Plan (ITSP) that can be accomplished within the time period left on the voucher.

If the FUP youth is offered an FSS slot prior to the 36-month mark, the youth:

- Will be required to enroll in the FSS program in order to receive an extension of assistance at the end of the 36-month time period (unless they meet one of the statutory exceptions described above).
- Will not be considered to have been “unable to enroll” in the FSS program as described above, and as a result, will not be eligible to receive an extension of assistance based on meeting the education, workforce development, or employment requirements described above.

FSS Enrollment After 48 Months

The PHA may, but is not required to, offer a FUP youth an FSS slot that becomes available between the 48-month mark and the 60-month mark, since the youth will have already received their second and final extension.

PHA Policy

The PHA is participating in the Family Unification Program and Family Self Sufficiency Demonstration. FUP youth may be offered an FSS slot between the 48-month mark and the 60-month mark.

Family Unification Program and Family Self Sufficiency Demonstration ***[Notice PIH 2016-01]***

The PHA participates in a demonstration testing the effectiveness of combining housing choice vouchers for FUP-eligible youth with assistance under the Family Self Sufficiency (FSS) program. This demonstration extends the statutory time limit on voucher assistance to match the length of the FSS contract.

Program participants with a FUP youth voucher who agree to sign an FSS Contract of Participation will maintain their housing assistance for a period not exceeding the length of the FSS Contract of Participation. In most cases, the limit will be no more than five years; however,

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if the FSS Contract of Participation is extended, in accordance with 24 CFR 984.303(d), the FUP youth voucher can be extended for the entire length of the FSS Contract of Participation.

Families cannot be required to participate in the FSS program as condition of receipt of assistance under the HCV program, including receipt of a FUP voucher. However, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance.

PHAs must review the availability of this demonstration with all FUP youth during the family briefing. Current FUP youth must be given opportunity to participate.

PHA Policy

The PHA will notify eligible youth about the FUP and FSS Demonstration in partnership with the local DHS office and Homeless Youth Continuum of Care during the program specialized orientations and family briefings.

The PHA, in partnership with the local DHS office and Homeless Youth Continuum of Care, will conduct one-time in-person orientation to current FUP youth participants to notify them of this opportunity. The notice will provide information on how this demonstration works, including an explanation that while the families are not required to participate in the FSS program as condition of receipt of FUP voucher assistance, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance. The time frame to enroll will be 60 days from PHA notification or before the conclusion of the statutory time limit of the FUP youth voucher, whichever is earlier.

If a FUP youth participating in this demonstration fails to comply with the terms and conditions of the FSS Contract of Participation without good cause and is terminated from the FSS program, the FUP youth is no longer considered a participant in this demonstration. With FSS termination, the FUP youth is subject to the statutory limit of the FUP youth voucher, beginning from the time the first HAP contract is signed. If FUP youth has been assisted for more than 36 months, the PHA may terminate assistance to the FUP youth household. FUP youth who first leased or lease a unit after December 27, 2020, may be eligible for an extension of assistance up to 24 months beyond the 36-month time limit (for a total of 60 months of assistance) if they meet one of the statutory exceptions listed in Section 20.I.E. The PHA may not terminate voucher assistance for FUP youth because of failure to comply with an FSS Contract of Participation prior to the end of the first 36 months of assistance.

Prior to terminations, PHAs offer an informal hearing to a FUP youth wishing to appeal a PHA decision to terminate. Policies specifying such hearing procedures are included in the PHA's FSS Action Plan.

The requirements of compliance and consequences for not complying with the terms and conditions of the FSS Contract of Participation are reviewed with the FUP youth at the time the FSS Contract of Participation is signed.

No FSS Program or Unable to Enroll in FSS

If a PHA does not carry out an FSS program or the FUP youth has been unable to enroll in the program during the first 36 months of receiving FUP assistance, the FUP youth is entitled to receive an extension of assistance for up to two successive 12-month periods beyond the 36-month time limit provided that the youth engaged in at least one of the education, workforce development, or employment activities described above for not less than nine months of the 12-month period preceding each extension. In order to meet the nine months out of the preceding 12 months requirement, the youth may have engaged in one of the education, workforce development, or employment activities described above or a combination of these activities.

Verification Prior to 36-months and 48-months of Assistance

In order to provide an extension of assistance, the PHA must verify compliance with the above requirements at the end of the 36-month time period and the 48-month time periods. The PHA does not need to verify compliance with these requirements at the end of the 60-month time period since the maximum length of assistance is 60 months.

To verify compliance with the education, workforce development, or employment requirement or one of the statutory exceptions, the PHA must provide the FUP youth written notification informing them that they may receive an extension of their FUP assistance and providing instructions on how the youth may demonstrate that they meet one of these conditions. This notification must be provided sufficiently in advance of the end of the 36-month or 48-month time periods, as applicable, to allow the FUP youth to demonstrate that they meet the education, workforce development, or employment requirement, or one of the statutory exceptions, and for the PHA to conduct an annual reexamination prior to the expiration of the FUP assistance.

PHA Policy

The PHA will verify compliance with the education, workforce development, or employment requirement, or one of the statutory exceptions, at the end of the 36-month and 48-month time periods. The PHA will not verify compliance at the end of the 60-month time period.

The PHA will provide each FUP youth on the PHA's program with a written notification informing them that they may receive an extension of their FUP assistance if they meet conditions outlined in this chapter and providing them with instructions on how they may demonstrate compliance at least 60 days prior to the end of their 36th and 48th-months of assistance. When necessary, the PHA will provide this notification in a format accessible to FUP youth with disabilities and in a translated format for FUP youth with limited English proficiency in accordance with Chapter 2.

The PHA will use the following verification methods to verify a FUP youth's eligibility for voucher extensions:

To verify compliance with the FSS requirement, the PHA will examine its records to confirm, or obtain confirmation from the PHA's FSS program staff, that the FUP youth participant is in compliance with FSS program requirements and has not been terminated from the FSS program.

To meet the education, workforce development, or employment requirement, the PHA will verify that the FUP youth was engaged in at least one education, workforce development, or employment activity for at least nine months of the 12-month period immediately preceding the end of 36-month or 48-month time period, as applicable.

Due to the timing of when the PHA verifies compliance and conducts the annual reexamination, the FUP youth may have not yet met the nine-month requirement but may be able to demonstrate that they will meet the nine-month requirement as of the end of the 36-month or 48-month time period. In such cases, the FUP/FYI youth will still be considered to have met the requirements.

In order for the FUP youth to meet one of the statutory exceptions described above, the youth must submit a certification to the PHA that they meet one of these exceptions. This certification is the only documentation that the FUP youth must submit in order to demonstrate that they meet one of the statutory exceptions.

A FUP youth who received an extension of voucher assistance at the end of the 36-month time period based on meeting one of the conditions described in this chapter does not have to meet the same conditions when they reach the end of the 48-month time period. The FUP youth may demonstrate that they meet a different condition in order to receive an extension of their assistance.

If the PHA determines that the youth meets one of the statutory conditions, the PHA would then conduct an annual reexamination. If the annual reexamination determines that the youth is still eligible for the HCV program, the PHA must provide the FUP youth the extension of voucher assistance.

Termination of Assistance for Failure to Meet Conditions

Failure of the FUP youth to meet one of the above conditions will only impact their ability to receive subsequent extensions of assistance. It will not serve as a basis for terminating the FUP assistance.

If the FUP youth does not meet any of the conditions described in in this chapter, the youth is subject to the statutory time limit of 36 months or the time limit of any extension that the youth has already received, and the FUP youth voucher must be terminated once the youth reaches this time limit. The calculation of the time limit begins from the date the first HAP contract is signed (for tenant-based vouchers) or from the date the youth entered into the initial lease agreement (for project-based vouchers). The number of months is calculated based on the number of months that HAP subsidy is being paid on behalf of the youth, not the number of months that the youth is in the FUP youth program. Prior to termination, the PHA must offer the FUP youth the opportunity to request an informal hearing, in accordance with Chapter 16.

20-I.F. REFERRALS AND WAITING LIST MANAGEMENT

Referrals

The PCWA must establish and implement a system to identify FUP-eligible families and youths within the agency's caseload and make referrals to the PHA. The PCWA must certify that the FUP applicants they refer to the PHA meet FUP eligibility requirements. The PHA is not required to maintain full documentation that demonstrates the family's or youth's FUP eligibility as determined by the PCWA but should keep the referral or certification from the PCWA.

PHA Policy

As part of the MOU, the PHA and PCWA have identified staff positions to serve as lead FUP liaisons. These positions will be responsible for transmission and acceptance of FUP referrals. The PCWA must commit sufficient staff and resources to ensure eligible families and youths are identified and determined eligible in a timely manner.

When FUP vouchers are available, the PHA liaison responsible for acceptance of referrals will contact the PCWA FUP liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than 10 business days from the date the PCWA receives this notification, the PCWA liaison will provide the PHA with a list of eligible referrals include the name, address, and contact phone number for each adult individual who is being referred; a completed release form for each adult family member; and a written certification for each referral indicating the youth or family is FUP-eligible.

The PHA will maintain a copy of the referral or certification from the PCWA in the participant's file along with other eligibility paperwork.

A PHA must serve any referrals (youths or families) that meet all program eligibility requirements. If a PHA determines that it has received a sufficient number of referrals from the PCWA so that the PHA will be able to lease all FUP vouchers awarded, the PHA may request that the PCWA suspend transmission of referrals. If the PHA determines that additional referrals will be needed after it has made such a request, the PHA may request that the PCWA resume transmission of referrals [Notice PIH 2011-52].

Waiting List Placement and Selection

~~As of August 2024, the PHA follows its MTW Tenant-Based Set Aside Activity in Chapter 4. policies for waiting list placement and selection are included in Chapter 4.~~

20-I.G. PHA HCV ELIGIBILITY DETERMINATION

Once a FUP-eligible family or youth is selected from the HCV waiting list, the PHA must determine whether the family or youth meets HCV program eligibility requirements. Applicants must be eligible under both FUP family or youth eligibility requirements, as applicable, and HCV eligibility requirements as outlined in Chapter 3 of this policy.

The PCWA may, but is not obligated to, provide information to the PHA on the family's criminal history.

Additional FUP Eligibility Factors [FUP FAQs]

For FUP family vouchers, the family must remain FUP-eligible thorough lease-up.

- If, after a family is referred by the PCWA but prior to issuing a family FUP voucher, the PHA discovers that the lack of adequate housing is no longer a primary factor for the family not reunifying, the FUP voucher may not be issued to the family.
- Similarly, if the FUP voucher has already been issued before the PHA discovers that the reunification will not happen, but the family has not yet leased up under the voucher, the PHA must not execute the HAP contract, as the family is no longer FUP-eligible.

FUP-eligible youth must be no more than 24 years old both at the time of PCWA certification and at the time of the HAP execution. If a FUP youth is 24 at the time of PCWA certification but will turn 25 before the HAP contract is executed, the youth is no longer eligible for a FUP youth voucher.

PHA Policy

Any applicant that does not meet the eligibility criteria for the HCV program listed in Chapter 3 or any eligibility criteria listed in this section will be notified by the PHA in writing following policies in Section 3-III.F., including stating the reasons the applicant was found ineligible and providing an opportunity for an informal review.

20.I.H. LEASE UP [FR Notice 1/24/22]

Once the PHA determines that the family or youth meets HCV eligibility requirements, the family or youth will be issued a FUP voucher in accordance with PHA policies.

During the family briefing, PHAs must inform the FUP youth of:

- The extension of assistance provisions and requirements;
- The availability of the FSS program and offer them an FSS slot, if available, or offer to place them on the FSS waiting list (provided the PHA has an FSS program); and
- Supportive services available to them, the existence of any other programs or services, and their eligibility for such programs and services. However, participation in supportive services cannot be required as a condition of receiving FUP youth assistance.

PHA Policy

Eligible applicants will be notified by the PHA in writing following policies in Section 3-III.F. of this administrative plan. FUP families will attend a standard HCV briefing in accordance with PHA policies in Part I of Chapter 5 of this administrative plan. FUP youth will be briefed individually or in groups with other FUP youth. The PHA will provide all aspects of the written and oral briefing as outlined in Part I of Chapter 5 but will also provide an explanation of the required items listed above, as well as discussing supportive services offered by the PCWA.

For both FUP youth and FUP families, vouchers will be issued in accordance with PHA policies in Chapter 5 Part II.

Once the family or youth locate a unit, the PHA conducts all other processes relating to voucher issuance and administration per HCV program regulations and the PHA's policies (including, but not limited to: HQS inspection, determination of rent reasonableness, etc.).

Payment Standards

As of August 2024, the PHA follows its MTW Broaden Range of Approved Payment Standards Activity to establish separate higher payment standards for FUP.

20-I.I. TERMINATION OF ASSISTANCE

General Requirements

With the exception of terminations of assistance for FUP youth after the statutorily required time period, terminations of FUP assistance are handled in the same way as the regular HCV program. Termination of a FUP voucher must be consistent with regulations for termination in 24 CFR Part 982, Subpart L and be in compliance with PHA policies (Chapter 12).

If the person who qualifies for the FUP voucher passes away, the family retains the FUP voucher. In the case of a FUP-youth voucher, assistance will terminate after the statutorily required time period, even if the FUP-eligible youth is no longer included in the household.

If the person who qualifies for the FUP voucher moves, the remaining family members may keep the FUP voucher based on PHA policy (see administrative plan, Section 3-I.C., Family Breakup and Remaining Member of Tenant Family).

FUP Family Vouchers

If parents lose their parental rights or are separated from their children after voucher lease-up (or their children reach adulthood), the family is still eligible to keep their FUP assistance, as the regulations do not permit HCV termination for a family losing parental rights or the children reaching adulthood. However, the PHA may transfer the assistance of a FUP family voucher holder to regular HCV assistance if there are no longer children in the household.

PHA Policy

The PHA will not transfer the assistance of a FUP family voucher holder to regular HCV assistance if there are no longer children in the household and there is no prospect of any minor child being returned to the household.

FUP Youth Vouchers

A PHA cannot terminate a FUP youth's assistance for noncompliance with PCWA case management, nor may the PHA terminate assistance for a FUP youth for not accepting services from the PCWA.

The PHA may not transfer the assistance of a FUP youth voucher holder to regular HCV assistance upon the expiration of the statutorily required time period. However, the PHA may issue a regular HCV to FUP youth if they were selected from the waiting list in accordance with PHA policies and may also adopt a preference for FUP youth voucher holders who are being terminated for this reason.

PHA Policy

Prior to August 2024, ~~As~~ described in Chapter 4, the PHA has a limited local preference for assisted families, including individual youth, that are currently served in the Family Unification Program- Youth (FUP), Foster Youth to Independence (FYI), or Moving to Work-funded FUP rental assistance extension programs administered by the PHA, if the following circumstances apply:

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FUP Youth/FYI assisted family includes a head of household who is a person with disabilities, as defined in 24 CFR 5.403, and whose voucher is expiring due to the 36-month statutory time limit for FUP Youth and FYI programs; or

FUP Youth/FYI assisted family's voucher assistance is ending after family has used all available Fostering Stable Housing Opportunities extensions or extensions available for participants of the Family Unification Program Family Self-Sufficiency Demonstration; or

Assisted family's Moving to Work-funded FUP rental assistance extension program assistance is expiring.

Upon the expiration of the statutorily required time period, a FUP youth voucher holder who has children and who lacks adequate housing may qualify for a FUP family voucher provided they are referred by the PCWA as an eligible family and meet the eligibility requirements for the PHA's HCV program.

20-I.J. FUP PORTABILITY

Portability for a FUP family or youth is handled in the same way as for a regular HCV family. A PHA may not restrict or deny portability for a FUP family or youth for reasons other than those specified in the HCV program regulations, as reflected in Chapter 10 of the administrative plan.

A FUP family or youth does not have to port to a jurisdiction that administers FUP.

If the receiving PHA administers the FUP voucher on behalf of the initial PHA, the voucher is still considered a FUP voucher regardless of whether the receiving PHA has a FUP program.

If the receiving PHA absorbs the voucher, the receiving PHA may absorb the incoming port into its FUP program (if it has one) or into its regular HCV program (if the receiving PHA has vouchers available to do so) and the family or youth become regular HCV participants. In either case, when the receiving PHA absorbs the voucher, a FUP voucher becomes available to the initial PHA.

Considerations for FUP Youth Vouchers

If the voucher is a FUP youth voucher and remains such upon lease-up in the receiving PHA's jurisdiction, termination of assistance must still take place once the youth has received assistance for the statutorily required time period. If the receiving PHA is administering the FUP youth voucher on behalf of the initial PHA, the two PHAs must work together to initiate termination upon expiration of the statutorily required time period.

20-I.K. PROJECT-BASING FUP VOUCHERS [Notice PIH 2017-21; FR Notice 1/24/22]

The PHA may project-base FUP vouchers without HUD approval in accordance with Notice PIH 2017-21, FR Notice 1/24/22, and all statutory and regulatory requirements for the PBV program. Project-based FUP vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

The PHA may limit PBVs to one category of FUP-eligible participants (families or youth) or a combination of the two.

While FUP vouchers can be used for either families or youth, a PBV unit may only be counted towards the PHA's 10 percent exception authority under the program cap and the project's income-mixing requirement if the FUP PBV assistance is provided on behalf of an eligible youth. The PHA must amend its administrative plan to include the limitation of these FUP PBV units to eligible youth.

PART II: FOSTER YOUTH TO INDEPENDENCE INITIATIVE

20-II.A. PROGRAM OVERVIEW [Notice PIH 2020-28; Notice PIH 2021-26; FR Notice 1/24/22]

The Foster Youth to Independence (FYI) initiative was announced in 2019. The FYI initiative allows PHAs who partner with a Public Child Welfare Agency (PCWA) to request targeted HCVs to serve eligible youth with a history of child welfare involvement that are homeless or at risk of being homeless. Rental assistance and supportive services are provided to qualified youth for a period of between 36 and 60 months.

Funding is available either competitively through an FYI NOFA or noncompetitively on a rolling basis in accordance with the application requirements outlined in Notice PIH 2020-28 or Notice PIH 2021-26, as applicable. Under the noncompetitive process, PHAs are limited to 25 vouchers in a fiscal year with the ability to request additional vouchers for those PHAs with 90 percent or greater utilization or utilization of its FUP and/or FYI vouchers, as applicable. For competitive awards, the number of vouchers is dependent on PHA program size and need.

20-II.B. PARTNERING AGENCIES [Notice PIH 2021-26; FYI Updates and Partnering Opportunities Webinar]

Public Child Welfare Agency (PCWA)

The PHA must enter into a partnership agreement with a PCWA in the PHA's jurisdiction in the form of a Memorandum of Understanding (MOU) or letter of intent. The PCWA is responsible for identifying and referring eligible youth to the PHA and providing or securing a commitment for the provision of supportive services once youth are admitted to the program.

PHA Policy

The PHA will implement a Foster Youth to Independence (FYI) program in partnership with Oregon Department of Human Services Child Welfare Division.

The PCWA is responsible for:

- Identifying FYI-eligible youth;
- Developing a system of prioritization based on the level of need of the youth and the appropriateness of intervention;
- Providing a written certification to the PHA that the youth is eligible; and
- Providing or securing supportive services for 36 months.

Continuum of Care (CoC) and Other Partners

HUD strongly encourages PHAs to add other partners into the partnership agreement with the PCWA such as state, local, philanthropic, faith-based organizations, and the CoC, or a CoC recipient it designates.

PHA Policy

In addition to the PCWA, the PHA will implement the FYI program in partnership with City of Portland / Multnomah County Joint Office of Homeless Services, and the member organizations of the Multnomah County Homeless Youth Continuum.

20-IL.C. YOUTH ELIGIBILITY CRITERIA [Notice PIH 2021-26; FYI Q&As; FYI FAQs]

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. As determined by the PCWA, eligible youth:

- Are at least 18 years of age and not more than 24 years of age (have not yet reached their 25th birthday);
 - Youth must be no more than 24 years of age at the time the PCWA certifies them as eligible and at the time of HAP contract execution.
- Have left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act;
 - Placements can include, but are not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes in accordance with 24 CFR 5.576;
- Are homeless or at risk of becoming homeless at age 16 and older;
 - *At risk of being homeless* is fully defined at 24 CFR 576.2.
 - o This includes a person that is exiting a publicly funded institution, or system of care (such as a healthcare facility, a mental health facility, foster care or other youth facility, or correction program or institution). Therefore, youth being discharged from an institution may be eligible for an FYI voucher [FYI FAQs].

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive assistance assuming they otherwise meet eligibility requirements.

20-II.D. SUPPORTIVE SERVICES [Notice PIH 2021-26; FYI Updates and Partnering Opportunities Webinar; FYI Q&As]

Supportive services may be provided by the PHA, PCWA or a third party. The PCWA must provide or secure a commitment to provide supportive services for participating youth for the period of time defined in the NOFA/O for which the funding was made available. At a minimum, the following supportive services must be offered:

- Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services);
- Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits;
- Providing such assurances to owners of rental property as are reasonable and necessary to assist eligible youth to rent a unit with a voucher;
- Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.); and
- Educational and career advancement counseling regarding attainment of general equivalency diploma (GED) or attendance/financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

Since participation in supportive services is optional, but strongly encouraged, an FYI participant may decline supportive service.

20-II.E. REFERRALS AND WAITING LIST MANAGEMENT [Notice PIH 2021-26; FYI Updates and Partnering Opportunities Webinar FYI FAQs]

Referrals

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. Once the PCWA sends the PHA the referral certifying the youth is program-eligible, the PHA determines HCV eligibility.

The PCWA must have a system for identifying eligible youth within the agency's caseload and reviewing referrals from other partners, as applicable. The PCWA must also have a system for prioritization of referrals to ensure that youth are prioritized for an FYI voucher based upon their level of need and appropriateness of the intervention.

Referrals may come from other organizations in the community who work with the population, but the PCWA must certify that the youth meets eligibility requirements, unless the PCWA has vested another organization with this authority.

The PHA is not required to maintain full documentation that demonstrates the youth's eligibility as determined by the PCWA but should keep the referral or certification from the PCWA. The PCWA is not required to provide the PHA with HCV eligibility documents.

PHA Policy

The PHA and PCWA have identified staff positions to serve as lead FYI liaisons. These positions will be responsible for transmission and acceptance of referrals. The PCWA must commit sufficient staff and resources to ensure eligible youths are identified, prioritized, and determined eligible in a timely manner.

When vouchers are available, the PHA liaison responsible for acceptance of referrals will contact the PCWA liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than 10 business days from the date the PCWA receives this notification, the PCWA liaison must provide the PHA with a list of eligible referrals, a completed release form, and a written certification for each referral indicating the referral is eligible. The list will include the name, address, and contact phone number for each adult individual who is being referred.

The PHA will maintain a copy of each certification from the PCWA in the participant's file along with other eligibility paperwork.

Waiting List Placement [Notice PIH 2021-26 and FYI FAQs]

The PHA must use the HCV waiting list for the FYI program. Youth already on the HCV program may not be transferred to an FYI voucher since they are not homeless or at-risk of homelessness.

Once a referral is made, the PHA must compare the list of PCWA referrals to its HCV waiting list to determine if any applicants on the PCWA's referral list are already on the PHA's HCV waiting list. Applicants already on the PHA's HCV waiting list retain the order of their position on the list. Applicants not already on the PHA's HCV waiting list must be placed on the HCV waiting list.

If the PHA's HCV waiting list is closed, the PHA must open its HCV waiting list in order to accept new referrals. The PHA may reopen the waiting list to accept an FYI eligible youth without opening the waiting list for other applicants; however, the requirements at 24 CFR 982.206 for giving public notice when opening and closing the waiting list apply (see section 4-II.C., Opening and Closing the Waiting List of this administrative plan).

PHA Policy

Within 10 business days of receiving the referral from the PCWA, the PHA will review the HCV waiting list.

Referrals who are already on the list will retain their position and the list will be notated to indicate the applicant is FYI-eligible.

For those referrals not already on the waiting list, the PHA will work with the PCWA to ensure they receive and successfully complete a pre-application or application, as applicable. Once the pre-application or application has been completed, the PHA will place the referral on the HCV waiting list with the date and time of the original referral and an indication that the referral is FYI-eligible.

Waiting List Selection

~~As of August 2024 the PHA follows its MTW Tenant-Based Set Aside Activity selects eligible youths based on the PHA's regular HCV waiting list selection policies in Chapter 4, including any preferences that may apply.~~

20-II.F. PHA HCV ELIGIBILITY DETERMINATION [FYI FAQs]

Once an eligible youth is selected from the HCV waiting list, the PHA must determine whether the youth meets HCV program eligibility requirements. Applicants must be eligible under both FYI eligibility requirements and HCV eligibility requirements as outlined in Chapter 3 of this policy.

The PCWA may, but is not obligated to, provide information to the PHA on the youth's criminal history.

Additional Eligibility Factors

Youth must be no more than 24 years old both at the time of PCWA certification and at the time of the HAP execution. If a youth is 24 at the time of PCWA certification but will turn 25 before the HAP contract is executed, the youth is no longer eligible for a FYI voucher.

PHA Policy

Any applicant that does not meet the eligibility criteria for the HCV program listed in Chapter 3 or any eligibility criteria listed in this section will be notified by the PHA in writing following policies in Section 3-III.F, including stating the reasons the applicant was found ineligible and providing an opportunity for an informal review.

20-II.G. LEASE UP [FR Notice 1/24/22]

Once the PHA determines that the family or youth meets HCV eligibility requirements, the youth will be issued an FYI voucher in accordance with PHA policies.

During the family briefing, PHAs must inform the FYI voucher holder of:

- The extension of assistance provisions and requirements;
- The availability of the FSS program and offer them an FSS slot, if available, or offer to place them on the FSS waiting list (provided the PHA has an FSS program); and
- The supportive services available to them, the existence of any other programs or services, and their eligibility for such programs and services. However, participation in supportive services cannot be required as a condition of receiving FYI assistance.

PHA Policy

Eligible applicants will be notified by the PHA in writing following policies in Section 3-III.F. of this policy. FYI youth will be briefed individually or in groups with other FYI youth. The PHA will provide all aspects of the written and oral briefing as outlined in Part I of Chapter 5.

Vouchers will be issued in accordance with PHA policies in Chapter 5, Part II.

Once the youth locates a unit, the PHA conducts all other processes relating to voucher issuance and administration per HCV program regulations and the PHA policy in Chapter 9.

Should a youth fail to use the voucher, the PHA may issue the voucher to another eligible youth if one has been identified [Notice PIH 2021-26].

Payment Standards

As of August 2024, the PHA follows its MTW Broaden Range of Approved Payment Standards Activity to establish separate higher payment standards for FYI.

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Turnover [FYI FAQs]

For PHAs awarded FYI Tenant Protection Vouchers (TPVs) under Notice PIH 2019-20 where the recipient of the FYI TPV leaves the program, the PHA may request an FYI voucher under the requirements of Notice PIH 2021-26.

For PHAs awarded FYI vouchers under Notices PIH 2020-28 and PIH 2021-26, where the recipient of the FYI voucher leaves the program, the PHA must continue to use the FYI voucher for eligible youth upon turnover. Where there are more eligible youth than available FYI turnover vouchers, the PHA may request an FYI voucher under the requirements of Notice PIH 2021-26. If another eligible youth is not available, the PHA must notify HUD, and HUD will reduce the PHA's HCV assistance to account for the removal of the FYI assistance from the PHA's HCV baseline.

**20-II.H. MAXIMUM ASSISTANCE PERIOD [Notice PIH 2021-26 and FYI FAQs;
FR Notice 1/24/22]**

Vouchers are limited by statute to a total of between 36 months and 60 months of housing assistance. At the end of the statutory time period, assistance must be terminated. However, any period of time for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the limitation. It is not permissible to reissue another FYI TPV to the same youth upon expiration of their FYI assistance.

Participants do not “age out” of the program. A participant may continue with the program until they have received the period of assistance for which they are eligible. Age limits are only applied for entry into the program.

Extension of Assistance (Fostering Stable Housing Opportunities)

Per the Fostering Stable Housing Opportunities amendments enacted as part of the Consolidated Appropriations Act, 2021, FYI voucher holders who first leased or lease a unit after December 27, 2020, may be eligible for an extension of assistance up to 24 months beyond the 36-month time limit (for a total of 60 months of assistance).

While FYI voucher holders cannot be required to participate in the Family Self-Sufficiency (FSS) program as a condition of receipt of assistance, an eligible youth who participates in the FSS program and is in compliance with the applicable terms and conditions of the program is entitled to receive assistance for up to an additional 24 months. A FYI voucher holders must accept an FSS slot if it is offered to them prior to the 36-month mark in order to receive an extension of assistance (unless the youth meets one of the statutory exceptions described below).

Statutory Exceptions

FYI voucher holders will be entitled to receive an extension of assistance for up to 24 months beyond the 36-month time limit without participating in the PHA’s FSS program if they certify that they meet one of the exceptions below:

- The FYI voucher holder is a parent or other household member responsible for the care of a dependent child under the age of six or for the care of an incapacitated person.

PHA Policy

The PHA defines *incapacitated person* as a person whose ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that the person presently lacks the capacity to meet the essential requirements for the person’s physical health or safety. “Meeting the essential requirements for physical health and safety” means those actions necessary to provide the health care, food, shelter, clothing, personal hygiene and other care without which serious physical injury or illness is likely to occur. The PHA will apply this exception in a manner that provides extensions of FYI assistance to the broadest population possible consistent with the statutory requirements.

The FYI voucher holder will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FYI voucher holder must submit.

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The child or incapacitated person is not required to reside in the household in order for the FYI voucher holder to certify they meet this exception. For example, a child in a joint custody arrangement under the age of six who resides in the household only part time may qualify the FYI voucher holder for this exception.

- The FYI voucher holder is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.

PHA Policy

The PHA will define *regular and active participation* in a manner that provides extensions of FYI voucher holder assistance to the broadest population possible consistent with the statutory requirements.

The FYI voucher holder will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FYI voucher holder must submit.

- The FYI voucher holder is a person who is incapable of complying with the requirement to participate in a FSS program as described above or engage in education, workforce development, or employment activities as described below, as applicable, due to a documented medical condition.

PHA Policy

The PHA will apply this requirement in a manner that provides extensions of FYI voucher holder assistance to the broadest population possible consistent with statutory requirements.

The FYI voucher holder will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FYI voucher holder must submit.

An FYI voucher holder that meets one of the above exceptions must still be offered an opportunity to enroll in the PHA's FSS program (if it is available to them) and receive any supportive services available to FYI voucher holders. An FYI voucher holder may choose to participate in an FSS program or engage in education, workforce development, or employment activities, even if they meet one of the above statutory exceptions.

Education, Workforce Development, or Employment Activities

If a PHA that carries out an FSS program is unable to offer a FYI voucher holder an FSS slot during their first 36 months of receiving FYI assistance, the FYI voucher holder is considered to have been “unable to enroll” in the program and may have their voucher extended by meeting the education, workforce development, or employment criteria described below:

- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent.

PHA Policy

The PHA will use the definitions of *recognized postsecondary credential* and *secondary school diploma or its recognized equivalent* under the Workforce Innovation and Opportunity Act (WIOA). WIOA defines a *recognized postsecondary credential* as a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the state involved or federal government, or an associate or baccalaureate degree (29 U.S.C. 3102). Examples of a recognized postsecondary credential include, but are not limited to, an associate’s degree, bachelor’s degree, occupational licensure, or occupational certification (see U.S. Department of Labor, Training and Employment Guidance Letter No. 10–16, Change 1). For the purpose of WIOA, the U.S. Department of Labor defines a *secondary school diploma or its recognized equivalent* as a secondary school diploma (or alternate diploma) that is recognized by a state and that is included for accountability purposes under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). A secondary school equivalency certification signifies that a student has completed the requirement for a high school education. Examples of a secondary school diploma or its recognized equivalent include, but are not limited to, obtaining certification of attaining passing scores on a state-recognized high school equivalency test, earning a secondary school diploma or state-recognized equivalent, or obtaining certification of passing a state-recognized competency-based assessment.

- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was enrolled in an *institution of higher education*, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or an institution that meets the definition of a *proprietary institution of higher education* or a *postsecondary vocational institution* under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)(1) and (c)(1)), respectively.

PHA Policy

The FYI voucher holder must be enrolled in a minimum of six credit hours. However, the PHA may make exceptions to this requirement if the FYI voucher holder is unable to enroll in a sufficient number of classes due to a lack of course offerings by the educational institution where they are enrolled.

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- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was participating in a career pathway, as such term is defined in Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was employed.

PHA Policy

The PHA will consider the FYI voucher holder to be employed if they work a minimum of 30 hours per month. The PHA may make exceptions to this requirement if the FYI voucher holder's hours are reduced due to circumstances beyond their control or the FYI voucher holder must temporarily reduce their work hours due to a verified family emergency.

FSS Enrollment at 24 Months

If the FYI voucher holder has not been provided an opportunity to enroll in the FSS program during the first 24 months of FYI assistance, HUD encourages the PHA to remind the FYI voucher holder at the 24-month reexamination of the education, workforce development, and employment requirements described above so that they have enough time to meet these requirements prior to the expiration of the 36-month time period for FYI assistance.

PHA Policy

If the FYI voucher holder has not been provided an opportunity to enroll in the FSS program during the first 24 months of FYI assistance, the PHA will remind the FYI voucher holder at least 60-days prior to the end of the youth's 24th month of assistance of the education, workforce development, and employment requirements described above.

FSS Enrollment Between 36 and 48 Months

If an FSS slot becomes available between the 36-month and 48-month mark:

- The PHA must offer the slot to an FYI voucher holder who had their voucher extended based on meeting the education, workforce development, or employment requirement listed above, or one of the statutory exceptions listed above (even if the FYI voucher holder previously declined an FSS slot because they met one of the statutory exceptions).
- The PHA must work with the FYI voucher holder to determine whether enrollment in FSS is feasible and in their best interest given any education, workforce development, or employment activities that the FYI voucher holder is engaged in and any statutory exceptions that apply to the FYI voucher holder, as well as the remaining time on their voucher.
- If the FYI voucher holder accepts the FSS slot, the PHA must work with them to establish Contract of Participation goals and an Individual Training and Services Plan (ITSP) that can be accomplished within the time period left on the voucher.

If the FYI voucher holder is offered an FSS slot prior to the 36-month mark, the FYI voucher holder:

- Will be required to enroll in the FSS program in order to receive an extension of assistance at the end of the 36-month time period (unless they meet one of the statutory exceptions described above).
- Will not be considered to have been “unable to enroll” in the FSS program, and as a result, will not be eligible to receive an extension of assistance based on meeting the education, workforce development, or employment requirements described above.

FSS Enrollment After 48 Months

The PHA may, but is not required, to offer an FYI voucher holder an FSS slot that becomes available between the 48-month mark and the 60-month mark, since the FYI voucher holder will have already received their second and final extension.

PHA Policy

If an FSS slot becomes available between the 48 and 60-month marks, the PHA will not offer the FSS slot to an FYI voucher holder.

Extensions of Assistance

After 36-month and 48-month’s of housing assistance, the PHA must extend FYI assistance if the FYI voucher holder is participating in and in compliance with the FSS program as long as the FYI voucher holder is still eligible for the HCV program.

In any case, the FYI voucher holder cannot receive more than a total of 60 months of FYI assistance even if the FSS Contract of Participation time period extends beyond the voucher 60-month mark.

No FSS Program or Unable to Enroll in FSS

If a PHA does not carry out an FSS program or the FYI voucher holder has been unable to enroll in the program during the first 36 months of receiving FYI assistance, the FYI voucher holder is entitled to receive an extension of assistance for up to two successive 12-month periods beyond the 36-month time limit provided that the FYI voucher holder engaged in at least one of the education, workforce development, or employment activities described above for not less than nine months of the 12-month period preceding each extension. In order to meet the nine months out of the preceding 12 months requirement, the FYI voucher holder may have engaged in one of the education, workforce development, or employment activities described above or a combination of these activities.

Verification Prior to 36-months and 48-months of Assistance

In order to provide an extension of assistance, the PHA must verify compliance with the above requirements at the end of the 36-month time period and the 48-month time periods. The PHA does not need to verify compliance with these requirements at the end of the 60-month time period since the maximum length of assistance is 60 months.

To verify compliance with the education, workforce development, or employment requirement or one of the statutory exceptions, the PHA must provide the FYI voucher holder written notification informing them that they may receive an extension of their FYI assistance and providing instructions on how the FYI voucher holder may demonstrate that they meet one of these conditions. This notification must be provided sufficiently in advance of the end of the 36-

month or 48-month time periods, as applicable, to allow the FYI voucher holder to demonstrate that they meet the education, workforce development, or employment requirement, or one of the statutory exceptions, and for the PHA to conduct an annual reexamination prior to the expiration of the FYI assistance.

PHA Policy

The PHA will verify compliance with the education, workforce development, or employment requirement, or one of the statutory exceptions, at the end of the 36-month and 48-month time periods. The PHA will not verify compliance at the end of the 60-month time period.

The PHA will provide each FYI voucher holder on the PHA's program with a written notification informing them that they may receive an extension of their FYI assistance if they meet conditions outlined in this chapter and providing them with instructions on how they may demonstrate compliance at least 60 days prior to the end of their 36th and 48th months of assistance. When necessary, the PHA will provide this notification in a format accessible to FYI voucher holders with disabilities and in a translated format for FYI voucher holders with limited English proficiency in accordance with Chapter 2.

The PHA will use the following verification methods to verify an FYI voucher holder's eligibility for voucher extensions:

To verify compliance with the FSS requirement, the PHA will examine its records to confirm, or obtain confirmation from the PHA's FSS program staff, that the FYI participant is in compliance with FSS program requirements and has not been terminated from the FSS program.

To meet the education, workforce development, or employment requirement, the PHA will verify that the FYI voucher holder was engaged in at least one education, workforce development, or employment activity for at least nine months of the 12-month period immediately preceding the end of the 36-month or 48-month time period, as applicable.

Due to the timing of when the PHA verifies compliance and conducts the annual reexamination, the FYI voucher holder may have not yet met the nine-month requirement but may be able to demonstrate that they will meet the nine-month requirement as of the end of the 36-month or 48-month time period. In such cases, the FYI voucher holder will still be considered to have met the requirements.

In order for the FYI voucher holder to meet one of the statutory exceptions described above, the FYI voucher holder must submit a certification to the PHA that they meet one of these exceptions. This certification is the only documentation that the FYI voucher holder must submit in order to demonstrate that they meet one of the statutory exceptions.

An FYI voucher holder who received an extension of voucher assistance at the end of the 36-month time period based on meeting one of the conditions described in this chapter does not have to meet the same conditions when they reach the end of the 48-month time period. The FYI voucher holder may demonstrate that they meet a different condition in order to receive an extension of their assistance.

If the PHA determines that the FYI voucher holder meets one of the statutory conditions, the PHA would then conduct an annual reexamination. If the annual reexamination determines that the FYI voucher holder is still eligible for the HCV program, the PHA must provide the FYI voucher holder the extension of voucher assistance.

Termination of Assistance for Failure to Meet Conditions

Failure of the FYI voucher holder to meet one of the above conditions will only impact their ability to receive subsequent extensions of assistance. It will not serve as a basis for terminating the FYI assistance.

If the FYI voucher holder does not meet any of the statutory conditions described in in this chapter, the youth is subject to the statutory time limit of 36 months or the time limit of any extension that the youth has already received, and the FYI voucher must be terminated once they reach this time limit. The calculation of the time limit begins from the date the first HAP contract is signed (for tenant-based vouchers) or from the date the FYI voucher holder entered into the initial lease agreement (for project-based vouchers). The number of months is calculated based on the number of months that HAP subsidy is being paid on behalf of the FYI voucher holder, not the number of months that they are in the FYI program. Prior to termination, the PHA must offer the FYI voucher holder the opportunity to request an informal hearing, in accordance with Chapter 16.

20-III. TERMINATION OF ASSISTANCE [FYI FAQs]

Termination of a FYI voucher is handled in the same way as with any HCV; therefore, termination of a FYI voucher must be consistent with HCV regulations at 24 CFR Part 982, Subpart L and PHA policies in Chapter 12. Given the statutory time limit that requires FYI vouchers to sunset, a PHA must terminate the youth's assistance once the limit on assistance has expired.

A PHA cannot terminate a FYI youth's assistance for noncompliance with PCWA case management, nor may the PHA terminate assistance for a FYI youth for not accepting services from the PCWA.

The PHA may not transfer the assistance of FYI voucher holders to regular HCV assistance upon the expiration of the limit on assistance. However, the PHA may issue a regular HCV to FYI voucher holders if they were selected from the waiting list in accordance with PHA policies. The PHA may also adopt a waiting list preference for FYI voucher holders who are being terminated for this reason.

PHA Policy

As described in Chapter 4, the PHA has a limited local preference for assisted families, including individual youth, that are currently served in the Family Unification Program-Youth (FUP), Foster Youth to Independence (FYI), or Moving to Work-funded FUP rental assistance extension programs administered by the PHA, if the following circumstances apply:

Section 8 Administrative Plan

FUP Youth/FYI assisted family includes a head of household who is a person with disabilities, as defined in 24 CFR 5.403, and whose voucher is expiring due to the 36-month statutory time limit for FUP Youth and FYI programs; or

FUP Youth/FYI assisted family's voucher assistance is ending after family has used all available Fostering Stable Housing Opportunities extensions or extensions available for participants of the Family Unification Program Family Self-Sufficiency Demonstration; or

Assisted family's Moving to Work-funded FUP rental assistance extension program assistance is expiring.

20-II.J. PORTABILITY [FYI FAQs]

Portability for an FYI youth is handled in the same way as for a regular HCV family. A PHA may not restrict or deny portability for an FYI youth for reasons other than those specified in the HCV program regulations, as reflected in Chapter 10 of the administrative plan.

An FYI youth does not have to port to a jurisdiction that administers FYI vouchers.

If the receiving PHA absorbs the voucher, the PHA may absorb the youth into its regular HCV program if it has vouchers available to do so. If the receiving PHA absorbs the youth into its regular HCV program, that youth becomes a regular HCV participant with none of the limitations of an FYI voucher.

The initial and receiving PHA must work together to initiate termination of assistance upon expiration of the time limit on assistance.

20-II.K. PROJECT-BASING FYI VOUCHERS [FYI FAQs; FR Notice 1/24/22]

The PHA may project-base certain FYI vouchers without HUD approval in accordance with all applicable PBV regulations and PHA policies in Chapter 17. This includes FYI vouchers awarded under Notices PIH 2020-28 and PIH 2021-26. Assistance awarded under Notice PIH 2019-20 is prohibited from being project-based.

PART III: VETERANS AFFAIRS SUPPORTIVE HOUSING (VASH) PROGRAM

20-III.A. OVERVIEW

Since 2008, HCV program funding has provided rental assistance under a supportive housing program for homeless veterans. The Veterans Affairs Supportive Housing (VASH) program combines HCV rental assistance with case management and clinical services provided by the Department of Veterans Affairs (VA) at VA medical centers (VAMCs) and Community-Based Outpatient Clinics (CBOCs), or through a designated service provider (DSP) as approved by the VA Secretary. Eligible families are homeless veterans and their families that agree to participate in VA case management and are referred to the VAMC's partner PHA for HCV assistance. The VAMC or DSP's responsibilities include:

- Screening homeless veterans to determine whether they meet VASH program participation criteria;
- Referring homeless veterans to the PHA;
 - The term *homeless veteran* means a veteran who is homeless (as that term is defined in subsection (a) or (b) of Section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302)). See 38 U.S.C. 2002.
- Providing appropriate treatment and supportive services to potential VASH participants, if needed, prior to PHA issuance of a voucher;
- Providing housing search assistance to VASH participants;
- Identifying the social service and medical needs of VASH participants, and providing or ensuring the provision of regular ongoing case management, outpatient health services, hospitalization, and other supportive services as needed throughout the veterans' participation period; and
- Maintaining records and providing information for evaluation purposes, as required by HUD and the VA.

VASH vouchers are awarded noncompetitively based on geographic need and PHA administrative performance. Eligible PHAs must be located within the jurisdiction of a VAMC and in an area of high need based on data compiled by HUD and the VA. When Congress funds a new allocation of VASH vouchers, HUD invites eligible PHAs to apply for a specified number of vouchers.

Generally, the HUD-VASH program is administered in accordance with regular HCV program requirements. However, HUD is authorized to waive or specify alternative requirements to allow PHAs to effectively deliver and administer VASH assistance. Alternative requirements are established in the HUD-VASH Operating Requirements, which were originally published in the Federal Register on May 6, 2008, and updated September 27, 2021. Unless expressly waived by HUD, all regulatory requirements and HUD directives regarding the HCV program are applicable to VASH vouchers, including the use of all HUD-required contracts and other forms, and all civil rights and fair housing requirements. In addition, the PHA may request additional statutory or regulatory waivers that it determines are necessary for the effective delivery and administration of the program.

The VASH program is administered in accordance with applicable Fair Housing requirements since civil rights requirements cannot be waived under the program. These include applicable authorities under 24 CFR 5.105(a) and 24 CFR 982.53 including, but not limited to, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Age Discrimination Act and all PHA policies as outlined in Chapter 2 of this document.

When HUD-VASH recipients include veterans with disabilities or family members with disabilities, reasonable accommodation requirements in Part II of Chapter 2 of this policy apply.

20-III.B. REFERRALS [FR Notice 9/27/21 and HUD-VASH Qs and As]

VAMC case managers will screen all families in accordance with VA screening criteria and refer eligible families to the PHA for determination of program eligibility and voucher issuance. The PHA has no role in determining or verifying the veteran's eligibility under VA screening criteria, including determining the veteran's homelessness status. The PHA must accept referrals from the partnering VAMC and must maintain written documentation of referrals in VASH tenant files. Upon turnover, VASH vouchers must be issued to eligible veteran families as identified by the VAMC.

PHA Policy

In order to expedite the screening process, the PHA will provide all forms and a list of documents required for the VASH application to the VAMC. Case managers will work with veterans to fill out the forms and compile all documents for referral and application.

20-III.C. HCV PROGRAM ELIGIBILITY [FR Notice 9/27/21]

Eligible participants are homeless veterans and their families who agree to participate in case management from the VAMC.

- A *VASH Veteran* or *veteran family* refers to either a single veteran or a veteran with a household composed of two or more related persons. It also includes one or more eligible persons living with the veteran who are determined to be important to the veteran's care or well-being.
- A veteran for the purpose of VASH is a person whose length of service meets statutory requirements, and who served in the active military, naval, or air service, was discharged or released under conditions other than dishonorable, and is eligible for VA health care.

Under VASH, PHAs do not have authority to determine family eligibility in accordance with HCV program rules and PHA policies. The only reasons for denial of assistance by the PHA are failure to meet the income eligibility requirements and/or that a family member is subject to a lifetime registration requirement under a state sex offender registration program. Under portability, the receiving PHA must also comply with these VASH screening requirements.

Social Security Numbers

When verifying Social Security numbers (SSNs) for homeless veterans and their family members, an original document issued by a federal or state government agency, which contains the name and SSN of the individual along with other identifying information of the individual, is acceptable in accordance with Section 7-II.B. of this policy.

In the case of the homeless veteran, the PHA must accept the Certificate of Release or Discharge from Active Duty (DD-214) or the VA-verified Application for Health Benefits (10-10EZ) as verification of SSN and cannot require the veteran to provide a Social Security card. A VA-issued identification card may also be used to verify the SSN of a homeless veteran.

Proof of Age

The DD-214 or 10-10EZ must be accepted as proof of age in lieu of birth certificates or other PHA-required documentation as outlined in Section 7-II.C. of this policy. A VA-issued identification card may also be used to verify the age of a homeless veteran.

Photo Identification

A VA-issued identification card must be accepted in lieu of another type of government-issued photo identification. These cards also serve as verification of SSNs and date of birth.

Income Eligibility

The PHA must determine income eligibility for VASH families in accordance with 24 CFR 982.201 and policies in Section 3-II.A. If the family is over-income based on the most recently published income limits for the family size, the family will be ineligible for HCV assistance.

While income-targeting does not apply to VASH vouchers, the PHA may include the admission of extremely low-income VASH families in its income targeting numbers for the fiscal year in which these families are admitted.

PHA Policy

While income-targeting requirements will not be considered by the PHA when families are referred by the partnering VAMC, the PHA will include any extremely low-income VASH families that are admitted in its income targeting numbers for the fiscal year in which these families are admitted.

Screening

The PHA may not screen any potentially eligible family members or deny assistance for any grounds permitted under 24 CFR 982.552 and 982.553 with one exception: the PHAs is still required to prohibit admission if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. Accordingly, with the exception of denial for registration as a lifetime sex offender under state law and PHA policies on how sex offender screenings will be conducted, PHA policy in Sections 3-III.B. through 3-III.E. do not apply to VASH. The prohibition against screening families for anything other than lifetime sex offender status applies to all family members, not just the veteran.

If a family member is subject to lifetime registration under a state sex offender registration program, the remaining family members may be served if the family agrees to remove the sex offender from its family composition. This is true unless the family member subject to lifetime registration under a state sex offender registration program is the homeless veteran, in which case the family would be denied admission to the program [New HCV GB, *HUD-VASH*, p. 6].

Denial of Assistance [Notice PIH 2008-37]

Once a veteran is referred by the VAMC, the PHA must either issue a voucher or deny assistance. If the PHA denies assistance, it must provide the family with prompt notice of the decision and a brief statement of the reason for denial in accordance with Section 3-III.F. Like in the standard HCV program, the family must be provided with the opportunity for an informal review in accordance with policies in Section 3-III.F. In addition, a copy of the denial notice must be sent to the VAMC case manager.

20-III.D. CHANGES IN FAMILY COMPOSITION

Adding Family Members [FR Notice 9/27/21]

When adding a family member after the family has been admitted to the program, PHA policies in Section 11-II.C. apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and will apply its regular screening criteria in Chapter 3 in doing so.

Remaining Family Members [HUD-VASH Qs and As]

If the homeless veteran dies while the family is being assisted, the voucher would remain with the remaining members of the tenant family. The PHA may use one of its own regular vouchers, if available, to continue assisting this family and free up a VASH voucher for another VASH-eligible family. If a regular voucher is not available, the family would continue utilizing the VASH voucher. Once the VASH voucher turns over, however, it must go to a homeless veteran family.

Family Break Up [HUD-VASH Qs and As]

In the case of divorce or separation, since the set-aside of VASH vouchers is for veterans, the voucher must remain with the veteran. This overrides the PHA's policies in Section 3-I.C. on how to determine who remains in the program if a family breaks up.

20-III.E. LEASING [FR Notice 9/27/21]

Waiting List

The PHA does not have the authority to maintain a waiting list or apply local preferences for HUD-VASH vouchers. Policies in Chapter 4 relating to applicant selection from the waiting list, local preferences, special admissions, cross-listing, and opening and closing the waiting list do not apply to VASH vouchers.

Exception Payment Standards

To assist VASH participants in finding affordable housing, especially in competitive markets, HUD allows PHAs to establish a HUD-VASH exception payment standard. PHAs may go up to but no higher than 120 percent of the published area-wide fair market rent (FMR) or small area fair market rent (SAFMR) specifically for VASH families. PHAs who want to establish a VASH exception payment standard over 120 percent must still request a waiver from HUD through the regular waiver process outlined in Notice PIH 2018-16.

PHA Policy

The PHA will establish separate higher payment standards for HUD-VASH. The HUD-VASH payment standards will be set at 120 percent of FMR.

Voucher Issuance

Unlike the standard HCV program which requires an initial voucher term of at least 60 days, VASH vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-II.E. will apply.

PHA Policy

All VASH vouchers will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

The PHA must track issuance of HCVs for families referred by the VAMC or DSP in PIC as required in Notice PIH 2011-53.

Initial Lease Term

Unlike in the standard the HCV program, VASH voucher holders may enter into an initial lease that is for less than 12 months. Accordingly, PHA policy in Section 9-I.E., Term of Assisted Tenancy, does not apply.

Ineligible Housing [FR Notice 6/18/14]

Unlike in the standard HCV program, VASH families are permitted to live on the grounds of a VA facility in units developed to house homeless veterans. This applies to both tenant-based assistance and PBV. Therefore, 24 CFR 982.352(a)(5) and 983.53(a)(2), which prohibit units on the physical grounds of a medical, mental, or similar public or private institution, do not apply to VASH for this purpose only. Accordingly, PHA policy in 9-I.D., Ineligible Units, does not apply for this purpose only.

HQS Pre-Inspections

To expedite the leasing process, PHAs may pre-inspect available units that veterans may be interested in leasing in order to maintain a pool of eligible units. If a VASH family selects a unit that passed an HQS inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval (Form HUD-52517), the unit may be approved if it meets all other conditions under 24 CFR 982.305. However, the veteran must be free to select their unit and cannot be steered to these units.

PHA Policy

The PHA will not pre-inspect units.

20-III.F. PORTABILITY [FR Notice 9/27/21 and Notice PIH 2011-53]

General Requirements

Portability policies under VASH depend on whether the family wants to move within or outside of the initial VA facility's catchment area (the area in which the VAMC or DSP operates). In all cases, the initial VA facility must be consulted prior to the move and provide written confirmation that case management will continue to be provided in the family's new location. VASH participant families may only reside in jurisdictions that are accessible to case management services, as determined by case managers at the partnering VAMC or DSP.

Under VASH, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied. As a result, PHA policies in Section 10-II.B. about nonresident applicants do not apply.

If the family no longer requires case management, there are no portability restrictions. Normal portability rules apply.

Portability within the Initial VAMC or DSP's Catchment Area

A VASH family can move within the VAMC's catchment area as long as case management can still be provided, as determined by the VA. If the initial PHA's partnering VAMC will still provide the case management services, the receiving PHA must process the move in accordance with portability procedures:

- If the receiving PHA has been awarded VASH vouchers, it can choose to either bill the initial PHA or absorb the family if it has a VASH voucher available to do so.
 - If the PHA absorbs the family, the VAMC or DSP providing the initial case management must agree to the absorption and the transfer of case management.
- If the receiving PHA does not administer a VASH program, it must always bill the initial PHA.

Portability Outside of the Initial VAMC or DSP's Catchment Area

If a family wants to move to another jurisdiction where it will not be possible for the initial PHA's partnering VAMC or DSP to provide case management services, the initial VAMC or DSP must first determine that the VASH family could be served by another VAMS or DSP that is participating in the VASH program, and the receiving PHA has an available VASH voucher.

In these cases, the family must be absorbed by the receiving PHA either as a new admission or as a portability move-in, as applicable. Upon absorption, the initial PHA's VASH voucher will be available to lease to a new VASH-eligible family, and the absorbed family will count toward the number of VASH slots awarded to the receiving PHA.

Portability Outside of the Initial VAMC or DSP's Catchment Area under VAWA

Veterans who request to port beyond the catchment area of the VAMC or DSP where they are receiving case management to protect the health or safety of a person who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believes they are threatened with imminent harm from further violence by remaining in the unit may port prior to receiving approval from the receiving VAMC or DSP. The initial PHA must follow its emergency transfer plan. PHAs may require verbal self-certification or a written request from a participant seeing a move beyond the catchment area of the VAMC or DSP.

The verbal self-certification or written request must include either a statement expressing why the participant reasonably believes that there is a threat of imminent harm from further violence if they were to remain in the same unit or a statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-day period preceding the participants request for the move.

The participant must still port to a PHA that has a VASH program. If the receiving PHA does not have a VASH voucher available to lease, they may bill the initial PHA until a VASH voucher is available, at which point the porting veteran must be absorbed into the receiving PHA's program.

20-III.G. TERMINATION OF ASSISTANCE [FR Notice 9/27/21]

With the exception of terminations for failure to receive case management, HUD has not established any alternative requirements for termination of assistance for VASH participants. However, prior to terminating VASH participants, HUD strongly encourages PHAs to exercise their discretion under 24 CFR 982.552(c)(2) as outlined in Section 12-II.D. of this policy and consider all relevant circumstances of the specific case. This includes granting reasonable accommodations for persons with disabilities, as well as considering the role of the case manager and the impact that ongoing case management services can have on mitigating the conditions that led to the potential termination.

VASH participant families may not be terminated after admission for a circumstance or activities that occurred prior to admission and were known to the PHA but could not be considered at the time of admission due to VASH program requirements. The PHA may terminate the family's assistance only for program violations that occur after the family's admission to the program.

Cessation of Case Management

As a condition of receiving HCV rental assistance, a HUD-VASH-eligible family must receive case management services from the VAMC or DSP. A VASH participant family's assistance must be terminated for failure to participate, without good cause, in case management as verified by the VAMC or DSP.

However, a VAMC or DSP determination that the participant family no longer requires case management is not grounds for termination of voucher or PBV assistance. In such a case, at its option, the PHA may offer the family continued assistance through one of its regular vouchers. If the PHA has no voucher to offer, the family will retain its VASH voucher or PBV unit until such time as the PHA has an available voucher for the family.

VAWA [FR Notice 9/27/21]

When a veteran's family member is receiving protection under VAWA because the veteran is the perpetrator of domestic violence, dating violence, sexual assault, or stalking, the victim must continue to be assisted. Upon termination of the perpetrator's VASH assistance, the victim must be given a regular HCV if one is available, and the perpetrator's VASH voucher must be used to serve another eligible veteran family. If a regular HCV is not available, the perpetrator must be terminated from assistance and the victim will continue to use the VASH voucher.

20-III.H. PROJECT-BASING VASH VOUCHERS

General Requirements [Notice PIH 2017-21 and FR Notice 9/27/21]

PHAs are authorized to project-base their tenant-based VASH vouchers without additional HUD review or approval in accordance with Notice PIH 2017-21 and all PBV program requirements provided that the VAMC will continue to make supportive services available. In addition, since 2010, HUD has awarded VASH vouchers specifically for project-based assistance in the form of PBV HUD-VASH set-aside vouchers. While these vouchers are excluded from the PBV program cap as long as they remain under PBV HAP contract at the designated project, all other VASH vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A. Note that VASH supportive services only need to be provided to VASH families receiving PBV assistance in the project, not all families receiving PBV assistance in the project. If a VASH family does not require or no longer requires case management, the unit continues to count as an excepted PBV unit as long as the family resides in the unit.

If the PHA project-bases VASH vouchers, the PHA must consult with the partnering VAMC or DSP to ensure approval of the project or projects. PHAs may project-base VASH vouchers in projects alongside other PBV units and may execute a single HAP contract covering both the VASH PBVs and the other PBVs. The PHA must refer only VASH families to PBV units exclusively made available to VASH families and to PBV units funded through a HUD set-aside award.

Policies for VASH PBV units will generally follow PHA policies for the standard PBV program as listed in Chapter 17, with the exception of the policies listed below.

Failure to Participate in Case Management [FR Notice 9/27/21]

Upon notification by the VAMC or DSP of the family's failure to participate, without good cause, in case management, the PHA must provide the family a reasonable time period to vacate the unit. The PHA must terminate assistance to the family at the earlier of either the time the family vacates or the expiration of the reasonable time period given to vacate.

PHA Policy

Upon notification by the VAMC or DSP that a VASH PBV family has failed to participate in case management without good cause, the PHA will provide written notice of termination of assistance to the family and the owner within 10 business days. The family will be given 60 days from the date of the notice to move out of the unit.

The PHA may make exceptions to this 60-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.

If the family fails to vacate the unit within the established time, the owner may evict the family. If the owner does not evict the family, the PHA must remove the unit from the HAP contract or amend the HAP contract to substitute a different unit in the project if the project is partially assisted. The PHA may add the removed unit to the HAP contract after the ineligible family vacates the property.

Moves [HUD-VASH Qs and As, FR Notice 9/27/21]

When a VASH PBV family is eligible to move from its PBV unit in accordance with Section 17-VII.C. of this policy, but there is no other comparable tenant-based rental assistance, the following procedures must be implemented:

- If a VASH tenant-based voucher is not available at the time the family wants (and is eligible) to move, the PHA may require a family who still requires case management to wait for a VASH tenant-based voucher for a period not to exceed 180 days;
- If a VASH tenant-based voucher is still not available after that period, the family must be allowed to move with its VASH voucher. Alternatively, the PHA may allow the family to move with its VASH voucher without having to meet this 180-day period. In either case, the PHA is required to replace the assistance in the PBV unit with one of its regular vouchers, unless the PHA and owner agree to temporarily remove the unit from the HAP contract; and
- If a VASH veteran is determined to no longer require case management, the PHA must allow the family to move with the first available tenant-based voucher if not VASH voucher is immediately available and cannot require the family to wait for a VASH voucher to become available.

PART IV: MAINSTREAM VOUCHER PROGRAM

20-IV.A. PROGRAM OVERVIEW [Notice PIH 2020-01]

Mainstream vouchers assist non-elderly persons with disabilities and their families in the form of either project-based or tenant-based voucher assistance.

~~Aside from separate funding appropriations and serving a specific population, Mainstream vouchers follow the same program requirements as standard vouchers. The PHA does not have special authority to treat families that receive a Mainstream voucher differently from other applicants and participants. For example, the PHA cannot apply different payment standards, establish conditions for allowing portability, or apply different screening criteria to Mainstream families.~~

The Mainstream voucher program, (previously referred to as the Mainstream 5-Year program or the Section 811 voucher program) was originally authorized under the National Affordable Housing Act of 1990. Mainstream vouchers operated separately from the regular HCV program until the passage of the Frank Melville Supportive Housing Investment Act of 2010. Funding for Mainstream voucher renewals and administrative fees was first made available in 2012. In 2017 and 2019, incremental vouchers were made available for the first time since the Melville Act (in addition to renewals and administrative fees), and PHAs were invited to apply for a competitive award of Mainstream vouchers under the FY17 and FY19 NOFAs. In 2020, Notice PIH 2020-22 provided an opportunity for any PHA administering an HCV program to apply for Mainstream vouchers noncompetitively, while Notice PIH 2020-09 authorized an increase in Mainstream voucher units and budget authority for those PHAs already awarded Mainstream vouchers under the FY17 and FY19 NOFAs.

Funds for Mainstream vouchers may be recaptured and reallocated if the PHA does not comply with all program requirements or fails to maintain a utilization rate of 80 percent for the PHA's Mainstream vouchers.

20-IV.B. ELIGIBLE POPULATION [Notice PIH 2020-01 and Notice PIH 2020-22]

All Mainstream vouchers must be used to serve non-elderly persons with disabilities and their families, defined as any family that includes a person with disabilities who is at least 18 years old and not yet 62 years old as of the effective date of the initial HAP contract. The eligible disabled household member does not need to be the head of household.

The definition of person with disabilities for purposes of Mainstream vouchers is the statutory definition under section 3(b)(3)(E) of the 1937 Act, which is the same as is used for allowances and deductions in the HCV program and is provided in Exhibit 3-1 of this policy.

Existing families receiving Mainstream vouchers, where the eligible family member is now age 62 or older, will not “age out” of the program as long as the family was eligible on the day it was first assisted under a HAP contract.

The PHA may not implement eligibility screening criteria for Mainstream vouchers that is different from that of the regular HCV program.

20-IV.C. PARTNERSHIP AND SUPPORTIVE SERVICES [Notice PIH 2020-01]

PHAs are encouraged but not required to establish formal and informal partnerships with a variety of organizations that assist persons with disabilities to help ensure eligible participants find and maintain stable housing.

PHA Policy

The PHA will implement a Mainstream program, in partnership with the City of Portland / Multnomah County Joint Office of Homeless Services.

20-IV.D. WAITING LIST ADMINISTRATION

General Waiting List Requirements [Notice PIH 2020-01 and Mainstream Voucher Basics Webinar, 10/15/20]

PHAs must not have a separate waiting list for Mainstream voucher assistance since the PHA is required by the regulations to maintain one waiting list for tenant-based assistance [24 CFR 982.204(f)]. All PHA policies on opening, closing, and updating the waiting list, as well as waiting list preferences in Chapter 4, apply to the Mainstream program.

When the PHA is awarded Mainstream vouchers, these vouchers must be used for new admissions to the PHA's program from the waiting list. The PHA must lease these vouchers by pulling the first Mainstream-eligible family from its tenant-based waiting list. PHAs are not permitted to reassign existing participants to the program in order to make regular tenant-based vouchers available. Further, the PHA may not skip over Mainstream-eligible families on the waiting list because the PHA is serving the required number of Mainstream families.

Upon turnover, vouchers must be provided to Mainstream-eligible families. If a Mainstream turnover voucher becomes available, the PHA must determine if the families at the top of the waiting list qualify under program requirements.

PHA Policy

As of October 2024, the PHA follows its MTW Tenant-Based Set Aside Activity in Chapter 4. The Mainstream Voucher set aside is for families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, that are experiencing homelessness and were referred to the PHA from Multnomah County's Coordinated Access system managed by the City of Portland / Multnomah County Joint Office of Homeless Services.

Admission Preferences [Notice PIH 2020-01; FY17 Mainstream NOFA; FY19 Mainstream NOFA]

If the PHA claimed points for a preference in a NOFA application for Mainstream vouchers, the PHA must adopt a preference for at least one of the targeted groups identified in the NOFA.

PHA Policy

The PHA claimed a preference for a targeted group as part of an application for Mainstream vouchers under a NOFA. The PHA will offer the following preferences, as described in Chapter 4:

Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is transitioning out of institutional or other segregated settings. The PHA will limit the number of vouchers set aside for this preference to 99. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 99 vouchers. This preference ~~will expire~~ December 1, 2022.

Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is experiencing homelessness and was referred to the PHA from Multnomah County's Coordinated Access system managed by the City of Portland / Multnomah County Joint Office of Homeless Services. The PHA will

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limit the number of vouchers set aside for this preference to 130 until December 1, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 130 vouchers until December 1, 2022. The PHA will limit the number of vouchers set aside for this preference to 229 beginning December 2, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 229 vouchers beginning December 2, 2022.

Payment Standards

As of August 2024, the PHA follows its MTW Broaden Range of Approved Payment Standards Activity to establish separate higher payment standards for Mainstream vouchers.

20-IV.E. PORTABILITY [Notice PIH 2020-01 and Mainstream Voucher Basics Webinar, 10/15/20]

Mainstream voucher participants are eligible for portability under standard portability rules and all PHA policies regarding portability in Chapter 10, Part II apply to Mainstream families.

The following special considerations for Mainstream vouchers apply under portability:

- If the receiving PHA has a Mainstream voucher available, the participant may remain a Mainstream participant.
 - If the receiving PHA chooses to bill the initial PHA, then the voucher will remain a Mainstream voucher.
 - If the receiving PHA chooses to absorb the voucher, the voucher will be considered a regular voucher, or a Mainstream voucher if the receiving PHA has a Mainstream voucher available, and the Mainstream voucher at the initial PHA will be freed up to lease to another Mainstream-eligible family.
- If the receiving PHA does not have a Mainstream voucher available, the participant may receive a regular voucher.

20-IV.F. PROJECT-BASING MAINSTREAM VOUCHERS [FY19 Mainstream Voucher NOFA Q&A]

The PHA may project-base Mainstream vouchers in accordance with all applicable PBV regulations and PHA policies in Chapter 17. PHAs are responsible for ensuring that, in addition to complying with project-based voucher program requirements, the project complies with all applicable federal nondiscrimination and civil rights statutes and requirements. This includes, but is not limited to, Section 504 of the Rehabilitation Act (Section 504), Titles II or III of the Americans with Disabilities (ADA), and the Fair Housing Act and their implementing regulations at 24 CFR Part 8; 28 CFR Parts 35 and 36; and 24 CFR Part 100. Mainstream vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

PART V: NON-ELDERLY DISABLED (NED) VOUCHERS

20-V.A. PROGRAM OVERVIEW [Notice PIH 2013-19]

NED vouchers help non-elderly disabled families lease suitable, accessible, and affordable housing in the private market. Aside from separate funding appropriations and serving a specific population, NED vouchers follow the same program requirements as standard vouchers. The PHA does not have special authority to treat families that receive a NED voucher differently from other applicants and participants.

Some NED vouchers are awarded to PHAs through competitive NOFAs. The NOFA for FY2009 Rental Assistance for NED made incremental funding available for two categories of NED families:

- **Category 1** vouchers enable non-elderly persons or families with disabilities to access affordable housing on the private market.
- **Category 2** vouchers enable non-elderly persons with disabilities currently residing in nursing homes or other healthcare institutions to transition into the community. PHAs with NED Category 2 vouchers were required to partner with a state Medicaid or health agency or the state Money Follows the Person (MFP) Demonstration agency.

Since 1997, HCVs for NED families have been also awarded under various special purpose HCV programs: Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans (Designated Housing), Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Types of Section 8 Project-Based Developments (Certain Developments), One-Year Mainstream Housing Opportunities for Persons with Disabilities, and the Project Access Pilot Program (formerly Access Housing 2000).

- **Designated Housing** vouchers enable non-elderly disabled families, who would have been eligible for a public housing unit if occupancy of the unit or entire project had not been restricted to elderly families only through an approved Designated Housing Plan, to receive rental assistance. These vouchers may also assist non-elderly disabled families living in a designated unit/project/building to move from that project if they so choose. The family does not have to be listed on the PHA's voucher waiting list. Instead, they may be admitted to the program as a special admission. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.

- **Certain Developments** vouchers enable non-elderly families having a person with disabilities, who do not currently receive housing assistance in certain developments where owners establish preferences for, or restrict occupancy to, elderly families, to obtain affordable housing. These non-elderly families with a disabled person do not need to be listed on the PHA's HCV waiting list in order to be offered and receive housing choice voucher rental assistance. It is sufficient that these families' names are on the waiting list for a covered development at the time their names are provided to the PHA by the owner. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.
- **One-Year Mainstream Housing Opportunities for Persons with Disabilities (One-Year Mainstream)** vouchers enable non-elderly disabled families on the PHA's waiting list to receive a voucher. After initial leasing, turnover vouchers must be issued to non-elderly disabled families from the PHA's voucher waiting list.

20-V.B. ELIGIBLE POPULATION

General Requirements [Notice PIH 2013-19]

Only eligible families whose head of household, spouse, or cohead is non-elderly (under age 62) and disabled may receive a NED voucher. Families with only a minor child with a disability are not eligible.

In cases where the qualifying household member now qualifies as elderly due to the passage of time since the family received the NED voucher, existing NED participant families do not "age out," as the family was eligible on the day it was first assisted under a housing assistance payments (HAP) contract.

The definition of person with disabilities for purposes of NED vouchers is the statutory definition under Section 3(b)(3)(E) of the 1937 Act, which is the same as is used for allowances and deductions in the HCV program and is provided in Exhibit 3-1 of this policy.

The PHA may not implement eligibility screening criteria for NED vouchers that is different from that of the regular HCV program.

NED Category 2 [Notice PIH 2013-19 and NED Category 2 FAQs]

In addition to being eligible for the PHA's regular HCV program and a non-elderly person with a disability, in order to receive a Category 2 voucher, the family's head, spouse, cohead, or sole member must be transitioning from a nursing home or other healthcare institution and provided services needed to live independently in the community.

Nursing homes or other healthcare institutions may include intermediate care facilities and specialized institutions that care for those with intellectual disabilities, developmentally disabled, or mentally ill, but do not include board and care facilities (e.g., adult homes, adult day care, adult congregate living).

The PHA cannot limit who can apply to just those persons referred or approved by a Money Follows the Person (MFP) Demonstration agency or state health agency. Other individuals could be placed on the waiting list if they can show, with confirmation by an independent agency or organization that routinely provides such services (this can be the MFP or partnering agency, but need not be), that the transitioning individual will be provided with all necessary services, including care or case management.

For each Category 2 family, there must be documentation (e.g., a copy of a referral letter from the partnering or referring agency) in the tenant file identifying the institution where the family lived at the time of voucher issuance.

20-V.C. WAITING LIST

General Requirements [Notice PIH 2013-19]

Families must be selected for NED vouchers from the PHA's waiting list in accordance with all applicable regulations and PHA policies in Chapter 4.

Regardless of the number of NED families the PHA is required to serve, the next family on the waiting list must be served. Further, the PHA may not skip over NED-eligible families on the waiting list because the PHA is serving the required number of NED families.

NED Category 2 Referrals [NED Category 2 FAQs]

For NED Category 2 families, the partnering agency may make referrals of eligible families to the PHA for placement on the waiting list. The PHA will then select these families from the waiting list for voucher issuance. Because language in the NOFA established that vouchers awarded under the NOFA must only serve non-elderly disabled families transitioning from institutions, the PHA does not need to establish a preference in order to serve these families ahead of other families on the PHA's waiting list.

PHAs must accept applications from people living outside their jurisdictions or from people being referred from other Medicaid or MFP service agencies in their state.

If the PHA's waiting list is closed, the PHA must reopen its waiting list to accept referrals from its partnering agency. When opening the waiting list, PHAs must advertise in accordance with 24 CFR 982.206 and PHA policies in Section 4-II.C. In addition, the PHA must ensure that individuals living in eligible institutions are aware when the PHA opens its waiting list by reaching out to social service agencies, nursing homes, intermediate care facilities and specialized institutions in the local service area.

Reissuance of Turnover Vouchers [Notice PIH 2013-19]

All NED turnover vouchers must be reissued to the next NED family on the PHA's waiting list with the following exception: A Category 2 voucher must be issued to another Category 2 family upon turnover if a Category 2 family is on the PHA's waiting list. If there are no Category 2 families on the PHA's waiting list, the PHA must contact its partnering agency as well as conduct outreach through appropriate social service agencies and qualifying institutions to identify potentially eligible individuals. Only after all means of outreach have been taken to reach Category 2 families can the PHA reissue the voucher to another Category 2 NED family on the PHA's waiting list. Any subsequent turnover of that voucher must again be used for a Category 2 family on the PHA's waiting list, and the PHA is under the same obligation to conduct outreach to Category 2 families if no such families are on the PHA's waiting list.

For PHAs that received both Category 1 and Category 2 vouchers, if at any time the PHA is serving fewer Category 2 families than the number of Category 2 HCVs awarded under the NOFA, when a Category 2 family applies to the waiting list and is found eligible, the PHA must issue the next NED voucher to that family. HUD monitors the initial leasing and reissuance of Category 2 HCVs. These vouchers may be recaptured and reassigned if not leased properly and in a timely manner.

All NED vouchers should be affirmatively marketed to a diverse population of NED-eligible families to attract protected classes least likely to apply. If at any time following the turnover of a NED HCV a PHA believes it is not practicable to assist NED families, the PHA must contact HUD.

20-V.D. LEASE UP [Notice PIH 2013-19]

Special Housing Types [Notice PIH 2013-19 and NED Category 2 FAQs]

In general, a PHA is not required to permit families to use any of the special housing types and may limit the number of families using such housing. However, the PHA must permit the use of a special housing type if doing so provides a reasonable accommodation so that the program is readily accessible to and usable by a person with disabilities.

Such special housing types include single room occupancy housing, congregate housing, group homes, shared housing, cooperative housing, and manufactured homes when the family owns the home and leases the manufactured home space.

Persons with disabilities transitioning out of institutional settings may choose housing in the community that is in a group or shared environment or where some additional assistance for daily living is provided for them on site. Under HUD regulations, group homes and shared housing are considered special housing types and are not excluded as an eligible housing type in the HCV program. Assisted living facilities are also considered eligible housing under the normal HCV program rules, as long as the costs for meals and other supportive services are not included in the housing assistance payments (HAP) made by the PHA to the owner, and as long as the person does not need continual medical or nursing care.

20-V.E. PORTABILITY [NED Category 2 FAQs]

NED voucher participants are eligible for portability under standard portability rules and all PHA policies regarding portability in Chapter 10, Part II apply to NED families. However, the PHA may, but is not required to, allow applicant NED families to move under portability, even if the family did not have legal residency in the initial PHA's jurisdiction when they applied.

PART VI: STABILITY VOUCHERS

20-VI.A. PROGRAM OVERVIEW [Notice PIH 2022-24: Stability Voucher Program]

The Stability Voucher initiative makes Housing Choice Voucher (HCV) assistance available to Public Housing Agencies (PHAs) in partnership with local Continuum's of Care and/or Victim Service Providers to assist households experiencing or at risk of homelessness, those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking, and veterans and families that include a veteran family member that meets one of the proceeding criteria.

20-VI.B. PARTNERING AGENCIES

Continuum of Care (CoC)

PHAs that accept an allocation of Stability Vouchers are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of Stability Vouchers.

PHA Policy

The PHA has entered into an MOU with OR-501 Portland/Gresham/Multnomah County Continuum of Care. The City of Portland / Multnomah County Joint Office of Homeless Services is also party to the MOU as the lead agency for the Continuum of Care. Native American Rehabilitation Association of the Northwest, Inc. is also party to the MOU as the CoC funded service provider who will make available supportive services to Stability Voucher participants.

20-VI.C. REFERRALS

CoC Referrals

The primary responsibility of the CoC under the MOU with the PHA is to make direct referrals of qualifying individuals and families to the PHA. The PHA must generally refer a family that is seeking Stability Voucher assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for Stability Voucher assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for Stability Vouchers. The CoC or other direct referral partner must provide supporting documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for Stability Voucher assistance.

PHA Policy

As the lead agency of the Continuum of Care, the City of Portland / Multnomah County Joint Office of Homeless Services (JOHS) will make referrals of eligible families to the PHA. JOHS will certify that the Stability Voucher applicants they refer to the PHA meet at least one of the four Stability Voucher eligibility criteria. JOHS will prioritize individuals and families experiencing unsheltered homelessness. The PHA will maintain a copy of the referral and certification from the CoC or other partnering agency in the participant's file along with other eligibility paperwork.

The JOHS will make referrals to the PHA on a schedule agreed upon with PHA. Referrals will be accompanied with a completed release form for each adult family member, and a written certification for each referral indicating they are Stability Voucher-eligible.

Other Partner Agency Referrals

The PHA must take direct referrals from outside the CoC Coordinated Entry Process if:

- The CoC does not have a sufficient number of eligible families to refer to the PHA; or
- The CoC does not identify families that may be eligible for Stability Voucher assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time the PHA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC or other partner referral agencies (or the PHA and CoC cannot identify any such alternative referral partner agencies), the PHA must enter into a formal partnership with another entity, such as another homeless services provider and/or victim services provider to receive referrals.

20-VI.D. HCV WAITING LIST

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to the Stability Voucher program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of Stability Vouchers by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2022-24 (HA).

PHA Policy

The PHA will post information about the Stability Voucher program for families on the PHA's HCV waiting list on their website. The notice will:

- Describe the eligible populations to which stability vouchers are limited
- Clearly state that the availability of these stability vouchers is managed through a direct referral process
- Advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for stability voucher assistance

The PHA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The PHA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

20-VI.E. STABILITY VOUCHER WAITING LIST

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the Stability Voucher program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the Stability Vouchers available, the PHA must maintain a separate waiting list for Stability Voucher referrals.

Further, the Stability Voucher waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the Stability Voucher waiting list.

20-VI.F. PREFERENCES

HCV Waiting List Preferences

Local preferences established by the PHA for HCV admissions as described in Chapter 4 do not apply to Stability Vouchers.

Stability Voucher Waiting List Preferences

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for Stability Vouchers. The PHA may, however, choose to not establish any local preferences for the Stability Voucher waiting list.

PHA Policy

No local preferences have been established for the Stability Voucher waiting list.

20-VI.G. FAMILY ELIGIBILITY OVERVIEW

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2022-24 (HA) and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the Stability Voucher program and outlined below.

20-VI.H. REFERRING AGENCY DETERMINATION OF ELIGIBILITY

In order to be eligible for a Stability Voucher, an individual or family must meet one of four eligibility criteria:

- Individuals or families who are currently experiencing homelessness as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2022-24) or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Veterans and families that include a veteran that meet one of the preceding criteria.

As applicable, the CoC or referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for Stability Voucher assistance. The PHA must retain this documentation as part of the family's file.

20-VI.I. PHA SCREENING

Overview

HUD waived 24 CFR 982.552 and 982.553 in part for the Stability Voucher applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for a Stability Voucher. Instead, the Stability Voucher alternative requirement listed in this section will apply to all Stability Voucher applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2022-24 (HA) and in this chapter, however, apply only when screening the individual or family for eligibility for a Stability Voucher. When adding a family member after the family has been placed under a HAP contract with Stability Voucher assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

Mandatory Denials

Under alternative requirements for the Stability Voucher program, mandatory denials for Stability Voucher applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited Stability Voucher grounds for denial of admission first.

PHA Policy

While the PHA will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, the PHA will first notify the family of the limited Stability Voucher grounds for denial of admission as part of the notice of denial that will be mailed to the family.

Permissive Denials

Notice PIH 2022-24 (HA) lists permissive prohibitions for which the PHA may, but is not required to, deny admission to Stability Voucher families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for Stability Voucher families.

If the PHA intends to establish permissive prohibition policies for Stability Voucher applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

PHA Policy

The PHA will not adopt any permissive prohibitions for the Stability Voucher program.

20-VI.J. INCOME VERIFICATION AT ADMISSION

Self-Certification at Admission

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the Stability Voucher program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income in Section 7-I.B. do not apply to Stability Voucher families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

PHA Policy

PHA may consider self-certification the highest form of income verification at admission.

Applicants may provide third-party documentation which represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request. Original documents are preferred. The documents must not be damaged, altered, or in any way illegible.

Printouts from webpages are considered original documents.

Any family self-certifications must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified.

The PHA will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. The PHA will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. The PHA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, the PHA will terminate the family's assistance in accordance with the policies in Chapter 12.

If the PHA later determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

Recently Conducted Income Determinations

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no change in income or family composition in the interim.

PHA Policy

The PHA will not accept income calculations and verifications from third-party providers.

On a case-by case basis, the PHA may accept income calculations and verifications from an examination that the PHA conducted on behalf of the family for another subsidized housing program, provided they meet the criteria outlined above. Tracking and supervisory approval will be required.

At the time of the family's annual reexamination the PHA must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and PHA policies in Chapter 11.

EIV Income Validation

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.

If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12.

20-VI.K. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION

For the Stability Voucher program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the Stability program. Instead, PHAs may adopt policies to admit Stability Voucher applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

PHA Policy

The PHA will not admit Stability Voucher applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination.

20-VI.L. AGE AND DISABILITY VERIFICATION

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

PHA Policy

The PHA will not accept self-certification of date of birth and disability status if a higher form of verification is not immediately available.

20-VI.M. INCOME TARGETING

The PHA must determine income eligibility for Stability Voucher families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for Stability Voucher families. The PHA may still choose to include the admission of extremely low-income Stability Voucher families in its income targeting numbers for the fiscal year in which these families are admitted.

PHA Policy

The PHA will not include the admission of extremely low-income Stability Voucher families in its income targeting numbers for the fiscal year in which these families are admitted.

20-VI.N. INITIAL VOUCHER TERM

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, Stability Vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-II.E. will apply.

PHA Policy

All Stability Vouchers will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

20-VI.O. INITIAL LEASE TERM

Unlike in the standard the HCV program, Stability Voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-I.E., Term of Assisted Tenancy.

20-VI.P. HQS PRE-INSPECTIONS

To expedite the leasing process, PHAs may pre-inspect available units that Stability Voucher families may be interested in leasing in order to maintain a pool of eligible units.

PHA Policy

The PHA will not conduct pre-inspections available units. The PHA will make every effort to fast track the inspection process, including adjusting the normal inspection schedule for any required reinspections.

20-VI.Q. PORTABILITY

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to Stability Vouchers. Exceptions are addressed below.

Nonresident Applicants

Under the Stability Voucher program, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-II.B.

Billing and Absorption

A receiving PHA cannot refuse to assist an incoming Stability Voucher family, regardless of whether the PHA administers Stability Vouchers under its own ACC.

- If the Stability Voucher family moves under portability to another PHA that administers Stability Vouchers under its own ACC:
 - The receiving PHA may only absorb the incoming Stability Voucher family with a Stability Voucher (assuming it has a Stability Voucher available to do so).
 - If the PHA does not have a Stability Voucher available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with Stability Voucher assistance and may not absorb the family with a regular HCV when the family leases the unit.
 - Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's Stability Voucher assistance, the administration of the Stability Voucher is in accordance with the receiving PHA's Stability Voucher policies.
- If the Stability Voucher family moves under portability to another PHA that does not administer Stability Voucher under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

PHA Policy

In addition to following PHA policy on briefings in Chapter 5, as part of the briefing packet for Stability Voucher families, the PHA will include a written notice that the PHA will assist the family with moves under portability.

For limited English proficient (LEP) applicants, the PHA will provide interpretation services in accordance with policies in Chapter 2.

20-VI.R. PAYMENT STANDARDS

Payment Standard Schedule

For the Stability Voucher program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for Stability Vouchers. Lower Stability Voucher payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the Stability Voucher payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate Stability Voucher payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for Stability Vouchers, HUD has provided other regulatory waivers:

- Defining the “basic range” for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).
- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.

The PHA must notify HUD if it establishes a Stability Voucher exception payment standard based on the SAFMR.

PHA Policy

The PHA will establish separate higher payment standards for Stability Vouchers. The Stability Voucher payment standards will be set at 120 percent of the FMR.

At no time will the Stability Voucher payment standards fall below the HCV payment standards. If the PHA increases the HCV payment standard, the PHA will also increase the Stability Voucher payment standard if it would be otherwise lower than the new regular HCV payment standard.

Rent Reasonableness

All rent reasonableness requirements apply to Stability Voucher units, regardless of whether the PHA has established an alternative or exception Stability Voucher payment standard.

Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to Stability Vouchers. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

PHA Policy

The PHA will not establish an alternative policy for increases in payment standard. PHA policy in Section 11-III.B. governing increases in payment standards will apply to Stability Vouchers.

20-VI.S. PROJECT-BASED UNITS

All tenant-based Stability Voucher awards can be converted to Project-Based Vouchers (PBV) at any time after award without HUD approval provided all the established PBV regulations and requirements are followed. No additional HUD Headquarters approvals are required for project basing Stability Vouchers beyond the normal process. All PBV requirements in 24 CFR part 983 apply for SVs except where waived as described below. The HCV regulations at 24 CFR § 983.251(c)(1) require PHAs to select families for project-based units from its HCV waiting list (or PBV waiting list, if applicable). HUD is waiving this requirement and establishing an alternative requirement that PHAs receive Stability Voucher referrals from CoC partners for vouchers as well as project-based assistance.

20-VI.T. TURNOVER

Upon turnover, Stability Vouchers must continue to remain available for families experiencing or at-risk of homelessness, those fleeing or attempting to flee domestic violence dating violence, sexual assault, or stalking, or human trafficking, and veterans and families that include a veteran family member that meet one of the proceeding criteria.

PHA Policy

Upon turnover, the PHA will take referrals from the Continuum of Care for eligible individuals and families as described in section 20-VI.C.

20-VI.U. REPORTING

PHAs awarded SVs under this notice must maintain a special program code for Stability Voucher participants in line 2n of the Family Report (form HUD-50058) or line 2p of the MTW Family Report (form HUD-50058), as applicable. The special program code is "SV." PHAs must also properly record the date the PHA issues the voucher to the eligible household in line 2a of the 50058.

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Chapter 20

SPECIAL PURPOSE VOUCHERS

INTRODUCTION

Special purpose vouchers are specifically funded by Congress in separate appropriations from regular HCV program funding in order to target specific populations. Special purpose vouchers include vouchers for the following programs:

- Family Unification Program (FUP)
- Foster Youth to Independence (FYI) program
- Veterans Affairs Supportive Housing (VASH)
- Mainstream
- Non-Elderly Disabled (NED)
- Stability Vouchers

PHA Policy

The PHA will administer the following types of special purpose vouchers:

- Family Unification Program (FUP)
- Foster Youth to Independence (FYI) program
- Veterans Affairs Supportive Housing (VASH)
- Mainstream
- Non-Elderly Disabled (NED)
- Stability Vouchers

This chapter describes HUD regulations and PHA policies for administering special purpose vouchers. The policies outlined in this chapter are organized into six sections, as follows:

Part I: Family Unification Program (FUP)

Part II: Foster Youth to Independence (FYI) program

Part III: Veterans Affairs Supportive Housing (VASH)

Part IV: Mainstream voucher program

Part V: Non-Elderly Disabled (NED) vouchers

Part VI: Stability Vouchers

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to special purpose vouchers.

PART I: FAMILY UNIFICATION PROGRAM (FUP)

20-I.A. PROGRAM OVERVIEW [Fact Sheet, Housing Choice Voucher Program Family Unification Program (FUP)]

Overview

The Family Unification Program (FUP) was authorized by Congress in 1990 to help preserve and reunify families. PHAs that administer the program provide vouchers to two different populations—FUP families and FUP youth.

Families eligible for FUP are families for whom the lack of adequate housing is a primary factor in:

- The imminent placement of the family's child or children in out-of-home care; or
- The delay in the discharge of the child or children to the family from out-of-home care.

There is no time limitation on FUP family vouchers, and the family retains their voucher as long as they are HCV-eligible. There is no requirement for the provision of supportive services for FUP family vouchers.

Youth eligible for FUP are those who:

- Are at least 18 years old and not more than 24 years of age;
- Have left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 and older; and
- Are homeless or at risk of becoming homeless.

FUP youth vouchers are limited by statute to a period between 36 and 60 months of housing assistance. Supportive services must also be provided to FUP-eligible youth by the Public Child Welfare Agency (PCWA) or by another agency or organization under contract with the PCWA for the period of time defined in the notice or Notice of Funding Availability/Opportunity (NOFA/O) for which funding was made available.

PHAs that wish to administer FUP vouchers must apply to HUD by submitting an application under an active Notice of Funding Opportunity (NOFO). While the FUP program is administered in accordance with HCV regulations, the FUP NOFOs issued by HUD provide specific program information and requirements.

In order to administer the program, the PHA must also form a partnership with a local PCWA who is responsible for determining the family or youth meets FUP eligibility requirements and referring them to the PHA. Once the referral is received, the PHA is responsible for placing the FUP family or youth on the PHA's waiting list and determining whether they are eligible to receive assistance under the PHA's HCV program.

Assigning Vouchers [FUP FAQs]

The PHA may, but is not required to, assign a specific number or percentage of FUP vouchers for FUP youths and FUP families. Unless the PHA assigns a specific number or percentage of FUP vouchers to a designated FUP population, the PHA must serve any referrals (youths or families) that meet all program eligibility requirements up to the PHA's designated FUP program size.

PHA Policy

The PHA has designated 75% of FUP vouchers for families and 25% for youth.

20-I.B. PUBLIC CHILD WELFARE AGENCY (PCWA)

Families and youth do not apply directly to the PHA for FUP vouchers. They are instead referred by a PCWA with whom the PHA has entered into a Memorandum of Understanding (MOU). The partnering PCWA initially determines whether the family or youth meets the FUP program eligibility requirements listed in 20-I.C. and 20-I.D. and then refers those families or youths to the PHA.

HUD strongly encourages PHAs and PCWAs to make decisions collaboratively on the administration of the program and to maintain open and continuous communication. The PCWA must have a system for identifying FUP-eligible youth within the agency's caseload and for reviewing referrals from a Continuum of Care (COC) if applicable.

PHA Policy

The PHA has entered into an MOU with the following partnering organizations: Oregon Department of Human Services Child Welfare Division, City of Portland / Multnomah County Joint Office of Homeless Services, Multnomah County Department of County Human Services, Youth and Family Services Division.

Supportive Services

The PCWA must provide supportive services for the period of time defined in the notice or NOFA/O for which the funding was made available to all FUP-eligible youth regardless of their age. The MOU between the PHA and the PCWA should identify the period of time in which supportive services will be provided.

PHA Policy

Oregon Department of Human Services Child Welfare Division and/or member organizations of the Multnomah County Homeless Youth Continuum will provide supportive services for all FUP youth for a period of 36 months as indicated in the FUP MOU.

Supportive services may be provided to FUP-eligible youth by the PCWA or by another agency or organization under agreement or contract with the PCWA, including the PHA. The organization providing the services and resources must be identified in the MOU. The following services must be offered:

- Basic life skills information or counseling on money management, use of credit, housekeeping, proper nutrition or meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services);
- Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance or referrals for assistance on security deposits, utility hook-up fees, and utility deposits;
- Providing such assurances to owners of rental property as are reasonable and necessary to assist a FUP-eligible youth to rent a unit with a FUP voucher;
- Job preparation and attainment counseling (where to look and how to apply, dress, grooming, relationships with supervisory personnel, etc.); and
- Educational and career advancement counseling regarding attainment of general equivalency diploma (GED), or attendance or financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

A FUP-eligible youth cannot be required to participate in these services as condition of receipt of the FUP voucher.

20-I.C. FUP FAMILY VOUCHER ELIGIBILITY CRITERIA

FUP family assistance is reserved for eligible families that the PCWA has certified are a family for whom a lack of adequate housing is a primary factor in:

- The imminent placement of the family's child or children in out-of-home care, or
- The delay in the discharge of the child or children to the family from out-of-home care.

Lack of adequate housing means the family meets any one of the following conditions:

- Living in substandard housing, which refers to a unit that meets any one of the following conditions:
 - Does not have operable indoor plumbing
 - Does not have a usable flush toilet inside the unit for the exclusive use of a family or youth
 - Does not have a usable bathtub or shower inside the unit for the exclusive use of a family or youth
 - Does not have electricity, or has inadequate or unsafe electrical service
 - Does not have a safe or adequate source of heat
 - Should, but does not, have a kitchen
 - Has been declared unfit for habitation by an agency or unit of government, or in its present condition otherwise endangers the health, safety, or well-being of the family or youth
 - Has one or more critical defects, or a combination of intermediate defects in sufficient number or to the extent that it requires considerable repair or rebuilding. The defects may result from original construction, from continued neglect or lack of repair, or from serious damage to the structure
- Being homeless as defined in 24 CFR 578.3
- Living in a unit where the presence of a household member with certain characteristics (i.e., conviction for certain criminal activities) would result in the imminent placement of the family's child or children in out-of-home care, or the delay in the discharge of the child or children to the family from out-of-home care
- Living in housing not accessible to the family's disabled child or children due to the nature of the disability

- Living in an overcrowded unit, which is defined as living in a unit where one of the following conditions has been met:
 - The family is separated from its child or children and the parents are living in an otherwise standard housing unit, but, after the family is reunited, the parents' housing unit would be overcrowded for the entire family and would be considered substandard; or
 - The family is living with its child or children in a unit that is overcrowded for the entire family and this overcrowded condition may result, in addition to other factors, in the imminent placement of its child or children in out-of-home care.
 - For purposes of this definition, the determination as to whether the unit is overcrowded is made in accordance with the PHA subsidy standards in Chapter 5, Part II of this policy.

Since HUD does not define *imminent placement*, the partnering PCWA may use its discretion to determine whether the potential out of home placement of the family's child or children is imminent [FUP FAQs].

20-I.D. FUP YOUTH VOUCHER ELIGIBILITY CRITERIA

While FUP family vouchers operate as regular HCVs after the family is referred from the PCWA, there are several aspects of the FUP youth vouchers that make them distinct from the FUP family vouchers and from regular HCVs.

Eligibility Criteria

A FUP-eligible youth is a youth the PCWA has certified:

- Is at least 18 years old and not more than 24 years of age (has not yet reached their 25th birthday);
 - The FUP youth must be no more than 24 years old at the time the PCWA certifies them as eligible and at the time of HAP contract execution.
- Has left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act;
 - Foster care placement can include, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes in accordance with 24 CFR 5.576.
- Is homeless or at risk of becoming homeless at age 16 or older;
 - *At risk of being homeless* is fully defined at 24 CFR 576.2.
 - o This includes a person that is exiting a publicly funded institution, or system of care (such as a healthcare facility, a mental health facility, foster care or other youth facility, or correction program or institution).
 - o Therefore, youth being discharged from an institution may be eligible for a FUP voucher [FUP FAQs].

20-I.E. ASSISTANCE PERIOD [FR Notice 1/24/22]

Maximum Assistance Period

Although there is no time limit on FUP family vouchers, FUP youth vouchers are limited by statute. Unless the FUP youth meets an exception outlined below, after 36 months of assistance, the FUP youth voucher must be terminated. However, any period of time for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the 36-month limitation.

If the FUP youth does meet the requirements outlined below, the statutory limit on FUP assistance is a total of 60 months of FUP voucher assistance [FR Notice 1/24/22].

Extension of Assistance (Fostering Stable Housing Opportunities)

Per the Fostering Stable Housing Opportunities amendments enacted as part of the Consolidated Appropriations Act, 2021, FUP youth who first leased or lease a unit after December 27, 2020, may be eligible for an extension of assistance up to 24 months beyond the 36-month time limit (for a total of 60 months of assistance).

While FUP youth cannot be required to participate in the Family Self-Sufficiency (FSS) program as a condition of receipt of assistance, an eligible youth who participates in the FSS program and is in compliance with the applicable terms and conditions of the program is entitled to receive assistance for the length of their FSS contract as part of the Family Unification Program and Family Self Sufficiency Demonstration. A FUP youth must accept an FSS slot if it is offered to them prior to the 36-month mark in order to receive an extension of assistance (unless the youth meets one of the statutory exceptions described below).

Statutory Exceptions

A FUP youth will be entitled to receive an extension of assistance for up to 24 months beyond the 36-month time limit without participating in the PHA's FSS program if they certify that they meet one of the exceptions below:

- The FUP youth is a parent or other household member responsible for the care of a dependent child under the age of six or for the care of an incapacitated person.

PHA Policy

The PHA defines *incapacitated person* as a person whose ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that the person presently lacks the capacity to meet the essential requirements for the person's physical health or safety. "Meeting the essential requirements for physical health and safety" means those actions necessary to provide the health care, food, shelter, clothing, personal hygiene and other care without which serious physical injury or illness is likely to occur.

The PHA will apply this exception in a manner that provides extensions of FUP youth assistance to the broadest population possible consistent with the statutory requirements.

The FUP youth will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FUP youth must submit.

The child or incapacitated person is not required to reside in the household in order for the youth to certify they meet this exception. For example, a child in a joint custody arrangement under the age of six who resides in the household only part-time may qualify the youth for this exception.

- The FUP youth is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.

PHA Policy

The PHA will define *regular and active participation* in a manner that provides extensions of FUP youth assistance to the broadest population possible consistent with the statutory requirements.

The FUP youth will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FUP youth must submit.

- The FUP youth is a person who is incapable of complying with the requirement to participate in a FSS program as described above or engage in education, workforce development, or employment activities as described below, as applicable, due to a documented medical condition.

PHA Policy

The PHA will apply this requirement in a manner that provides extensions of FUP youth assistance to the broadest population possible consistent with statutory requirements.

The FUP youth will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FUP youth must submit.

A FUP youth that meets one of the above exceptions must still be offered an opportunity to enroll in the PHA's FSS program (if it is available to them) and receive any supportive services available to FUP youth. A FUP youth may choose to participate in an FSS program or engage in education, workforce development, or employment activities, even if they meet one of the above statutory exceptions.

Education, Workforce Development, or Employment Activities

If a PHA that carries out an FSS program is unable to offer a FUP youth an FSS slot during their first 36 months of receiving FUP youth assistance, the youth is considered to have been “unable to enroll” in the program and may have their voucher extended by meeting the education, workforce development, or employment criteria described below:

- For not less than 9 months of the 12-month period preceding each extension, the youth was engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent.

PHA Policy

The PHA will use the definitions of *recognized postsecondary credential* and *secondary school diploma or its recognized equivalent* under the Workforce Innovation and Opportunity Act (WIOA). WIOA defines a *recognized postsecondary credential* as a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the state involved or federal government, or an associate or baccalaureate degree (29 U.S.C. 3102). Examples of a recognized postsecondary credential include, but are not limited to, an associate’s degree, bachelor’s degree, occupational licensure, or occupational certification (see U.S. Department of Labor, Training and Employment Guidance Letter No. 10–16, Change 1). For the purpose of WIOA, the U.S. Department of Labor defines a *secondary school diploma or its recognized equivalent* as a secondary school diploma (or alternate diploma) that is recognized by a state and that is included for accountability purposes under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). A secondary school equivalency certification signifies that a student has completed the requirement for a high school education. Examples of a secondary school diploma or its recognized equivalent include, but are not limited to, obtaining certification of attaining passing scores on a state-recognized high school equivalency test, earning a secondary school diploma or state-recognized equivalent, or obtaining certification of passing a state-recognized competency-based assessment.

- For not less than 9 months of the 12-month period preceding each extension, the youth was enrolled in an *institution of higher education*, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or an institution that meets the definition of a *proprietary institution of higher education* or a *postsecondary vocational institution* under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)(1) and (c)(1)), respectively.

PHA Policy

Youth must be enrolled for a minimum of six credit hours. However, the PHA may make exceptions to this requirement if the youth is unable to enroll in a sufficient number of classes due to a lack of course offerings by the educational institution where the youth is enrolled.

- For not less than 9 months of the 12-month period preceding each extension, the youth was participating in a career pathway, as such term is defined in Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102). The term *career pathway* means a combination of rigorous and high-quality education, training, and other services that:
 - Aligns with the skill needs of industries in the economy of the state or regional economy involved;
 - Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) (referred to individually in this Act as an *apprenticeship*, except in section 3226 of this title);
 - Includes counseling to support an individual in achieving the individual’s education and career goals;
 - Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
 - Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
 - Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least one recognized postsecondary credential; and
 - Helps an individual enter or advance within a specific occupation or occupational cluster.
- For not less than 9 months of the 12-month period preceding each extension, the youth was employed.

PHA Policy

The PHA will consider the youth to be employed if they work a minimum of 30 hours per month. The PHA may make exceptions to this requirement if the youth’s hours are reduced due to circumstances beyond their control or the youth must temporarily reduce their work hours due to a verified family emergency.

FSS Enrollment at 24 Months

If the FUP youth has not been provided an opportunity to enroll in the FSS program during the first 24 months of FUP assistance, HUD encourages the PHA to remind the youth at the 24-month reexamination of the education, workforce development, and employment requirements described above so that the youth has enough time to meet these requirements prior to the expiration of the 36-month time period for FUP assistance.

PHA Policy

If the FUP youth has not been provided an opportunity to enroll in the FSS program during the first 24 months of FUP assistance, the PHA will remind the youth at least 60-days prior to the end of the youth’s 24th month of assistance of the education, workforce development, and employment requirements described above.

FSS Enrollment Between 36 and 48 Months

If an FSS slot becomes available between the 36-month and 48-month mark:

- The PHA must offer the slot to a FUP youth who had their voucher extended based on meeting the education, workforce development, or employment requirement listed above, or one of the statutory exceptions listed above (even if the youth previously declined an FSS slot because they met one of the statutory exceptions).
- The PHA must work with the youth to determine whether enrollment in FSS is feasible and in their best interest given any education, workforce development, or employment activities that the youth is engaged in and any statutory exceptions that apply to the youth, as well as the remaining time on their voucher.
- If the FUP youth accepts the FSS slot, the PHA must work with the youth to establish Contract of Participation goals and an Individual Training and Services Plan (ITSP) that can be accomplished within the time period left on the voucher.

If the FUP youth is offered an FSS slot prior to the 36-month mark, the youth:

- Will be required to enroll in the FSS program in order to receive an extension of assistance at the end of the 36-month time period (unless they meet one of the statutory exceptions described above).
- Will not be considered to have been “unable to enroll” in the FSS program as described above, and as a result, will not be eligible to receive an extension of assistance based on meeting the education, workforce development, or employment requirements described above.

FSS Enrollment After 48 Months

The PHA may, but is not required to, offer a FUP youth an FSS slot that becomes available between the 48-month mark and the 60-month mark, since the youth will have already received their second and final extension.

PHA Policy

The PHA is participating in the Family Unification Program and Family Self Sufficiency Demonstration. FUP youth may be offered an FSS slot between the 48-month mark and the 60-month mark.

Family Unification Program and Family Self Sufficiency Demonstration [Notice PIH 2016-01]

The PHA participates in a demonstration testing the effectiveness of combining housing choice vouchers for FUP-eligible youth with assistance under the Family Self Sufficiency (FSS) program. This demonstration extends the statutory time limit on voucher assistance to match the length of the FSS contract.

Program participants with a FUP youth voucher who agree to sign an FSS Contract of Participation will maintain their housing assistance for a period not exceeding the length of the FSS Contract of Participation. In most cases, the limit will be no more than five years; however,

if the FSS Contract of Participation is extended, in accordance with 24 CFR 984.303(d), the FUP youth voucher can be extended for the entire length of the FSS Contract of Participation.

Families cannot be required to participate in the FSS program as condition of receipt of assistance under the HCV program, including receipt of a FUP voucher. However, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance.

PHAs must review the availability of this demonstration with all FUP youth during the family briefing. Current FUP youth must be given opportunity to participate.

PHA Policy

The PHA will notify eligible youth about the FUP and FSS Demonstration in partnership with the local DHS office and Homeless Youth Continuum of Care during the program specialized orientations and family briefings.

The PHA, in partnership with the local DHS office and Homeless Youth Continuum of Care, will conduct one-time in-person orientation to current FUP youth participants to notify them of this opportunity. The notice will provide information on how this demonstration works, including an explanation that while the families are not required to participate in the FSS program as condition of receipt of FUP voucher assistance, only FUP youth that sign an FSS Contract of Participation may benefit from the extension of the time limit for voucher assistance. The time frame to enroll will be 60 days from PHA notification or before the conclusion of the statutory time limit of the FUP youth voucher, whichever is earlier.

If a FUP youth participating in this demonstration fails to comply with the terms and conditions of the FSS Contract of Participation without good cause and is terminated from the FSS program, the FUP youth is no longer considered a participant in this demonstration. With FSS termination, the FUP youth is subject to the statutory limit of the FUP youth voucher, beginning from the time the first HAP contract is signed. If FUP youth has been assisted for more than 36 months, the PHA may terminate assistance to the FUP youth household. FUP youth who first leased or lease a unit after December 27, 2020, may be eligible for an extension of assistance up to 24 months beyond the 36-month time limit (for a total of 60 months of assistance) if they meet one of the statutory exceptions listed in Section 20.I.E. The PHA may not terminate voucher assistance for FUP youth because of failure to comply with an FSS Contract of Participation prior to the end of the first 36 months of assistance.

Prior to terminations, PHAs offer an informal hearing to a FUP youth wishing to appeal a PHA decision to terminate. Policies specifying such hearing procedures are included in the PHA's FSS Action Plan.

The requirements of compliance and consequences for not complying with the terms and conditions of the FSS Contract of Participation are reviewed with the FUP youth at the time the FSS Contract of Participation is signed.

No FSS Program or Unable to Enroll in FSS

If a PHA does not carry out an FSS program or the FUP youth has been unable to enroll in the program during the first 36 months of receiving FUP assistance, the FUP youth is entitled to receive an extension of assistance for up to two successive 12-month periods beyond the 36-month time limit provided that the youth engaged in at least one of the education, workforce development, or employment activities described above for not less than nine months of the 12-month period preceding each extension. In order to meet the nine months out of the preceding 12 months requirement, the youth may have engaged in one of the education, workforce development, or employment activities described above or a combination of these activities.

Verification Prior to 36-months and 48-months of Assistance

In order to provide an extension of assistance, the PHA must verify compliance with the above requirements at the end of the 36-month time period and the 48-month time periods. The PHA does not need to verify compliance with these requirements at the end of the 60-month time period since the maximum length of assistance is 60 months.

To verify compliance with the education, workforce development, or employment requirement or one of the statutory exceptions, the PHA must provide the FUP youth written notification informing them that they may receive an extension of their FUP assistance and providing instructions on how the youth may demonstrate that they meet one of these conditions. This notification must be provided sufficiently in advance of the end of the 36-month or 48-month time periods, as applicable, to allow the FUP youth to demonstrate that they meet the education, workforce development, or employment requirement, or one of the statutory exceptions, and for the PHA to conduct an annual reexamination prior to the expiration of the FUP assistance.

PHA Policy

The PHA will verify compliance with the education, workforce development, or employment requirement, or one of the statutory exceptions, at the end of the 36-month and 48-month time periods. The PHA will not verify compliance at the end of the 60-month time period.

The PHA will provide each FUP youth on the PHA's program with a written notification informing them that they may receive an extension of their FUP assistance if they meet conditions outlined in this chapter and providing them with instructions on how they may demonstrate compliance at least 60 days prior to the end of their 36th and 48th-months of assistance. When necessary, the PHA will provide this notification in a format accessible to FUP youth with disabilities and in a translated format for FUP youth with limited English proficiency in accordance with Chapter 2.

The PHA will use the following verification methods to verify a FUP youth's eligibility for voucher extensions:

To verify compliance with the FSS requirement, the PHA will examine its records to confirm, or obtain confirmation from the PHA's FSS program staff, that the FUP youth participant is in compliance with FSS program requirements and has not been terminated from the FSS program.

To meet the education, workforce development, or employment requirement, the PHA will verify that the FUP youth was engaged in at least one education, workforce development, or employment activity for at least nine months of the 12-month period immediately preceding the end of 36-month or 48-month time period, as applicable.

Due to the timing of when the PHA verifies compliance and conducts the annual reexamination, the FUP youth may have not yet met the nine-month requirement but may be able to demonstrate that they will meet the nine-month requirement as of the end of the 36-month or 48-month time period. In such cases, the FUP/FYI youth will still be considered to have met the requirements.

In order for the FUP youth to meet one of the statutory exceptions described above, the youth must submit a certification to the PHA that they meet one of these exceptions. This certification is the only documentation that the FUP youth must submit in order to demonstrate that they meet one of the statutory exceptions.

A FUP youth who received an extension of voucher assistance at the end of the 36-month time period based on meeting one of the conditions described in this chapter does not have to meet the same conditions when they reach the end of the 48-month time period. The FUP youth may demonstrate that they meet a different condition in order to receive an extension of their assistance.

If the PHA determines that the youth meets one of the statutory conditions, the PHA would then conduct an annual reexamination. If the annual reexamination determines that the youth is still eligible for the HCV program, the PHA must provide the FUP youth the extension of voucher assistance.

Termination of Assistance for Failure to Meet Conditions

Failure of the FUP youth to meet one of the above conditions will only impact their ability to receive subsequent extensions of assistance. It will not serve as a basis for terminating the FUP assistance.

If the FUP youth does not meet any of the conditions described in in this chapter, the youth is subject to the statutory time limit of 36 months or the time limit of any extension that the youth has already received, and the FUP youth voucher must be terminated once the youth reaches this time limit. The calculation of the time limit begins from the date the first HAP contract is signed (for tenant-based vouchers) or from the date the youth entered into the initial lease agreement (for project-based vouchers). The number of months is calculated based on the number of months that HAP subsidy is being paid on behalf of the youth, not the number of months that the youth is in the FUP youth program. Prior to termination, the PHA must offer the FUP youth the opportunity to request an informal hearing, in accordance with Chapter 16.

20-I.F. REFERRALS AND WAITING LIST MANAGEMENT

Referrals

The PCWA must establish and implement a system to identify FUP-eligible families and youths within the agency's caseload and make referrals to the PHA. The PCWA must certify that the FUP applicants they refer to the PHA meet FUP eligibility requirements. The PHA is not required to maintain full documentation that demonstrates the family's or youth's FUP eligibility as determined by the PCWA but should keep the referral or certification from the PCWA.

PHA Policy

As part of the MOU, the PHA and PCWA have identified staff positions to serve as lead FUP liaisons. These positions will be responsible for transmission and acceptance of FUP referrals. The PCWA must commit sufficient staff and resources to ensure eligible families and youths are identified and determined eligible in a timely manner.

When FUP vouchers are available, the PHA liaison responsible for acceptance of referrals will contact the PCWA FUP liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than 10 business days from the date the PCWA receives this notification, the PCWA liaison will provide the PHA with a list of eligible referrals include the name, address, and contact phone number for each adult individual who is being referred; a completed release form for each adult family member; and a written certification for each referral indicating the youth or family is FUP-eligible.

The PHA will maintain a copy of the referral or certification from the PCWA in the participant's file along with other eligibility paperwork.

A PHA must serve any referrals (youths or families) that meet all program eligibility requirements. If a PHA determines that it has received a sufficient number of referrals from the PCWA so that the PHA will be able to lease all FUP vouchers awarded, the PHA may request that the PCWA suspend transmission of referrals. If the PHA determines that additional referrals will be needed after it has made such a request, the PHA may request that the PCWA resume transmission of referrals [Notice PIH 2011-52].

Waiting List Placement and Selection

As of August 2024, the PHA follows its MTW Tenant-Based Set Aside Activity in Chapter 4.

20-I.G. PHA HCV ELIGIBILITY DETERMINATION

Once a FUP-eligible family or youth is selected from the HCV waiting list, the PHA must determine whether the family or youth meets HCV program eligibility requirements. Applicants must be eligible under both FUP family or youth eligibility requirements, as applicable, and HCV eligibility requirements as outlined in Chapter 3 of this policy.

The PCWA may, but is not obligated to, provide information to the PHA on the family's criminal history.

Additional FUP Eligibility Factors [FUP FAQs]

For FUP family vouchers, the family must remain FUP-eligible thorough lease-up.

- If, after a family is referred by the PCWA but prior to issuing a family FUP voucher, the PHA discovers that the lack of adequate housing is no longer a primary factor for the family not reunifying, the FUP voucher may not be issued to the family.
- Similarly, if the FUP voucher has already been issued before the PHA discovers that the reunification will not happen, but the family has not yet leased up under the voucher, the PHA must not execute the HAP contract, as the family is no longer FUP-eligible.

FUP-eligible youth must be no more than 24 years old both at the time of PCWA certification and at the time of the HAP execution. If a FUP youth is 24 at the time of PCWA certification but will turn 25 before the HAP contract is executed, the youth is no longer eligible for a FUP youth voucher.

PHA Policy

Any applicant that does not meet the eligibility criteria for the HCV program listed in Chapter 3 or any eligibility criteria listed in this section will be notified by the PHA in writing following policies in Section 3-III.F., including stating the reasons the applicant was found ineligible and providing an opportunity for an informal review.

20.I.H. LEASE UP [FR Notice 1/24/22]

Once the PHA determines that the family or youth meets HCV eligibility requirements, the family or youth will be issued a FUP voucher in accordance with PHA policies.

During the family briefing, PHAs must inform the FUP youth of:

- The extension of assistance provisions and requirements;
- The availability of the FSS program and offer them an FSS slot, if available, or offer to place them on the FSS waiting list (provided the PHA has an FSS program); and
- Supportive services available to them, the existence of any other programs or services, and their eligibility for such programs and services. However, participation in supportive services cannot be required as a condition of receiving FUP youth assistance.

PHA Policy

Eligible applicants will be notified by the PHA in writing following policies in Section 3-III.F. of this administrative plan. FUP families will attend a standard HCV briefing in accordance with PHA policies in Part I of Chapter 5 of this administrative plan. FUP youth will be briefed individually or in groups with other FUP youth. The PHA will provide all aspects of the written and oral briefing as outlined in Part I of Chapter 5 but will also provide an explanation of the required items listed above, as well as discussing supportive services offered by the PCWA.

For both FUP youth and FUP families, vouchers will be issued in accordance with PHA policies in Chapter 5 Part II.

Once the family or youth locate a unit, the PHA conducts all other processes relating to voucher issuance and administration per HCV program regulations and the PHA's policies (including, but not limited to: HQS inspection, determination of rent reasonableness, etc.).

Payment Standards

As of August 2024, the PHA follows its MTW Broaden Range of Approved Payment Standards Activity to establish separate higher payment standards for FUP.

20-I.I. TERMINATION OF ASSISTANCE

General Requirements

With the exception of terminations of assistance for FUP youth after the statutorily required time period, terminations of FUP assistance are handled in the same way as the regular HCV program. Termination of a FUP voucher must be consistent with regulations for termination in 24 CFR Part 982, Subpart L and be in compliance with PHA policies (Chapter 12).

If the person who qualifies for the FUP voucher passes away, the family retains the FUP voucher. In the case of a FUP-youth voucher, assistance will terminate after the statutorily required time period, even if the FUP-eligible youth is no longer included in the household.

If the person who qualifies for the FUP voucher moves, the remaining family members may keep the FUP voucher based on PHA policy (see administrative plan, Section 3-I.C., Family Breakup and Remaining Member of Tenant Family).

FUP Family Vouchers

If parents lose their parental rights or are separated from their children after voucher lease-up (or their children reach adulthood), the family is still eligible to keep their FUP assistance, as the regulations do not permit HCV termination for a family losing parental rights or the children reaching adulthood. However, the PHA may transfer the assistance of a FUP family voucher holder to regular HCV assistance if there are no longer children in the household.

PHA Policy

The PHA will not transfer the assistance of a FUP family voucher holder to regular HCV assistance if there are no longer children in the household and there is no prospect of any minor child being returned to the household.

FUP Youth Vouchers

A PHA cannot terminate a FUP youth's assistance for noncompliance with PCWA case management, nor may the PHA terminate assistance for a FUP youth for not accepting services from the PCWA.

The PHA may not transfer the assistance of a FUP youth voucher holder to regular HCV assistance upon the expiration of the statutorily required time period. However, the PHA may issue a regular HCV to FUP youth if they were selected from the waiting list in accordance with PHA policies and may also adopt a preference for FUP youth voucher holders who are being terminated for this reason.

PHA Policy

Prior to August 2024, as described in Chapter 4, the PHA has a limited local preference for assisted families, including individual youth, that are currently served in the Family Unification Program- Youth (FUP), Foster Youth to Independence (FYI), or Moving to Work-funded FUP rental assistance extension programs administered by the PHA, if the following circumstances apply:

FUP Youth/FYI assisted family includes a head of household who is a person with disabilities, as defined in 24 CFR 5.403, and whose voucher is expiring due to the 36-month statutory time limit for FUP Youth and FYI programs; or

FUP Youth/FYI assisted family's voucher assistance is ending after family has used all available Fostering Stable Housing Opportunities extensions or extensions available for participants of the Family Unification Program Family Self-Sufficiency Demonstration; or

Assisted family's Moving to Work-funded FUP rental assistance extension program assistance is expiring.

Upon the expiration of the statutorily required time period, a FUP youth voucher holder who has children and who lacks adequate housing may qualify for a FUP family voucher provided they are referred by the PCWA as an eligible family and meet the eligibility requirements for the PHA's HCV program.

20-I.J. FUP PORTABILITY

Portability for a FUP family or youth is handled in the same way as for a regular HCV family. A PHA may not restrict or deny portability for a FUP family or youth for reasons other than those specified in the HCV program regulations, as reflected in Chapter 10 of the administrative plan.

A FUP family or youth does not have to port to a jurisdiction that administers FUP.

If the receiving PHA administers the FUP voucher on behalf of the initial PHA, the voucher is still considered a FUP voucher regardless of whether the receiving PHA has a FUP program.

If the receiving PHA absorbs the voucher, the receiving PHA may absorb the incoming port into its FUP program (if it has one) or into its regular HCV program (if the receiving PHA has vouchers available to do so) and the family or youth become regular HCV participants. In either case, when the receiving PHA absorbs the voucher, a FUP voucher becomes available to the initial PHA.

Considerations for FUP Youth Vouchers

If the voucher is a FUP youth voucher and remains such upon lease-up in the receiving PHA's jurisdiction, termination of assistance must still take place once the youth has received assistance for the statutorily required time period. If the receiving PHA is administering the FUP youth voucher on behalf of the initial PHA, the two PHAs must work together to initiate termination upon expiration of the statutorily required time period.

20-I.K. PROJECT-BASING FUP VOUCHERS [Notice PIH 2017-21; FR Notice 1/24/22]

The PHA may project-base FUP vouchers without HUD approval in accordance with Notice PIH 2017-21, FR Notice 1/24/22, and all statutory and regulatory requirements for the PBV program. Project-based FUP vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

The PHA may limit PBVs to one category of FUP-eligible participants (families or youth) or a combination of the two.

While FUP vouchers can be used for either families or youth, a PBV unit may only be counted towards the PHA's 10 percent exception authority under the program cap and the project's income-mixing requirement if the FUP PBV assistance is provided on behalf of an eligible youth. The PHA must amend its administrative plan to include the limitation of these FUP PBV units to eligible youth.

PART II: FOSTER YOUTH TO INDEPENDENCE INITIATIVE

20-II.A. PROGRAM OVERVIEW [Notice PIH 2020-28; Notice PIH 2021-26; FR Notice 1/24/22]

The Foster Youth to Independence (FYI) initiative was announced in 2019. The FYI initiative allows PHAs who partner with a Public Child Welfare Agency (PCWA) to request targeted HCVs to serve eligible youth with a history of child welfare involvement that are homeless or at risk of being homeless. Rental assistance and supportive services are provided to qualified youth for a period of between 36 and 60 months.

Funding is available either competitively through an FYI NOFA or noncompetitively on a rolling basis in accordance with the application requirements outlined in Notice PIH 2020-28 or Notice PIH 2021-26, as applicable. Under the noncompetitive process, PHAs are limited to 25 vouchers in a fiscal year with the ability to request additional vouchers for those PHAs with 90 percent or greater utilization or utilization of its FUP and/or FYI vouchers, as applicable. For competitive awards, the number of vouchers is dependent on PHA program size and need.

20-II.B. PARTNERING AGENCIES [Notice PIH 2021-26; FYI Updates and Partnering Opportunities Webinar]

Public Child Welfare Agency (PCWA)

The PHA must enter into a partnership agreement with a PCWA in the PHA's jurisdiction in the form of a Memorandum of Understanding (MOU) or letter of intent. The PCWA is responsible for identifying and referring eligible youth to the PHA and providing or securing a commitment for the provision of supportive services once youth are admitted to the program.

PHA Policy

The PHA will implement a Foster Youth to Independence (FYI) program in partnership with Oregon Department of Human Services Child Welfare Division.

The PCWA is responsible for:

- Identifying FYI-eligible youth;
- Developing a system of prioritization based on the level of need of the youth and the appropriateness of intervention;
- Providing a written certification to the PHA that the youth is eligible; and
- Providing or securing supportive services for 36 months.

Continuum of Care (CoC) and Other Partners

HUD strongly encourages PHAs to add other partners into the partnership agreement with the PCWA such as state, local, philanthropic, faith-based organizations, and the CoC, or a CoC recipient it designates.

PHA Policy

In addition to the PCWA, the PHA will implement the FYI program in partnership with City of Portland / Multnomah County Joint Office of Homeless Services, and the member organizations of the Multnomah County Homeless Youth Continuum.

20-II.C. YOUTH ELIGIBILITY CRITERIA [Notice PIH 2021-26; FYI Q&As; FYI FAQs]

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. As determined by the PCWA, eligible youth:

- Are at least 18 years of age and not more than 24 years of age (have not yet reached their 25th birthday);
 - Youth must be no more than 24 years of age at the time the PCWA certifies them as eligible and at the time of HAP contract execution.
- Have left foster care or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act;
 - Placements can include, but are not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes in accordance with 24 CFR 5.576;
- Are homeless or at risk of becoming homeless at age 16 and older;
 - *At risk of being homeless* is fully defined at 24 CFR 576.2.
 - o This includes a person that is exiting a publicly funded institution, or system of care (such as a healthcare facility, a mental health facility, foster care or other youth facility, or correction program or institution). Therefore, youth being discharged from an institution may be eligible for an FYI voucher [FYI FAQs].

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive assistance assuming they otherwise meet eligibility requirements.

20-II.D. SUPPORTIVE SERVICES [Notice PIH 2021-26; FYI Updates and Partnering Opportunities Webinar; FYI Q&As]

Supportive services may be provided by the PHA, PCWA or a third party. The PCWA must provide or secure a commitment to provide supportive services for participating youth for the period of time defined in the NOFA/O for which the funding was made available. At a minimum, the following supportive services must be offered:

- Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services);
- Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook-up fees, and utility deposits;
- Providing such assurances to owners of rental property as are reasonable and necessary to assist eligible youth to rent a unit with a voucher;
- Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.); and
- Educational and career advancement counseling regarding attainment of general equivalency diploma (GED) or attendance/financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

Since participation in supportive services is optional, but strongly encouraged, an FYI participant may decline supportive service.

20-II.E. REFERRALS AND WAITING LIST MANAGEMENT [Notice PIH 2021-26; FYI Updates and Partnering Opportunities Webinar FYI FAQs]

Referrals

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. Once the PCWA sends the PHA the referral certifying the youth is program-eligible, the PHA determines HCV eligibility.

The PCWA must have a system for identifying eligible youth within the agency's caseload and reviewing referrals from other partners, as applicable. The PCWA must also have a system for prioritization of referrals to ensure that youth are prioritized for an FYI voucher based upon their level of need and appropriateness of the intervention.

Referrals may come from other organizations in the community who work with the population, but the PCWA must certify that the youth meets eligibility requirements, unless the PCWA has vested another organization with this authority.

The PHA is not required to maintain full documentation that demonstrates the youth's eligibility as determined by the PCWA but should keep the referral or certification from the PCWA. The PCWA is not required to provide the PHA with HCV eligibility documents.

PHA Policy

The PHA and PCWA have identified staff positions to serve as lead FYI liaisons. These positions will be responsible for transmission and acceptance of referrals. The PCWA must commit sufficient staff and resources to ensure eligible youths are identified, prioritized, and determined eligible in a timely manner.

When vouchers are available, the PHA liaison responsible for acceptance of referrals will contact the PCWA liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than 10 business days from the date the PCWA receives this notification, the PCWA liaison must provide the PHA with a list of eligible referrals, a completed release form, and a written certification for each referral indicating the referral is eligible. The list will include the name, address, and contact phone number for each adult individual who is being referred.

The PHA will maintain a copy of each certification from the PCWA in the participant's file along with other eligibility paperwork.

Waiting List Placement [Notice PIH 2021-26 and FYI FAQs]

The PHA must use the HCV waiting list for the FYI program. Youth already on the HCV program may not be transferred to an FYI voucher since they are not homeless or at-risk of homelessness.

Once a referral is made, the PHA must compare the list of PCWA referrals to its HCV waiting list to determine if any applicants on the PCWA's referral list are already on the PHA's HCV waiting list. Applicants already on the PHA's HCV waiting list retain the order of their position on the list. Applicants not already on the PHA's HCV waiting list must be placed on the HCV waiting list.

If the PHA's HCV waiting list is closed, the PHA must open its HCV waiting list in order to accept new referrals. The PHA may reopen the waiting list to accept an FYI eligible youth without opening the waiting list for other applicants; however, the requirements at 24 CFR 982.206 for giving public notice when opening and closing the waiting list apply (see section 4-II.C., Opening and Closing the Waiting List of this administrative plan).

PHA Policy

Within 10 business days of receiving the referral from the PCWA, the PHA will review the HCV waiting list.

Referrals who are already on the list will retain their position and the list will be notated to indicate the applicant is FYI-eligible.

For those referrals not already on the waiting list, the PHA will work with the PCWA to ensure they receive and successfully complete a pre-application or application, as applicable. Once the pre-application or application has been completed, the PHA will place the referral on the HCV waiting list with the date and time of the original referral and an indication that the referral is FYI-eligible.

Waiting List Selection

As of August 2024 the PHA follows its MTW Tenant-Based Set Aside Activity in Chapter 4.

20-II.F. PHA HCV ELIGIBILITY DETERMINATION [FYI FAQs]

Once an eligible youth is selected from the HCV waiting list, the PHA must determine whether the youth meets HCV program eligibility requirements. Applicants must be eligible under both FYI eligibility requirements and HCV eligibility requirements as outlined in Chapter 3 of this policy.

The PCWA may, but is not obligated to, provide information to the PHA on the youth's criminal history.

Additional Eligibility Factors

Youth must be no more than 24 years old both at the time of PCWA certification and at the time of the HAP execution. If a youth is 24 at the time of PCWA certification but will turn 25 before the HAP contract is executed, the youth is no longer eligible for a FYI voucher.

PHA Policy

Any applicant that does not meet the eligibility criteria for the HCV program listed in

Section 8 Administrative Plan

Chapter 3 or any eligibility criteria listed in this section will be notified by the PHA in writing following policies in Section 3-III.F, including stating the reasons the applicant was found ineligible and providing an opportunity for an informal review.

20-II.G. LEASE UP [FR Notice 1/24/22]

Once the PHA determines that the family or youth meets HCV eligibility requirements, the youth will be issued an FYI voucher in accordance with PHA policies.

During the family briefing, PHAs must inform the FYI voucher holder of:

- The extension of assistance provisions and requirements;
- The availability of the FSS program and offer them an FSS slot, if available, or offer to place them on the FSS waiting list (provided the PHA has an FSS program); and
- The supportive services available to them, the existence of any other programs or services, and their eligibility for such programs and services. However, participation in supportive services cannot be required as a condition of receiving FYI assistance.

PHA Policy

Eligible applicants will be notified by the PHA in writing following policies in Section 3-III.F. of this policy. FYI youth will be briefed individually or in groups with other FYI youth. The PHA will provide all aspects of the written and oral briefing as outlined in Part I of Chapter 5.

Vouchers will be issued in accordance with PHA policies in Chapter 5, Part II.

Once the youth locates a unit, the PHA conducts all other processes relating to voucher issuance and administration per HCV program regulations and the PHA policy in Chapter 9.

Should a youth fail to use the voucher, the PHA may issue the voucher to another eligible youth if one has been identified [Notice PIH 2021-26].

Payment Standards

As of August 2024, the PHA follows its MTW Broaden Range of Approved Payment Standards Activity to establish separate higher payment standards for FYI.

Turnover [FYI FAQs]

For PHAs awarded FYI Tenant Protection Vouchers (TPVs) under Notice PIH 2019-20 where the recipient of the FYI TPV leaves the program, the PHA may request an FYI voucher under the requirements of Notice PIH 2021-26.

For PHAs awarded FYI vouchers under Notices PIH 2020-28 and PIH 2021-26, where the recipient of the FYI voucher leaves the program, the PHA must continue to use the FYI voucher for eligible youth upon turnover. Where there are more eligible youth than available FYI turnover vouchers, the PHA may request an FYI voucher under the requirements of Notice PIH 2021-26. If another eligible youth is not available, the PHA must notify HUD, and HUD will reduce the PHA's HCV assistance to account for the removal of the FYI assistance from the PHA's HCV baseline.

20-II.H. MAXIMUM ASSISTANCE PERIOD [Notice PIH 2021-26 and FYI FAQs; FR Notice 1/24/22]

Vouchers are limited by statute to a total of between 36 months and 60 months of housing assistance. At the end of the statutory time period, assistance must be terminated. However, any period of time for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the limitation. It is not permissible to reissue another FYI TPV to the same youth upon expiration of their FYI assistance.

Participants do not “age out” of the program. A participant may continue with the program until they have received the period of assistance for which they are eligible. Age limits are only applied for entry into the program.

Extension of Assistance (Fostering Stable Housing Opportunities)

Per the Fostering Stable Housing Opportunities amendments enacted as part of the Consolidated Appropriations Act, 2021, FYI voucher holders who first leased or lease a unit after December 27, 2020, may be eligible for an extension of assistance up to 24 months beyond the 36-month time limit (for a total of 60 months of assistance).

While FYI voucher holders cannot be required to participate in the Family Self-Sufficiency (FSS) program as a condition of receipt of assistance, an eligible youth who participates in the FSS program and is in compliance with the applicable terms and conditions of the program is entitled to receive assistance for up to an additional 24 months. A FYI voucher holders must accept an FSS slot if it is offered to them prior to the 36-month mark in order to receive an extension of assistance (unless the youth meets one of the statutory exceptions described below).

Statutory Exceptions

FYI voucher holders will be entitled to receive an extension of assistance for up to 24 months beyond the 36-month time limit without participating in the PHA’s FSS program if they certify that they meet one of the exceptions below:

- The FYI voucher holder is a parent or other household member responsible for the care of a dependent child under the age of six or for the care of an incapacitated person.

PHA Policy

The PHA defines *incapacitated person* as a person whose ability to receive and evaluate information effectively or to communicate decisions is impaired to such an extent that the person presently lacks the capacity to meet the essential requirements for the person’s physical health or safety. “Meeting the essential requirements for physical health and safety” means those actions necessary to provide the health care, food, shelter, clothing, personal hygiene and other care without which serious physical injury or illness is likely to occur. The PHA will apply this exception in a manner that provides extensions of FYI assistance to the broadest population possible consistent with the statutory requirements.

The FYI voucher holder will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FYI voucher holder must submit.

The child or incapacitated person is not required to reside in the household in order for the FYI voucher holder to certify they meet this exception. For example, a child in a joint custody arrangement under the age of six who resides in the household only part time may qualify the FYI voucher holder for this exception.

- The FYI voucher holder is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.

PHA Policy

The PHA will define *regular and active participation* in a manner that provides extensions of FYI voucher holder assistance to the broadest population possible consistent with the statutory requirements.

The FYI voucher holder will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FYI voucher holder must submit.

- The FYI voucher holder is a person who is incapable of complying with the requirement to participate in a FSS program as described above or engage in education, workforce development, or employment activities as described below, as applicable, due to a documented medical condition.

PHA Policy

The PHA will apply this requirement in a manner that provides extensions of FYI voucher holder assistance to the broadest population possible consistent with statutory requirements.

The FYI voucher holder will be required to self-certify that they meet this exception on a PHA-provided form. This certification is the only documentation that the FYI voucher holder must submit.

An FYI voucher holder that meets one of the above exceptions must still be offered an opportunity to enroll in the PHA's FSS program (if it is available to them) and receive any supportive services available to FYI voucher holders. An FYI voucher holder may choose to participate in an FSS program or engage in education, workforce development, or employment activities, even if they meet one of the above statutory exceptions.

Education, Workforce Development, or Employment Activities

If a PHA that carries out an FSS program is unable to offer a FYI voucher holder an FSS slot during their first 36 months of receiving FYI assistance, the FYI voucher holder is considered to have been “unable to enroll” in the program and may have their voucher extended by meeting the education, workforce development, or employment criteria described below:

- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent.

PHA Policy

The PHA will use the definitions of *recognized postsecondary credential* and *secondary school diploma or its recognized equivalent* under the Workforce Innovation and Opportunity Act (WIOA). WIOA defines a *recognized postsecondary credential* as a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship, a license recognized by the state involved or federal government, or an associate or baccalaureate degree (29 U.S.C. 3102). Examples of a recognized postsecondary credential include, but are not limited to, an associate’s degree, bachelor’s degree, occupational licensure, or occupational certification (see U.S. Department of Labor, Training and Employment Guidance Letter No. 10–16, Change 1). For the purpose of WIOA, the U.S. Department of Labor defines a *secondary school diploma or its recognized equivalent* as a secondary school diploma (or alternate diploma) that is recognized by a state and that is included for accountability purposes under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA). A secondary school equivalency certification signifies that a student has completed the requirement for a high school education. Examples of a secondary school diploma or its recognized equivalent include, but are not limited to, obtaining certification of attaining passing scores on a state-recognized high school equivalency test, earning a secondary school diploma or state-recognized equivalent, or obtaining certification of passing a state-recognized competency-based assessment.

- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was enrolled in an *institution of higher education*, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or an institution that meets the definition of a *proprietary institution of higher education* or a *postsecondary vocational institution* under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)(1) and (c)(1)), respectively.

PHA Policy

The FYI voucher holder must be enrolled in a minimum of six credit hours. However, the PHA may make exceptions to this requirement if the FYI voucher holder is unable to enroll in a sufficient number of classes due to a lack of course offerings by the educational institution where they are enrolled.

- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was participating in a career pathway, as such term is defined in Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).
- For not less than 9 months of the 12-month period preceding each extension, the FYI voucher holder was employed.

PHA Policy

The PHA will consider the FYI voucher holder to be employed if they work a minimum of 30 hours per month. The PHA may make exceptions to this requirement if the FYI voucher holder's hours are reduced due to circumstances beyond their control or the FYI voucher holder must temporarily reduce their work hours due to a verified family emergency.

FSS Enrollment at 24 Months

If the FYI voucher holder has not been provided an opportunity to enroll in the FSS program during the first 24 months of FYI assistance, HUD encourages the PHA to remind the FYI voucher holder at the 24-month reexamination of the education, workforce development, and employment requirements described above so that they have enough time to meet these requirements prior to the expiration of the 36-month time period for FYI assistance.

PHA Policy

If the FYI voucher holder has not been provided an opportunity to enroll in the FSS program during the first 24 months of FYI assistance, the PHA will remind the FYI voucher holder at least 60-days prior to the end of the youth's 24th month of assistance of the education, workforce development, and employment requirements described above.

FSS Enrollment Between 36 and 48 Months

If an FSS slot becomes available between the 36-month and 48-month mark:

- The PHA must offer the slot to an FYI voucher holder who had their voucher extended based on meeting the education, workforce development, or employment requirement listed above, or one of the statutory exceptions listed above (even if the FYI voucher holder previously declined an FSS slot because they met one of the statutory exceptions).
- The PHA must work with the FYI voucher holder to determine whether enrollment in FSS is feasible and in their best interest given any education, workforce development, or employment activities that the FYI voucher holder is engaged in and any statutory exceptions that apply to the FYI voucher holder, as well as the remaining time on their voucher.
- If the FYI voucher holder accepts the FSS slot, the PHA must work with them to establish Contract of Participation goals and an Individual Training and Services Plan (ITSP) that can be accomplished within the time period left on the voucher.

If the FYI voucher holder is offered an FSS slot prior to the 36-month mark, the FYI voucher holder:

- Will be required to enroll in the FSS program in order to receive an extension of assistance at the end of the 36-month time period (unless they meet one of the statutory exceptions described above).
- Will not be considered to have been “unable to enroll” in the FSS program, and as a result, will not be eligible to receive an extension of assistance based on meeting the education, workforce development, or employment requirements described above.

FSS Enrollment After 48 Months

The PHA may, but is not required, to offer an FYI voucher holder an FSS slot that becomes available between the 48-month mark and the 60-month mark, since the FYI voucher holder will have already received their second and final extension.

PHA Policy

If an FSS slot becomes available between the 48 and 60-month marks, the PHA will not offer the FSS slot to an FYI voucher holder.

Extensions of Assistance

After 36-month and 48-month’s of housing assistance, the PHA must extend FYI assistance if the FYI voucher holder is participating in and in compliance with the FSS program as long as the FYI voucher holder is still eligible for the HCV program.

In any case, the FYI voucher holder cannot receive more than a total of 60 months of FYI assistance even if the FSS Contract of Participation time period extends beyond the voucher 60-month mark.

No FSS Program or Unable to Enroll in FSS

If a PHA does not carry out an FSS program or the FYI voucher holder has been unable to enroll in the program during the first 36 months of receiving FYI assistance, the FYI voucher holder is entitled to receive an extension of assistance for up to two successive 12-month periods beyond the 36-month time limit provided that the FYI voucher holder engaged in at least one of the education, workforce development, or employment activities described above for not less than nine months of the 12-month period preceding each extension. In order to meet the nine months out of the preceding 12 months requirement, the FYI voucher holder may have engaged in one of the education, workforce development, or employment activities described above or a combination of these activities.

Verification Prior to 36-months and 48-months of Assistance

In order to provide an extension of assistance, the PHA must verify compliance with the above requirements at the end of the 36-month time period and the 48-month time periods. The PHA does not need to verify compliance with these requirements at the end of the 60-month time period since the maximum length of assistance is 60 months.

To verify compliance with the education, workforce development, or employment requirement or one of the statutory exceptions, the PHA must provide the FYI voucher holder written notification informing them that they may receive an extension of their FYI assistance and providing instructions on how the FYI voucher holder may demonstrate that they meet one of these conditions. This notification must be provided sufficiently in advance of the end of the 36-

month or 48-month time periods, as applicable, to allow the FYI voucher holder to demonstrate that they meet the education, workforce development, or employment requirement, or one of the statutory exceptions, and for the PHA to conduct an annual reexamination prior to the expiration of the FYI assistance.

PHA Policy

The PHA will verify compliance with the education, workforce development, or employment requirement, or one of the statutory exceptions, at the end of the 36-month and 48-month time periods. The PHA will not verify compliance at the end of the 60-month time period.

The PHA will provide each FYI voucher holder on the PHA's program with a written notification informing them that they may receive an extension of their FYI assistance if they meet conditions outlined in this chapter and providing them with instructions on how they may demonstrate compliance at least 60 days prior to the end of their 36th and 48th months of assistance. When necessary, the PHA will provide this notification in a format accessible to FYI voucher holders with disabilities and in a translated format for FYI voucher holders with limited English proficiency in accordance with Chapter 2.

The PHA will use the following verification methods to verify an FYI voucher holder's eligibility for voucher extensions:

To verify compliance with the FSS requirement, the PHA will examine its records to confirm, or obtain confirmation from the PHA's FSS program staff, that the FYI participant is in compliance with FSS program requirements and has not been terminated from the FSS program.

To meet the education, workforce development, or employment requirement, the PHA will verify that the FYI voucher holder was engaged in at least one education, workforce development, or employment activity for at least nine months of the 12-month period immediately preceding the end of the 36-month or 48-month time period, as applicable.

Due to the timing of when the PHA verifies compliance and conducts the annual reexamination, the FYI voucher holder may have not yet met the nine-month requirement but may be able to demonstrate that they will meet the nine-month requirement as of the end of the 36-month or 48-month time period. In such cases, the FYI voucher holder will still be considered to have met the requirements.

In order for the FYI voucher holder to meet one of the statutory exceptions described above, the FYI voucher holder must submit a certification to the PHA that they meet one of these exceptions. This certification is the only documentation that the FYI voucher holder must submit in order to demonstrate that they meet one of the statutory exceptions.

An FYI voucher holder who received an extension of voucher assistance at the end of the 36-month time period based on meeting one of the conditions described in this chapter does not have to meet the same conditions when they reach the end of the 48-month time period. The FYI voucher holder may demonstrate that they meet a different condition in order to receive an extension of their assistance.

If the PHA determines that the FYI voucher holder meets one of the statutory conditions, the PHA would then conduct an annual reexamination. If the annual reexamination determines that the FYI voucher holder is still eligible for the HCV program, the PHA must provide the FYI voucher holder the extension of voucher assistance.

Termination of Assistance for Failure to Meet Conditions

Failure of the FYI voucher holder to meet one of the above conditions will only impact their ability to receive subsequent extensions of assistance. It will not serve as a basis for terminating the FYI assistance.

If the FYI voucher holder does not meet any of the statutory conditions described in in this chapter, the youth is subject to the statutory time limit of 36 months or the time limit of any extension that the youth has already received, and the FYI voucher must be terminated once they reach this time limit. The calculation of the time limit begins from the date the first HAP contract is signed (for tenant-based vouchers) or from the date the FYI voucher holder entered into the initial lease agreement (for project-based vouchers). The number of months is calculated based on the number of months that HAP subsidy is being paid on behalf of the FYI voucher holder, not the number of months that they are in the FYI program. Prior to termination, the PHA must offer the FYI voucher holder the opportunity to request an informal hearing, in accordance with Chapter 16.

20-II.I. TERMINATION OF ASSISTANCE [FYI FAQs]

Termination of a FYI voucher is handled in the same way as with any HCV; therefore, termination of a FYI voucher must be consistent with HCV regulations at 24 CFR Part 982, Subpart L and PHA policies in Chapter 12. Given the statutory time limit that requires FYI vouchers to sunset, a PHA must terminate the youth's assistance once the limit on assistance has expired.

A PHA cannot terminate a FYI youth's assistance for noncompliance with PCWA case management, nor may the PHA terminate assistance for a FYI youth for not accepting services from the PCWA.

The PHA may not transfer the assistance of FYI voucher holders to regular HCV assistance upon the expiration of the limit on assistance. However, the PHA may issue a regular HCV to FYI voucher holders if they were selected from the waiting list in accordance with PHA policies. The PHA may also adopt a waiting list preference for FYI voucher holders who are being terminated for this reason.

PHA Policy

As described in Chapter 4, the PHA has a limited local preference for assisted families, including individual youth, that are currently served in the Family Unification Program-Youth (FUP), Foster Youth to Independence (FYI), or Moving to Work-funded FUP rental assistance extension programs administered by the PHA, if the following circumstances apply:

FUP Youth/FYI assisted family includes a head of household who is a person with disabilities, as defined in 24 CFR 5.403, and whose voucher is expiring due to the 36-month statutory time limit for FUP Youth and FYI programs; or

FUP Youth/FYI assisted family's voucher assistance is ending after family has used all available Fostering Stable Housing Opportunities extensions or extensions available for participants of the Family Unification Program Family Self-Sufficiency Demonstration; or

Assisted family's Moving to Work-funded FUP rental assistance extension program assistance is expiring.

20-II.J. PORTABILITY [FYI FAQs]

Portability for an FYI youth is handled in the same way as for a regular HCV family. A PHA may not restrict or deny portability for an FYI youth for reasons other than those specified in the HCV program regulations, as reflected in Chapter 10 of the administrative plan.

An FYI youth does not have to port to a jurisdiction that administers FYI vouchers.

If the receiving PHA absorbs the voucher, the PHA may absorb the youth into its regular HCV program if it has vouchers available to do so. If the receiving PHA absorbs the youth into its regular HCV program, that youth becomes a regular HCV participant with none of the limitations of an FYI voucher.

The initial and receiving PHA must work together to initiate termination of assistance upon expiration of the time limit on assistance.

20-II.K. PROJECT-BASING FYI VOUCHERS [FYI FAQs; FR Notice 1/24/22]

The PHA may project-base certain FYI vouchers without HUD approval in accordance with all applicable PBV regulations and PHA policies in Chapter 17. This includes FYI vouchers awarded under Notices PIH 2020-28 and PIH 2021-26. Assistance awarded under Notice PIH 2019-20 is prohibited from being project-based.

PART III: VETERANS AFFAIRS SUPPORTIVE HOUSING (VASH) PROGRAM

20-III.A. OVERVIEW

Since 2008, HCV program funding has provided rental assistance under a supportive housing program for homeless veterans. The Veterans Affairs Supportive Housing (VASH) program combines HCV rental assistance with case management and clinical services provided by the Department of Veterans Affairs (VA) at VA medical centers (VAMCs) and Community-Based Outpatient Clinics (CBOCs), or through a designated service provider (DSP) as approved by the VA Secretary. Eligible families are homeless veterans and their families that agree to participate in VA case management and are referred to the VAMC's partner PHA for HCV assistance. The VAMC or DSP's responsibilities include:

- Screening homeless veterans to determine whether they meet VASH program participation criteria;
- Referring homeless veterans to the PHA;
 - The term *homeless veteran* means a veteran who is homeless (as that term is defined in subsection (a) or (b) of Section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302)). See 38 U.S.C. 2002.
- Providing appropriate treatment and supportive services to potential VASH participants, if needed, prior to PHA issuance of a voucher;
- Providing housing search assistance to VASH participants;
- Identifying the social service and medical needs of VASH participants, and providing or ensuring the provision of regular ongoing case management, outpatient health services, hospitalization, and other supportive services as needed throughout the veterans' participation period; and
- Maintaining records and providing information for evaluation purposes, as required by HUD and the VA.

VASH vouchers are awarded noncompetitively based on geographic need and PHA administrative performance. Eligible PHAs must be located within the jurisdiction of a VAMC and in an area of high need based on data compiled by HUD and the VA. When Congress funds a new allocation of VASH vouchers, HUD invites eligible PHAs to apply for a specified number of vouchers.

Generally, the HUD-VASH program is administered in accordance with regular HCV program requirements. However, HUD is authorized to waive or specify alternative requirements to allow PHAs to effectively deliver and administer VASH assistance. Alternative requirements are established in the HUD-VASH Operating Requirements, which were originally published in the Federal Register on May 6, 2008, and updated September 27, 2021. Unless expressly waived by HUD, all regulatory requirements and HUD directives regarding the HCV program are applicable to VASH vouchers, including the use of all HUD-required contracts and other forms, and all civil rights and fair housing requirements. In addition, the PHA may request additional statutory or regulatory waivers that it determines are necessary for the effective delivery and administration of the program.

The VASH program is administered in accordance with applicable Fair Housing requirements since civil rights requirements cannot be waived under the program. These include applicable authorities under 24 CFR 5.105(a) and 24 CFR 982.53 including, but not limited to, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Age Discrimination Act and all PHA policies as outlined in Chapter 2 of this document.

When HUD-VASH recipients include veterans with disabilities or family members with disabilities, reasonable accommodation requirements in Part II of Chapter 2 of this policy apply.

20-III.B. REFERRALS [FR Notice 9/27/21 and HUD-VASH Qs and As]

VAMC case managers will screen all families in accordance with VA screening criteria and refer eligible families to the PHA for determination of program eligibility and voucher issuance. The PHA has no role in determining or verifying the veteran's eligibility under VA screening criteria, including determining the veteran's homelessness status. The PHA must accept referrals from the partnering VAMC and must maintain written documentation of referrals in VASH tenant files. Upon turnover, VASH vouchers must be issued to eligible veteran families as identified by the VAMC.

PHA Policy

In order to expedite the screening process, the PHA will provide all forms and a list of documents required for the VASH application to the VAMC. Case managers will work with veterans to fill out the forms and compile all documents for referral and application.

20-III.C. HCV PROGRAM ELIGIBILITY [FR Notice 9/27/21]

Eligible participants are homeless veterans and their families who agree to participate in case management from the VAMC.

- A *VASH Veteran* or *veteran family* refers to either a single veteran or a veteran with a household composed of two or more related persons. It also includes one or more eligible persons living with the veteran who are determined to be important to the veteran's care or well-being.
- A veteran for the purpose of VASH is a person whose length of service meets statutory requirements, and who served in the active military, naval, or air service, was discharged or released under conditions other than dishonorable, and is eligible for VA health care.

Under VASH, PHAs do not have authority to determine family eligibility in accordance with HCV program rules and PHA policies. The only reasons for denial of assistance by the PHA are failure to meet the income eligibility requirements and/or that a family member is subject to a lifetime registration requirement under a state sex offender registration program. Under portability, the receiving PHA must also comply with these VASH screening requirements.

Social Security Numbers

When verifying Social Security numbers (SSNs) for homeless veterans and their family members, an original document issued by a federal or state government agency, which contains the name and SSN of the individual along with other identifying information of the individual, is acceptable in accordance with Section 7-II.B. of this policy.

In the case of the homeless veteran, the PHA must accept the Certificate of Release or Discharge from Active Duty (DD-214) or the VA-verified Application for Health Benefits (10-10EZ) as verification of SSN and cannot require the veteran to provide a Social Security card. A VA-issued identification card may also be used to verify the SSN of a homeless veteran.

Proof of Age

The DD-214 or 10-10EZ must be accepted as proof of age in lieu of birth certificates or other PHA-required documentation as outlined in Section 7-II.C. of this policy. A VA-issued identification card may also be used to verify the age of a homeless veteran.

Photo Identification

A VA-issued identification card must be accepted in lieu of another type of government-issued photo identification. These cards also serve as verification of SSNs and date of birth.

Income Eligibility

The PHA must determine income eligibility for VASH families in accordance with 24 CFR 982.201 and policies in Section 3-II.A. If the family is over-income based on the most recently published income limits for the family size, the family will be ineligible for HCV assistance.

While income-targeting does not apply to VASH vouchers, the PHA may include the admission of extremely low-income VASH families in its income targeting numbers for the fiscal year in which these families are admitted.

PHA Policy

While income-targeting requirements will not be considered by the PHA when families are referred by the partnering VAMC, the PHA will include any extremely low-income VASH families that are admitted in its income targeting numbers for the fiscal year in which these families are admitted.

Screening

The PHA may not screen any potentially eligible family members or deny assistance for any grounds permitted under 24 CFR 982.552 and 982.553 with one exception: the PHAs is still required to prohibit admission if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program. Accordingly, with the exception of denial for registration as a lifetime sex offender under state law and PHA policies on how sex offender screenings will be conducted, PHA policy in Sections 3-III.B. through 3-III.E. do not apply to VASH. The prohibition against screening families for anything other than lifetime sex offender status applies to all family members, not just the veteran.

If a family member is subject to lifetime registration under a state sex offender registration program, the remaining family members may be served if the family agrees to remove the sex offender from its family composition. This is true unless the family member subject to lifetime registration under a state sex offender registration program is the homeless veteran, in which case the family would be denied admission to the program [New HCV GB, *HUD-VASH*, p. 6].

Denial of Assistance [Notice PIH 2008-37]

Once a veteran is referred by the VAMC, the PHA must either issue a voucher or deny assistance. If the PHA denies assistance, it must provide the family with prompt notice of the decision and a brief statement of the reason for denial in accordance with Section 3-III.F. Like in the standard HCV program, the family must be provided with the opportunity for an informal review in accordance with policies in Section 3-III.F. In addition, a copy of the denial notice must be sent to the VAMC case manager.

20-III.D. CHANGES IN FAMILY COMPOSITION

Adding Family Members [FR Notice 9/27/21]

When adding a family member after the family has been admitted to the program, PHA policies in Section 11-II.C. apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and will apply its regular screening criteria in Chapter 3 in doing so.

Remaining Family Members [HUD-VASH Qs and As]

If the homeless veteran dies while the family is being assisted, the voucher would remain with the remaining members of the tenant family. The PHA may use one of its own regular vouchers, if available, to continue assisting this family and free up a VASH voucher for another VASH-eligible family. If a regular voucher is not available, the family would continue utilizing the VASH voucher. Once the VASH voucher turns over, however, it must go to a homeless veteran family.

Family Break Up [HUD-VASH Qs and As]

In the case of divorce or separation, since the set-aside of VASH vouchers is for veterans, the voucher must remain with the veteran. This overrides the PHA's policies in Section 3-I.C. on how to determine who remains in the program if a family breaks up.

20-III.E. LEASING [FR Notice 9/27/21]

Waiting List

The PHA does not have the authority to maintain a waiting list or apply local preferences for HUD–VASH vouchers. Policies in Chapter 4 relating to applicant selection from the waiting list, local preferences, special admissions, cross-listing, and opening and closing the waiting list do not apply to VASH vouchers.

Exception Payment Standards

To assist VASH participants in finding affordable housing, especially in competitive markets, HUD allows PHAs to establish a HUD-VASH exception payment standard. PHAs may go up to but no higher than 120 percent of the published area-wide fair market rent (FMR) or small area fair market rent (SAFMR) specifically for VASH families. PHAs who want to establish a VASH exception payment standard over 120 percent must still request a waiver from HUD through the regular waiver process outlined in Notice PIH 2018-16.

PHA Policy

The PHA will establish separate higher payment standards for HUD-VASH. The HUD-VASH payment standards will be set at 120 percent of FMR.

Voucher Issuance

Unlike the standard HCV program which requires an initial voucher term of at least 60 days, VASH vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-II.E. will apply.

PHA Policy

All VASH vouchers will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

The PHA must track issuance of HCVs for families referred by the VAMC or DSP in PIC as required in Notice PIH 2011-53.

Initial Lease Term

Unlike in the standard the HCV program, VASH voucher holders may enter into an initial lease that is for less than 12 months. Accordingly, PHA policy in Section 9-I.E., Term of Assisted Tenancy, does not apply.

Ineligible Housing [FR Notice 6/18/14]

Unlike in the standard HCV program, VASH families are permitted to live on the grounds of a VA facility in units developed to house homeless veterans. This applies to both tenant-based assistance and PBV. Therefore, 24 CFR 982.352(a)(5) and 983.53(a)(2), which prohibit units on the physical grounds of a medical, mental, or similar public or private institution, do not apply to VASH for this purpose only. Accordingly, PHA policy in 9-I.D., Ineligible Units, does not apply for this purpose only.

HQS Pre-Inspections

To expedite the leasing process, PHAs may pre-inspect available units that veterans may be interested in leasing in order to maintain a pool of eligible units. If a VASH family selects a unit that passed an HQS inspection (without intervening occupancy) within 45 days of the date of the Request for Tenancy Approval (Form HUD-52517), the unit may be approved if it meets all other conditions under 24 CFR 982.305. However, the veteran must be free to select their unit and cannot be steered to these units.

PHA Policy

The PHA will not pre-inspect units.

20-III.F. PORTABILITY [FR Notice 9/27/21 and Notice PIH 2011-53]

General Requirements

Portability policies under VASH depend on whether the family wants to move within or outside of the initial VA facility's catchment area (the area in which the VAMC or DSP operates). In all cases, the initial VA facility must be consulted prior to the move and provide written confirmation that case management will continue to be provided in the family's new location. VASH participant families may only reside in jurisdictions that are accessible to case management services, as determined by case managers at the partnering VAMC or DSP.

Under VASH, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied. As a result, PHA policies in Section 10-II.B. about nonresident applicants do not apply.

If the family no longer requires case management, there are no portability restrictions. Normal portability rules apply.

Portability within the Initial VAMC or DSP's Catchment Area

A VASH family can move within the VAMC's catchment area as long as case management can still be provided, as determined by the VA. If the initial PHA's partnering VAMC will still provide the case management services, the receiving PHA must process the move in accordance with portability procedures:

- If the receiving PHA has been awarded VASH vouchers, it can choose to either bill the initial PHA or absorb the family if it has a VASH voucher available to do so.
 - If the PHA absorbs the family, the VAMC or DSP providing the initial case management must agree to the absorption and the transfer of case management.
- If the receiving PHA does not administer a VASH program, it must always bill the initial PHA.

Portability Outside of the Initial VAMC or DSP's Catchment Area

If a family wants to move to another jurisdiction where it will not be possible for the initial PHA's partnering VAMC or DSP to provide case management services, the initial VAMC or DSP must first determine that the VASH family could be served by another VAMS or DSP that is participating in the VASH program, and the receiving PHA has an available VASH voucher.

In these cases, the family must be absorbed by the receiving PHA either as a new admission or as a portability move-in, as applicable. Upon absorption, the initial PHA's VASH voucher will be available to lease to a new VASH-eligible family, and the absorbed family will count toward the number of VASH slots awarded to the receiving PHA.

Portability Outside of the Initial VAMC or DSP's Catchment Area under VAWA

Veterans who request to port beyond the catchment area of the VAMC or DSP where they are receiving case management to protect the health or safety of a person who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, and who reasonably believes they are threatened with imminent harm from further violence by remaining in the unit may port prior to receiving approval from the receiving VAMC or DSP. The initial PHA must follow its emergency transfer plan. PHAs may require verbal self-certification or a written request from a participant seeing a move beyond the catchment area of the VAMC or DSP.

The verbal self-certification or written request must include either a statement expressing why the participant reasonably believes that there is a threat of imminent harm from further violence if they were to remain in the same unit or a statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-day period preceding the participants request for the move.

The participant must still port to a PHA that has a VASH program. If the receiving PHA does not have a VASH voucher available to lease, they may bill the initial PHA until a VASH voucher is available, at which point the porting veteran must be absorbed into the receiving PHA's program.

20-III.G. TERMINATION OF ASSISTANCE [FR Notice 9/27/21]

With the exception of terminations for failure to receive case management, HUD has not established any alternative requirements for termination of assistance for VASH participants. However, prior to terminating VASH participants, HUD strongly encourages PHAs to exercise their discretion under 24 CFR 982.552(c)(2) as outlined in Section 12-II.D. of this policy and consider all relevant circumstances of the specific case. This includes granting reasonable accommodations for persons with disabilities, as well as considering the role of the case manager and the impact that ongoing case management services can have on mitigating the conditions that led to the potential termination.

VASH participant families may not be terminated after admission for a circumstance or activities that occurred prior to admission and were known to the PHA but could not be considered at the time of admission due to VASH program requirements. The PHA may terminate the family's assistance only for program violations that occur after the family's admission to the program.

Cessation of Case Management

As a condition of receiving HCV rental assistance, a HUD-VASH-eligible family must receive case management services from the VAMC or DSP. A VASH participant family's assistance must be terminated for failure to participate, without good cause, in case management as verified by the VAMC or DSP.

However, a VAMC or DSP determination that the participant family no longer requires case management is not grounds for termination of voucher or PBV assistance. In such a case, at its option, the PHA may offer the family continued assistance through one of its regular vouchers. If the PHA has no voucher to offer, the family will retain its VASH voucher or PBV unit until such time as the PHA has an available voucher for the family.

VAWA [FR Notice 9/27/21]

When a veteran's family member is receiving protection under VAWA because the veteran is the perpetrator of domestic violence, dating violence, sexual assault, or stalking, the victim must continue to be assisted. Upon termination of the perpetrator's VASH assistance, the victim must be given a regular HCV if one is available, and the perpetrator's VASH voucher must be used to serve another eligible veteran family. If a regular HCV is not available, the perpetrator must be terminated from assistance and the victim will continue to use the VASH voucher.

20-III.H. PROJECT-BASING VASH VOUCHERS

General Requirements [Notice PIH 2017-21 and FR Notice 9/27/21]

PHAs are authorized to project-base their tenant-based VASH vouchers without additional HUD review or approval in accordance with Notice PIH 2017-21 and all PBV program requirements provided that the VAMC will continue to make supportive services available. In addition, since 2010, HUD has awarded VASH vouchers specifically for project-based assistance in the form of PBV HUD-VASH set-aside vouchers. While these vouchers are excluded from the PBV program cap as long as they remain under PBV HAP contract at the designated project, all other VASH vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A. Note that VASH supportive services only need to be provided to VASH families receiving PBV assistance in the project, not all families receiving PBV assistance in the project. If a VASH family does not require or no longer requires case management, the unit continues to count as an excepted PBV unit as long as the family resides in the unit.

If the PHA project-bases VASH vouchers, the PHA must consult with the partnering VAMC or DSP to ensure approval of the project or projects. PHAs may project-base VASH vouchers in projects alongside other PBV units and may execute a single HAP contract covering both the VASH PBVs and the other PBVs. The PHA must refer only VASH families to PBV units exclusively made available to VASH families and to PBV units funded through a HUD set-aside award.

Policies for VASH PBV units will generally follow PHA policies for the standard PBV program as listed in Chapter 17, with the exception of the policies listed below.

Failure to Participate in Case Management [FR Notice 9/27/21]

Upon notification by the VAMC or DSP of the family's failure to participate, without good cause, in case management, the PHA must provide the family a reasonable time period to vacate the unit. The PHA must terminate assistance to the family at the earlier of either the time the family vacates or the expiration of the reasonable time period given to vacate.

PHA Policy

Upon notification by the VAMC or DSP that a VASH PBV family has failed to participate in case management without good cause, the PHA will provide written notice of termination of assistance to the family and the owner within 10 business days. The family will be given 60 days from the date of the notice to move out of the unit.

The PHA may make exceptions to this 60-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.

If the family fails to vacate the unit within the established time, the owner may evict the family. If the owner does not evict the family, the PHA must remove the unit from the HAP contract or amend the HAP contract to substitute a different unit in the project if the project is partially assisted. The PHA may add the removed unit to the HAP contract after the ineligible family vacates the property.

Moves [HUD-VASH Qs and As, FR Notice 9/27/21]

When a VASH PBV family is eligible to move from its PBV unit in accordance with Section 17-VII.C. of this policy, but there is no other comparable tenant-based rental assistance, the following procedures must be implemented:

- If a VASH tenant-based voucher is not available at the time the family wants (and is eligible) to move, the PHA may require a family who still requires case management to wait for a VASH tenant-based voucher for a period not to exceed 180 days;
- If a VASH tenant-based voucher is still not available after that period, the family must be allowed to move with its VASH voucher. Alternatively, the PHA may allow the family to move with its VASH voucher without having to meet this 180-day period. In either case, the PHA is required to replace the assistance in the PBV unit with one of its regular vouchers, unless the PHA and owner agree to temporarily remove the unit from the HAP contract; and
- If a VASH veteran is determined to no longer require case management, the PHA must allow the family to move with the first available tenant-based voucher if not VASH voucher is immediately available and cannot require the family to wait for a VASH voucher to become available.

PART IV: MAINSTREAM VOUCHER PROGRAM

20-IV.A. PROGRAM OVERVIEW [Notice PIH 2020-01]

Mainstream vouchers assist non-elderly persons with disabilities and their families in the form of either project-based or tenant-based voucher assistance.

The Mainstream voucher program, (previously referred to as the Mainstream 5-Year program or the Section 811 voucher program) was originally authorized under the National Affordable Housing Act of 1990. Mainstream vouchers operated separately from the regular HCV program until the passage of the Frank Melville Supportive Housing Investment Act of 2010. Funding for Mainstream voucher renewals and administrative fees was first made available in 2012. In 2017 and 2019, incremental vouchers were made available for the first time since the Melville Act (in addition to renewals and administrative fees), and PHAs were invited to apply for a competitive award of Mainstream vouchers under the FY17 and FY19 NOFAs. In 2020, Notice PIH 2020-22 provided an opportunity for any PHA administering an HCV program to apply for Mainstream vouchers noncompetitively, while Notice PIH 2020-09 authorized an increase in Mainstream voucher units and budget authority for those PHAs already awarded Mainstream vouchers under the FY17 and FY19 NOFAs.

Funds for Mainstream vouchers may be recaptured and reallocated if the PHA does not comply with all program requirements or fails to maintain a utilization rate of 80 percent for the PHA's Mainstream vouchers.

20-IV.B. ELIGIBLE POPULATION [Notice PIH 2020-01 and Notice PIH 2020-22]

All Mainstream vouchers must be used to serve non-elderly persons with disabilities and their families, defined as any family that includes a person with disabilities who is at least 18 years old and not yet 62 years old as of the effective date of the initial HAP contract. The eligible disabled household member does not need to be the head of household.

The definition of person with disabilities for purposes of Mainstream vouchers is the statutory definition under section 3(b)(3)(E) of the 1937 Act, which is the same as is used for allowances and deductions in the HCV program and is provided in Exhibit 3-1 of this policy.

Existing families receiving Mainstream vouchers, where the eligible family member is now age 62 or older, will not “age out” of the program as long as the family was eligible on the day it was first assisted under a HAP contract.

The PHA may not implement eligibility screening criteria for Mainstream vouchers that is different from that of the regular HCV program.

20-IV.C. PARTNERSHIP AND SUPPORTIVE SERVICES [Notice PIH 2020-01]

PHAs are encouraged but not required to establish formal and informal partnerships with a variety of organizations that assist persons with disabilities to help ensure eligible participants find and maintain stable housing.

PHA Policy

The PHA will implement a Mainstream program, in partnership with the City of Portland / Multnomah County Joint Office of Homeless Services.

20-IV.D. WAITING LIST ADMINISTRATION

General Waiting List Requirements [Notice PIH 2020-01 and Mainstream Voucher Basics Webinar, 10/15/20]

PHAs must not have a separate waiting list for Mainstream voucher assistance since the PHA is required by the regulations to maintain one waiting list for tenant-based assistance [24 CFR 982.204(f)]. All PHA policies on opening, closing, and updating the waiting list, as well as waiting list preferences in Chapter 4, apply to the Mainstream program.

When the PHA is awarded Mainstream vouchers, these vouchers must be used for new admissions to the PHA's program from the waiting list. The PHA must lease these vouchers by pulling the first Mainstream-eligible family from its tenant-based waiting list. PHAs are not permitted to reassign existing participants to the program in order to make regular tenant-based vouchers available. Further, the PHA may not skip over Mainstream-eligible families on the waiting list because the PHA is serving the required number of Mainstream families.

Upon turnover, vouchers must be provided to Mainstream-eligible families. If a Mainstream turnover voucher becomes available, the PHA must determine if the families at the top of the waiting list qualify under program requirements.

PHA Policy

As of October 2024, the PHA follows its MTW Tenant-Based Set Aside Activity in Chapter 4. The Mainstream Voucher set aside is for families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, that are experiencing homelessness and were referred to the PHA from Multnomah County's Coordinated Access system managed by the City of Portland / Multnomah County Joint Office of Homeless Services.

Admission Preferences [Notice PIH 2020-01; FY17 Mainstream NOFA; FY19 Mainstream NOFA]

If the PHA claimed points for a preference in a NOFA application for Mainstream vouchers, the PHA must adopt a preference for at least one of the targeted groups identified in the NOFA.

PHA Policy

The PHA claimed a preference for a targeted group as part of an application for Mainstream vouchers under a NOFA. The PHA will offer the following preferences, as described in Chapter 4:

Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is transitioning out of institutional or other segregated settings. The PHA will limit the number of vouchers set aside for this preference to 99. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 99 vouchers. This preference expired December 1, 2022.

Families with a non-elderly (age 18 - 61) person with disabilities, as defined in 24 CFR 5.403, who is experiencing homelessness and was referred to the PHA from Multnomah County's Coordinated Access system managed by the City of Portland / Multnomah County Joint Office of Homeless Services. The PHA will

limit the number of vouchers set aside for this preference to 130 until December 1, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 130 vouchers until December 1, 2022. The PHA will limit the number of vouchers set aside for this preference to 229 beginning December 2, 2022. Families will be selected utilizing this preference only upon availability of a mainstream voucher for up to 229 vouchers beginning December 2, 2022.

Payment Standards

As of August 2024, the PHA follows its MTW Broaden Range of Approved Payment Standards Activity to establish separate higher payment standards for Mainstream vouchers.

20-IV.E. PORTABILITY [Notice PIH 2020-01 and Mainstream Voucher Basics Webinar, 10/15/20]

Mainstream voucher participants are eligible for portability under standard portability rules and all PHA policies regarding portability in Chapter 10, Part II apply to Mainstream families.

The following special considerations for Mainstream vouchers apply under portability:

- If the receiving PHA has a Mainstream voucher available, the participant may remain a Mainstream participant.
 - If the receiving PHA chooses to bill the initial PHA, then the voucher will remain a Mainstream voucher.
 - If the receiving PHA chooses to absorb the voucher, the voucher will be considered a regular voucher, or a Mainstream voucher if the receiving PHA has a Mainstream voucher available, and the Mainstream voucher at the initial PHA will be freed up to lease to another Mainstream-eligible family.
- If the receiving PHA does not have a Mainstream voucher available, the participant may receive a regular voucher.

20-IV.F. PROJECT-BASING MAINSTREAM VOUCHERS [FY19 Mainstream Voucher NOFA Q&A]

The PHA may project-base Mainstream vouchers in accordance with all applicable PBV regulations and PHA policies in Chapter 17. PHAs are responsible for ensuring that, in addition to complying with project-based voucher program requirements, the project complies with all applicable federal nondiscrimination and civil rights statutes and requirements. This includes, but is not limited to, Section 504 of the Rehabilitation Act (Section 504), Titles II or III of the Americans with Disabilities (ADA), and the Fair Housing Act and their implementing regulations at 24 CFR Part 8; 28 CFR Parts 35 and 36; and 24 CFR Part 100. Mainstream vouchers are subject to the PBV program percentage limitation discussed in Section 17-I.A.

PART V: NON-ELDERLY DISABLED (NED) VOUCHERS

20-V.A. PROGRAM OVERVIEW [Notice PIH 2013-19]

NED vouchers help non-elderly disabled families lease suitable, accessible, and affordable housing in the private market. Aside from separate funding appropriations and serving a specific population, NED vouchers follow the same program requirements as standard vouchers. The PHA does not have special authority to treat families that receive a NED voucher differently from other applicants and participants.

Some NED vouchers are awarded to PHAs through competitive NOFAs. The NOFA for FY2009 Rental Assistance for NED made incremental funding available for two categories of NED families:

- **Category 1** vouchers enable non-elderly persons or families with disabilities to access affordable housing on the private market.
- **Category 2** vouchers enable non-elderly persons with disabilities currently residing in nursing homes or other healthcare institutions to transition into the community. PHAs with NED Category 2 vouchers were required to partner with a state Medicaid or health agency or the state Money Follows the Person (MFP) Demonstration agency.

Since 1997, HCVs for NED families have been also awarded under various special purpose HCV programs: Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans (Designated Housing), Rental Assistance for Non-Elderly Persons with Disabilities Related to Certain Types of Section 8 Project-Based Developments (Certain Developments), One-Year Mainstream Housing Opportunities for Persons with Disabilities, and the Project Access Pilot Program (formerly Access Housing 2000).

- **Designated Housing** vouchers enable non-elderly disabled families, who would have been eligible for a public housing unit if occupancy of the unit or entire project had not been restricted to elderly families only through an approved Designated Housing Plan, to receive rental assistance. These vouchers may also assist non-elderly disabled families living in a designated unit/project/building to move from that project if they so choose. The family does not have to be listed on the PHA's voucher waiting list. Instead, they may be admitted to the program as a special admission. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.

- **Certain Developments** vouchers enable non-elderly families having a person with disabilities, who do not currently receive housing assistance in certain developments where owners establish preferences for, or restrict occupancy to, elderly families, to obtain affordable housing. These non-elderly families with a disabled person do not need to be listed on the PHA's HCV waiting list in order to be offered and receive housing choice voucher rental assistance. It is sufficient that these families' names are on the waiting list for a covered development at the time their names are provided to the PHA by the owner. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA's HCV waiting list.
- **One-Year Mainstream Housing Opportunities for Persons with Disabilities (One-Year Mainstream)** vouchers enable non-elderly disabled families on the PHA's waiting list to receive a voucher. After initial leasing, turnover vouchers must be issued to non-elderly disabled families from the PHA's voucher waiting list.

20-V.B. ELIGIBLE POPULATION

General Requirements [Notice PIH 2013-19]

Only eligible families whose head of household, spouse, or cohead is non-elderly (under age 62) and disabled may receive a NED voucher. Families with only a minor child with a disability are not eligible.

In cases where the qualifying household member now qualifies as elderly due to the passage of time since the family received the NED voucher, existing NED participant families do not "age out," as the family was eligible on the day it was first assisted under a housing assistance payments (HAP) contract.

The definition of person with disabilities for purposes of NED vouchers is the statutory definition under Section 3(b)(3)(E) of the 1937 Act, which is the same as is used for allowances and deductions in the HCV program and is provided in Exhibit 3-1 of this policy.

The PHA may not implement eligibility screening criteria for NED vouchers that is different from that of the regular HCV program.

NED Category 2 [Notice PIH 2013-19 and NED Category 2 FAQs]

In addition to being eligible for the PHA's regular HCV program and a non-elderly person with a disability, in order to receive a Category 2 voucher, the family's head, spouse, cohead, or sole member must be transitioning from a nursing home or other healthcare institution and provided services needed to live independently in the community.

Nursing homes or other healthcare institutions may include intermediate care facilities and specialized institutions that care for those with intellectual disabilities, developmentally disabled, or mentally ill, but do not include board and care facilities (e.g., adult homes, adult day care, adult congregate living).

The PHA cannot limit who can apply to just those persons referred or approved by a Money Follows the Person (MFP) Demonstration agency or state health agency. Other individuals could be placed on the waiting list if they can show, with confirmation by an independent agency or organization that routinely provides such services (this can be the MFP or partnering agency, but need not be), that the transitioning individual will be provided with all necessary services, including care or case management.

For each Category 2 family, there must be documentation (e.g., a copy of a referral letter from the partnering or referring agency) in the tenant file identifying the institution where the family lived at the time of voucher issuance.

20-V.C. WAITING LIST

General Requirements [Notice PIH 2013-19]

Families must be selected for NED vouchers from the PHA's waiting list in accordance with all applicable regulations and PHA policies in Chapter 4.

Regardless of the number of NED families the PHA is required to serve, the next family on the waiting list must be served. Further, the PHA may not skip over NED-eligible families on the waiting list because the PHA is serving the required number of NED families.

NED Category 2 Referrals [NED Category 2 FAQs]

For NED Category 2 families, the partnering agency may make referrals of eligible families to the PHA for placement on the waiting list. The PHA will then select these families from the waiting list for voucher issuance. Because language in the NOFA established that vouchers awarded under the NOFA must only serve non-elderly disabled families transitioning from institutions, the PHA does not need to establish a preference in order to serve these families ahead of other families on the PHA's waiting list.

PHAs must accept applications from people living outside their jurisdictions or from people being referred from other Medicaid or MFP service agencies in their state.

If the PHA's waiting list is closed, the PHA must reopen its waiting list to accept referrals from its partnering agency. When opening the waiting list, PHAs must advertise in accordance with 24 CFR 982.206 and PHA policies in Section 4-II.C. In addition, the PHA must ensure that individuals living in eligible institutions are aware when the PHA opens its waiting list by reaching out to social service agencies, nursing homes, intermediate care facilities and specialized institutions in the local service area.

Reissuance of Turnover Vouchers [Notice PIH 2013-19]

All NED turnover vouchers must be reissued to the next NED family on the PHA's waiting list with the following exception: A Category 2 voucher must be issued to another Category 2 family upon turnover if a Category 2 family is on the PHA's waiting list. If there are no Category 2 families on the PHA's waiting list, the PHA must contact its partnering agency as well as conduct outreach through appropriate social service agencies and qualifying institutions to identify potentially eligible individuals. Only after all means of outreach have been taken to reach Category 2 families can the PHA reissue the voucher to another Category 2 NED family on the PHA's waiting list. Any subsequent turnover of that voucher must again be used for a Category 2 family on the PHA's waiting list, and the PHA is under the same obligation to conduct outreach to Category 2 families if no such families are on the PHA's waiting list.

For PHAs that received both Category 1 and Category 2 vouchers, if at any time the PHA is serving fewer Category 2 families than the number of Category 2 HCVs awarded under the NOFA, when a Category 2 family applies to the waiting list and is found eligible, the PHA must issue the next NED voucher to that family. HUD monitors the initial leasing and reissuance of Category 2 HCVs. These vouchers may be recaptured and reassigned if not leased properly and in a timely manner.

All NED vouchers should be affirmatively marketed to a diverse population of NED-eligible families to attract protected classes least likely to apply. If at any time following the turnover of a NED HCV a PHA believes it is not practicable to assist NED families, the PHA must contact HUD.

20-V.D. LEASE UP [Notice PIH 2013-19]

Special Housing Types [Notice PIH 2013-19 and NED Category 2 FAQs]

In general, a PHA is not required to permit families to use any of the special housing types and may limit the number of families using such housing. However, the PHA must permit the use of a special housing type if doing so provides a reasonable accommodation so that the program is readily accessible to and usable by a person with disabilities.

Such special housing types include single room occupancy housing, congregate housing, group homes, shared housing, cooperative housing, and manufactured homes when the family owns the home and leases the manufactured home space.

Persons with disabilities transitioning out of institutional settings may choose housing in the community that is in a group or shared environment or where some additional assistance for daily living is provided for them on site. Under HUD regulations, group homes and shared housing are considered special housing types and are not excluded as an eligible housing type in the HCV program. Assisted living facilities are also considered eligible housing under the normal HCV program rules, as long as the costs for meals and other supportive services are not included in the housing assistance payments (HAP) made by the PHA to the owner, and as long as the person does not need continual medical or nursing care.

20-V.E. PORTABILITY [NED Category 2 FAQs]

NED voucher participants are eligible for portability under standard portability rules and all PHA policies regarding portability in Chapter 10, Part II apply to NED families. However, the PHA may, but is not required to, allow applicant NED families to move under portability, even if the family did not have legal residency in the initial PHA's jurisdiction when they applied.

PART VI: STABILITY VOUCHERS

20-VI.A. PROGRAM OVERVIEW [Notice PIH 2022-24: Stability Voucher Program]

The Stability Voucher initiative makes Housing Choice Voucher (HCV) assistance available to Public Housing Agencies (PHAs) in partnership with local Continuum's of Care and/or Victim Service Providers to assist households experiencing or at risk of homelessness, those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, human trafficking, and veterans and families that include a veteran family member that meets one of the proceeding criteria.

20-VI.B. PARTNERING AGENCIES

Continuum of Care (CoC)

PHAs that accept an allocation of Stability Vouchers are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of Stability Vouchers.

PHA Policy

The PHA has entered into an MOU with OR-501 Portland/Gresham/Multnomah County Continuum of Care. The City of Portland / Multnomah County Joint Office of Homeless Services is also party to the MOU as the lead agency for the Continuum of Care. Native American Rehabilitation Association of the Northwest, Inc. is also party to the MOU as the CoC funded service provider who will make available supportive services to Stability Voucher participants.

20-VI.C. REFERRALS

CoC Referrals

The primary responsibility of the CoC under the MOU with the PHA is to make direct referrals of qualifying individuals and families to the PHA. The PHA must generally refer a family that is seeking Stability Voucher assistance directly from the PHA to the CoC or other referring agency for initial intake, assessment, and possible referral for Stability Voucher assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for Stability Vouchers. The CoC or other direct referral partner must provide supporting documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for Stability Voucher assistance.

PHA Policy

As the lead agency of the Continuum of Care, the City of Portland / Multnomah County Joint Office of Homeless Services (JOHS) will make referrals of eligible families to the PHA. JOHS will certify that the Stability Voucher applicants they refer to the PHA meet at least one of the four Stability Voucher eligibility criteria. JOHS will prioritize individuals and families experiencing unsheltered homelessness. The PHA will maintain a copy of the referral and certification from the CoC or other partnering agency in the participant's file along with other eligibility paperwork.

The JOHS will make referrals to the PHA on a schedule agreed upon with PHA. Referrals will be accompanied with a completed release form for each adult family member, and a written certification for each referral indicating they are Stability Voucher-eligible.

Other Partner Agency Referrals

The PHA must take direct referrals from outside the CoC Coordinated Entry Process if:

- The CoC does not have a sufficient number of eligible families to refer to the PHA; or
- The CoC does not identify families that may be eligible for Stability Voucher assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time the PHA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC or other partner referral agencies (or the PHA and CoC cannot identify any such alternative referral partner agencies), the PHA must enter into a formal partnership with another entity, such as another homeless services provider and/or victim services provider to receive referrals.

20-VLD. HCV WAITING LIST

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to the Stability Voucher program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of Stability Vouchers by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2022-24 (HA).

PHA Policy

The PHA will post information about the Stability Voucher program for families on the PHA's HCV waiting list on their website. The notice will:

- Describe the eligible populations to which stability vouchers are limited
- Clearly state that the availability of these stability vouchers is managed through a direct referral process
- Advise the family to contact the CoC (or any other PHA referral partner, if applicable) if the family believes they may be eligible for stability voucher assistance

The PHA will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. The PHA will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

20-VI.E. STABILITY VOUCHER WAITING LIST

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the Stability Voucher program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the Stability Vouchers available, the PHA must maintain a separate waiting list for Stability Voucher referrals.

Further, the Stability Voucher waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the Stability Voucher waiting list.

20-VI.F. PREFERENCES

HCV Waiting List Preferences

Local preferences established by the PHA for HCV admissions as described in Chapter 4 do not apply to Stability Vouchers.

Stability Voucher Waiting List Preferences

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for Stability Vouchers. The PHA may, however, choose to not establish any local preferences for the Stability Voucher waiting list.

PHA Policy

No local preferences have been established for the Stability Voucher waiting list.

20-VI.G. FAMILY ELIGIBILITY OVERVIEW

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2022-24 (HA) and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the Stability Voucher program and outlined below.

20-VI.H. REFERRING AGENCY DETERMINATION OF ELIGIBILITY

In order to be eligible for a Stability Voucher, an individual or family must meet one of four eligibility criteria:

- Individuals or families who are currently experiencing homelessness as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2022-24) or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Veterans and families that include a veteran that meet one of the preceding criteria.

As applicable, the CoC or referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for Stability Voucher assistance. The PHA must retain this documentation as part of the family's file.

20-VI.I. PHA SCREENING

Overview

HUD waived 24 CFR 982.552 and 982.553 in part for the Stability Voucher applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for a Stability Voucher. Instead, the Stability Voucher alternative requirement listed in this section will apply to all Stability Voucher applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2022-24 (HA) and in this chapter, however, apply only when screening the individual or family for eligibility for a Stability Voucher. When adding a family member after the family has been placed under a HAP contract with Stability Voucher assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

Mandatory Denials

Under alternative requirements for the Stability Voucher program, mandatory denials for Stability Voucher applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited Stability Voucher grounds for denial of admission first.

PHA Policy

While the PHA will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, the PHA will first notify the family of the limited Stability Voucher grounds for denial of admission as part of the notice of denial that will be mailed to the family.

Permissive Denials

Notice PIH 2022-24 (HA) lists permissive prohibitions for which the PHA may, but is not required to, deny admission to Stability Voucher families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for Stability Voucher families.

If the PHA intends to establish permissive prohibition policies for Stability Voucher applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

PHA Policy

The PHA will not adopt any permissive prohibitions for the Stability Voucher program.

20-VI.J. INCOME VERIFICATION AT ADMISSION

Self-Certification at Admission

The requirement to obtain third-party verification of income in accordance with Notice PIH 2018-18 does not apply to the Stability Voucher program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income in Section 7-I.B. do not apply to Stability Voucher families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

PHA Policy

PHA may consider self-certification the highest form of income verification at admission.

Applicants may provide third-party documentation which represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request. Original documents are preferred. The documents must not be damaged, altered, or in any way illegible.

Printouts from webpages are considered original documents.

Any family self-certifications must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified.

The PHA will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. The PHA will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. The PHA may, but is not required to, offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, the PHA will terminate the family's assistance in accordance with the policies in Chapter 12.

If the PHA later determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

Recently Conducted Income Determinations

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no change in income or family composition in the interim.

PHA Policy

The PHA will not accept income calculations and verifications from third-party providers.

On a case-by case basis, the PHA may accept income calculations and verifications from an examination that the PHA conducted on behalf of the family for another subsidized housing program, provided they meet the criteria outlined above. Tracking and supervisory approval will be required.

At the time of the family's annual reexamination the PHA must conduct the annual reexamination of income as outlined at 24 CFR 982.516 and PHA policies in Chapter 11.

EIV Income Validation

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.

If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12.

20-VI.K. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION

For the Stability Voucher program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the Stability program. Instead, PHAs may adopt policies to admit Stability Voucher applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

PHA Policy

The PHA will not admit Stability Voucher applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination.

20-VI.L. AGE AND DISABILITY VERIFICATION

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

PHA Policy

The PHA will not accept self-certification of date of birth and disability status if a higher form of verification is not immediately available.

20-VI.M. INCOME TARGETING

The PHA must determine income eligibility for Stability Voucher families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for Stability Voucher families. The PHA may still choose to include the admission of extremely low-income Stability Voucher families in its income targeting numbers for the fiscal year in which these families are admitted.

PHA Policy

The PHA will not include the admission of extremely low-income Stability Voucher families in its income targeting numbers for the fiscal year in which these families are admitted.

20-VI.N. INITIAL VOUCHER TERM

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, Stability Vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-II.E. will apply.

PHA Policy

All Stability Vouchers will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

20-VI.O. INITIAL LEASE TERM

Unlike in the standard the HCV program, Stability Voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-I.E., Term of Assisted Tenancy.

20-VI.P. HQS PRE-INSPECTIONS

To expedite the leasing process, PHAs may pre-inspect available units that Stability Voucher families may be interested in leasing in order to maintain a pool of eligible units.

PHA Policy

The PHA will not conduct pre-inspections available units. The PHA will make every effort to fast track the inspection process, including adjusting the normal inspection schedule for any required reinspections.

20-VI.Q. PORTABILITY

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to Stability Vouchers. Exceptions are addressed below.

Nonresident Applicants

Under the Stability Voucher program, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-II.B.

Billing and Absorption

A receiving PHA cannot refuse to assist an incoming Stability Voucher family, regardless of whether the PHA administers Stability Vouchers under its own ACC.

- If the Stability Voucher family moves under portability to another PHA that administers Stability Vouchers under its own ACC:
 - The receiving PHA may only absorb the incoming Stability Voucher family with a Stability Voucher (assuming it has a Stability Voucher available to do so).
 - If the PHA does not have a Stability Voucher available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with Stability Voucher assistance and may not absorb the family with a regular HCV when the family leases the unit.
 - Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's Stability Voucher assistance, the administration of the Stability Voucher is in accordance with the receiving PHA's Stability Voucher policies.
- If the Stability Voucher family moves under portability to another PHA that does not administer Stability Voucher under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

PHA Policy

In addition to following PHA policy on briefings in Chapter 5, as part of the briefing packet for Stability Voucher families, the PHA will include a written notice that the PHA will assist the family with moves under portability.

For limited English proficient (LEP) applicants, the PHA will provide interpretation services in accordance with policies in Chapter 2.

20-VI.R. PAYMENT STANDARDS

Payment Standard Schedule

For the Stability Voucher program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for Stability Vouchers. Lower Stability Voucher payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the Stability Voucher payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate Stability Voucher payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for Stability Vouchers, HUD has provided other regulatory waivers:

- Defining the “basic range” for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).
- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.

The PHA must notify HUD if it establishes a Stability Voucher exception payment standard based on the SAFMR.

PHA Policy

The PHA will establish separate higher payment standards for Stability Vouchers. The Stability Voucher payment standards will be set at 120 percent of the FMR.

At no time will the Stability Voucher payment standards fall below the HCV payment standards. If the PHA increases the HCV payment standard, the PHA will also increase the Stability Voucher payment standard if it would be otherwise lower than the new regular HCV payment standard.

Rent Reasonableness

All rent reasonableness requirements apply to Stability Voucher units, regardless of whether the PHA has established an alternative or exception Stability Voucher payment standard.

Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to Stability Vouchers. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

PHA Policy

The PHA will not establish an alternative policy for increases in payment standard. PHA policy in Section 11-III.B. governing increases in payment standards will apply to Stability Vouchers.

20-VI.S. PROJECT-BASED UNITS

All tenant-based Stability Voucher awards can be converted to Project-Based Vouchers (PBV) at any time after award without HUD approval provided all the established PBV regulations and requirements are followed. No additional HUD Headquarters approvals are required for project basing Stability Vouchers beyond the normal process. All PBV requirements in 24 CFR part 983 apply for SVs except where waived as described below. The HCV regulations at 24 CFR § 983.251(c)(1) require PHAs to select families for project-based units from its HCV waiting list (or PBV waiting list, if applicable). HUD is waiving this requirement and establishing an alternative requirement that PHAs receive Stability Voucher referrals from CoC partners for vouchers as well as project-based assistance.

20-VI.T. TURNOVER

Upon turnover, Stability Vouchers must continue to remain available for families experiencing or at-risk of homelessness, those fleeing or attempting to flee domestic violence dating violence, sexual assault, or stalking, or human trafficking, and veterans and families that include a veteran family member that meet one of the proceeding criteria.

PHA Policy

Upon turnover, the PHA will take referrals from the Continuum of Care for eligible individuals and families as described in section 20-VI.C.

20-VI.U. REPORTING

PHAs awarded SVs under this notice must maintain a special program code for Stability Voucher participants in line 2n of the Family Report (form HUD-50058) or line 2p of the MTW Family Report (form HUD-50058), as applicable. The special program code is "SV." PHAs must also properly record the date the PHA issues the voucher to the eligible household in line 2a of the 50058.



MEMORANDUM

To: Board of Commissioners

Date: August 20, 2024

From: Celeste King, Contracts &
Procurement manager
503.802.8541

Subject: Authorize Home Forward
Economic Equity Policy Update
Resolution 24-08-05

Peter Garcia, Senior Procurement
Coordinator
503.802.8549

The Board of Commissioners is requested to authorize the Economic Equity Policy updates.

This action supports Strategic Plan Goal, One Agency: We build our skills and work together in ways that help us constantly evolve and improve our ability to serve our community.

This Economic Equity Policy (“Policy”) replaces the existing Economic Equity Policy adopted by Resolution 12-03-04, and aims to promote increased economic participation of Underutilized Business Enterprises (Disadvantaged Business Enterprises, Emerging Small Businesses, BIPOC-owned Business Enterprises, Section 3 Business Enterprises, Service-Disabled Veteran Business Enterprises and Women-Owned Business Enterprises). The revised Policy addresses aligning with the supplier diversity goals and workforce diversity goals of peer public agencies that provide housing opportunities for our community.

BACKGROUND

In December 2012, the Home Forward Board of Commissioners approved Resolution 12-03-04 to create Home Forward's Economic Equity Policy. That policy was an update to remedy problems encountered under the previously adopted policy from 2006 that had a limited focus on achieving 20% participation among "Target Business" and 10% participation of Section 3 Business Enterprises. The 2012 Policy introduced a construction workforce element, requiring 20% apprentice participation in each apprentice trade for contracts in excess of \$200,000. This included additional workforce goals to achieve labor hours goals for BIPOC apprentices (18%) and women apprentices (9%).

In 2021, we updated the Policy to represent a Supplier Diversity goal of 28% and the 20% apprentice labor hours would include 20% labor hours performed by BIPOC tradespeople and 9% of labor hours will be performed by tradeswomen.

OVERVIEW

With this proposed change, Home Forward aspires to achieve an annual overall goal of thirty percent (30%) participation Underutilized Business Enterprises in all contracts except Intergovernmental Agreements and Memorandums of Understanding. Contracts will be subject to the Workforce Training and Hiring Program at a construction value of \$300,000 and above and subcontracts at \$300,000 and above.

Aligning with other agencies providing affordable housing by increasing our Supplier Diversity goal to 30% will make a positive impact on the UBE contracting community. Increasing the goal as well as making the requirement the same among Owners will make it easier for contractors to handle things administratively.

Increasing the threshold for triggering workforce requirements to \$300,000 for the prime and \$300,000 for the subcontractor will allow more smaller UBE contractors to bid on the subcontracting opportunities. We anticipate that allowing those smaller contractors to perform the work in-house without becoming BOLI Training Agents or bringing on apprentices will open up additional opportunities these smaller contractors.

The updated Policy establishes 30% of the value of the construction contract be awarded to Underutilized Business Enterprise contractors. The workforce Training & Hiring Program will be updated to apply to all construction projects contracted for \$300,000 and above and subcontracts at \$300,000 and above.

CONCLUSION

The Board of Commissioners is requested to authorize the updated Economic Equity Policy.

ATTACHMENTS

Supplier Diversity Program

HUD's Section 3 Program

Workforce Training and Hiring Program



RESOLUTION 24-08-05

RESOLUTION 24-08-05 AUTHORIZES THE ADOPTION OF THE REVISED ECONOMIC EQUITY POLICY

WHEREAS, Home Forward is committed to the principles of increasing economic participation of underutilized business enterprises (UBEs) in contracting; and,

WHEREAS, Home Forward aspires to achieve an annual overall goal of thirty percent (30%) participation of UBEs in all contracts except IGA/MOU's;

WHEREAS, Contracts will be subject to the Workforce Training and Hiring Program at construction value of \$300,000 and above and subcontracts at \$300,000 and above.

WHEREAS, Home Forward is committed to a workforce training and hiring program that results in workforce diversity, equity, and inclusion;

WHEREAS, Home Forward is required to comply with Section 3 of the HUD Act of 1968 as amended in 1994;

WHEREAS, historical outreach efforts have been analyzed and incorporated in order to refine and strengthen the current economic equity policy;

WHEREAS, the proposed amended policy is in compliance with applicable federal, state, and local laws.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of Home Forward adopts the updated Economic Equity Policy.

ADOPTED: AUGUST 20, 2024

Attest:

Home Forward:

Ivory N. Mathews, Secretary

Matthew Gebhardt, Chair

ECONOMIC EQUITY POLICY REQUIREMENTS

An Equity Plan is to be established during the course of pre-construction services (CM/GC or Design Build) or immediately following Notice of Intent to Award in a low bid situation. Using our Home Forward Supplier Diversity Management System we will send an Utilization Plan that will be completed by Contractor with all subs and contract values and returned before the deadline set by Procurement. During the term of the Contract, the Contractor will be required to input monthly payments to subs. We will follow progress toward achieving the established Equity Plan, including utilization of all certified businesses, along with certified payroll supporting apprenticeship hours and workforce diversity.

This project is subject to the following Economic Equity programs:

1. Home Forward's Supplier Diversity Program (see exhibit a)

- ❖ Home Forward requires that 30% of the value of the construction contract be awarded to COBID and/or Underutilized Business Enterprise (UBE) which includes: Diverse ability-owned business enterprises (DOBE), Disadvantaged business enterprises (DBE), Emerging small businesses (ESB), LGBT-owned business enterprises (LGBT-BE), Minority-owned business enterprises (MBE), Service disabled veteran business enterprises (SDVBE), Women-owned business enterprises (WBE), Veteran-owned business enterprises (VBE) certified contractors.
- ❖ UBE's with certifications of Emerging Small Business (ESB), shall be limited to utilizing 5% of total prime contract dollars to meet the overall 30% goal.

2. HUD's Section 3 Program

- ❖ 25% or more of the total number of labor hours worked by all workers are to be worked by Section 3 Workers and;
- ❖ 5% or more of the total number of labor hours worked by all workers are to be worked by Targeted Section 3 Workers
- ❖ Any worker employed on the project will be required to submit a Section 3 Worker Eligibility Form to Home Forward, prior to starting work on the project, if not previously submitted during the last year.

The following language regarding HUD Section 3 shall apply to the Contract:

- A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.
- C. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

- E. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.
- F. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- G. With respect to work performed in connection with Section 3 covered Indigenous housing assistance, section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indigenous individuals, and (ii) preference in the award of contracts and subcontracts shall be given to Indigenous organizations and Indigenous-owned Economic Enterprises. Parties to this contract that are subject to the provisions of section 3 and section 7(b) agree to comply with section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

3. Workforce Training & Hiring Program (see exhibit b)

The goal of the Workforce Training and Hiring Program is to increase the numbers of women and BIPOC (Black, Indigenous, and People of Color) in the construction trades through apprenticeship and journey-level opportunities on City of Portland projects. Workforce Training & Hiring Program requirements apply to City construction projects contracted for \$300,000 and above and subcontracts at \$300,000 and above. Key program elements include:

- ❖ The prime contractor and all subcontractors with contracts in the amount of \$300,000 or more are registered as Training Agents with the Oregon Bureau of Labor and Industries (BOLI)
- ❖ Ensuring that a minimum of 20% of the labor hours, per trade, are worked by state-registered apprentices
- ❖ Striving in good faith to meet the diversity goals of 20% of job hours performed by BIPOC journey-level workers and apprentices, and 9% of job hours performed by female journey-level workers and apprentices
- ❖ Prime contractor and subcontractors are expected to meet diversity goals by trade.

Economic Equity Policy ~ Supplier Diversity Program ~ Exhibit A

What is Supplier Diversity?

Supplier diversity is a proactive business strategy that encourages the use of underutilized business enterprises (UBEs) including but not limited to Diverse ability-owned business enterprises (DOBE), Disadvantaged business enterprises (DBE), Emerging small businesses (ESB), LGBT-owned business enterprises (LGBT-BE), Minority-owned business enterprises (MBE), Service disabled veteran business enterprises (SDVBE), Women-owned business enterprises (WBE), Veteran-owned business enterprises (VBE). Supplier diversity programs help sustain and progressively transform an organization's supply chain.

Why Does It Matter?

A supplier diversity program helps an organization more fully reflect the diversity of the communities in which it operates. When organizations source from UBEs, these suppliers have the power of igniting creative problem-solving and innovation that benefits organizations who build relationships with them.

UBEs are among the fastest-growing segments of the U.S. economy. In Oregon alone, 99.4% of all businesses are small businesses with less than 100 employees, and 20% of these businesses are minority-owned.¹ According to the [WeConnect report](#) on global supplier diversity and inclusion, the advantages of supplier diversity programs include:

- Access to new suppliers, innovative solutions, and costs savings through increased competition;
- Awareness of diverse client needs, increased market share and shareholder value; and,
- Brand enhancement and recruitment/retention of employers who want meaningful work.²

Government incentives to contract UBEs also benefit businesses. In addition to the “set-asides” in federal contracts, most UBEs are eligible for preferred purchase programs run by various state governments including Oregon's Certification Office for Business Inclusion and Diversity (COBID).

How Can Home Forward Build a Supplier Diversity Program?

This supplier diversity program offers a blueprint for Home Forward to benefit from diversifying its existing supplier base. The program empowers stakeholders to clarify their understanding of what an UBE is, what businesses qualify as an UBE, and how to establish metrics to measure progress over time.

The program also helps leaders recognize the powerful contributions and lived experiences that existing UBEs in the Portland Metropolitan Area *could* offer if Home Forward builds out existing supplier diversity strategies, implements them, and sustains them over time.

Home Forward has the opportunity to join leading employers in staying ahead of the curve when it comes to diversifying its supply base. Executive teams that actively build a diverse supply base will gain a competitive advantage innovating programs and services that help the organization move closer to meeting its mission.

¹ U.S. Small Business Administration, Office of Advocacy. 2019 Small Business Profile for Oregon. Found at: <https://cdn.advocacy.sba.gov/wp-content/uploads/2019/04/23142656/2019-Small-Business-Profiles-OR.pdf>. Note that this estimate *excludes* certified LGBT-BE, VBE, DOBE, and Section 3-BEs.

² WeConnect International. The Business Case for Global Supplier Diversity and Inclusion (2017). Found at: <https://media-weconnectinternational-org.s3.amazonaws.com/2020/08/Business-Case.pdf>.

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Purpose

Home Forward is committed to maintaining and strengthening mutually beneficial relationships with a wider pool of underutilized business enterprises (UBEs). These relationships enhance the services and programs offered at Home Forward while generating wealth for small businesses located in-and-around Portland.

The following Supplier Diversity Program reflects Home Forward's desire to increase existing economic opportunities for local UBEs to expand their business opportunities with Home Forward.

Key Definitions

- **Underutilized Business Enterprise (UBE):** A UBE includes small businesses that are at least 51% owned by businesses certified as a: 1) Diverse ability-owned business enterprises (DOBE), 2) Disadvantaged business enterprises (DBE), 3) Emerging small businesses (ESB), 4) LGBTQ-owned business enterprises (LGBTQ-BE), 5) Minority-owned business enterprises (MBE), 6) Section 3 business enterprises, 7) Service disabled veteran business enterprises (SDVBE), 8) Women-owned business enterprises (WBE), and 9) Veteran-owned business enterprises (VBE).
- **Direct Appointments.** A procurement preference that may be total or in part where the contract is available for bidding solely by a designated UBE group.

General Policies

The following policies will help Home Forward build economic equity through its supplier diversity program for UBEs.

Diversity, Equity, and Inclusion Policy

Home Forward recognizes its diversity, equity, and inclusion commitments are critical to delivering culturally specific services to its clients – and that a diverse supply base adds value to the organization's ability to deliver these services while creating wealth for UBEs located in-and-around Portland.

Non-Discrimination Policy

The contractor is aware that, under ORS 279A.110, no contractor who contracts with a public contracting agency may discriminate against minority, women or emerging small businesses in the awarding of subcontracts. Accordingly, the contractor hereby certifies that it has not and will not discriminate against any BIPOC, women, or emerging small business enterprises in obtaining any of the required subcontracts for the contract.

Home Forward employees and contractors are prohibited from employing, contracting with, or making referrals to community providers and vendors that fail to comply with Home Forward's non-discrimination policy.

Coercion and Imposition of Beliefs Policy

Employees and contractors are prohibited from imposing their personal, organizational and/or religious beliefs on Home Forward stakeholders. Personal, organizational and/or religious beliefs of employees and contractors shall not under any circumstance impact the utilization of available UBEs qualified and equipped to support Home Forward's supplier needs.

Supplier Diversity Program

When all business considerations are determined to be equal among competitive suppliers, Home Forward will award contracts to underutilized business enterprises (UBEs).

UBEs include:

- Diverse ability-owned business enterprises (DOBE)
- Disadvantaged business enterprises (DBE)
- Emerging small businesses (ESB)
- LGBT-owned business enterprises (LGBT-BE)
- Minority-owned business enterprises (MBE)
- Service disabled veteran business enterprises (SDVBE)
- Women-owned business enterprises (WBE)
- Veteran-owned business enterprises (VBE)

The Home Forward department leaders are encouraged to explore opportunities to obtain services and goods from certified UBEs that can provide competitive quality and pricing whenever possible.

Contracting

Home Forward aspires to achieve an annual cumulative goal of twenty eight percent (30%) participation of UBEs among all contracts except IGA/MOU's.

For contracts having a dollar value of \$25,000 to \$100,000, UBEs will be considered as the first source for construction and professional service contracts where three or more of these firms are available and qualified to do the work.

For contracts having a dollar value of \$100,000 - \$200,000, Home forward, at its option, may identify certain projects, contracts, or subcontracts which it will allow participating UBEs, to compete among themselves, provided there are three or more firms available and qualified to do the work.

Procedures

Scope

Home Forward's Supplier Diversity Program applies to all contracts. The Procurement Department will drive this participation through local initiatives, including participating and hosting reverse vendor trade shows, in order to maintain awareness of local UBEs.

These staff will encourage UBEs to participate in reverse vendor trade shows and matchmaker meetings to review business capability statements, and share supplier qualifications including licenses, certification, and insurance limits as appropriate.

The Procurement Department will periodically review UBE participation and update goals as needed or on a project specific basis.

The Procurement Department will work with other Department leaders to assist in sharing national, state, and local UBE websites to identify suppliers whenever possible. Taking this action ensures that nontraditional procurement spend areas such as Human Resources, marketing, technology, legal, etc. also have access to UBEs whenever possible.

Participation Requirements

To participate in Home Forward’s supplier diversity program, an underutilized business enterprise (UBE) must be a for-profit business that is at least 51% owned, managed, and controlled by a person from a recognized underutilized community as outlined below regardless of whether or not that business owner employs person(s) from an underutilized community. Nonprofit organizations are not included in Home Forward’s supplier diversity program.

As outlined above, Home Forward aspires to achieve an annual overall goal of twenty eight percent (30%) participation of UBEs on all contracts except IGA/MOU’s.

In order to reach these percentage goals, an UBE must be certified with one of the following certifications listed below.

- Minority-owned business enterprises (MBE)
- Women-owned business enterprises (WBE)
- Disadvantaged business enterprises (DBE)
- Emerging small businesses (ESB)
- Veteran-owned business enterprises (VBE)

UBE’s that do not have an available Federal or State certification program, Home Forward will acknowledge self certifications submitted to Procurement. These UBE’s are listed below.

- Minority-owned business enterprises (MBE)
- Women-owned business enterprises (WBE)
- Diverse ability-owned business enterprises (DOBE)
- LGBTQ-owned business enterprises (LGBTQ-BE)

Hierarchy

For purposes of Request for Proposal evaluation and scoring of Social Equity Participation, points will be prorated and allocated based on contract value. In addition, the scoring hierarchy of UBE contractors will be as follows:

COBID certified MBE, WBE, DBE, ESB, VBE	Full points awarded
MBE, WBE, DOBE, LGBTQ-BE	At least 50% points awarded

Reporting Annual Goals

Home Forward will establish auditing and reporting procedures to ensure that agency goals are tracked and areas for growth are addressed when goals are not met. Procurement will review and evaluate the previous year’s UBE participation results and prepare and present an annual report to the Executive Director and Board of Commissioners. During the presentation to the leadership team, the annual percent goals will be discussed, updated, and announced to key stakeholders throughout the organization.

Economic Equity Policy ~ Workforce Training & Hiring Program ~ Exhibit A

Contractor Checklist

This program applies to contracts of \$300,000 or more and subcontracts of \$300,000 or more

The following Workforce Training and Hiring Program (the “Program”) requirements apply to Home Forward projects \$300,000 or more. The City of Portland administers this program on behalf of Home Forward.

It is the Contractor’s responsibility to read and fully understand this section of the bid specifications and to comply with all provisions of the program, regardless of whether they appear on this checklist. *Contractors shall include in their bid all costs associated with complying with the Workforce Program.*

Elements of this program include:

- That the prime contractor and all subcontractors with contracts in the amount of \$300,000 or more are registered as Training Agents with the Oregon Bureau of Labor and Industries (BOLI)
- A minimum of 20% of the labor hours—per contractor, per trade—are performed by state-registered apprentices
- A 20% aspirational goal for BIPOC, and 9% for females on Home Forward construction projects for apprentices and journey level workers

The prime contractor and all applicable subcontractors are required to provide all workforce utilization related data electronically in LCP Tracker. The prime contractor is responsible for ensuring all subcontractors have completed all requested items.

Information related to contractor access of the system will be provided to a designated point of contact upon award of the contract. LCP Tracker is web-based and can be accessed at the following Internet address: www.lcptracker.net.

CHECKLIST

For Contracts of \$300,000 or More and Subcontracts of \$300,000 or More, Contractors Must:

1. Submit a Workforce Plan (Exhibit 2) prior to submittal of first payroll report, or as otherwise designated. A copy of the Workforce Plan should be downloaded, filled out and then uploaded into LCP Tracker. The Plan should detail your approach and strategies to achieve all goals.
2. Before starting work on this project, confirm registration as a Training Agent with the Bureau of Labor & Industries (BOLI), Apprenticeship & Training Division. Not a BOLI registered training agent? Contact BOLI (971-673-0760) or City of Portland (503-823-6888) for further information.
3. Ensure that a minimum of 20% of labor hours in each apprenticeable trade are worked by state-registered apprentices. Contractors shall fulfill the 20% apprenticeship requirement without exceeding the apprentice ratios approved by the applicable apprenticeship program.
4. Strive in good faith to meet the diversity goals of employing women and BIPOC (both journey and apprentice level workers).
5. Make all reasonable and necessary efforts to employ a workforce that reflects the diversity of the City of Portland, including recruitment of a diverse workforce through the unions, the apprenticeship programs and other community resources, as described herein.
6. Recognized Pre-Apprenticeship Programs shall be used as a “first source” for entry into apprenticeship programs for hiring to meet the Apprenticeship Hour Goals on the Project required under this Section

and as an ongoing resource to facilitate apprentices' success. To be approved as a first source entry the program must have a proven track record of serving women and/or people of color.

7. Contractor and subcontractors shall maintain a harassment-free workplace by cooperating with the Owner to implement the Rise Up, Green Dot Program or equivalent evidence-based Bystander Intervention Workplace Training Program. Program must be reviewed and approved by Owner prior to start of work.
8. Maintain written documentation of all requests for workers from unions, apprenticeship programs, and community organizations.
9. When an apprentice is hired: Notify the City's Contract Compliance Specialist assigned to the project.
10. Submit weekly certified payroll reports via the LCP Tracker system no later than the 5th of each month.

For additional information or questions, please contact Lisa Vanlue at lisa.vanlue@portlandoregon.gov or 503-823-6910.

WORKFORCE TRAINING AND HIRING PROGRAM

I. PURPOSE

A. General Program Description

Home Forward's Board of Commissioners is committed to a workforce training and hiring program that maximizes apprenticeship and employment opportunities for BIPOC, women, and economically disadvantaged workers in the construction trades (ref. Home Forward Resolution 21-02-01). Their goals include a) ensuring that Home Forward does business with contractors whose workforce reflects the diversity of the workforce found in the City of Portland and Multnomah County, and b) that their contracting dollars provide fair and equal opportunities to the jurisdictions' diverse populations.

The Workforce Training & Hiring Program ("Workforce Program") is administered for Home Forward by the City of Portland, Bureau of Revenue and Financial Services, Procurement Services office (Compliance Agency). The Workforce Program applies to all projects contracted for \$300,000 or more and to each subcontractor of \$300,000 or more on the project. The Contractor and all subcontractors are encouraged to fulfill the program requirements even if their contracts are less than these amounts.

The Workforce Training and Hiring Program is an important part of meeting the Section 3 requirements of the Housing and Urban Development Act of 1968. Section 3 requires that when employment or contracting opportunities are generated by HUD-funded projects that preference is given to low-income persons and businesses residing in the community where the project is located.

Contractors shall make reasonable efforts to ensure that their workforce reflects the diversity of the City of Portland and Multnomah County.

One way contractors can make reasonable efforts to ensure that their workforce is diverse is to recruit, train, and employ BIPOC and women whenever possible. This portion of the Contract establishes requirements regarding that recruitment, training and employment.

For purposes of the Workforce Program specifications, the following definitions shall apply:

The term **"BIPOC"** shall include members of either sex who are Black, Indigenous, and/or People of Color.

The **"Compliance Agency"** shall mean the City of Portland, Bureau of Revenue and Financial Services, Procurement Services.

The **"Contract"** shall mean the contract awarded as a result of these bid specifications.

"Contractor" shall mean the Prime Contractor to whom a Contract is awarded, and any subcontractors with subcontracts of \$300,000 or more.

"Owner" shall mean the government agency that awarded the Contract or leveraged public involvement in the project through a loan or development agreement.

The **"Project"** shall include all work performed pursuant to the Contract.

B. Organization of Program Requirements

The Workforce Program specifications are divided into several parts.

Section II - refers to the action the PRIME must take in order to be eligible for award of a contract.

Section III - lists the actions that must be taken by the PRIME to meet contractual obligations.

Section IV - refers to remedies available to the Owner if a PRIME fails to meet the requirements of the Workforce Program specifications.

Section V - refers to the Owner's ability to monitor compliance with the Workforce Program specification by examination of PRIME and subcontractor records.

II. ACTIONS REQUIRED PRIOR TO BEGINNING THE PROJECT

The PRIME shall thoroughly read this Workforce Program specification and commit to perform all requirements described herein. The PRIME shall submit, before submittal of the first payroll report, a Workforce Plan, which demonstrates how the workforce on this project will fulfill all program requirements. A copy of the Workforce Plan should be downloaded, filled out and then uploaded into LCP Tracker.

III. ACTIONS REQUIRED TO SATISFY CONTRACTUAL OBLIGATIONS

A. Make Reasonable Efforts to Have Diverse Workforce

1. The PRIME and its subcontractors with subcontracts of \$300,000 or more, at any tier level, shall strive to achieve the workforce diversity goal of 20% BIPOC and 9% female hours (including both journey level and apprentice workers) on the project and make all necessary and reasonable efforts to have a workforce that reflects the diversity of the City of Portland and Multnomah County. This requirement is in addition to any other requirement on this portion of the contract.
2. Provide written documentation of its good faith recruitment efforts. Contractors must follow the process for hiring, requesting, recruiting or replacing workers described in Section III, subsection F. This process is considered by the City to be the minimum effort to recruit a diverse workforce.
3. The failure by a union with whom the Contractor has a collective bargaining agreement, as well as nonunion training programs, to refer either BIPOC, women, or Section 3 Workers shall not excuse the Contractor's obligations under this section of the specifications.

B. Ensure Compliance by Certain Subcontractors

1. *The PRIME shall ensure that each subcontractor having a subcontract of \$300,000 or more, at any tier, shall comply with all the provisions of the Workforce Program specifications.* Contractors shall include in their price all costs associated with this requirement. No change order will be executed in order for the PRIME to comply with the Workforce Program specifications.
2. The PRIME shall provide a copy of this Workforce Program specification to all subcontractors with contracts of \$300,000 or more executed for the project.

C. Register as a Training Agent

The PRIME shall register with the Oregon Bureau of Labor and Industries (BOLI) as a Training Agent and ensure that all subcontractors who have contracts in the amount of \$300,000 or more are registered as Training Agents prior to beginning work. Registration as a Training Agent in a specific trade is not required if there are no training opportunities in that trade on the project, based on the maximum ratio allowed by BOLI.

1. Training programs approved by and registered with BOLI may be used to fulfill training requirements under the Workforce Program specifications. Other training alternatives must be approved by the City's Workforce Program Coordinator.
2. Training is intended to be primarily on-the-job training in apprenticeable crafts, and does not include classifications such as flag person, timekeeper, office engineer, estimator, bookkeeper, clerk/typist, firefighter, or secretary. Hours performed in crafts which are not apprenticeable occupations are exempt from the training requirements.
3. Exemptions to the training requirements must be approved by the Owner in writing prior to starting work on the project. Written requests for exemptions related to the training requirements will be considered by the Owner only for extreme circumstances during the course of the project and must be approved in writing. All requests to exempt all or any portion of the work on a project shall be submitted to the Owner 14 calendar days before any work on the project begins. All exemptions must be approved by the Workforce Program Coordinator. *Please note: Procedures for granting exemptions are subject to change. For the most recent updates, please visit: <https://www.portlandoregon.gov/citycode/?c=26882&a=408189>.*

D. Submit Documentation

The PRIME shall submit documentation regarding the following subjects to the Owner. The Owner's failure to object to documentation submitted by the PRIME or subcontractor shall not relieve them of the requirements of the Workforce Program specifications.

1. ***Training Agent Status***
The PRIME and all required subcontractors listed on the Utilization Plan must submit proof to the Contract Compliance Specialist that they are registered Training Agents with BOLI prior to beginning any work on the project.
2. ***Subcontractor Workforce Information***
A Workforce Plan must also be submitted for each subcontractor with a contract of \$300,000 or more, prior to submission of their first payroll report, or within 5 calendar days after the execution of the applicable subcontract, whichever occurs first. A copy of the Workforce Plan should be downloaded, filled out and then uploaded into LCP Tracker. Work by a subcontractor shall not begin prior to submission of such documentation.
3. ***Prime and Subcontractor Reporting After Work Begins***
Weekly Certified Payroll Reports (CPRs) must be submitted by the PRIME and any subcontractor having a subcontract of \$300,000 or more, via LCP Tracker, no later than the 5th of each month and will be used to track attainment toward the City's apprentice requirement and diversity goals. All hours subject to prevailing wage rates on public projects, in addition to supervisors, foremen and superintendents, shall be reported.

E. Use of Apprentices

The PRIME shall:

1. Ensure that a minimum of 20% of labor hours in each apprenticeable trade performed on the project by the PRIME, and subcontractors with subcontracts of \$300,000 or more, are worked by state registered apprentices throughout the duration of the project. The PRIME and subcontractors shall fulfill the 20% apprenticeship requirement without exceeding the apprentice ratios approved by the applicable apprenticeship program, if working more than 300 hours in any given trade.
2. Pay all apprentices the wages required by any applicable collective bargaining contract or pursuant to state or federal law and regulations.
3. Not use workers previously employed at journey-level or those who have successfully completed a training course leading to journey-level status to satisfy the requirements of these provisions.
4. Notify the Contract Compliance Specialist when an apprentice is hired for this project.
5. Count apprentice hours as follows:
 - (a) Hours worked on the project by apprentices (in ratio) enrolled in state-approved apprenticeship programs. *If* the Contractor is unable to fulfill its 20% requirement, then the Contractor may also use methods (b) and (c) below;
 - (b) Hours worked on the project by apprentices who are required to be away from the job site for related training during the project, but only if the apprentice is rehired by the same employer after completion of training; and
 - (c) Hours worked on the project by graduates of state-registered apprenticeship programs, provided that such hours are worked within the 12-month period following the apprentice's completion date.

F. Hiring, Requesting, Recruiting or Replacing Workers

Contractors must follow all of these steps when hiring, requesting, recruiting or replacing workers:

For Apprentices:

1. Using the Worker Request Form, contact the appropriate apprenticeship program or dispatch center to request apprentices who are enrolled in the apprenticeship program; and
2. If the program is open for applications or allows direct entry from the Oregon Employment Division, make reasonable and necessary efforts to recruit apprentice applicants from WorkSource at the Oregon Employment Department, and seek to enroll them into an apprenticeship program.

WorkSource Oregon is Oregon's largest source for job ready applicants:

- Recruitment services are local, statewide, and nationwide
- Computerized job match system matches applicants to job qualifications
- On-the-job training resources available to offset cost of new hires
- Go to: www.imatchskills.org or call 503-257-HIRE

For All Workers:

1. Make reasonable and necessary efforts to employ a diverse workforce. Such actions should include requests for BIPOC and women applicants. Contractors are notified that direct hiring of employees (such as "walk-ons") without providing notification of that job opportunity may not be sufficient to establish the Contractor's efforts to satisfy the diversity goals; and
2. Document employment efforts. Use the Worker Request Form to keep a **written** record of requests to:
 - a. Union halls for signatory contractors;
 - b. Union or open shop apprenticeship programs;
 - c. The Oregon Employment Department. Go to: www.imatchskills.org or call 503-257-HIRE;
 - d. State-registered pre-apprenticeship programs:
http://www.oregon.gov/BOLI/ATD/pages/a_ag_partners.aspx
3. Documentation will be requested by the Owner if a Contractor is not following their Workforce Plan and workforce diversity goals if it appears that the Contractor has not made reasonable and necessary efforts. When requested, the Contractor shall provide that documentation to the Contract Compliance Specialist within 7 calendar days.

NOTE: Contractors may contact the Contract Compliance Specialist for assistance related to any of the above issues.

IV. CONSEQUENCES OF NONCOMPLIANCE WITH WORKFORCE PROGRAM REQUIREMENTS

The Owner's commitment to this program is reflected, in part, by the cost of administering the program. Failure to meet the requirements of this section of the specifications negates such funding and impairs the Owner's efforts to promote workforce diversity and to provide fair and equal opportunities to the public as a result of the expenditure of public funds. Therefore, the parties mutually agree that failure to meet the requirements of this section of the specifications, including but not limited to the submission of required documentation, constitutes a material breach of the Contract.

In the event of a breach of this section of the Contract, the Compliance Agency may take any or all of the following actions:

A. Withholding Progress Payments

The Owner may withhold all or part of any progress payment or payments until the PRIME has remedied the breach of Contract. In the event that progress payments are withheld; the PRIME shall not be entitled to interest on said payments.

If a subcontractor(s) is responsible for noncompliance with the Workforce Program requirements, the Owner may choose to withhold only their portion of the progress payment.

B. Retain Sums as Damages for Failure to Comply with Workforce Program Specifications

The parties mutually agree that it would be difficult, if not impossible, to assess the actual damage incurred by the Owner for the PRIME's failure to comply with the Workforce Program specifications. The parties further agree that it is difficult, if not impossible, to determine the cost to the Owner when workforce opportunities are not provided. Therefore, if the PRIME fails to comply with the Workforce

Program provisions of this Contract, the PRIME agrees to pay the sum of \$1000 per day for each day of missed apprenticeship hours or until the breach of Contract is remedied. Damages may be assessed for failure to meet the 20% apprenticeship training requirements by the PRIME and each required subcontractor in each trade employed. Damages will be calculated based on the training hours not provided at a rate of \$1000 per day. For example, if the Contractor was required to provide 200 hours of carpenter training (20% of 1,000 total carpenter hours), and the Contractor only provided 150 training hours, then the difference (50 hours) is divided by 8 (one day of work) to determine the number of days of undelivered training. $(50/8 = 6.25 \times \$1000 = \$6250)$.

Damages may also be assessed for failure to fulfill the inclusive hiring process described in Section III, subsection G.

These damages are independent of any liquidated damages that may be assessed due to any delay in the project caused by the Contractor's failure to comply with the Workforce Program provisions of the Contract.

C. Retain Sums as Liquidated Damages for Delay

The PRIME agrees that any delay to the specified contract time as a result of the PRIME's failure to comply with the requirements of these specifications shall subject the PRIME to the amount of liquidated damages specified elsewhere in the Contract.

D. Notification of Possible Debarment

By executing this Contract, the PRIME agrees that it has been notified that failure to comply with the requirements of this portion of the Contract may lead to the PRIME's denial of participation in HUD programs pursuant to 24 CFR Part 24 (if the Project is funded in part by HUD).

E. Other Remedies

The remedies that are noted above do not limit any other remedies available to the Compliance Agency in the event that the PRIME fails to meet the requirements of the Workforce Program specifications.

V. REVIEW OF RECORDS

In the event that the Compliance Agency reasonably believes that a violation of the requirements of the Workforce Program specifications has occurred, the Compliance Agency is entitled to review the books and records of the PRIME and any subcontractors employed on the project to which the requirements of these specifications are applicable to determine whether such a violation has or has not occurred.

In the event that the PRIME or any subcontractor fails to provide the books and records for inspection and copying when requested, such failure shall constitute a material breach of this Contract and permit the imposition of any of the remedies noted in Section IV above, including the withholding of all or part of any progress payment.

ATTACHMENTS:

Recommended Recruitment & Retention Practices

RESOURCES:

Copies of all required forms, including the Workforce Plan and Worker Request Form can be downloaded in the LCP Tracker system at www.lcptracker.net or are available on the City's website at: <https://www.portlandoregon.gov/brfs/42255>

For questions about the City's Workforce Training and Hiring Program requirements, visit: <https://www.portlandoregon.gov/brfs/42255>

For information on State-Approved Apprenticeship Programs visit the Bureau of Labor and Industries, Apprenticeship and Training Divisions website: <http://www.oregon.gov/BOLI/ATD/pages/index.aspx>.

For procedures related to granting exemptions to the training requirements, please visit: <https://www.portlandoregon.gov/citycode/?c=26882&a=408189>.

For a list of community resources to help with the recruitment of women and BIPOC, please visit: http://www.oregon.gov/BOLI/ATD/pages/a_ag_partners.aspx

If you have questions after reading the information contained herein and visiting the resources above, please contact Lisa Vanlue at Lisa.Vanlue@portlandoregon.gov or (503) 823-6910. You may also contact Cathleen Massier at Cathleen.Massier@portlandoregon.gov or (503) 823-6888.

RECOMMENDED GOOD FAITH RECRUITMENT & RETENTION PRACTICES

A. Recruitment Efforts

Good faith recruitment efforts are those intense, aggressive, sincere, and result-oriented actions taken by the Contractor designed to accomplish the objectives of the City Workforce Training & Hiring Program. Good faith recruitment efforts include, but are not limited to:

1. Work aggressively with Contractor's Joint Apprenticeship Training Committee (JATC) to recruit BIPOC, women and disadvantaged individuals. Provide evidence of these efforts.
2. Assist the JATC by conducting a workshop with BIPOC and women employees to enlist their assistance as recruiters and request their ideas on how to increase employment of underutilized groups.
3. Support the efforts of the Contractor's JATC by giving all apprentices referred to the Contractor a fair chance to perform successfully, allowing for possible lack of previous experience. Recognize that the Contractor is responsible for providing on-the-job training, and that all apprentices should not be expected to have previous experience.
4. Participate in job fairs, school-to-work, and community events to recruit BIPOC, women, and disadvantaged individuals into the construction trades.
5. Allow scheduled job site visits by participants in community programs, as safety allows, increasing awareness of job and training opportunities in the construction trades.
6. Keep applications of those not selected for an opening. Contact when opening occurs.

B. Retention Efforts

The Contractor shall endeavor to retain BIPOC, women, and disadvantaged individuals by implementing steps such as the following:

1. Maintain a harassment-free workplace.
2. Ensure that employees are knowledgeable about the company's policies if they need to report a harassment problem.
3. Make reasonable attempts to keep apprentices working and train them in all work processes described in the apprenticeship standards.
4. Review and disseminate, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions.
5. Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations.
6. Take steps to reduce feelings of isolation among BIPOC and women to curb hostile attitudes and behavior (e.g., have several BIPOC and women at the job site, provide access to support group system).
7. Provide adequate toilet facilities for women on the job site.
8. Match BIPOC, female, or disadvantaged apprentices who may need support to complete their apprenticeship programs with a journey-level mentor.

HOME FORWARD

SECTION 3 PROJECT COMPLIANCE REQUIREMENTS

I. Policy

This policy has been developed to implement the provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended to date. Home Forward administers funding from the U.S. Department of Housing and Urban Development (HUD), which are used to construct, renovate, or repair housing projects and triggers Section 3 requirements on those projects. Section 3 requires that when employment or contracting opportunities are generated by HUD-funded projects, preference is given to low and very low-income persons and businesses residing in the community where the project is located (i.e. to “Section 3 Workers”, “Targeted Section 3 Workers” and “Section 3 Business concerns”). All contractor/subcontractors are responsible for ensuring compliance with Section 3. The City of Portland administers these requirements on behalf of Home Forward.

II. Definitions

For the purposes of this document, the following definitions shall apply:

“Section 3 Worker”: is a worker who currently fits or when hired within the last 5 years fit at least one of the following categories (1) met HUD’s income limits in the previous calendar year, (2) is employed by a Section 3 Business Concern, or (3) is a YouthBuild participant.

“Targeted Section 3 Worker”: is a Section 3 Worker who (1) is employed by a Section 3 Business Concern *or* currently fits or when hired within the last 5 years fit at least one of the following categories (1) a resident of public housing or Section 8-assisted housing (2) A resident of other public housing projects or Section 8-assisted housing managed by Home Forward or (3) a YouthBuild participant.

“HUD Income Limits”: Low- and very low-income limits are defined in Section 3(b)(2) of the Housing Act of 1937 and are determined annually by HUD. See following link for applicable limits for Oregon (Portland-Vancouver-Hillsboro): <https://www.hudexchange.info/programs/home/home-income-limits/>

“Section 3 Business Concern”: A Section 3 business concern is a business concern meeting at least one of the following criteria, documented within the last six-month period: (1) at least 51% owned and controlled by low-income persons, (2) over 75% of the labor hours over the previous 3-month period are performed by Section 3 workers, or (3) at least 51% owned and controlled by current residents of public housing or Section 8 assisted housing.

III. Section 3 Goals and Priorities

For Home Forward projects, contractors will need to prioritize efforts to hire and train Section 3 Workers, Targeted Section 3 Workers and contract with Section 3 Business Concerns.

Twenty-five percent (25%) or more of the total number of labor hours worked by *all workers* are to be worked by Section 3 Workers and five percent (5%) or more of the total number of labor hours worked by *all workers* are to be worked by Targeted Section 3 Workers. Any worker employed on the project will be required to submit a Section 3 Worker Eligibility Form to the City, prior to starting work on the project, if not previously submitted during the last year.

IV. Efforts to Attain Goals

It is the responsibility of the Prime Contractor to ensure that the above goals are met. If the goals are not met, the Contractor must demonstrate why meeting the goal was not feasible. Contractors and subcontractors may be asked to demonstrate efforts to attain goals that include, but are not limited to the following:

1. Make all necessary and reasonable efforts to hire Section 3 Workers and Targeted Section 3 Workers and document efforts of available employment opportunities at the project site.
2. Provide appropriate signage at the project site and throughout the project area to inform eligible Section 3 Workers of employment opportunities.
3. Providing training or apprenticeship opportunities.
4. Sponsoring job informational meetings in the Section 3 Service area and conducting job interviews.
5. Entering “first source” hiring agreements/memorandums of understanding with organizations representing Section 3 Workers or Targeted Section 3 Workers.
6. Contacting Portland Youthbuilders and requesting their assistance in recruiting and hiring Portland Youthbuilders participants for employment positions.
7. Engaging in outreach efforts to generate job applicants who are Targeted Section 3 Workers.

V. Reporting Requirements

This project is subject to compliance reporting requirements. The prime contractor and all subcontractors are required to provide all workforce utilization in [LCPtracker](#). The prime contractor and all subcontractors are responsible for responding to any instructions or requests for information and should regularly check LCPtracker to manage information and records. The prime contractor is responsible for ensuring all subcontractors have completed all requested items and that their contact information is accurate and up-to-date. The City may require additional information be provided electronically through the system at any time before, during, or after contract award. Information related to contractor access of the systems will be provided to a designated point of contact upon award of the contract.

Submission of Required Documentation for Section 3 Covered Projects:

1. All contractors working on the project must submit a Workforce Plan prior to submittal of first payroll report, or as otherwise designated.
2. All contractors working on the project must submit weekly certified payroll reports via LCPtracker no later than the 5th of each month.
3. All employees working on-site must complete a *Section 3 Worker Eligibility Form*, if not previously submitted during the last year. Eligible Employees will receive approval in LCPtracker.
4. All contractors are required to use the Worker Request Form, when hiring, requesting, or replacing workers.

Questions Regarding Section 3

Cathleen Massier, Compliance Services Manager 503.823.6888

Cathleen.Massier@portlandoregon.gov

Lisa Vanlue, Compliance Specialist 503.823.6910

Lisa.Vanlue@portlandoregon.gov



MEMORANDUM

To: Board of Commissioners

Date: August 20, 2024

From: Ian Slingerland, Director of
Homeless Initiatives and Supportive
Housing
503.802.8370

Subject: Authorize Contract with
HealthShare for Health Related
Social and Community Capacity
Building Needs
Resolution 24-08-06

Jessica Karam, Program Manager,
Community Services
503.280.3744

Christina Dirks, Director of Policy
and Planning
503.802.8554

The Board of Commissioners is requested to authorize the Chief Executive Officer or her designee to execute an agreement with HealthShare of Oregon to fund capacity building in the amount of \$1,054,079 in order for Home Forward to deliver the Health Related Social Need's Medicaid benefit.

These actions support Home Forward's Strategic Plan goals: Improve services to residents and program participants; and Lead within the housing stability ecosystem.

BACKGROUND

In 2022, the State of Oregon received a Medicaid waiver to advance health equity. This waiver, often referred to as the 1115 Waiver, included the ability to provide Medicaid entitlement benefits to cover Health Related Social Needs (HRSN) that directly impact health outcomes. The identified HRSN are housing, climate, and nutrition support. For the HRSN

housing benefits, covered services include:

- Rent assistance and utilities up to six months for individuals who are at risk of homelessness;
- Pre-tenancy and housing transition navigation services;
- Tenancy sustaining services; and
- One-time transition and moving costs and housing deposits.

In anticipation of the HRSN benefit going live on November 1, 2024, the Oregon Health Authority (OHA) made \$119 million available through Coordinated Care Organizations (CCO) to build the workforce and infrastructure needs of new or existing organizations that provide housing, climate, or nutrition support. The HRSN Community Capacity Building Grants are intended to create an adequate network of providers to deliver the HRSN benefits. Using funds distributed by the OHA, HealthShare of Oregon and other CCOs across the state accepted applications for these grants in the Spring of 2024.

OVERVIEW

Home Forward applied for the HRSN Community Capacity Building Grant to HealthShare, the CCO for Multnomah County, on May 31, 2024. Through its application, Home Forward proposed to build capacity for the delivery of the HRSN housing benefit in two distinct ways. The first would be to enable Home Forward to make an agreed upon number of monthly HRSN rent assistance payments for prequalified Medicaid recipients in weekly batches. The second would be to increase the provision of tenancy supportive services that prevent homelessness by piloting the use of this benefit at some of our highest need buildings with the goal of integration of the HRSN benefit into our existing community service delivery.

Based on our application, Home Forward was awarded \$1,054,079 to support capacity building in three identified categories: technology; development of business and operational practices; and workforce development. In order to begin work under this Agreement, Home Forward must receive authorization to execute the attached agreement with HealthShare that commences on September 1, 2024 and expires on August 31, 2025.

CONCLUSION

Home Forward staff requests that the Board of Commissioners authorize execution of the HRSN community capacity building contract with HealthShare.

ATTACHMENTS

HRSN CCBF Agreement

Approved Budget



RESOLUTION 24-08-06

RESOLUTION 24-08-06 AUTHORIZES THE CHIEF EXECUTIVE OFFICER OR HER DESIGNEE TO EXECUTE AN AGREEMENT WITH HEALTHSHARE OF OREGON TO FUND CAPACITY BUILDING FOR HOME FORWARD'S DELIVERY OF THE HEALTH RELATED SOCIAL NEEDS MEDICAID BENEFIT

WHEREAS, Home Forward applied for a community capacity building grant through HealthShare to build capacity for the delivery of the Health Related Social Needs Medicaid housing benefit through the provision of allowable rent assistance payments and tenancy supportive services. Home Forward's engagement in the delivery of this benefit will advance the organization's mission, specifically housing stability for our residents and participants and improvements in the local and national housing systems; and

WHEREAS, Home Forward was awarded a grant in the amount of \$1,054,079 for Health Related Social Needs capacity building in the areas of technology; development of business and operational practices; and workforce development; and

WHEREAS, Home Forward contracting rules require approval of the Home Forward Board of Commissioners for contracts in excess of \$1,000,000; and

WHEREAS, Section 456.135 of the Oregon Revised Statutes provides that an authority may delegate to one or more of its agents or employees such powers or duties as it deems proper.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Home Forward hereby authorizes the Chief Executive Officer, or her designee, to execute an agreement with HealthShare in an amount not to exceed \$1,054,079 for the building of capacity to deliver the Health Related Social Needs Medicaid benefits.

ADOPTED: AUGUST 20, 2024

Attest:

Home Forward:

Ivory N. Mathews, Secretary

Matthew Gebhardt, Chair

**HEALTH SHARE OF OREGON
HEALTH RELATED SOCIAL NEEDS
COMMUNITY CAPACITY BUILDING FUNDING AGREEMENT**

This Community Capacity Building Funding Agreement (“Agreement”) by and between Health Share of Oregon, an Oregon nonprofit corporation (“Health Share”) and Home Forward (“Counterparty”) is entered into and effective as of September 1, 2024 (the “Effective Date”).

RECITALS

- A. Health Share is qualified for exemption from federal income taxation as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), and is further classified as a non-private foundation within the meaning of Code Section 509(a).
- B. Health Share’s exempt purposes include developing an integrated community health system that achieves better care, better health, and lower costs for the Medicaid population in the communities that Health Share serves by facilitating the increase in capacity of community-based organizations to provide Health Related Social Needs services to Health Share members.
- C. Health Share will further Health Share’s exempt purposes by sponsoring Counterparty’s performance of the activities described in the statement of work attached to this Agreement as Exhibit A (“Statement of Work”).
- D. Counterparty has agreed to perform the activities described in the Statement of Work in accordance with this Agreement, including the budget attached hereto as Exhibit B (“Compensation”).

AGREEMENT

Investment.

Amount. Health Share invests the amount of \$1,054,079.00 (One million fifty-four thousand seventy-nine dollars and zero cents), to Counterparty, subject to the terms and conditions of this Agreement.

Payment. Health Share will disburse investment funds to Counterparty for contracted amounts within thirty (30) calendar days of receiving notice of the executed contract. Counterparty understands and agrees that Health Share’s obligations under this agreement are contingent upon Health Share receiving Community Capacity Buildings funding from the Oregon Health Authority (OHA) according to the agreement Health Share holds with OHA.

Use of Investment Funds.

Required Use. Counterparty will use the investment funds solely for the activities described in the Statement of Work and in accordance with the Budget. Permissible uses include technology systems; development of

business or operational practices; workforce development; and outreach, education, and convening.

Prohibited Use. Counterparty will not use any portion of the investment funds for:

- a. Activities for which other federal, state, or local funding is available and allocated for use for the same purposes,
- b. Real estate investments, developments and other capital projects,
- c. Funding to cover ongoing financial losses,
- d. Ongoing lease or utilities payments,
- e. Staff time devoted to non-HRSN related responsibilities or services,
- f. Debt restructuring and bad debt,
- g. Defense and prosecution of criminal and civil proceedings, and claims,
- h. Donations and contributions,
- i. Entertainment (e.g., receptions, parties, conferences, sporting events, etc.),
- j. Alcohol,
- k. Fines and penalties,
- l. Fundraising and investment management costs,
- m. Goods or services for personal use,
- n. Idle facilities or infrastructure,
- o. Interest expense, or
- p. Marketing materials not otherwise related to HRSN

Reporting and Recordkeeping.

Required Reports. Counterparty will, provide quarterly written reports to Health Share in accordance with Exhibit A below.

Separate Accounting. Counterparty will maintain Counterparty's books so as to show the investment fund separately and will keep adequate records to substantiate all expenditures of the investment funds. Counterparty will make these books and records available to Health Share at reasonable times for review and audit upon Health Share's request and will comply with all reasonable requests by Health Share for information and interviews regarding Counterparty's use of the investment funds. Health Share may, at Health Share's own expense, conduct an independent financial and programmatic audit of Counterparty's expenditures of this investment and Counterparty will cooperate with any such audit.

Additional Information. Counterparty will supply Health Share with such other information as Health Share may reasonably request for purposes of exercising Health Share's responsibility for supervising Counterparty's expenditure of the investment funds.

Changes in Control.

Corporate Changes. Counterparty will notify Health Share within thirty (30) days of any significant changes to Counterparty's corporate legal or tax status.

Personnel Changes. If requested, Counterparty will notify Health Share of the personnel responsible for the performance of the activities described in the Statement of Work and will notify Health Share within thirty (30) days of any changes in such personnel.

Miscellaneous.

Notices. All notices and other communications under this Agreement will be in writing and deemed effectively given when personally delivered or when actually deposited in the mail as prepaid, registered or certified mail, return receipt requested, to the address set forth below or to any other address which either party may designate to the other by written notice, including email:

If to Health Share:

Health Share of Oregon
Attn: Ophelia Vidal
2121 SW Broadway, Suite 200
Portland, OR. 97201
vidalo@healthshareoregon.org

If to Counterparty:

Home Forward
Attn: Christina Dirks
135 Ash St.
Portland, OR. 97204
christina.dirks@homeforward.org

Attachments and Exhibits. In addition to the terms and conditions set forth in the body of this Agreement, the rights and obligations of the parties are subject to the Standard Terms and Conditions for Grant Agreements (the "Standard Terms and Conditions") and any Exhibits attached to this Agreement and incorporated by this reference. The Standard Terms and Conditions and Exhibits will be construed with and as an integral part of this Agreement to the same extent as if the Standard Terms and Conditions and Exhibits had been set forth verbatim in the body of this Agreement.

Term. The term of this Agreement begins on the Effective Date. Unless earlier terminated as provided in the Standard Terms and Conditions below, the termination date shall be December 31, 2028 (the "Term Date"). Funds must be used by December 31, 2028. Counterparty shall return to Health Share any funds unspent by December 31, 2028.

[signature page follows]

The parties’ proper and duly authorized officers have signed and executed this Agreement, effective as of the Effective Date set forth in this Agreement’s preamble.

Health Share of Oregon

Home Forward

By: _____ By: _____

Print Name: _____ Print Name: _____

Title: _____ Title: _____

Date: _____ Date: _____

STANDARD TERMS AND CONDITIONS

1. **Termination.** This Agreement may be terminated:
 - a. By Health Share and Counterparty, by mutual written agreement, at any time.
 - b. By Health Share, in the event that Counterparty breaches the Agreement and fails to cure such breach within fifteen (15) days of receiving notice from Health Share regarding the breach.
 - c. By Health Share immediately in the event of any denial, suspension, revocation or non-renewal of any license, permit or certificate that Counterparty must hold in order to engage in the activities described in the Statement of Work or if Counterparty has instituted against it insolvency, receivership, or bankruptcy or ceases doing business on a regular basis.

2. **Effect of Early Termination.** Upon early termination of this Agreement, Health Share will have no obligation to make additional disbursements of investment funds to Counterparty and Counterparty will return any unexpended investment funds; provided, however, that Health Share will reimburse Counterparty for any costs and non-cancelable commitments incurred prior to such termination in accordance with this Agreement. Nothing in this paragraph will be construed as limiting Counterparty's obligation to repay to Health Share any portion of the investment funds that is not spent in accordance with this Agreement.

3. **Remedies.** In the event that Counterparty breaches this Agreement, all remedies provided under this Agreement will be independent of the others and severally enforceable and will be in addition to, and not in lieu of, any other rights or remedies available to Health Share at law or in equity. If Health Share breaches this Agreement, Counterparty's remedy will be limited to termination of the Agreement and the receipt of any outstanding investment funds that Counterparty is entitled for appropriate work already performed, including costs and non-cancelable commitments incurred prior to termination, as determined under this Agreement. Health Share will not be liable for direct, indirect, or consequential damages. Termination will not result in a waiver of any other claim Health Share may have against Counterparty.

4. **No Third Party Beneficiaries.** Health Share and Counterparty are the only parties to this Agreement and are the only parties entitled to enforce this Agreement's terms. Nothing in this Agreement gives or provides any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third persons are individually identified by name in this Agreement and expressly described as intended beneficiaries of this Agreement.

5. **Intellectual Property.**

Proprietary Rights of Counterparty. Health Share of Oregon and Counterparty acknowledge and agree that the training materials created exclusively by Counterparty, including without limitation, templates, methodologies, designs, diagrams, writings, procedures, databases, models, techniques, findings, conclusions, recommendations, slides, audio and video recordings, quality and best practices materials, and training or

presentation materials (collectively, “Counterparty’s IP”), provided by Counterparty to Health Share in delivery of the services hereunder are Counterparty’s proprietary information and intellectual property.

Health Share License of Counterparty’s IP. Counterparty grants to Health Share a non-exclusive, perpetual, royalty-free, fully paid-up license to use Counterparty’s IP for the purpose of delivering health-related social needs services provided that Health Share shall credit Counterparty as the source of Counterparty’s IP. Health Share shall in no way modify, alter, change or otherwise misconstrue or mischaracterize Counterparty’s IP delivered under this agreement. Health Share shall own the final recommendations/report delivered by Counterparty. The parties hereto expressly agree that this provision shall survive the termination of this agreement.

6. **Successors in Interest.** The provisions of this Agreement will be binding upon and inure to the benefit of the parties and their successors and approved assigns, if any.
7. **Access to Records and Facilities.** Counterparty will maintain all financial records related to this Agreement in accordance with generally accepted accounting principles or National Association of Insurance Commissioners accounting standards. In addition, Counterparty will maintain any other records, books, documents, papers, plans, records of shipment and payments and writings of Counterparty, whether in paper, electronic or other form, that are pertinent to this Agreement in such a manner to clearly document Counterparty’s performance. All clinical records, financial records, other records, books, documents, papers, plans, records of shipments and payments and writings of Counterparty whether in paper, electronic or other form, that are pertinent to this Agreement, are collectively referred to as “**Records**.” Counterparty acknowledges and agrees that the Oregon Health Authority (“**OHA**”), the Oregon Secretary of State’s Office, the Center for Medicare and Medicaid Services, the Comptroller General of the United States, the Oregon Department of Justice Medicaid Fraud Control Unit and their duly authorized representatives may be entitled to access Counterparty’s Records in order to perform examinations and audits and make excerpts and transcripts and to evaluate the quality, appropriateness and timeliness of Counterparty’s performance of the activities described in the Statement of Work. Counterparty will retain and keep accessible all Records for the longer of:
 - a. For non-clinical records, six (6) years following final disbursement of the investment or termination of this Agreement, whichever is later.
 - b. For clinical records, seven (7) years following the date of service.
 - c. The retention period specified in this Agreement for certain kinds of records.
 - d. The period as may be required by applicable law, including the records retention schedules set forth in Oregon Administrative Rules (“**OAR**”) Chapters 410 and 166; or
 - e. Until the conclusion of any audit, controversy or litigation arising out of or related to this Agreement.

Counterparty will, upon request and without charge, provide a suitable work area and copying capabilities to facilitate such a review or audit. This right also includes timely

and reasonable access to Counterparty's personnel for the purpose of interview and discussion related to such documents. The rights of access in this paragraph are not limited to the required retention period but will last as long as the records are retained.

8. **Information Privacy/Security/Access.** If Counterparty's activities described in the Statement of Work require Counterparty to have access to or use of any OHA computer system or other OHA Information Asset for which OHA imposes security requirements, and OHA grants Counterparty access to such OHA Information Assets or Network and Information Systems, Counterparty will comply with OAR 943-014-0300 through 943-014-0320, as such rules may be revised from time to time. For purposes of this paragraph, "**Information Asset**" and "**Network and Information System**" have the meaning set forth in OAR 943-014-0305, as such rule may be revised from time to time.

9. **Compliance with Applicable Law.** Counterparty will comply with all federal, State, and local laws, regulations, executive orders and ordinances applicable to this Agreement or to Counterparty's performance of the activities described in the Statement of Work as they may be adopted, amended or repealed from time to time, including but not limited to the following: (i) Oregon Revised Statutes ("**ORS**") Chapter 659A.142; (ii) OHA rules pertaining to the provision of integrated and coordinated care and services, OAR Chapter 410, Division 141; (iii) all other OHA Rules in OAR Chapter 410; (iv) rules in OAR Chapter 309 pertaining to the provisions of mental health services; (v) rules in OAR Chapter 415 pertaining to the provision of Substance Use Disorders services; (vi) state law establishing requirements for Declaration for Mental Health Treatment in ORS 127.700 through 127.737; Federal Whistleblower protections found in 41 U.S.C. 4721 and (viii) all other applicable requirements of State civil rights and rehabilitation statutes, rules and regulations. These laws, regulations, executive orders, and ordinances are incorporated by reference to the extent that they are applicable to this Agreement and required by law to be so incorporated. Health Share's performance under this Agreement is conditioned upon Counterparty's compliance with the provisions of ORS 279B.220, 279B.230, 279B.235 and 279B.270, which are incorporated by reference. Counterparty will, to the maximum extent economically feasible in the performance of this Agreement, use recycled paper (as defined in ORS 279A.010(1)(gg)), recycled PETE products (as defined in ORS 279A.010(1)(hh)), and other recycled products (as "recycled product" is defined in ORS 279A.010(1)(ii)).

10. **Indemnity.** Subject to the Oregon Tort Claims Act, Counterparty will defend, save, hold harmless, and indemnify Health Share and Health Share's employees and agents from and against all third party claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature whatsoever, including attorneys' fees, resulting from, arising out of, or relating to the activities of Counterparty or Counterparty's officers, employees, sub-counterparties, or agents under this Agreement. Counterparty will have control of the defense and settlement of any claim that is subject to this paragraph. However, neither Counterparty nor any attorney engaged by Counterparty will defend the claim in the name of Health Share, nor purport to act as legal representative of Health Share, without first receiving from Health Share, authority to act as legal counsel for Health Share, nor will Counterparty settle any claim on behalf of Health Share without the

approval of Health Share. Health Share may, at Health Share's election and expense, assume Health Share's own defense and settlement.

11. **Insurance.** Counterparty will ensure that they have the type and levels of insurance that are commercially prudent to engage in the activities described in the Statement of Work.
12. **Waiver.** The failure of Health Share to enforce any provision of this Agreement will not constitute a waiver by Health Share of that or any other provision. Waiver of any default under this Agreement by Health Share will not be deemed to be a waiver of any subsequent default or a modification of the provisions of this Agreement.
13. **Governing Law and Venue.** This Agreement will be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively, any "**claim**") between Health Share and Counterparty that arises from or relates to this Agreement will be brought and conducted solely and exclusively within the Circuit Court of Multnomah County for the State of Oregon; provided, however, that if a claim must be brought in a federal forum, then that claim will be conducted solely and exclusively within the United States District Court for the District of Oregon.
14. **Severability.** If any term or provision of this Agreement is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the parties will be construed and enforced as if the Agreement did not contain the particular term or provision held invalid.
15. **Merger Clause.** This Agreement and the attached Exhibits constitute the entire agreement between the parties. All understandings and agreements between the parties and representations by either party concerning this Agreement are contained in this Agreement. No waiver, consent, modification or change in the terms of this Agreement will bind either party unless in writing signed by both parties. Any written waiver, consent, modification, or change will be effective only in the specific instance and for the specific purpose given.
16. **Anti-discrimination Clause.** Counterparty will not discriminate based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, source of income, or political affiliation in programs, activities, services, benefits or employment. Counterparty will not discriminate against minority-owned, women-owned, or emerging small businesses. Counterparty will include a provision in each sub-agreement requiring sub-counterparties to comply with the requirements of this clause.
17. **Representations and Warranties.** Counterparty represents and warrants to Health Share that:
 - a. Counterparty has the power and authority to enter into and perform this Agreement.

- b. This Agreement, when executed and delivered, will be a valid and binding obligation of Counterparty enforceable in accordance with this Agreement's terms.
- c. Counterparty has the skill and knowledge possessed by well-informed members of Counterparty's industry, trade or profession and Counterparty will apply that skill and knowledge with care and diligence to engage in the activities described in the Statement of Work in a professional manner and in accordance with standards prevalent in Counterparty's industry, trade or profession;
- d. Counterparty will, at all times during the term of this Agreement, be qualified, professionally competent, financially stable, and duly licensed to engage in the activities described in the Statement of Work; and
- e. Counterparty prepared Counterparty's application related to this Agreement, if any, independently from all other applicants, and without collusion, fraud, or other dishonesty.
- f. The warranties set forth in this paragraph are in addition to, and not in lieu of, any other warranties provided.
- g. Counterparty is not excluded from eligibility for Community Capacity Building Funding by being on any of the following exclusion lists:
 - i. U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) Sanction Lists;
 - ii. Social Security Administration Death Master File (SSADMF)
 - iii. System of Award Management (SAM);
 - iv. U.S. Department of Health and Human Services, Office of Inspector General's (HHS-OIG) List of Excluded Individuals and Entities (LEIE); or
 - v. Oregon's Medicaid Exclusion List.
- h. Counterparty intends to contract with one or more CCOs or the Oregon Health Authority to provide HRSN Services.
- i. Community Capacity Building Funding received from Health Share is not duplicative of other federal, state, or local funding sources.
- j. Community Capacity Building Funding does not supplant funding from other federal, state, or local programs.
- k. Community Capacity Buildings Funding is not duplicative with fundings from any other CCO.

18. Independent Status of Counterparty.

- a. Counterparty is not an officer, employee, or agent of the State of Oregon as those terms are used in ORS 30.265 or otherwise.
- b. If Counterparty is currently performing work for the State of Oregon or the federal government, Counterparty by signature to this Agreement, represents and warrants that the activities described in the Statement of Work to be performed by Counterparty under this Agreement create no potential or actual conflict of interest as defined by ORS Chapter 244 and that no statutes, rules or regulations of the State of Oregon or federal agency for which Counterparty currently performs work would prohibit Counterparty from engaging in the activities described in the Statement of Work. If funds granted to Counterparty under this Agreement are charged against federal funds, Counterparty certifies that Counterparty is not currently employed by the federal government.

- c. Counterparty is responsible for all federal and State taxes applicable to compensation paid to Counterparty under this Agreement and Health Share will not withhold from the investment funds any amounts to cover Counterparty's federal or State tax obligations. Counterparty is not eligible for any social security, unemployment insurance or workers' compensation benefits as a result of the funds granted to Counterparty under this Agreement, except as a self-employed individual.
 - d. Counterparty's performance of the activities described in the Statement of Work will not create an employment or agency relationship between Counterparty and Health Share. Counterparty is responsible for determining the appropriate means and manner of performing the activities described in the Statement of Work.
- 19. Record Confidentiality.** Counterparty agrees to keep all client specific information confidential in accordance with state and federal statutes and rules governing confidentiality.
- 20. Assignment.** Counterparty will not assign or transfer Counterparty's interest in this Agreement, voluntarily or involuntarily, whether by merger, consolidation, dissolution, operation of law, or in any other manner, without prior written consent of Health Share. Any such assignment or transfer, if approved, is subject to such conditions and provisions as Health Share may deem necessary in Health Share's sole discretion. No approval by Health Share of any assignment or transfer of interest will be deemed to create any obligation of Health Share in addition to those set forth in this Agreement.
- 21. Sub-investments.** Counterparty will not sub-invest any portion of the investment funds awarded under this Agreement without the prior written consent of Health Share.
- a. In the event that Health Share consents to Counterparty's sub-investing all or any portion of the investment funds to a third party, the following conditions will apply:
 - i. Counterparty will remain responsible for all obligations under this Agreement.
 - ii. Counterparty will include all requirements of this Agreement in each sub-investment, and will be responsible for the performance of Counterparty's sub-counterparties; and
 - iii. Counterparty will supply Health Share with a copy of each sub-investment upon request.
 - b. Health Share by this Agreement incurs no liability to third persons for payment of any investment funds provided under this Agreement to Counterparty.
- 22. Informal Dispute Resolution.** The parties will use the following procedure if Counterparty has complaints or concerns regarding this Agreement:
- a. Counterparty may contact Health Share to informally discuss Counterparty's complaints or concerns.
 - b. If the matter remains unresolved after the informal discussion, Counterparty may submit a letter or other documentation to:

Health Share of Oregon
Attn: Chief Executive Officer
2121 SW Broadway, Suite 200
Portland, Oregon 97201

setting forth Counterparty's complaints or concerns. Within ten (10) business days of receiving Counterparty's letter, Health Share will contact Counterparty and attempt to resolve the matter.

- c. If the matter remains unresolved, Counterparty may submit a letter or other documentation to the CEO setting forth Counterparty's complaints or concerns. The CEO or the CEO's designee will contact Counterparty promptly and attempt to resolve the matter.
 - d. If the matter remains unresolved, the parties may enter into mediation, if mutually agreed upon by the parties. Parties will share equal responsibility for cost associated with mediation.
 - e. Nothing in this paragraph will affect either party's rights or obligations under this Agreement.
- 23. Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all counterparts together will constitute one and the same instrument.

Exhibit A: Statement of Work

I. Obligations of Counterparty:

Counterparty agrees to:

- A. Use Funds for Eligible Project Expenses.
- B. Work toward competencies to enter into contract for provision of Health-Related Social Need (HRSN) benefits for Health Share of Oregon members.
- C. Participate in future Health Share evaluation activities.

II. Project Description:

Community Capacity Building grants will allow organizations to build the workforce and infrastructure needed to provide Health Related Social Needs benefits to Health Share of Oregon members. CCBF will support HRSN service providers and organizations that will become HRSN providers to develop what they need to be able to participate in the Medicaid delivery system and deliver HRSN services to qualified OHP members.

Funding is based on the CCBF application submitted by the Counterparty and must be used within the following four categories:

- 1. Technology
- 2. Development of Business or Operational Practices
- 3. Workforce development
- 4. Outreach, education, and convening

III. Project Deliverables and Timeline: Counterparty shall attend regularly scheduled meetings with Health Share staff to review progress and trouble shoot barriers and address technical assistance needs. These meeting shall be scheduled at a time and cadence that is mutually agreeable to both parties not less than once every six months with the 1st meeting scheduled within one month of fund dispersal.

Project deliverables and timeline/due dates may need to be changed due to unexpected external factors, including changes in Health Share’s obligations to the Oregon Health Authority. Requests for changes to due dates and/or timelines shall be made in writing and final approval will be determined by Health Share.

IV. Project Reporting Schedule: Counterparty shall report to Health Share using the Health Share Provided Quarterly Reporting excel template according to the following schedule.

Reporting Period	Report Due
January 1 – March 31	May 15
April 01 – June 30	August 15
July 1 – September 30	November 15
October 1 – December 31	February 15

V. Eligible Project Expenses

Funds shall be exclusively used to finance the selected Eligible Project Expenses as outlined below in sections A-D and, in the attached budget:

A) Technology:

- ☐ Procuring IT infrastructure/data platforms to support HRSN. For example: Authorization of HRSN services Referral to HRSN services, HRSN service delivery, HRSN service billing, HRSN program oversight, monitoring and reporting
- ☒ Modifying existing systems to support HRSN
- ☐ Development of an HRSN eligibility/services screening tool
- ☐ Integration of data platforms/systems/tools
- ☐ Onboarding to new, modified, or existing systems (e.g. community information exchange)
- ☐ Training for use of new, modified, or existing systems

B) Development of Business or Operational Practices:

- ☒ Development of policies/procedures related to:
 - i. HRSN referral and service delivery workflows
 - ii. Billing/invoicing
 - iii. Data sharing/reporting
 - iv. Program oversight/monitoring
 - v. Evaluation
 - vi. Privacy and confidentiality
- ☒ Training/technical assistance on HRSN program roles/responsibilities
- ☒ Administrative items necessary to perform HRSN duties or expand HRSN service delivery capacity (e.g., purchasing of a commercial refrigerator to expand capacity to provide additional medically-tailored meals to qualifying members)
- ☒ Planning needs for the implementation of the HRSN program
- ☒ Procurement of administrative supports to assist with the implementation of the HRSN program

C) Workforce Development:

- ☐ Cost of hiring and training new staff
- ☒ Salary and fringe for staff that will have a direct role in overseeing, designing, implementing, and/or executing HRSN responsibilities, time limited to a period of 18 months. Organizations may not access this funding for the same individual more than once
- ☐ Necessary certifications, training, technical assistance, and/or education for staff participating in the HRSN program (e.g., on culturally competent and/or trauma informed care)
- ☐ Privacy/confidentiality training/technical assistance related to HRSN service delivery
- ☐ Production costs for training materials and/or experts as it pertains to the HRSN program

D) Outreach, Education, and Partner Convening:

- ☐ Production of materials necessary for marketing, outreach, training, and/or education
- ☐ Translation of materials

- ☐ Planning for and facilitation of community-based outreach events to support awareness of HRSN services
- ☐ Planning for and facilitation of learning collaboratives or partner convenings
- ☐ Community engagement activities necessary to support HRSN program implementation and launch (e.g., roundtable to solicit feedback on guidance documents)
- ☐ Administrative or overhead costs associated with outreach, education, or convening.

CCBF Quarterly Reporting Template Preview
(actual reporting template will be provided separately as an Excel file)

CONTRACTOR			
HRSN PROVIDER MEDICAID ID / EIN			
QUARTER			
Award Amount Per CCBF Category	CCBF Category	Original Award	Updated Award
	<i>Technology</i>	\$	\$
	<i>Business Operations</i>	\$	\$
	<i>Workforce Development</i>	\$	\$
	<i>Outreach & Engagement</i>	\$	\$
		\$	\$
Overall Project Status	Please select a status update from the dropdown menu.		
Other CCOs Providing Funding			
Summary of Activities: Technology	Status	Activity	
		Procured Unite Us/Connect Oregon platform	
		Onboarded HRSN staff to Unite Us/Connect Oregon	
		Trained HRSN staff for use of Unite Us/Connect Oregon	
		Other technology activities, detailed below	
	Successes		
	Challenges		
	Summary of Activities: Business Operations	Status	Activity
		Developed HRSN capacity-building business plan	
		Developed policies/procedures relating to HRSN delivery	
		Received training/technical assistance on HRSN program roles	
		Other business operations activities, detailed below	
Successes			
Challenges			
Summary of Activities: Workforce Development		Status	Activity
		Hired new staff to support HRSN delivery, detailed below	
		HRSN staff received training/technical assistance in HIPAA and other health care practices.	

		HRSN staff received necessary training for staff participating in HRSN (e.g., cultural competency, trauma informed care)
		Other workforce development activities, detailed below
	Successes	
	Challenges	
Summary of Activities: Outreach & Engagement	Status	Activity
		Participated in learning collaboratives or partner convenings
		Collaborated with or received training and technical assistance from Health Share HRSN Network Hubs
		Collaborated with other Housing/Nutrition HRSN providers
		Other network development activities, detailed below
	Successes	
	Challenges	
Requests for Training & Technical Assistance		

Exhibit B: Compensation

I. Payment:

Health Share will pay Counterparty up to the amount of \$1,054,079.00 for the Project subject to the terms and conditions of this Agreement. Health Share will disburse Funds to Counterparty according to the Disbursement Schedule in Section II of this Exhibit B. The project code for these services is 340024.

II. Disbursement Schedule:

Disbursement	Conditions for Disbursement	Disbursement Amount
First Disbursement	Executed Agreement signed by both Parties; Current W-9	Payment of \$1,054,079.00

III. Payment:

To receive funds, Counterparty must sign this agreement within 10 days of receipt and provide to Health Share the following information:

- Legal name the check should be made out to
- Address where payment should be sent
- Name of the person the letter should be made “Attention to”

IV. Budget:

Counterparty shall submit to Health Share its budget using the Budget Template provided by Health Share. This budget shall be submitted to Health Share upon receipt of the award letter and:

- Before Counterparty moves funds from one eligible expenses category to another;
- Before any changes are made that are 10% or more of the awarded amount.

V. Unspent Funds:

Counterparty may use unspent funds for other allowable uses or refund unspent funds to Health Share. Should Counterparty desire to rollover unspent funds toward other allowable uses, Counterparty shall submit to Health Share an updated budget reflecting this reallocation. Counterparty shall return unspent funds to Health Share not later than September 30, 2027.

Exhibit C: Federal Terms and Conditions

General Applicability and Compliance. Unless exempt under 45 CFR Part 87 for Faith-Based Organizations (Federal Register, July 16, 2004, Volume 69, #136), or other federal provisions, Counterparty shall comply and, as indicated, cause all subcontractors to comply with the following federal requirements to the extent that they are applicable to this Agreement, to Counterparty, or to the grant activities, or to any combination of the foregoing.

For purposes of this Agreement, all references to federal and state laws are references to federal and state laws as they may be amended from time to time.

1. **Miscellaneous Federal Provisions.** Counterparty shall comply and require all subcontractors to comply with all federal laws, regulations, and executive orders applicable to the Agreement or to the delivery of grant activities. Without limiting the generality of the foregoing, Counterparty expressly agrees to comply and require all subcontractors to comply with the following laws, regulations and executive orders to the extent they are applicable to the Agreement: (a) Title VI and VII of the Civil Rights Act of 1964, as amended, (b) Sections 503 and 504 of the Rehabilitation Act of 1973, as amended, (c) the Americans with Disabilities Act of 1990, as amended, (d) Executive Order 11246, as amended, (e) the Health Insurance Portability and Accountability Act of 1996, as amended, (f) the Age Discrimination in Employment Act of 1967, as amended, and the Age Discrimination Act of 1975, as amended, (g) the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, (h) all regulations and administrative rules established pursuant to the foregoing laws, (i) all other applicable requirements of federal civil rights and rehabilitation statutes, rules and regulations, and (j) all federal laws requiring reporting of client abuse. These laws, regulations and executive orders are incorporated by reference herein to the extent that they are applicable to the Agreement and required by law to be so incorporated. No federal funds may be used to provide grant activities in violation of 42 U.S.C. 14402.
2. **Equal Employment Opportunity.** If this Agreement, including amendments, is for more than \$10,000, then Counterparty shall comply and require all subcontractors to comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in Oregon Department of Labor regulations (41 CFR Part 60).
3. **Clean Air, Clean Water, EPA Regulations.** If this Agreement, including amendments, exceeds \$100,000 then Counterparty shall comply and require all subcontractors to comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 7606), the Federal Water Pollution Control Act as amended (commonly known as the Clean Water Act) (33 U.S.C. 1251 to 1387), specifically including, but not limited to Section 508 (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (2 CFR Part 1532), which prohibit the use under non-exempt Federal contracts, grants or loans of facilities included on the EPA List of Violating Facilities. Violations shall be reported to OHA, United States Department of Health and Human Services and the appropriate Regional Office of the Environmental Protection Agency. Counterparty shall include and require all subcontractors to include in all contracts with subcontractors receiving more than \$100,000, language requiring the subcontractor to comply with the federal laws identified in this Section.

4. **Energy Efficiency.** Counterparty shall comply and require all subcontractors to comply with applicable mandatory standards and policies relating to energy efficiency that are contained in the Oregon energy conservation plan issued in compliance with the Energy Policy and Conservation Act 42 U.S.C. 6201 et. seq. (Pub. L. 94-163).
5. **Truth in Lobbying.** By signing this Agreement, the Counterparty certifies, to the best of the Counterparty's knowledge and belief that:
 - a. No federal appropriated funds have been paid or will be paid, by or on behalf of Counterparty, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any federal contract, grant, loan or cooperative agreement.
 - b. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the Counterparty shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.
 - c. The Counterparty shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subcontractors shall certify and disclose accordingly.
 - d. This certification is a material representation of fact upon which reliance was placed when this Agreement was made or entered into. Submission of this certification is a prerequisite for making or entering into this Agreement imposed by Section 1352, Title 31 of the U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
 - e. No part of any federal funds paid to Counterparty under this Agreement shall be used, other than for normal and recognized executive legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the United States Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government itself.

- f. No part of any federal funds paid to Counterparty under this Agreement shall be used to pay the salary or expenses of any grant or contract Counterparty, or agent acting for such Counterparty, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the United States Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.
 - g. The prohibitions in subsections (e) and (f) of this Section shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction an any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.
 - h. No part of any federal funds paid to Counterparty under this Agreement may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under Section 202 of the Controlled Substances Act except for normal and recognized executive congressional communications. This limitation shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance of that federally sponsored clinical trials are being conducted to determine therapeutic advantage.
6. **Resource Conservation and Recovery.** Counterparty shall comply and require all subcontractors to comply with all mandatory standards and policies that relate to resource conservation and recovery pursuant to the Resource Conservation and Recovery Act (codified at 42 U.S.C. 6901 et. seq.). Section 6002 of that Act (codified at 42 U.S.C. 6962) requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by the Environmental Protection Agency. Current guidelines are set forth in 40 CFR Part 247.
7. **Audits.**
- a. Counterparty shall comply, and require all subcontractors to comply, with applicable audit requirements and responsibilities set forth in this Agreement and applicable state or federal law.
 - b. If Counterparty expends \$750,000 or more in federal funds (from all sources) in a federal fiscal year, Counterparty shall have a single organization-wide audit conducted in accordance with the provisions of 2 CFR Subtitle B with guidance at 2 CFR Part 200. Copies of all audits must be submitted to OHA within 30 days of completion. If Counterparty expends less than \$750,000 in a fiscal year, Counterparty is exempt from Federal audit requirements for that year. Records must be available as provided in Exhibit B, "Records Maintenance, Access".

8. **Debarment and Suspension.** Counterparty shall not permit any person or entity to be a subcontractor if the person or entity is listed on the non-procurement portion of the General Service Administration's "List of Parties Excluded from Federal Procurement or Non-procurement Programs" in accordance with Executive Orders No. 12549 and No. 12689, "Debarment and Suspension" (See 2 CFR Part 180). This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contractors declared ineligible under statutory authority other than Executive Order No. 12549. Subcontractors with awards that exceed the simplified acquisition threshold shall provide the required certification regarding their exclusion status and that of their principals prior to award.
9. **Pro-Children Act.** Counterparty shall comply and require all subcontractors to comply with the Pro-Children Act of 1994 (codified at 20 U.S.C. 6081 et. seq.).
10. **Medicaid Services.** Counterparty shall comply with all applicable federal and state laws and regulation pertaining to the provision of Medicaid Services under the Medicaid Act, Title XIX, 42 U.S.C. Section 1396 et. seq., including without limitation:
 - a. Keep such records as are necessary to fully disclose the extent of the services provided to individuals receiving Medicaid assistance and shall furnish such information to any state or federal agency responsible for administering the Medicaid program regarding any payments claimed by such person or institution for providing Medicaid Services as the state or federal agency may from time to time request. 42 U.S.C. Section 1396a (a)(27); 42 CFR Part 431.107(b)(1) & (2).
 - b. Comply with all disclosure requirements of 42 CFR Part 1002.3(a) and 42 CFR Part 455 Subpart (B).
 - c. Maintain written notices and procedures respecting advance directives in compliance with 42 U.S.C. Section 1396(a)(57) and (w), 42 CFR Part 431.107(b)(4), and 42 CFR Part 489 Subpart I.
 - d. Certify when submitting any claim for the provision of Medicaid Services that the information submitted is true, accurate and complete. Counterparty shall acknowledge Counterparty's understanding that payment of the claim will be from federal and state funds and that any falsification or concealment of a material fact may be prosecuted under federal and state laws.
 - e. Entities receiving \$5 million or more annually (under this Agreement and any other Medicaid contract) for furnishing Medicaid health care items or services shall, as a condition of receiving such payments, adopt written fraud, waste and abuse policies and procedures and inform employees, contractors and agents about the policies and procedures in compliance with Section 6032 of the Deficit Reduction Act of 2005, 42 U.S.C. Section 1396a(a)(68).
11. **Agency-based Voter Registration.** If applicable, Counterparty shall comply with the Agency-based Voter Registration sections of the National Voter Registration Act of 1993 that require voter registration opportunities be offered where an individual may apply for or receive an application for public assistance.
12. **Disclosures.**

- a.** 42 CFR Part 455.104 requires the State Medicaid agency to obtain the following information from any provider of Medicaid or CHIP services, including fiscal agents of providers and managed care entities: (1) the name and address (including the primary business address, every business location and P.O. Box address) of any person (individual or corporation) with an ownership or control interest in the provider, fiscal agent or managed care entity; (2) in the case of an individual, the date of birth and Social Security Number, or, in the case of a corporation, the tax identification number of the entity, with an ownership interest in the provider, fiscal agent or managed care entity or of any subcontractor in which the provider, fiscal agent or managed care entity has a 5% or more interest; (3) whether the person (individual or corporation) with an ownership or control interest in the provider, fiscal agent or managed care entity is related to another person with ownership or control interest in the provider, fiscal agent or managed care entity as a spouse, parent, child or sibling, or whether the person (individual or corporation) with an ownership or control interest in any subcontractor in which the provider, fiscal agent or managed care entity has a 5% or more interest is related to another person with ownership or control interest in the provider, fiscal agent or managed care entity as a spouse, parent, child or sibling; (4) the name of any other provider, fiscal agent or managed care entity in which an owner of the provider, fiscal agent or managed care entity has an ownership or control interest; and, (5) the name, address, date of birth and Social Security Number of any managing employee of the provider, fiscal agent or managed care entity.
- b.** Counterparty shall furnish to the State Medicaid agency or to the Health and Human Services (HHS) Secretary, within 35 days of the date of the request, full and complete information about the ownership of any subcontractor with whom the Counterparty has had business transactions totaling more than \$25,000 during the previous 12 month period ending on the date of the request, and any significant business transactions between the Counterparty, and any wholly owned supplier or between the Counterparty and any subcontractor, during the five year period ending on the date of the request. See, 42 CFR 455.105.
- c.** 42 CFR Part 455.434 requires as a condition of enrollment as a Medicaid or CHIP provider, to consent to criminal background checks, including fingerprinting when required to do so under state law, or by the category of the provider based on risk of fraud, waste, and abuse under federal law.
- d.** As such, Counterparty must disclose any person with a 5% or greater direct or indirect ownership interest in the Counterparty whom has been convicted of a criminal offense related to that person's involvement with the Medicare, Medicaid, or Title XXI program in the last 10 years.
- e.** Counterparty shall make the disclosures required by this Section 12. to OHA. OHA reserves the right to take such action required by law, or where OHA has discretion, as it deems appropriate, based on the information received (or the failure to receive information) from the provider, fiscal agent or managed care entity.

- 13. Federal Intellectual Property Rights Notice.** The federal funding agency, as the awarding agency of the funds used, at least in part, for the activities performed under this Agreement, may have certain rights as set forth in the federal requirements pertinent to these funds. For purposes of this subsection the terms “grant” and “award” refer to funding issued by the federal funding agency to the State of Oregon. The Counterparty agrees that it has been provided the following notice:

 - a.** The federal funding agency reserves a royalty-free, nonexclusive and irrevocable right to reproduce, publish, or otherwise use the work, and to authorize others to do so, for Federal Government purposes with respect to:

 - (1) The copyright in any work developed under a grant, subgrant or contract under a grant or subgrant; and
 - (2) Any rights of copyright to which a grantee, subgrantee or a contractor purchases ownership with grant support.
 - b.** The parties are subject to applicable federal regulations governing patents and inventions, including government-wide regulations issued by the Department of Commerce at 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements.”
 - c.** The parties are subject to applicable requirements and regulations of the federal funding agency regarding rights in data first produced under a grant, subgrant or contract under a grant or subgrant.
- 14. Super Circular Requirements.** 2 CFR Part 200, or the equivalent applicable provision adopted by the awarding federal agency in 2 CFR Subtitle B, including but not limited to the following:

 - a. Property Standards.** 2 CFR 200.313, or the equivalent applicable provision adopted by the awarding federal agency in 2 CFR Subtitle B, which generally describes the required maintenance, documentation, and allowed disposition of equipment purchased with federal funds.
 - b. Procurement Standards.** When procuring goods or services (including professional consulting services), applicable state procurement regulations found in the Oregon Public Contracting Code, ORS chapters 279A, 279B and 279C or 2 CFR §§ 200.318 through 200.326, or the equivalent applicable provision adopted by the awarding federal agency in 2 CFR Subtitle B, as applicable.
 - c. Contract Provisions.** The contract provisions listed in 2 CFR Part 200, Appendix II, or the equivalent applicable provision adopted by the awarding federal agency in 2 CFR Subtitle B, that are hereby incorporated into this Exhibit, are, to the extent applicable, obligations of Counterparty, and Counterparty shall also include these contract provisions in its contracts with non-Federal entities.
- 15. Federal Whistleblower Protection.** Counterparty shall comply, and ensure the compliance by subcontractors or subgrantees, with 41 U.S.C. 4712, Enhancement of contractor protection from reprisal for disclosure of certain information.



CCBF Contractor Payment Information

Please provide the following information for the issuance of your payment along with your signed contract:

<i>Legal Name for Payment:</i>	
<i>Name of "Attention to":</i>	
<i>Street Address:</i>	
<i>City, State, Zip:</i>	

Certificate Of Completion		
Envelope Id: 9E59F875C9F44A99919D3F502CEC8DAD	Status: Sent	
Subject: HRSN CCBF Agreement - Home Forward		
Source Envelope:		
Document Pages: 25	Signatures: 0	Envelope Originator:
Certificate Pages: 5	Initials: 0	Sarah Hale-Meador
AutoNav: Enabled		2121 SW Broadway
Envelope Stamping: Enabled		Ste 200
Time Zone: (UTC-08:00) Pacific Time (US & Canada)		Portland, OR 97201-3181
		halemeadors@healthshareoregon.org
		IP Address: 97.120.16.194
Record Tracking		
Status: Original	Holder: Sarah Hale-Meador	Location: DocuSign
8/6/2024 01:52 PM	halemeadors@healthshareoregon.org	
Signer Events	Signature	Timestamp
Ivory Mathews		Sent: 8/6/2024 01:57 PM
ivory.mathews@homeforward.org		
Home Forward		
Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Mark Lewis		
lewism@healthshareoregon.org		
Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Accepted: 4/11/2023 08:43 AM ID: 5a4d4d27-aeed-4a93-8358-1502df1e8369		
In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Christina Dirks	COPIED	Sent: 8/6/2024 01:57 PM
christina.dirks@homeforward.org		Viewed: 8/6/2024 02:47 PM
Director of Policy and Planning		
Security Level: Email, Account Authentication (None)		
Electronic Record and Signature Disclosure: Not Offered via DocuSign		
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	8/6/2024 01:57 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Health Share of Oregon (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Health Share of Oregon:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: halemeadors@healthshareoregon.org

To advise Health Share of Oregon of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at halemeadors@healthshareoregon.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from Health Share of Oregon

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to halemeadors@healthshareoregon.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Health Share of Oregon

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to halemeadors@healthshareoregon.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Health Share of Oregon as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Health Share of Oregon during the course of your relationship with Health Share of Oregon.

PLEASE NOTE: This is a standard CCBF Application Template for reference only. All community capacity building fund (CCBF) applicants should contact the contact list to connect directly with a CCO in your area for any additional information.

Community Capacity Building Grant Funding Request

CCO Name:

Legend

Yellow cells - require input

Gray cells - auto populate

Blue cells- for CCO use only

Applicant Organization Name

DATE SENT: Applicant Contact

Home Forward, Christina Dirks

BREAKDOWN BY HRSN Allowable Funding Domain

A

BUDGET REQUEST

Description of Item/Activity Requested, by Allowable Use Category

1.

Technology (subtotal)

Modifying existing systems to support HRSN

2.

Development of Operational and Business Practices (subtotal)

Development of policies/procedures related to: HRSN referral and service delivery workflows,

Training/technical assistance on HRSN program and roles/responsibilities

Administrative items necessary to perform HRSN duties or expand HRSN service delivery capacity (e.g., purchasing of a commercial refrigerator to expand capacity to provide additional medically-tailored meals to qualifying members)

Planning needs for the implementation of HRSN program

Procurement of administrative supports to assist implementation of HRSN program

3.

Workforce Development (subtotal)

Salary and fringe for staff that will have a direct role in overseeing, designing, implementing and

4.

Outreach, Engagement and Partner Convening (subtotal)

5

Total Budget Request

B

CERTIFICATE

I certify to the best of my knowledge and belief that the budget outlined above is true, complete and accurate, and the funding items listed are necessary for the implementation of the HRSN program.

PREPARED BY (Type Name and Title) Christina Dirks, Director of Policy and Planning

DATE 7/26/24

Applications must be submitted directly to a coordinated care organization (CCOs). Please refer to the CCO CCBF additional information on the application process.



Name

Budget Request		FOR CCO USE ONLY
\$ 10,560.00		\$ -
\$ 10,560.00		
\$ 256,543.00		\$ -
\$ 179,837.00		
\$ 32,068.00		
\$ 32,068.00		
\$ 4,874.00		
\$ 7,696.00		
\$ 786,976.00		\$ -
\$ 786,976.00		
\$ -		\$ -
\$ 1,054,079.00		\$ -
sted above are for the purposes and objectives set forth in the		



MEMORANDUM

To:	Board of Commissioners	Date:	August 20, 2024
From:	Linda Uppinghouse, Controller 503.802.8554 Kandy Sage, Chief Financial Officer 503.802.8585	Subject:	Authorize Approval of Fiscal Year 2023 Single Audit Reports, Schedule of Close Grants, and Governance Communication Letter to the Board of Commissioners Resolution 24-08-07

The Board of Commissioners is requested to accept and approve:

1. Single Audit Reports for Year Ended December 31, 2023
2. Auditors' Governance Communication Letter to the Board of Commissioners for Year Ended December 31, 2023

Please note, this single audit report covers the period January 1, 2023 to December 31, 2023

CliftonLarsonAllen (CLA) is the audit firm engaged to audit Home Forward's basic financial statements and compliance with federal programs. On August 15, 2024, CLA met with Home Forward's Audit and Finance committee and presented the audit results for Year Ended December 31, 2023.

HIGHLIGHTS

AUDITORS' SINGLE AUDIT REPORTS (Uniform Grant Guidance)

Home Forward expended \$211.9 million in federal funds during the period from January 1, 2023 to December 31, 2023 (of which 62% were Moving to Work funds). For these funds, Home Forward is required to have an audit of internal controls in accordance with

Government Auditing Standards and an audit of compliance for each major federal program as required by the Office of Management and Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards* (Uniform Guidance).

The independent auditors tested four major federal programs. There were no financial statement findings under Section II of the report “Financial Statement Findings”. Four compliance findings were identified during the year under Section III of the report “Findings and Questioned Costs – Major Federal Programs”.

AUDITORS’ GOVERNANCE COMMUNICATION TO THE BOARD OF COMMISSIONERS

Finally, the auditors issued a Governance Communication to the Board of Commissioners for Fiscal Year 2023. This document provides communication on matters related to the conduct of the audit and includes information regarding any:

- Qualitative aspects of accounting practices
- Difficulties encountered in performing the audit
- Corrected and uncorrected misstatements
- Disagreements with management
- Management representations
- Management consultations with other independent accounts
- Other findings or issues
- Other comments/recommendations

MOTION TO APPROVE

The Board is requested to accept and approve the reports presented:

- Single Audit Reports for Year Ended December 31, 2023
- Auditors’ Governance Communication to Board of Commissioners for Year Ended December 31, 2023

**HOME FORWARD
SINGLE AUDIT REPORT
YEAR ENDED DECEMBER 31, 2023**

Draft
Subject to Change
8/14/24

**HOME FORWARD
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STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Commissioners
Home Forward
Portland, Oregon

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities and the aggregate discretely presented component units of Home Forward, as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise Home Forward's basic financial statements, and have issued our report thereon dated June 27, 2024. Our report includes a reference to other auditors who audited the financial statements of the aggregate discretely presented component units as described in our report on Home Forward's financial statements. The audits of the aggregate discretely presented component units were not performed in accordance with *Government Auditing Standards* and, accordingly, this report does not include the results of the other auditors' testing of internal control over financial reporting or instances of reportable noncompliance associated with the aggregate discretely presented component units.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered Home Forward's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Home Forward's internal control. Accordingly, we do not express an opinion on the effectiveness of Home Forward's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether Home Forward's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of This Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of Home Forward's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Home Forward's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

CliftonLarsonAllen LLP

Portland, Oregon
June 27, 2024

**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR
FEDERAL PROGRAM, REPORT ON INTERNAL CONTROL OVER COMPLIANCE,
AND REPORT ON THE SCHEDULE OF EXPENDITURES OF
FEDERAL AWARDS REQUIRED BY THE UNIFORM GUIDANCE**

Board of Commissioners
Home Forward
Portland, Oregon

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited Home Forward's compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of Home Forward's major federal programs for the year ended December 31, 2023. Home Forward's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, Home Forward complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of Home Forward and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of Home Forward's compliance with the compliance requirements referred to above.

Other Matter – Federal Expenditures Not included in the Compliance Audit

Home Forward's basic financial statements include the operations of discretely presented component units which may have received federal awards which are not included in the schedule of expenditures of federal awards for the year ended December 31, 2023. Our compliance audit, described in the Opinion on Each Major Federal Program, did not include the operations of the aggregate discretely presented component units because other auditors were engaged to perform audits of compliance, if applicable.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to Home Forward's federal programs.

Auditors' Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on Home Forward's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about Home Forward's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance, we:

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding Home Forward's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- obtain an understanding of Home Forward's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of Home Forward's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Other Matters

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the Uniform Guidance and which are described in the accompanying schedule of findings and questioned costs as items 2023-001, 2023-002, and 2023-003. Our opinion on each major federal program is not modified with respect to these matters.

Government Auditing Standards requires the auditor to perform limited procedures on Home Forward's response to the noncompliance findings identified in our compliance audit described in the accompanying schedule of findings and questioned costs. Home Forward's response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Internal Control Over Compliance

Our consideration of internal control over compliance was for the limited purpose described in the Auditors' Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, as discussed below, we did identify certain deficiencies in internal control over compliance that we consider to be significant deficiencies.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings and questioned costs as items 2023-001, 2023-002, 2023-003 and 2023-024 to be significant deficiencies.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

Government Auditing Standards requires the auditor to perform limited procedures on Home Forward's response to the internal control over compliance findings identified in our audit described in the accompanying schedule of findings and questioned costs. Home Forward's response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

We have audited the financial statements of the business-type activities and aggregate discretely presented component units of Home Forward as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise Home Forward's basic financial statements. We have issued our report thereon, dated June 27, 2024, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

CliftonLarsonAllen LLP

Portland, Oregon

REPORT DATE

**HOME FORWARD
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED DECEMBER 31, 2023**

Grantor/Pass through Grantor/ Program or Cluster Title	Federal Assistance Listing Number	Pass-Through Entity Identifying Number	Passed Through to Subrecipients	Federal Expenditures
U.S. Department of Housing and Urban Development				
Direct:				
Multifamily Housing Service Coordinators	14.191	Not applicable	\$ -	\$ 456,407
Section 8 Project-Based Cluster:				
Section 8 Moderate Rehabilitation Single Room Occupancy	14.249	Not applicable	-	189,497
Lower Income Housing Assistance Program - Section 8				
Moderate Rehabilitation	14.856	Not applicable	-	281,667
Subtotal Section 8 Project-Based Cluster			-	471,164
Continuum of Care Program	14.267	Not applicable	-	7,789,932
Demolition and Revitalization of Severely Distressed Public Housing	14.866	Not applicable	-	37,235
Housing Voucher Cluster:				
Section 8 Housing Choice Vouchers	14.871	Not applicable	-	46,982,408
Emergency Housing Vouchers	14.871	Not applicable		8,207,332
Section 8 Mainstream Vouchers	14.879	Not applicable	-	2,699,416
Subtotal Housing Voucher Cluster			-	57,889,156
Moving to Work Demonstration Program	14.881	Not applicable	-	133,364,406
Family Self-Sufficiency Program	14.896	Not applicable	-	797,904
Subtotal Direct Programs			-	200,806,204
Pass-through from the City of Portland:				
Community Development Block Grant (CDBG) - Entitlement				
Grants Cluster:				
COVID-19 CDBG-CV	14.218	Not available	-	115,686
Total U.S. Department of Housing and Urban Development			-	200,921,890
U.S. Department of the Treasury				
Pass-through from the City of Portland:				
COVID-19 Coronavirus State and Local Fiscal Recovery Funds	21.027	Not available	-	9,873,065
COVID-19 Emergency Rental Assistance Program	21.023	Not available	-	687,429
Total U.S. Department of the Treasury			-	10,560,494
Federal Communications Commission				
Direct:				
Affordable Connectivity Outreach Program	32.011	Not applicable	-	42,386
Total Federal Communications Commission			-	42,386
U.S. Department of Homeland Security				
Direct:				
Emergency Food and Shelter National Board Program	97.024	Not applicable	-	449,460
Total U.S. Department of Homeland Security			-	449,460
Total Expenditures of Federal Awards			\$ -	\$ 211,974,230

**HOME FORWARD
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
DECEMBER 31, 2023**

NOTE 1 BASIS OF PRESENTATION

The schedule of expenditures of federal awards (Schedule) presents the activities of all federal award programs of Home Forward. Home Forward's reporting entity is defined in Note 1 of Home Forward's basic financial statements. Federal awards received directly from federal agencies, as well as federal awards passed through from other governmental agencies, are included in the Schedule. The information in this Schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the Schedule presents only a selected portion of the operations of Home Forward, it is not intended to, and does not, present the financial position, changes in net position, or cash flows of Home Forward.

Home Forward's reporting entity includes the operations of discretely presented component units which may have expended federal awards that are not included in the schedule of expenditures of federal awards for the year ended December 31, 2023.

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported in the Schedule are reported on the accrual basis of accounting and include capitalized expenditures. Such expenditures are recognized following the cost principles contained in the Uniform Guidance for all awards with the exception of assistance listing number 21.023, which follows criteria determined by the Department of Treasury for allowability of costs. Under these principles, certain types of expenditures are not allowable or are limited as to reimbursement.

NOTE 3 INDIRECT COST RATE

Home Forward did not elect to use the 10 percent de minimis indirect cost rate as allowed under the Uniform Guidance.

NOTE 4 LOANS OUTSTANDING

Home Forward participates in federal award programs that sponsor revolving loan programs, which are administrated by Home Forward and the city of Portland, Oregon (City). The City contracts Home Forward to collect loan repayments for these programs through servicing and trust arrangements. The funds are returned to the City upon repayment of the principal and interest. The federal government has imposed certain significant continuing compliance requirements with respect to the loans rendered under the Home Investment Partnerships (HOME) Program (assistance listing number 14.239). The City is responsible to administer the continuing compliance requirements and report the outstanding loan balances. During the year ended December 31, 2023, Home Forward did not incur expenditures related to new loans under the HOME program.

**HOME FORWARD
SCHEDULES OF FINDINGS AND QUESTIONED COSTS
YEAR ENDED DECEMBER 31, 2023**

Section I – Summary of Auditors’ Results

Financial Statements

1. Type of auditors’ report issued: Unmodified
2. Internal control over financial reporting:
- Material weakness(es) identified? _____ yes x no
 - Significant deficiency(ies) identified? _____ yes x none reported
3. Noncompliance material to financial statements noted? _____ yes x no

Federal Awards

1. Internal control over major federal programs:
- Material weakness(es) identified? _____ yes x no
 - Significant deficiency(ies) identified? x yes _____ none reported
2. Type of auditors’ report issued on compliance for major federal programs: Unmodified
3. Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)? x yes _____ no

Identification of Major Federal Programs

Assistance Listing Numbers

14.881
14.871/879
14.267
21.027

Name of Federal Program or Cluster

Moving to Work Demonstration
Housing Voucher Cluster
Continuum of Care
COVID-19 Coronavirus State and Local Fiscal
Recovery Funds

Dollar threshold used to distinguish between Type A and Type B programs:

\$3,000,000

Auditee qualified as low-risk auditee?

_____ yes x no

**HOME FORWARD
SCHEDULES OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
YEAR ENDED DECEMBER 31, 2023**

Section II – Financial Statement Findings

Our audit did not disclose any matters required to be reported in accordance with *Government Auditing Standards*.

Section III – Findings and Questioned Costs – Major Federal Programs

2023 – 001

Federal Agency: U.S. Department of Housing and Urban Development

Federal Program Name: Moving to Work Demonstration

Assistance Listing Number: 14.881

Federal Award Identification Number and Year: OR002VOW - 2023

Award Period: January 1, 2023 – December 31, 2023

Compliance Requirement: Allowable Costs – Payroll

Type of Finding:

- Significant Deficiency in Internal Control over Compliance
- Other Matters

Criteria or specific requirement: In accordance with Uniform Grant Guidance (2 CFR Part 200), charges to Federal awards for salaries and wages must be based on records that accurately reflect the work performed.

Condition: Home Forward is not in compliance with allowable cost requirements related to payroll.

Questioned costs: \$116

Context: For 1 of 40 payroll transactions tested, an erroneous \$116 of additional pay was charged to the program.

Cause: Home Forward did not sufficiently monitor controls to ensure compliance with payroll requirements.

Effect: Home Forward is not in compliance with federal regulations regarding allowable costs for payroll.

Repeat Finding: No.

Recommendation: We recommend that Home Forward reviews the controls in place to ensure that payroll transactions charged to the program are supported.

Views of responsible officials: There is no disagreement with the audit finding.

**HOME FORWARD
SCHEDULES OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
YEAR ENDED DECEMBER 31, 2023**

2023 – 002

Federal Agency: U.S. Department of Housing and Urban Development

Federal Program Name: Moving to Work Demonstration

Assistance Listing Number: 14.881

Federal Award Identification Number and Year: OR002VOW - 2023

Award Period: January 1, 2023 – December 31, 2023

Compliance Requirement: Eligibility

Type of Finding:

- Significant Deficiency in Internal Control over Compliance
- Other Matters

Criteria or specific requirement: Beneficiaries must be “low-income families,” as defined in Section 3(b)(2) of the 1937 Housing Act (42 USC 1437a(b)(2)) (Section 204(b) of Pub. L. No. 104-134 (42 USC 1437f (note))).

Condition: Home Forward is not in compliance with requirements related to eligibility.

Questioned costs: Unable to determine.

Context: For 1 of 40 files tested for public housing eligibility, family income and composition were not examined on a biennial basis and tenant income was not supported by 3rd party documentation.

Cause: Home Forward did not sufficiently monitor controls to ensure compliance with eligibility requirements

Effect: Home Forward is not in compliance with federal regulations regarding eligibility. Tenant rent may have been miscalculated due to using stale/inaccurate information in the rent calculation.

Repeat Finding: No.

Recommendation: We recommend that Home Forward reviews the controls in place to ensure that recertifications are performed timely and income is supported.

Views of responsible officials: There is no disagreement with the audit finding.

**HOME FORWARD
SCHEDULES OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
YEAR ENDED DECEMBER 31, 2023**

2023 – 003

Federal Agency: U.S. Department of Housing and Urban Development

Federal Program Name: Continuum of Care

Assistance Listing Number: 14.267

Federal Award Identification Number and Year: OR0036L0E012215 - 2024

Award Period: April 1, 2023 – March 31, 2024

Compliance Requirement: Special Tests and Provisions – Suspension and Debarment

Type of Finding:

- Significant Deficiency in Internal Control over Compliance
- Other Matters

Criteria or specific requirement: According to §200.303 Internal controls of 2 CFR Part 200, the non-federal entity must establish and maintain effective internal control over the federal award that provides reasonable assurance that the non-federal entity is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. According to §180.300 of 2 CFR Part 180, when you enter into a covered transaction with another person at the next lower tier, you must verify that the person with whom you intend to do business is not excluded or disqualified. This is done by: (a) Checking SAM Exclusions; or (b) Collecting a certification from that person; or (c) Adding a clause or condition to the covered transaction with that person.

Condition: Home Forward is not in compliance with requirements related to suspension and debarment.

Questioned costs: Unable to determine.

Context: During our testing, it was noted that Home Forward did not review one of one vendors subject to the requirement prior to entering into a contract with the vendor to ensure the vendor did not have any active exclusion records.

Cause: Home Forward did not anticipate spending federal funds under the contract.

Effect: The auditor noted an instance of noncompliance. Noncompliance results in possible federal funds awarded to ineligible vendors.

Repeat Finding: No.

Recommendation: We recommend Home Forward implements a process to ensure exclusion checks are done prior to the execution of a contract. This process should include a system to ensure documentation is maintained in the files evidencing the date of the exclusion check as well as documented review and approval of the results of the exclusion check by program staff.

Views of responsible officials: There is no disagreement with the audit finding.

**HOME FORWARD
SCHEDULES OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
YEAR ENDED DECEMBER 31, 2023**

2023 – 004

Federal Agency: U.S. Department of Housing and Urban Development

Federal Program Name: Continuum of Care

Assistance Listing Number: 14.267

Federal Award Identification Number and Year: OR0036L0E012114 – 2023; OR0036L0E012215 - 2024

Award Period: April 1, 2022 – March 31, 2023; April 1, 2023 – March 31, 2024

Compliance Requirement: Special Tests and Provisions – Reasonable Rental Rates

Type of Finding:

- Significant Deficiency in Internal Control over Compliance

Criteria or specific requirement: According to §200.303 Internal controls of 2 CFR Part 200, the non-federal entity must establish and maintain effective internal control over the federal award that provides reasonable assurance that the non-federal entity is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award.

Condition: During our testing, we noted Home Forward did not have adequate internal controls designed to ensure the approval of comparables is formally documented in the files.

Questioned costs: Unable to determine.

Context: During our testing, it was noted that Home Forward did not formally document approval of comparables in four of forty files.

Cause: Home Forward has not been consistent with keeping formal documentation of approval of comparables in the files.

Effect: The auditor noted no instances of noncompliance with the provisions of special tests and provisions - reasonable rental rates; however, the lack of internal controls over these compliance requirements provides an opportunity for noncompliance.

Repeat Finding: No.

Recommendation: We recommend Home Forward design controls to ensure formal documentation of approval of comparables is in the files.

Views of responsible officials: There is no disagreement with the audit finding.

STAFF REPORTS

Procurement & Contracts Department
MONTHLY CONTRACT REPORT
Contracts Approved 06/01/24 - 07/31/24

PUBLIC IMPROVEMENT
(CONSTRUCTION & MAINTENANCE SERVICES)

Contract #	Amend #	Contractor	Contract Amount	Description	Dept.	Execution Date	Expiration Date
C3358	0	MJ General Contracting	\$19,830.00	Buildback at BCC	Property Management	6/3/2024	6/30/2024
C3394	0	Able Fence Company, Inc	\$17,500.00	New permanent black coated chain-link fence with gate at PHB property, adjacent to the New Hazel Ying Lee development.	DCR	7/17/2024	9/30/2024
Subtotal			\$37,330.00				2

GOODS & SERVICES

Contract #	Amend #	Contractor	Contract Amount	Description	Dept.	Execution Date	Expiration Date
C3365	0	Bridge City Contracting LLC	\$250,000.00	On-call painting services	IFS	6/12/2024	5/31/2027
C3366	0	Carbonell Cleaning Solutions	\$250,000.00	On-call painting services	IFS	6/12/2024	5/31/2027
C3367	0	Prime Legacy	\$250,000.00	On-call painting services	IFS	6/12/2024	5/31/2027
C3368	0	Rosecity Builders	\$250,000.00	On-call painting services	IFS	6/12/2024	5/31/2027
C3369	0	G&R Painting Company	\$250,000.00	On-call painting services	IFS	6/12/2024	5/31/2027
C3364	0	Pacific Paint Northwest	\$250,000.00	On-call painting services	IFS	6/13/2024	5/31/2027
C3342	0	Cascade Fence & Deck	\$37,764.73	Replace fencing along entire property and two gates at Sunrise Place with chainlink and privacy slats	Asset Mgmt	6/18/2024	7/31/2024
C3378	0	Minor Planning & Design	\$2,185.00	Conduct research for State Historic Preservation Office standards for demolition of Mt. Tabor	Asset Mgmt	6/24/2024	9/1/2024
C3386	0	Ambassador Window Cleaning	\$8,992.00	BCC exterior window cleaning	Property mgmt	7/8/2024	8/30/2024
C3388	0	Just Right Heating & Cooling	\$16,200.00	HVAC preventative maintenance at Sellwood Center	Property Management	7/16/2024	7/31/2027

C3385	0	MJ General Contracting	\$1,200.00	Repair drywall form HVAC leak at Madison House	Asset Mgmt	7/17/2024	8/15/2024
C3399	0	Hughes Electrical Contractors	\$61,705.00	Install 2 EV charging stations at HWE	IFS	7/29/2024	12/1/2024
Subtotal			\$1,628,046.73				12

PERSONAL SERVICE CONTRACTS

Contract #	Amend #	Contractor	Contract Amount	Description	Dept.	Execution Date	Expiration Date
C3370	0	Cascade Environmental Solutions	\$5,669.00	Radon and methane testing for Powell	DCR	6/3/2024	9/30/2024
C3363	0	QEDLAB Qualified Envelope Diagnostics, Inc.	\$8,050.00	Window testing for Peter Paulson Exterior Rehabilitation Project	DCR	6/4/2024	8/30/2024
C3371	0	QEDLAB Qualified Envelope Diagnostics, Inc.	\$10,000.00	AMMA window testing of the Gretchen Kafoury Commons Envelope Rehabilitation project. We're replacing the windows, and this contract is to test mock-up window and the remainder of the building windows and patio doors to AMMA standards.	DCR	6/5/2024	7/30/2025
C3357	0	Abundant Life	\$16,700.00	K-ching summer work experience program for youth ages 12 to 18.	Community Services	6/7/2024	8/30/2024
C3372	0	Jeremy Nichols (plastic birdie)	\$15,000.00	Artist shall paint a mural at Dekum Court Apartments	DCR	6/12/2024	8/29/2025
C3384		Cascade Environmental Solutions	\$3,640.50	Peter Paulson asbestos and lead paint testing	DCR	6/26/2024	9/20/2024
C3373	0	immigrant Refugee Community Organization (IRCO)	\$331,217.00	Permanent Supportive Housing support services for 20 units at The Ellington; Rule 46-0340	Community Services	6/26/2024	6/30/2025
C3375	0	immigrant Refugee Community Organization (IRCO)	\$506,467.00	Permanent Supportive Housing support services for 30 units at Hazel Ying Lee; Rule 46-0340	Community Services	6/26/2024	6/30/2025
C3380	0	Model Integrity LLC	\$45,000.00	Consulting for supervising staff	Talent & Organizational Development	6/27/2024	4/30/2025
C3333	0	Express Employment Professionals	\$50,000.00	Temporary maintenance staffing positions	HR	7/2/2024	1/31/2025
C3390	0	Art Larger Than Me	\$20,000.00	Art creation and installation for Fairfield PSH LimitedPartnership	DCR	7/9/2024	12/31/2024
C3374	0	Native American Rehabilitation Association (NARA)	\$326,216.00	Permanent Supportive Housing support services for 36 units at Tukwila Springs; Rule 46-0340	Community Services	7/16/2024	6/30/2025
C3392	0	QEDLAB Qualified Envelope Diagnostics, Inc.	\$14,350.00	Window testing of Mock up window and windows at Killingsworth project.	DCR	7/16/2024	7/31/2025
C3393	0	Birdee Media	\$50,000.00	Website administration, video production, graphic design	Executive	7/16/2024	6/30/2025
C3387	0	Neighborhood Tree LLC	\$3,000.00	Arborist consulting services for Troutdale	DCR	7/17/2024	1/30/2026

C3391	0	Hawkins Delafield & Wood LLP	\$50,000.00	MTW Consulting	Executive	7/22/2024	7/31/2026
C3395	0	Fireball Solutions LLC	\$50,000.00	Photography, videography, marketing consultant	Executive	7/30/2024	6/30/2025
C3401	0	Dream Development LLC	\$50,000.00	Financing consulting assistance	DCR	8/1/2024	7/28/2025
Subtotal			\$1,555,309.50				18

PROFESSIONAL SERVICE CONTRACTS (A&E)

Contract #	Amend #	Contractor	Contract Amount	Description	Dept.	Execution Date	Expiration Date
C3376	0	MKE & Associates Inc	\$5,500.00	Sequoia Way Apartments – Exterior Lighting Upgrades, engineering design fees	DCR	6/11/2024	12/31/2024
Total			\$5,500.00				1

AMENDMENTS TO EXISTING CONTRACTS

Contract #	Amend #	Contractor	Contract Amount	Description	Dept.	Execution Date	Expiration Date
C2546	4	Hahn & Associates, Inc.	\$1,100.00	Observation and Documentation of Soil	DCR	6/3/2024	12/31/2024
C3041	3	Clair Company, Inc	\$1,700.00	Grace Peck required additional testing	DCR	6/3/2024	12/31/2024
C3163	2	Hyphn	\$1,437.98	Powell office furniture - additional storage fee charges.	DCR	6/4/2024	6/30/2024
C2868	18	Walsh Construction Co.	\$252,660.89	Dekum CO #14	DCR	6/11/2024	9/30/2025
C2109	17	Holst Architecture	\$16,707.00	Powell A&E scope amendment	DCR	6/12/2024	8/31/2024
C2465	5	Elizabeth Bradley (E.B.) Ferdig	\$4,940.00	Weekly yoga classes at BCC; amended to extend contract	Property Management	6/14/2024	6/30/2025
C2786	3	Pegasus Moving & Cleaning	\$93,168.00	On-site housekeeping support at BCC, Helen Swindell's, and NWT; amended to extend contract	Community Services	6/14/2024	6/30/2025
C3347	1	Farallon Consulting	\$31,412.00	Troutdale additional soil testing, management plan, removal monitoring	DCR	6/14/2024	12/1/2024
C3287	1	Carlson Testing, Inc.	\$766.00	Amendment to add \$400 to the contract amount for additional observation visits to the property. The contractor required additional observation visits for the seismic attachments..	DCR	6/17/2024	8/30/2024
C2984	4	Central Geotechnical Services, LLC	\$5,600.00	Geotechnical Services for the Peaceful Villa Redevelopment; amended to update scope	DCR	6/20/2024	12/30/2024

C3039	3	Central City Concern	\$146,413.00	Behavioral health case management services at BCC; amended to extend contract	Community Services	6/24/2024	6/30/2024
C3100	3	Family Essentials	\$139,998.00	Supportive services for 32 homeless preference units at The Ellington; amended to extend contract	Community Services	6/24/2024	6/30/2025
C2919	19	Walsh Construction Co.	\$72,846.00	Fairfield Design-Build CO #12	DCR	6/28/2024	12/31/2024
C3187	1	Community Alliance of Tenants (CAT)	\$51,757.00	Tenant education program for recipients; amended to extend contract	Rent Assistance	6/28/2024	2/15/2025
C3364	1	Pacific Paint Northwest	\$-	On-call painting services; amending to update compensation	IFS	7/1/2024	5/31/2027
C2445	9	Lever Architects	\$24,070.00	Dekum court architect additional services	DCR	7/2/2024	6/30/2025
C2931	2	Jones and Roth	\$-	Audits for Baldwin PSH Limited Partnership; amended to add time	DCR	7/3/2024	6/1/2025
C3297	1	Life After Patriarchy LLC	\$150.00	Facilitate Learning Group; amended to add funds	Executive	7/8/2024	9/30/2024
C2735	2	Earth Advantage, Inc	\$5,000.00	Contract time extension plus closeout energy model	DCR	7/16/2024	12/31/2024
C3026	10	Bacharach Construction LLC	\$-	Project extension due to Pacific Power Scheduling for Meter Repair at Celilo. Electrical/meter work scheduled for 7.23.	DCR	7/16/2024	8/31/2024
C2976	18	Walsh Construction Co.	\$52,358.00	Grace Peck CO #13	DCR	7/18/2024	12/31/2024
C3107	3	Unfold LLC	\$4,560.00	Bi-Monthly yoga at Tukwila Springs; amended to extend contract	Community Services	7/22/2024	6/30/2025
C3365	1	Bridge City Contracting LLC	\$-	On-call painting services; amended to update rates	IFS	7/22/2024	5/31/2027
C3349	1	Mossy Tree Care	\$-	Tree removal at Hawthorne House; amended to add time	Asset Mgmt	7/25/2024	8/15/2024
C2800	2	First Response	\$-	Security Services at North Maryland; amended to extend contract	Asset Mgmt	7/29/2024	8/1/2025
C2539	4	NW Enforcement	\$-	Security at Strong Properties; amended to extend contract	Asset Management	7/30/2024	8/31/2024
Subtotal			\$906,643.87				26

OTHER AGREEMENTS (Revenue contracts, 3rd Party contracts, MOU's, IGA's)

Contract #	Amend #	Contractor	Contract Amount	Description	Dept.	Execution Date	Expiration Date
C3353	0	Washington State University	\$126,542.00	IGA-FMR Study 2024	Rent Assistance	6/10/2024	2/28/2025

R3377	0	Home Forward	\$76,089.00	Revenue Contract: Resident Services provided by Community Services department at Dekum Court, Phase I	Community Services	6/17/2024	12/31/2024
Subtotal		\$202,631.00					2
Total		\$4,335,461.10					61

**Procurement & Contracts Department
FUTURE FORMAL PROCUREMENTS
Look Ahead - August 2024**

Estimated Contract Amount	Description	Dept.	Solicitation Period
TBD	STRA	Homeless Initiatives	In Progress
\$42 million	Group 8	DCR	July 2024
TBD	Gresham CM/GC	DCR	Fall 2024
\$1.650 million	A&E for N. Maryland	DCR	2024
\$13.2 million	CM/GC for N. Maryland	DCR	2024
TBD	Townhouse Terrace Construction Project	DCR	Late 2024
TBD	Slavin Court Construction Project	DCR	Early 2025
\$1.5 million	CHSP Housekeeping & Personal Care	Community Services	TBD
\$1 million	Rosenbaum Plaza Plumbing Repairs Phase 2/3	DCR	TBD