AR Balance of State

General Membership Meeting
October 8, 2026

Welcome!

If you haven’t already signed in, please do so now!

https://forms.gle/W5oMhzFpkGscvk3QA

or

Scan Here:

Sign In

Vision Statement:

The vision of the Arkansas Balance of State Continuum of Care is to work toward eliminating homelessness through collaboration of innovative solutions.

Mission Statement:

The mission of the Arkansas Balance of State Continuum of Care is to facilitate a coordinated effort of planning, integra on of mainstream resources, and implementation of programs targeted at reducing homelessness and improving housing stability across Arkansas' diverse local homeless coalitions that comprise the Arkansas Balance of State Continuum of Care.

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Arkansas Balance of State Continuum of Care
General Membership Meeting
October 8, 2026
Agenda

1. Call to Order—Chris Joannides, Board Chair
2. Sign in Reminder—Desiree Willmuth, Collaborative Applicant
3. Welcome—Chris Joannides, Board Chair
4. Approval of Agenda, Chris Joannides, Board Chair
5. Items of Business
    a. Approve and Adopt 2026 Governance Charter
        i. Summary of Changes—Desiree Willmuth, Collaborative Applicant
    b. Approve and Adopt Public Safety Policy
        i. Summary of Policy—Desiree Willmuth, Collaborative Applicant
    c. Approve and Adopt Coordinated Entry Policies & Procedures
        i. Summary of Policy—Desiree Willmuth & Mark Sniff, Collaborative Applicant
    d. Vote for CoC Board Chair
        i. Review of Nominee(s)—Desiree Willmuth, Collaborative Applicant
    e. Vote for CoC Vice Chair
        i. Review of Nominee(s)—Desiree Willmuth, Collaborative Applicant
    f. Vote for CoC Secretary
        i. Review of Nominee(s)—Desiree Willmuth, Collaborative Applicant
6. Questions & Discussion—Chris Joannides, Board Chair
7. Announcements—Desiree Willmuth, Collaborative Applicant
8. Adjourn—Chris Joannides, Board Chair

Voting Links

Issue 1: Adopting Governance Charter: https://forms.gle/tNu5yxwvLAixjKSG7 Or scan here: Charter	Issue 4: Board Chair Election https://forms.gle/JhRrQoi7i7LTpM5z7 Or scan here: Board Chair
Issue 2: Adopting LE Coordination Policy: https://forms.gle/Rs6J1ij6cTtNNp2r6 Or scan here: LE Coordination	Issue 5: Board Vice Chair Election https://forms.gle/foyko4knLYo3XCMC7 Or scan here: Board Vice Chair
Issue 3: Adopting Coordinated Entry Policy: https://forms.gle/nRwdH1FKaZPqhBdWA Or scan here: CE Policy	Issue 6: Board Secretary Election https://forms.gle/emM98jB68HEEY2eZ6 Or scan here: Board Secretary

Or visit: https://www.arboscoc.org/VoteOct2026 for links to these forms and election runoff forms if necessary.

Voting on these issues will end October 16, 2026, at 4:30pm CDT. Email notification of the result and need for election runoff, if any, will be sent to the BoS Board on Monday, 10/20/26.

Election runoff voting, if necessary, will commence Monday, 10/27/26, and will end at 4:30pm CDT on Friday, 10/30/26. The QR codes printed above will work for runoff voting, but the URLs will change. Runoff results will be communicated by email to the BoS Board on Monday, 11/2/26.

It is expected that BoS Board members will promptly share this information with their full LHC memberships.

Policies

Arkansas Balance of State Continuum of Care Governance Charter

11/12/2020
Revised 09/08/2022
Revised 10/31/2023
Revised 08/27/2025
Revised 09/28/2026

Revisions made 09/18/2026:

Page 1: Added CoC Vision & Mission Statements. Also added Statement on Advancing Recovery in compliance with HUD's FY2026 CoC NOFO.

Pages 6 & 7: Clarified requirements for Board Member(s) with lived experience of homelessness to include individuals who:

- Are currently experiencing homelessness,
- Have lived experience within the past seven (7) years, OR
- Have lived experience beyond the last seven years AND are currently involved in the homelessness services sphere.

Pages 6-7: Inserted language describing the Board Advisory Council as adopted by the CoC via special addendum in August 2026.

Page 8: Clarified requirements for frequency of meetings required for Local Homeless Coalitions as quarterly at a minimum.

Page 9: Clarified definition of quorum to mean that a majority (50% + 1) of all current voting board members must be present at a meeting.

Page 13: Added Section 10: Coordinated Entry outlining Coordinated Entry (CE) participation requirements as set forth in the CE Policies & Procedures to include:

- Utilize the CoC's approved online CE assessment for all applicants seeking services.
- Participate in the maintenance of a By Name List (BNL) for the LHC.
- Participate in regular case conferencing for the BNL at a frequency not less than monthly agreed upon by the LHC.
- Adhere to prioritization and referral practices as set forth in the CoC's Coordinated Entry Policies & Procedures.

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Vision Statement:

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Mission Statement:

The mission of the Arkansas Balance of State Continuum of Care is to facilitate a coordinated effort of planning, integration of mainstream resources, and implementation of programs targeted at reducing homelessness and improving housing stability across Arkansas' diverse local homeless coalitions that comprise the Arkansas Balance of State Continuum of Care.

Statement on Advancing Recovery:

Arkansas Balance of State Continuum of Care does not condone the use of drugs. CoC-funded housing projects shall not operate drug injection sites or "safe consumption" sites, knowingly distribute drug paraphernalia on or off any properties under their control, knowingly permit the use or distribution of illicit drugs on property under their control, or conduct any of these activities under the pretext of "harm reduction". CoC-funded housing projects found to be in violation of the above may be subject to rejection from future CoC NOFO local competition(s), including new and renewal project applications, until such time as it is determined that the agency is in compliance, and/or project applications submitted by an agency in violation may lose points in the local competition ranking as a direct result of such noncompliance. Arkansas Balance of State encourages all member and partner agencies to either provide or connect participants to substance use disorder treatment and recovery housing within or outside the CoC. This statement does not restrict or prohibit CoC-funded housing projects that require program participants to be sober or to participate in treatment as a condition of assistance in accordance with 24 CFR 578.

1. Purpose of the Charter

A. What is a Continuum of Care?

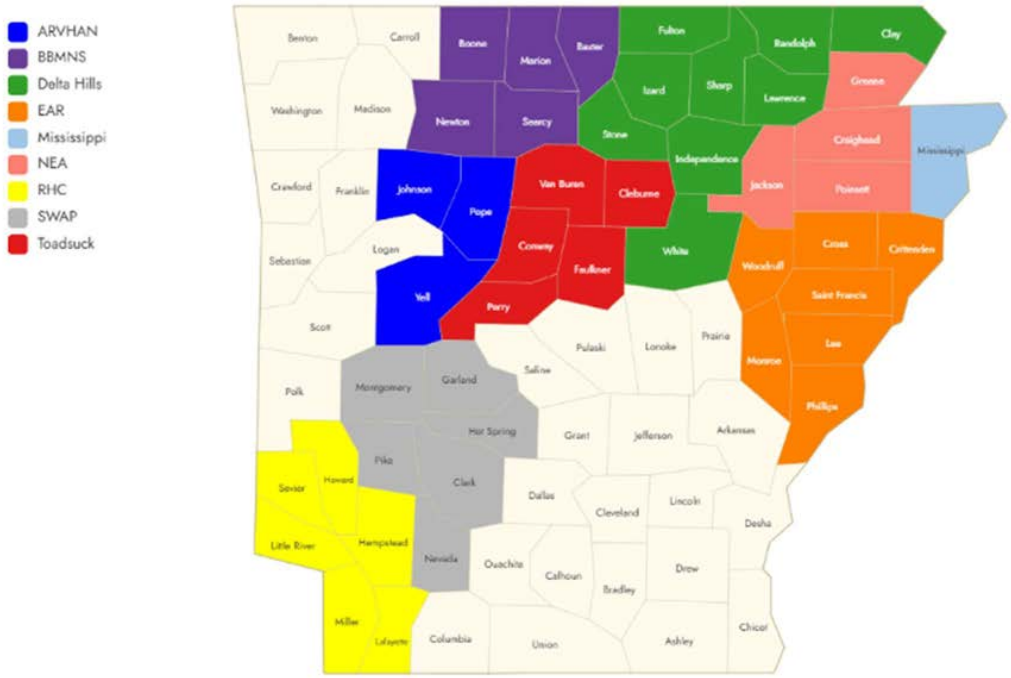
A Continuum of Care (CoC) is the group organized to carry out the responsibilities prescribed in the CoC Program Interim Rule for a defined geographic area. Responsibilities include operating the CoC, designing and operating a Homeless Management Information System (HMIS), planning for the CoC (including coordinating the implementation of a housing and service system within its geographic area that meets the needs of the individuals and families who experience homelessness there), and designing and implementing the process associated with applying for CoC Program funds.

The Arkansas Balance of State Continuum of Care is an inclusive, community-based group that plans for and manages homeless assistance resources and programs efficiently and effectively with the ultimate goal of ending homelessness in Arkansas.
This Charter outlines the structure of the Arkansas Balance of State Continuum of Care and defines and assigns the roles and responsibilities designated in the CoC Interim Rule (24 C.F.R. § 578) as well as any other responsibilities designated by the CoC Board.

B. CoC Name and Geography

The name of this CoC shall be "Arkansas Balance of State Continuum of Care," and the name of this Continuum of Care Board shall be "Arkansas Balance of State (AR BoS) CoC Board."

The CoC has the largest geographic footprint in Arkansas. It is made up of 46 counties divided into 9 local homeless coalitions (LHCs). Each LHC operates independently while participating in and supporting CoC and statewide efforts.



2. Composition of the CoC

A. Structural Organization of the CoC

The CoC is composed of the following defined entities:

- A Collaborative Applicant/lead agency,
- An HMIS Lead Agency,
- CoC members,
- LHCs, and
- A CoC Board (see Section 2D for LHC representation information)

B. Collaborative Applicant/Lead Agency for the CoC

Ouachita Children, Youth, and Family Services, Inc. is designated as the lead agency (Collaborative Applicant) for the CoC. The CoC Board has implemented, and reviews annually, a memorandum of understanding (MOU) with the Collaborative Applicant. In this role, Ouachita Children, Youth, and Family Services, Inc. carries out all responsibilities of the CoC Collaborative Applicant as described in the CoC Interim Program Rule and in compliance with rules, notices, and policies published by The U.S. Department of Housing and Urban Development (HUD).

The Collaborative Applicant is the only entity that may apply for CoC planning grant project funds in HUD's annual CoC Program Competition.

C. Homeless Management Information System Lead

Ouachita Children, Youth, and Family Services, Inc. is designated as the HMIS Lead for the CoC. The CoC Board has implemented, and reviews annually, an MOU with the HMIS Lead Agency. In this role, Ouachita Children, Youth, and Family Services, Inc. carries out all responsibilities for administering the CoC's HMIS as described in the CoC Interim Program Rule and in compliance with rules, notices, and policies published by HUD.

The HMIS Lead is the only entity that may apply for HMIS project funds in the annual CoC Program Competition.

D. Local Homeless Coalitions

The LHCs are the core organizing and implementation entities for local delivery of housing and service initiatives intended to help end homelessness. The LHCs bring local providers and stakeholders together to collaboratively address homelessness and plan for housing and services in their region.

LHC responsibilities include recruiting members, performing needs assessments, and conducting the Point-in-Time (PIT) count. CoC responsibilities, as outlined elsewhere in the Charter, include populating and working on volunteer committees, developing a Consolidated Application for CoC funding from HUD, coordinating planning efforts with Emergency Solutions Grants (ESG) recipients, and ensuring high performance and timely expenditure of public funds.

Two representatives from each coalition will serve on the CoC Board.

E. CoC Members

Membership is open to all individuals and agencies concerned with the development and coordination of homeless assistance programs throughout the CoC's jurisdiction.

F. CoC Board

The CoC Board coordinates policies, strategies, and activities toward ending and preventing homelessness in the BoS jurisdiction. The Board gathers and analyzes information to determine the local needs of people experiencing homelessness, implements strategic responses, educates the community on homeless issues, provides advice and input on the operations of homeless services, and measures CoC performance to strengthen the housing and service system and its outcomes.

The Board reports to and is accountable to the full membership of the CoC. The Board establishes the process for applying, reviewing, and prioritizing project applications for funding in the annual HUD CoC Program Competition.

3. Responsibilities of the CoC

A. Regulatory Responsibilities of the Continuum of Care (24 C.F.R. § 578.7)

Required Activities:	Responsible Stakeholder(s):
Responsibility A: Operate the CoC	
(1) Hold meetings of the full membership, with published agendas, at least semi-annually.	Board, Collaborative Applicant
(2) Issue a public invitation for new members from within the CoC's geographic area at least annually.	Collaborative Applicant
(3) Adopt and follow a written process to select a board to act on behalf of the CoC. The process must be reviewed, updated, and approved by the CoC at least once every 5 years.	Board
(4) Appoint additional committees, subcommittees, or workgroups. This includes a Rank and Review Committee as delegated/instructed by federal or state grantor.	Board
(5) In consultation with the Collaborative Applicant and the HMIS Lead, develop, follow, and update annually a governance charter, which will include all procedures and policies needed to comply with Responsibility B and with HMIS requirements as prescribed by HUD; and a code of conduct and recusal process for the Board, its chair(s), Rank and Review Committee, and any person acting on behalf of the Board.	Board; requires formal membership approval
(6) Consult with recipients and subrecipients to establish performance targets appropriate for population and program type, monitor recipient and subrecipient performance, evaluate outcomes, and take action against poor performers.	Collaborative Applicant
(7) Evaluate outcomes of projects funded under the Continuum of Care Program and report to HUD.	Collaborative Applicant

(8) In consultation with recipients of ESG program funds within the geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. The CoC must develop a specific policy to guide the operation of the centralized or coordinated assessment system on how its system will address the needs of individuals and families who are fleeing—or attempting to flee—domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from non-victim service providers. This system must comply with any requirements established by HUD.	Collaborative Applicant
(9) In consultation with recipients of ESG program funds within the geographic area, establish and consistently follow written standards for providing CoC assistance.	Collaborative Applicant
Responsibility B: Designate and Operate an HMIS	
(1) Designate a single HMIS for the geographic area.	Board; requires formal membership approval
(2) Designate an eligible applicant to manage the CoC's HMIS, which will be known as the HMIS Lead.	Board; requires formal membership approval
(3) Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.	HMIS Lead
(4) Ensure consistent participation of recipients and subrecipients in the HMIS.	HMIS Lead
(5) Ensure the HMIS is administered in compliance with requirements prescribed by HUD.	HMIS Lead
Responsibility C: CoC Planning	
(1) Coordinate the implementation of a housing and service system within its geographic area that meets the needs of the homeless individuals (including unaccompanied youth) and families. At a minimum, such a system must encompass the following: (i) Outreach, engagement, and assessment; (ii) Shelter, housing, and supportive services; and (iii) Prevention strategies.	Collaborative Applicant, LHC reps
(2) Plan for and conducting, at least biennially, a PIT count of homeless persons within the geographic area that meets HUD requirements.	Collaborative Applicant, PIT count committee, LHC reps
(3) Conduct an annual gaps analysis of the homeless needs and services available within the geographic area.	Collaborative Applicant, LHC reps
(4) Provide information required to complete the Consolidated Plan(s) within the CoC's geographic area.	Collaborative Applicant

(5) Consult with state and local government federally funded recipients within the CoC's geographic area on the plan for allocating federal funds and reporting on and evaluating the performance of program recipients and subrecipients.	Collaborative Applicant
Responsibility D: Preparing the Application for CoC Program Funds	
(1) Establish priorities for funding projects within the geographic area.	Board
(2) Design, operate, and follow a collaborative process for developing applications and approving the submission of applications in response to the HUD NOFO in concert with funding opportunities and plan adopted by the CoC. The CoC should also ensure that all project applications are submitted by eligible participants.	Board, Collaborative Applicant
(3) Designate an eligible applicant to serve as the Collaborative Applicant. The Collaborative Applicant may: (i) Apply for planning dollars on behalf of the CoC; (ii) Submit the annual CoC Consolidated Application on behalf of the CoC; and (iii) Collect and combine the application information from all project applicants within the CoC's geographic area.	Board

4. Membership Outreach and Meetings

A. Recruitment of and Outreach to CoC Members

The Board and LHCs will publish and appropriately disseminate an open invitation at least annually for persons within the CoC area to join as new CoC members. Recruitment efforts will be documented by the Board.

The CoC identifies and incorporates membership from an array of essential sectors, ranging from key providers to other vital community stakeholders. The CoC recruits members to ensure that it meets all membership requirements set forth in its Governance Charter, including representation of participating geographies, certain populations, and certain organizations. Individuals who are presently experiencing homelessness or were homeless in the past must be represented within CoC membership. Additionally, outreach will be conducted to obtain membership from the following groups as they exist within the BoS geographic area and are available to participate in the CoC:

- Homeless or formerly homeless individuals and families
- Non-profit organizations representing veterans and individuals with disabilities
- Victim service providers
- Faith-based organizations
- Public housing agencies
- Advocates
- Mental Health agencies

- School districts
- Hospitals
- Universities
- Affordable housing developers
- Law enforcement
- Representatives of business and financial institutions
- Representatives of private foundations and funding organizations
- Social service providers
- State and local government agencies
- Representatives from communities who are underserved or overrepresented among people experiencing homelessness such as Black, Asian, Latinx, Pacific Islanders, and Indigenous Populations; People who identify as LGBTQIA+; People who have been incarcerated; Youth; and Seniors

B. Full Membership Meetings

The CoC will hold meetings of the full CoC membership at least semi-annually.

The Board will announce the date, time, and location of these meetings at least one month in advance and will publish the meeting agenda at least one week before the meeting. Meeting agendas will be distributed via email for review before the meeting.

Membership in good standing is required for agencies to make an application through the CoC for programmatic funding. A member in good standing is defined as a member agency that has a representative at a minimum of 75 percent of the LHC membership meetings, a representative involved in local PIT Count, and a representative at least one of the full membership meetings. Attendance may be achieved by a physical presence at a meeting or through teleconferencing, if that option is offered.

5. Board Composition

A. Board Member Selection and Designation

The CoC Board includes two voting representatives from each LHC, the Collaborative Applicant (non-voting) the state ESG recipient (non-voting), the HUD Field Office (non-voting), the HMIS Lead Agency (non-voting), and at least one consumer (homeless/formerly homeless persons).

Outside of the two voting representatives per LHC, the board has 4 additional voting positions available for members with lived experience who *do not already occupy one of the LHC representative seats.* Hence, there is currently a maximum of 22 voting positions on the board, 2 positions for each of 9 LHCs (18 total), plus 4 additional persons with lived experience.
To occupy a seat as a person with lived experience, individuals must meet one of the following criteria: 1) currently experiencing homelessness; 2) experienced homelessness in the last 7 years; or 3) experienced homelessness more than 7 years ago AND currently involved in the homelessness services sphere so as to retain current knowledge of the homelessness experience.

In addition to the voting positions listed above, the Board will include a non-voting Advisory Council comprised of representatives from each of the following sectors:

- Elected public officials (up to 3 positions, minimum of 1)
- Business community/business improvement district (1 position)
- Law enforcement (1 position)
- Recovery housing/sober living provider (1 position)
- Behavioral or primary health provider (such as from a Federally Qualified Health Center, CCBHC, Healthcare for the Homeless, or other accessible primary care provider) (1 position)
- Local workforce development organization (e.g., Local Workforce Development Board, State Workforce Agency, American Job Centers) (1 position)
- Local court system managing Assisted Outpatient Treatment (AOT) and/or other civil commitment processes or from specialty courts (e.g., Mental Health Court, Drug Court, Care Court) (1 position)

The role of this Council will be to liaise between the CoC and their respective sectors to: 1) inform the CoC on local matters of interest, policy, law, etc., 2) to facilitate and strengthen partnership between the CoC and their respective sectors for the mutual benefit of the community and individuals served by the CoC, 3) to advocate on behalf of the CoC and its clients within their respective sectors.

Current voting members of the CoC Board as described above who represent one or more of the aforementioned sectors may also serve on this Advisory Council while retaining their rights as a voting member.

Any vacancy can be filled by another member of the same LHC or agency for the unexpired portion of the term. Additional seats to the Board may be added by a majority vote of the existing CoC Board. On an annual basis, the Board will review its composition to ensure diverse representation among current board members. Specifically, the board will work to ensure lived experience and diverse demographic representation amongst its members.

B. Board Expectations

Board members are expected to:

- Attend meetings and contribute to informed dialogue on actions the group undertakes;
- Serve on a committee of the CoC;
- Participate in the activities of the Board, including the PIT count, HMIS oversight, strategic planning, advocacy and public education efforts, project and system performance reviews, and the HUD CoC NOFO application process and other funding proposals; and
- Seek input from and report back to the constituency they represent on key issues and strategies, and otherwise keep abreast of needs and gaps in the CoC.

C. Persons with Lived Experience Representation

Persons with lived experience representatives (people who are currently living without homes, or did so previously within the last seven years, or did so more than seven years ago and are currently involved in the homelessness services sphere) will be nominated by LHCs. The CoC encourages persons with lived experience who have utilized homeless housing or services to apply. The board will work to ensure that all demographics are represented amongst those with

lived experience including those individuals who are underserved or overrespresented such as Black, Asian, Latins, Pacific Islanders, and Indigenous Populations; People who identify as LGBTQIA+; People who have been incarcerated; Youth; and Seniors. At the same time, the board will work with survivors of domestic violence, sexual assault, and human trafficking to allow them to participate as individuals with lived experience while recognizing the potential need to participate with anonymity through the use of an alias.

D. Regional Representation Requirements

Each of the LHC regions detailed in section 1.B. is eligible to have two representatives on the Board.

To maintain a representative on the Board, an LHC must meet the following requirements:

- The region must have a functioning and active LHC and engage in local planning with a diverse group of stakeholders.
- LHC meetings must be held quarterly at a minimum.
- Each year, the LHC must submit the name(s) of their appointed Board representative(s) to the current Board.
- The voting board representatives should be from two different agencies within the LHC.
- Each year, all regions of the BoS are required to participate in the annual homeless count to collect information on bed inventory and homeless persons; each region must designate a count coordinator and each funded agency must also designate at least one staff member to assist with the unsheltered homeless count.
- LHC representatives on the Board are responsible for convening local planning on homeless housing and services and obtaining input from LHC members to share with the Board. The representatives are charged with ensuring that the decisions made and information shared at Board meetings is brought back to the local coalitions.
- LHCs must collaborate with local educational agencies in the identification of children and youth who are experiencing homelessness.
- LHCs must operate in accordance with CoC policies and procedures and develop local LHC procedures as necessary.
- LHCs must ensure regular review of HMIS reports for agencies and programs operating in the LHC region.
- LHCs must provide information for the annual CoC NOFO and obtain Certification of Consistency with relevant Consolidated Plans

Board members from each LHC must keep the Board informed of local planning and work being conducted in their communities, as well as raise local issues of importance and concern for the CoC to address. LHCs are also responsible for reviewing proposed amendments to this CoC Governance Charter and nominating proposed lived experience Board members.

6. Governing Principles

A. Board Terms

Board members will serve two-year terms and may serve unlimited consecutive terms. The term of office begins in January following the election. Members are expected to follow the BoC Code of Conduct.

B. Board Meetings

The Board shall meet eight times per year, offering electronic participation and voting options. This will include a January meeting to discuss the BoS' PIT count, a spring general membership meeting, an October general membership meeting to elect officers, and five other Board meetings. Board members are expected to have at least a 75 percent attendance rate at all Board meetings, including at least one of the two full membership meetings. Special meetings can be called by the Executive Committee on an as-needed basis.

C. Quorum at Board Meetings

The term "quorum" shall be defined as the presence of a simple majority (50 percent + 1) of current voting members, not including vacant seats, at a Board meeting. *Example*: Each of the nine (9) LHCs is allotted two (2) voting seats, for a total of 18 positions. Another four (4) voting seats are available for persons with lived experience, for a maximum of 22 voting members. If there are 6 seats currently vacant, then a minimum of 9 voting members must be present at the meeting to constitute a quorum. (22 – 6 = 16 non-vacant seats. 50% +1 = 9) A quorum is needed for all votes and specifically to (a) change the CoC Governance Charter, (b) approve Board members, and (c) elect officers.

D. Board Voting

The Board operates by consensus whenever possible. When a vote is necessary, each member shall have one vote upon any motion.

A. No member shall vote on any issue where there could be a conflict of interest (refer to the Code of Conduct).
B. Robert's Rules of Order will govern procedural questions during Board meetings.
C. A simple majority vote of the members present will be used to settle issues that reach an impasse.

E. Proxy Voting

Board members can assign voting and other responsibilities to proxies on a short-term basis. Board members seeking to do this must communicate in writing, via email or text, with at least 48 hours' notice before votes or meetings, the name and qualifications of their proposed proxy to the Executive Committee, noting the proposed duration of this status. Under exigent circumstances, the 48-hour notice requirement can be waived.

F. Compensation

Board members will not be compensated for their services to the CoC.

G. Termination and Resignation

The Board reserves the right to remove persons from the Board if they do not meet expectations for participation and do not communicate with the Executive Committee about their absence. Members may be dismissed from the Board for violating the Code of Conduct. A member can be removed for cause by a majority vote of the Board.

A member who fails to attend 75 percent of meetings in a calendar year and fails to communicate will be considered to have resigned and their seat will be assigned to another representative of their coalition. If a Board member wishes to resign, the member shall promptly submit a letter of resignation to the president and LHC. If a board member resigns, a member of the executive committee will contact their local homeless coalition in order to

request for a member to fill their empty seat. The empty seat should be filled in no more than 30 days.

H. Board Correspondence

Correspondence from the Board will be approved by the president. Required reports (e.g., to funders) will be completed and submitted by the secretary.

I. Relationship Between the CoC Board and Full CoC Membership

Board meetings will be open to the full membership and the public. Between Board meetings, Board members and the Collaborative Applicant will keep the full membership informed by involving CoC members in workgroups and committees and sharing information (including meeting minutes, resources for homeless services providers, plans and implementation progress, data about homelessness in the region and the BoS overall, and funding availability) via email list.

7. Board Officers

Officers will include a chair, vice chair, and immediate past chair. This group, along with the CoC Director, HMIS Lead Admin, CE Coordinator, and 1 lived experience board member, shall constitute the Executive Committee of the organization. The CoC Director, HMIS Lead Admin, and CE Coordinator will be non-voting members. Officers may serve two consecutive terms in the same role/office. If an officer is serving a partial term to finish out the term of another officer that has resigned or been removed, the partial term will not be part of the two consecutive terms, if later elected for that office.

A. Chair

The chair shall be elected by the full CoC membership and shall serve for a term of two years beginning January 1 of the calendar year, with the term expiring on December 31. The chair can serve two consecutive terms and shall have the following responsibilities:

- Conduct all CoC meetings.
- Ensure the actions of the CoC are consistent with this Charter, the laws of the State of Arkansas, and HUD rules and regulations.
- Lead an annual review of MOUs with the Collaborative Applicant and HMIS Lead Agency.
- Review and protect the mission of the CoC.
- Speak or assign someone to speak on behalf of the CoC, as requested.
- Ensure that individual standing committees' performances are regularly reviewed
- Identify the process for CoC renewal through the recruitment of new members for the CoC and for standing committees.
- Set the CoC meeting schedule and agenda with the assistance of the Collaborative Applicant.
- Guide the CoC to move forward in addressing or implementing activities, regulations, etc. that address issues of individuals and families who are currently homeless or are at risk of becoming homeless.
- Guide the CoC in short- and long-range planning.
- Ensure all CoC members are involved in the decision-making process.
- Advocate for the mission of the CoC.

B. Vice Chair

The vice chair shall be elected by the full CoC membership and can serve for two consecutive terms beginning on January 1 of the calendar year, with the term expiring on December 31. The vice chair receives and manages all appeals and grievances related to CoC funding and operations. The vice chair shall act when the president is unavailable to act.

C. Secretary

The secretary shall be elected by the full CoC membership and can serve for two consecutive terms beginning on January 1 of the calendar year, with the term expiring on December 31. The secretary shall be responsible for ensuring the records and minutes of the membership meetings are properly recorded, reviewed, and distributed in a timely manner. He/she will ensure the maintenance of meeting attendance records and will perform other such duties as may be delegated.

D. Past Chair

The past chair shall serve on the Executive Committee and as Chair of the Nominating Committee.

E. Election Process for Officers

The Nominating Committee shall accept and make recommendations to fill vacated officer positions. Committee members will seek to balance officer representation among participating local coalitions, verify eligibility, and secure consent before placing any names on the slate. CoC members shall vote on the slate at the full membership meeting in October. In the event that a board member must resign from their position before their term expires, the board will hold a special election at that time in order to fill the position. The nominating committee will accept nominations for a two-week time period, and the election will be held within 30 days of the resignation.

8. CoC Committees

Board members are encouraged to actively participate in CoC Committee activities, correspondence, sub-committees, and/or ad hoc committees. All committees other than the Executive Committee are open to non-Board members. Attendance and minutes will be recorded at all committee meetings.

The CoC shall have the following standing committees:

A. The **Executive Committee** is composed of the chair, vice chair, secretary, immediate past chair, and 1 lived experience board member. The CoC Director, HMIS Lead Admin, and CE Coordinator will serve as non-voting members of the Executive Committee, and will provide oversight and planning for the CoC. Responsibilities include but are not limited to planning meetings, preparing and/or reviewing reports, evaluating performance and systems, and developing necessary procedures to implement policies ratified by the CoC. The Executive Committee will lead the CoC in developing a strategic plan which will identify housing gaps, develop strategic goals, identify steps to achieve those goals, and identify responsible parties. The Executive Committee will review the annual CoC NOFO to HUD and will research additional funding sources and partners for the CoC's programs.

B. Every other year, a time-limited **Nominating Committee,** led by the past chair, shall be

assembled to present a slate of names to fill expiring officers' terms and to recognize candidates for officer roles, all of which will be subject to full CoC membership approval. The Nominating Committee will consist of at least three Board members. The selection process for officers is explained in Section 7 above.

C. The statewide **HMIS Steering Committee** guides the planning and implementation of the HMIS serving the entire state. The Board will appoint two members to the HMIS Steering Committee to represent the BoS. The committee oversees participation in HMIS activities and coordinates efforts to ensure accurate, timely, and useful data reports. They provide oversight for PIT and Housing Inventory Count data collection and reporting and HMIS data quality and compliance. This committee also assesses training needs, reviews data quality and other reports, reviews and presents findings to the Board on system performance, and identifies areas where information management implementation can be strengthened.

D. The **Rank and Review Committee** will be identified by the Executive Committee and voted on by the full Board. This committee will include at least three members whose agencies are not applying for funding. The Rank and Review Committee has the responsibility to review HUD-funded projects to ensure they are meeting stated goals, expending dollars appropriately and in a timely manner, and serving HUD-eligible participants. This committee has the added responsibility of using objective tools to score grant applications and prioritize projects for the annual NOFO process. This committee provides feedback on draft project proposals to each applicant. Appeals of any Committee decisions shall be handled according to the process outlined in Section 10 of this Charter.

E. A **Coordinated Entry Committee** oversees both the development and implementation of a coordinated entry system (CES) for the CoC. This committee coordinates efforts with the Board around policy and procedure development for CES in AR and is responsible to lead an evaluation of the CES annually.

F. A **PIT Count Committee** collaborates each year to plan, implement, and report on a unified PIT count for the CoC. The committee will meet at least annually but could potentially meet more frequently during the months leading to the PIT count.

G. The Board may create **ad hoc committees**, such as a youth action board, as it deems necessary and at its discretion.

9. Committee Governing Principles

A. Committee Composition

Chairpersons of all standing committees shall be active members of the CoC and are designated as chairs by the committee members. Chairs are expected to report on committee activities at Board meetings.

B. Committee Meetings

Each standing committee should meet at least quarterly, with the exception of the Nominating Committee, the Rank and Review Committee, and the PIT Committee.

C. Vacancy

Committee chairpersons may request that other individuals join their committee. Upon vacancy of the chairperson role, committee members can vote to fill the vacancy and will inform the Executive Committee in this situation. The vacancy should be filled within 10 working days.

D. Term

Standing Committee members shall serve a term of one year.

10. Coordinated Entry

The Arkansas Balance of State CoC strives to comply with HUD Coordinated Entry (CE) requirements. The CoC has developed a standardized entry assessment for all individuals seeking assistance throughout the CoC's geography. An online version of this assessment has been developed and embedded in the CoC's website (www.arboscoc.org/gethelp). CoC member organziations shall:

- Utilize the CoC's approved online CE assessment for all applicants seeking services.
- Participate in the maintenance of a By Name List (BNL) for the LHC.
- Participate in regular case conferencing for the BNL at a frequency not less than monthly agreed upon by the LHC.
- Adhere to prioritization and referral practices as set forth in the CoC's Coordinated Entry Policies & Procedures.

11. Appeals Process

The following steps shall be followed in the event of any or all appeals of findings, activities, or rulings of the CoC:

a. An appeal must be submitted in writing or by email to the attention of the vice president.
b. The vice president shall submit the appeal as received to the Executive Committee.
c. If a Board member or officer is involved in the appeal, they will be excluded from the discussion and any subsequent votes.
d. The Executive Committee shall meet to discuss the appeal and will make a decision on final outcome.
e. The Executive Committee will share the decision with the full board.

12. Conflict of Interest & Code of Conduct

CoC members must always conduct themselves with the highest ethical standards. Members are required to follow the CoC Code of Conduct. Conflicts of interest, and even the appearance of a conflict of interest, must be avoided.

All individuals and representatives of organizations who have, are seeking, or are considering seeking funds under the endorsement of the CoC must adhere to the following:

- Members shall disclose to the CoC any conflict or appearance of conflict which may or could be reasonably known to exist.
- Each Board member is required at least annually to complete either 1) a written attestation of having no current conflicts of interest that would prevent them from making decisions about CoC project funding and ranking; or 2) a written disclosure of any such conflicts of interest.
- Members shall not vote on any item that would create a conflict or appearance of conflict.

- Members shall not participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.
- Members shall not lobby or seek information from any other member of the CoC if such action would create a conflict or the appearance of a conflict.

A. Nondiscrimination

The members, officers, and persons served by the CoC shall not discriminate against any CoC member because of race, color, religious creed, age, military or veteran status, marital status, national origin, sex, sexual orientation, gender identity or gender expression, intellectual disability, or physical disability and will follow all state and federal regulations regarding nondiscrimination.

13. Governance Charter Adoption

This Charter was adopted in full by the Arkansas Balance of State Continuum of Care Board on 10/15/2025.

14. Charter Amendment and Review

The CoC Board will review, update, and approve this Governance Charter at least annually. The Charter must be reviewed and voted upon by the full CoC every five years.

Any CoC member may propose an amendment to the Charter. This Governance Charter may be amended by a majority vote at a meeting of the Board, provided that the proposed revisions or amendment(s) were circulated in writing to the LHCs and each Board member at least 10 business days before action is taken by the Board.

AR-503 Arkansas Balance of State Continuum of Care

Law Enforcement and First Responder Coordination Policy and Procedures

Continuum of Care	AR-503 Arkansas Balance of State Continuum of Care
Collaborative Applicant and policy owner	Ouachita Children, Youth, and Family Services (OCYFS)
Adopted by	AR-503 CoC Board, September 2026
Effective date	October 1, 2026
Review cycle	Annually, before the CoC Program Competition, and whenever the NOFO, state law, or local practice changes

1. Purpose

This policy states how the AR-503 Arkansas Balance of State Continuum of Care (the CoC) works with law enforcement and first responders across its 46-county geographic area. It documents that the CoC (a) cooperates with, and does not interfere with or impede, local efforts to advance public safety; (b) assists first responders in providing services to people experiencing homelessness; and (c) requires its street outreach projects to cooperate with first responders and law enforcement so that contacts lead to housing and services.

This document is the CoC's Evidence of Coordination and Non-Interference with Local Efforts to Advance Public Safety and supports the CoC's street outreach response

2. Scope and Definitions

This policy applies to the CoC Board, the Collaborative Applicant, the HMIS Lead, the Coordinated Entry lead, and every recipient and subrecipient of CoC Program and Emergency Solutions Grants (ESG) funds in the CoC's geographic area, including all street outreach projects. Providers keep their own written and informal agreements with local agencies; this policy sets the CoC-wide minimum and does not replace them.

Law enforcement means county sheriffs' offices, municipal police departments, the Arkansas State Police, and other certified law enforcement officers. First responders means law enforcement, fire departments, emergency medical services, 911 dispatch, and mobile crisis teams.

3. Policy

3.1 Cooperation and non-interference. The CoC and its funded projects cooperate with, and do not interfere with or impede, lawful local efforts to (a) clear tents and encampments on public property; (b) decrease the public use of illicit drugs; (c) apply standards that address people who are a danger to themselves or others, including involuntary commitment; and (d) share information in accordance with SORNA and the Arkansas Sex Offender Registration Act of 1997. The CoC's role in each effort is to connect the people involved to shelter, housing, treatment, and services.

3.2 Assistance to first responders. The CoC gives first responders a single point of contact, a direct referral path into Coordinated Entry, and current information on shelter, housing, and services so that officers, medics, and dispatchers can connect people to help.

3.3 Street outreach. Every CoC- or ESG-funded street outreach project keeps a working relationship with the law enforcement and first responder agencies in its service area, accepts their referrals, and takes part in co-response when requested.

3.4 Lawful information sharing. Client information is shared with law enforcement only as permitted by the HMIS Privacy Standards, the AR-503 HMIS Privacy Plan, each project's privacy notice, and 24 CFR 578.103(b). Nothing in this policy limits a disclosure that is required by law or court order, or that is needed to prevent a serious and imminent threat to health or safety.

3.5 Roles. CoC and provider staff do not perform law enforcement functions, and law enforcement does not determine eligibility or priority for CoC housing. Each party keeps its own authority.

4. Procedures

4.1 Point of contact

- The Collaborative Applicant designates a Law Enforcement and First Responder Liaison.
- The Liaison keeps the contact roster in Appendix A current and responds to law enforcement and first responder inquiries within one business day.
- The Liaison keeps the inventory of provider agreements, collecting a copy of each written agreement and a short description of each informal arrangement at least once a year.

4.2 Street outreach cooperation and co-response

Each street outreach project will:

- Give local law enforcement, EMS, and dispatch its outreach schedule, service area, a direct phone number, and a one-page referral card.
- Accept referrals from officers and first responders by phone, text, or email and attempt contact within two business days, or the same day for a person in crisis or in an encampment scheduled for clearing.
- Respond to co-response requests—accompanying officers on welfare checks, encampment visits, or repeat-call locations—when staff are available and the setting is safe, and offer the Coordinated Entry assessment on site.
- Record each contact and its referral source in HMIS within 48 hours, consistent with the CoC's Coordinated Entry and HMIS policies, so the CoC can report the share of street outreach exits to positive destinations.
- Attend or host cross-training with local agencies at least once a year (for example, Crisis Intervention Team training, trauma-informed engagement, how to make a Coordinated Entry referral).

4.3 Tents and encampments

- The Liaison keeps an encampment inventory (location, jurisdiction, estimated number of people, date last verified, status), updated at least quarterly and at the Point-in-Time count, and reports changes in encampments and people living in them.

- Jurisdictions are asked to notify the Liaison or the local outreach project before a scheduled clearing so outreach can engage residents beforehand. A lack of notice does not stop or delay a clearing.
- Before and during a clearing, outreach staff offer shelter, the Coordinated Entry assessment, transportation, and help safeguarding identification documents. Staff do not obstruct the clearing or advise residents to refuse lawful orders.
- After a clearing, outreach follows up with each person contacted within seven days.
- Applicable law: Ark. Code Ann. § 5-39-203 (criminal trespass) and § 5-71-213 (loitering) apply statewide; camping on public property is otherwise governed by municipal ordinance.

4.4 Public use of illicit drugs and overdose

- Street outreach and shelter staff carry naloxone and are trained to administer it, call 911 for any suspected overdose.
- Staff who encounter a person using illicit drugs in public offer a same-day referral to treatment or recovery services and to Coordinated Entry if unsheltered. If the person refuses services and the activity poses an immediate danger or occurs on project premises, staff contact law enforcement under the project's own policy.
- The CoC does not interfere with drug enforcement. The Liaison collects local overdose and public-use data from county coroner's / Arkansas Department of Health / EMS / law enforcement at least once a year.

4.5 Danger to self or others

- Staff who believe a person is an imminent danger to self or others call 911 (or 988 for a mental health crisis without an immediate physical threat) and, when safe, stay with the person until responders arrive.
- The CoC cooperates with law enforcement transport to a hospital, receiving facility, or Crisis Stabilization Unit.
- On discharge, the project reconnects the person to Coordinated Entry if unsheltered.

4.6 Information sharing under SORNA

- At intake, projects ask whether a person is required to register as a sex offender when the answer affects placement (shared housing, family shelter, or the residency restriction in Ark. Code Ann. § 5-14-128: Level 3 and 4 registrants may not reside within 2,000 feet of a school, public park, youth center, or daycare, and Level 4 registrants within 2,000 feet of a church or other place of worship). Staff may verify status on the Arkansas Crime Information Center (ACIC) public registry.
- Staff tell registrants that they must report a change of address to local law enforcement within five calendar days and, if homeless, verify their registration in person every 30 days, and help them do so.
- When a project houses or shelters a registrant, it provides the registrant's address to the law enforcement agency with registration jurisdiction.
- Registration status alone does not exclude a person from Coordinated Entry.

4.7 Requests from law enforcement for client information

- Requests are routed to the HMIS Lead. Front-line staff do not release HMIS data on their own.
- Under the HMIS Privacy Standards and the AR-503 HMIS Privacy Plan, protected personal information may be disclosed to a law enforcement official only (a) in response to a court order, court-ordered warrant, subpoena or summons issued by a judicial officer, or grand jury subpoena; (b) on a written request signed by a supervisory official that states the information is relevant and material to a legitimate investigation, identifies the information sought, is specific and limited in scope, and states that de-identified information would not suffice; (c) on an oral request to identify or locate a suspect, fugitive, material witness, or missing person, limited to name, address, date of birth, place of birth, Social Security number, and distinguishing physical characteristics; (d) as good-faith evidence of criminal conduct on project premises; or (e) to prevent or lessen a serious and imminent threat to health or safety.
- Victim service providers do not enter client-level data into HMIS, and the location of a domestic violence project or of a participant's housing is not made public. Each disclosure is logged (date, requester, information released, authority).

4.8 Communication, monitoring, and review

- The Liaison invites each county sheriff's office and municipal police department to CoC membership and to the Board seat reserved for law enforcement / the CoC's regular membership meetings, and meets with agencies.
- The CoC shares aggregate PIT, HIC, HMIS, and System Performance data with local governments and law enforcement on request and uses law enforcement and corrections data alongside HMIS where available.
- The Collaborative Applicant checks compliance with this policy during annual recipient monitoring and collects updates at the same time. The CoC Board reviews this policy each year before the CoC Program Competition.

Appendix A. Law Enforcement and First Responder Contact Roster

Maintained by the Liaison; updated at least annually and whenever a contact changes.

County	Agency	Contact (name, title)	Phone / email	LHC
Baxter	Baxter County Sheriff's Office	John Montgomery, Sheriff Sheriff-elect (Jan. 1, 2027): Mark Hollingsworth	870-425-7000 jmontgomery@baxtercountysheriff.com	BBMNS
Baxter	Mountain Home Police Department	Edward (Eddie) Griffin, Chief of Police	870-425-6336 no public email	BBMNS
Boone	Boone County Sheriff's Office	Roy Martin, Sheriff † Sheriff-elect (Jan. 1, 2027): Tim Roberson	870-741-8404 info@boonesheriff.com	BBMNS
Boone	Harrison Police Department	Chris Graddy, Chief of Police	870-741-5463 no public email	BBMNS
Clark	Clark County Sheriff's Office	Jason Watson, Sheriff	870-246-2222 jason.watson@clarkar.us	SWAP
Clark	Arkadelphia Police Department	Jason (Shorty) Jackson, Chief of Police	870-246-4545 admin@arkpd.us	SWAP
Cleburne	Cleburne County Sheriff's Office	Chris Brown, Sheriff	501-362-8143 cbrown@cleburnearso.gov	Toadsuck
Cleburne	Heber Springs Police Department	Brian Haile, Chief of Police	501-362-8291 (dispatch); 501-362-3661 (chief) no public email	Toadsuck
Conway	Conway County Sheriff's Office	Mike Smith, Sheriff Sheriff-elect (Jan. 1, 2027): Jeremy Kissire	501-354-2411 tips@conwaycountysheriff.org	Toadsuck
Conway	Morrilton Police Department	Sonny Stover, Chief of Police	501-354-0131 sonny.stover@morriltonpolice.org	Toadsuck
Craighead	Craighead County Sheriff's Office	Marty Boyd, Sheriff Sheriff-elect (Jan. 1, 2027): Jason Allen	870-933-4551 no public email	NEA
Craighead	Jonesboro Police Department	Rick Elliott, Chief of Police	870-935-5657 chief@jonesboroAR.gov	NEA
Crittenden	Crittenden County Sheriff's Office	Mike Allen, Sheriff	870-702-2010 Mike.Allen@crittcosheriff.com	EAR
Crittenden	West Memphis Police Department	Harvey W. Taylor III, Chief of Police (interim since Jan. 2026)	870-735-1210 no public email	EAR
Crittenden	Marion Police Department	Brannon Hinkle, Chief of Police	870-739-2101 no public email	EAR
Cross	Cross County Sheriff's Office	David West, Sheriff	870-238-5700 sheriffdwest@crosscountysheriff.org	EAR
Cross	Wynne Police Department	Richard Dennis, Chief of Police	870-238-8718 no public email	EAR

County	Agency	Contact (name, title)	Phone / email	LHC
Faulkner	Faulkner County Sheriff's Office	Tim Ryals, Sheriff Sheriff-elect (Jan. 1, 2027): Chad Wooley	501-450-4914 Tim.Ryals@fcso.ar.gov	Toadsuck
Faulkner	Conway Police Department	Chris Harris, Chief of Police	501-450-6120 chris.harris@conwayarkansas.gov	Toadsuck
Garland	Garland County Sheriff's Office	Mike McCormick, Sheriff	501-622-3660 mmccormick@garlandcounty.org	SWAP
Garland	Hot Springs Police Department	Chris Chapmond, Chief of Police	501-321-6789 cchapmond@hotspringsar.gov	SWAP
Greene	Greene County Sheriff's Office	Brad Snyder, Sheriff	870-239-6343 bsnyder@greenesoar.gov	NEA
Greene	Paragould Police Department	Chad Henson, Chief of Police	870-236-7621 chad.henson@paragouldcityar.gov	NEA
Hempstead	Hempstead County Sheriff's Office	James Singleton, Sheriff	870-777-6727 sheriff@hempsteadcountysheriff.org	RHC
Hempstead	Hope Police Department	Kimberly Tomlin, Chief of Police	870-777-3434 no public email	RHC
Hot Spring	Hot Spring County Sheriff's Office	Richard Tolleson, Sheriff	501-337-7738 rtolleson@hotspringcountysoar.gov	SWAP
Hot Spring	Malvern Police Department	Donnie Taber, Chief of Police	501-332-3636 dtaber@malvernar.gov	SWAP
Independence	Independence County Sheriff's Office	Shawn Stephens, Sheriff	870-793-8838 shawn.stephens@independencesheriff.org	Delta Hills
Independence	Batesville Police Department	John Scarbrough, Chief of Police	870-698-2450 policechief@cityofbatesville.com	Delta Hills
Jackson	Jackson County Sheriff's Office	Russell Brinsfield, Sheriff	870-523-5842 rbrinsfield@jacksonsheriff.org	NEA
Jackson	Newport Police Department	Larry Dulaney, Chief of Police	870-523-2722 no public email	NEA
Johnson	Johnson County Sheriff's Office	Grant Nicely, Sheriff (appointed through Dec. 31, 2026)	479-754-2200 info@jcsoar.us	ARVHAN
Johnson	Clarksville Police Department	David Smothers, Chief of Police	479-754-8100 dsmothers@cpdintra.net (confirm spelling)	ARVHAN
Miller	Miller County Sheriff's Office	Wayne Easley, Sheriff	870-774-3001 weasley@millercountyso.us	RHC
Miller	Texarkana Arkansas Police Department	Ed Chattaway, Chief of Police	903-798-3130 no public email	RHC
Mississippi	Mississippi County Sheriff's Office	Dale Cook, Sheriff	870-658-2242 dale.cook@misscoarsheriff.gov	Mississippi
Mississippi	Blytheville Police Department	John Frazier, Chief of Police	870-763-4411 johnfrazier@blythevillepd.org	Mississippi
Phillips	Phillips County Sheriff's Office	Neal Byrd Sr., Sheriff	870-338-5555 neal@phillipscountysheriffar.org	EAR

County	Agency	Contact (name, title)	Phone / email	LHC
Phillips	Helena-West Helena Police Department	Quanderius Sanders, Chief of Police	870-572-3441 qsanders@helena-westhelena.us	EAR
Poinsett	Poinsett County Sheriff's Office	Kevin Molder, Sheriff	870-578-2116 kevin.molder@poinsettar.gov	NEA
Poinsett	Trumann Police Department	Doug Thomas, Chief of Police	870-483-6423 doug.thomas@trumannpd.gov	NEA
Pope	Pope County Sheriff's Office	Blake Wilson, Sheriff Sheriff-elect (Jan. 1, 2027): Shawn Harris	479-968-2558 blake.wilson@popecountyar.gov	ARVHAN
Pope	Russellville Police Department	David Ewing, Chief of Police	479-968-3232 dewing@russellvillear.gov	ARVHAN
Randolph	Randolph County Sheriff's Office	Kevin Bell, Sheriff	870-892-8888 kevin.bell@randolphcountysheriff.org	Delta Hills
Randolph	Pocahontas Police Department	David Edington, Chief of Police	870-892-9867 no public email	Delta Hills
Sevier	Sevier County Sheriff's Office	Robert Gentry, Sheriff	870-642-2125 regentry@seviersheriffar.org	RHC
Sevier	De Queen Police Department	Scott Simmons, Chief of Police	870-642-2213 no public email	RHC
St. Francis	St. Francis County Sheriff's Office	Bobby May, Sheriff	870-633-2611 R.May@stfranciscountysheriff.org	EAR
St. Francis	Forrest City Police Department	Ronald Broussard Sr., Chief of Police	870-633-3434 no public email	EAR
White	White County Sheriff's Office	Phillip E. Miller, Sheriff	501-279-6279 phillipmiller@wcso.cc	Delta Hills
White	Searcy Police Department	Steve Hernandez, Chief of Police	501-268-3531 no public email	Delta Hills

AR Balance of State

Achievements

Annual Report

To: Arkansas Balance of State

Throughout the current reporting year (October 1, 2025 – September 30, 2026), the Collaborative Applicant has worked closely with the Arkansas Balance of State Board of Directors, Local Homeless Coalitions, and various committees and workgroups to ensure the CoC remains in compliance with HUD regulations, including completing the PIT count, submitting all required data timely, and following the CoC NOFO competition processes. The Collaborative Applicant hired a new Planning Grant Director in February 2026. Since that time, the following has been accomplished with the assistance of the CoC Board of Directors and LHCs:

1. Creation of online Coordinated Entry (CE) assessment form with automated email notifications to the applicable LHC's designated CE access point or other point of contact and automated data migration to the By Name List (BNL). Form is embedded in the CoC's website and went live 7/1/26.
2. Creation of a YouTube channel (www.YouTube.com/@ARBoSCoC) and multiple on demand in-depth training videos covering the new online CE system.
3. Implementation of full CE process in the SWAP LHC as a pilot test.
4. Amendment of Governance Charter via special addendum to include Advisory Council of representatives from various sectors newly required by HUD, which will improve overall CoC NOFO scores.
5. Development of action-focused meeting report templates.
6. Creation of on-demand video training on e-snaps and the CoC NOFO process. Video is posted on our YouTube channel.
7. Updated/maintained AR Balance of State website particularly in regard to CoC NOFO competition.
8. Updated/maintained AR Balance of State Facebook page with all important announcements.
9. Provided technical assistance to agencies throughout the NOFO competition.
10. Provided updates to CoC on litigation and status of CoC NOFO.

Plans for the coming year:

1. PIT Count (January 28, 2027)
    a. Identify Leads: Goal is for each LHC to identify its PIT Count lead by end of October.
    b. Early planning: Goal is to identify sites and recruit volunteers in each LHC by end of November.
    c. On-demand video training for Counting Us. Goal is to post this on YouTube in early December.
    d. Live virtual training sessions: Demo and Q&A on Counting Us. Goal is to hold these trainings in early January.
2. CoC NOFO
    a. Ensure Rank & Review Committee members are selected and trained early
    b. Ensure all submitted applications are forwarded to R/R
    c. Complete Planning Grant and Consolidated Applications for submission
3. Membership & Engagement
    a. Conduct site visits throughout CoC geography
    b. Conduct outreach to prospective new members
4. Hire and train LHC Coordinator
5. Roll out Coordinated Entry to full CoC

Submitted by Desiree Willmuth, Collaborative Applicant 10-8-26

The Youth Advisory Board

How it works within the Arkansas Balance of State Continuum of Care

What it is

A standing group of young people, age 24 and under, most of whom have experienced homelessness. The YAB brings their perspective into the decisions the CoC makes about preventing and ending youth homelessness. It is part of how the CoC is governed, not a one-time focus group.

Where we are today

- The Arkansas Balance of State YAB has met monthly since June 2026.
- Fifteen youth with lived experience have participated so far.
- The YAB is currently building the framework for the YHDP grant the Balance of State applied for.

Why youth perspective matters

- Youth homelessness looks different: couch-surfing, family conflict, aging out of foster care. Systems built for adults often miss it.
- Young people know where their peers actually go for help, and what makes them avoid services.
- Programs designed with youth get used by youth. Lived experience catches blind spots before decisions are final.

How it fits

Youth Advisory Board	→	CoC Board	→	CoC decisions
Reviews, advises, and signs off on youth-related items		Considers YAB input before voting		Funding applications, Coordinated Entry, project ranking

What it does

- Reviews and signs off on youth-focused funding applications (YHDP, YHSI).
- Advises on how Coordinated Entry works for people under 25.
- Gives input on youth project performance during the annual CoC Competition.
- Helps plan youth outreach for the Point-in-Time Count.

Who serves

- Young people age 24 and under from across the Balance of State counties.
- At least two-thirds have lived experience of homelessness (HUD's benchmark).
- Members elect their own Chair. OCYFS staff facilitate and handle logistics but do not vote.

Why it matters for funding

HUD scores youth leadership at 15 of 50 YHDP merit-review points: youth involved in writing the application, and youth holding decision-making roles in implementation. An active YAB is how AR-503 earns those points.

What the Board can do

- Refer young people who could serve.
- Route youth-related decisions to the YAB before voting on them.
- Treat YAB recommendations as formal CoC input.

AR Balance of State

Data

503

AR-503
ARKANSAS BALANCE OF STATE CONTINUUM OF CARE

REPORT NO. 2026 / 01
ISSUED APRIL 30, 2026

ANNUAL POINT-IN-TIME REPORT

A Single Night, *Counted.*

An accounting of homelessness across forty-six Arkansas counties on the night of January 22, 2026 — sheltered, unsheltered, and the people behind the data.

425
PERSONS COUNTED ONE NIGHT

340
HOUSEHOLDS IDENTIFIED

47%
WERE UNSHELTERED

48
CHRONICALLY HOMELESS

2026 PIT COUNT · SHELTERED & UNSHELTERED

SUBMITTED TO HUD · APRIL 30, 2026

Contents.

A guide to what this report contains and how to read it.

I. At a Glance — 04
Headline figures, sheltered status, and where the count took place

II. Household Composition — 06
Adults & Children, Adults Only, and Children Only households

III. Demographics — 08
Age distribution and race/ethnicity across the population

IV. Subpopulations — 10
Veterans, unaccompanied youth, and chronically homeless persons

V. Health & Vulnerability — 13
Mental illness, substance use, HIV/AIDS, and survivors of domestic violence

VI. Methodology & Notes — 15
How the count was conducted, data sources, and definitions

READER'S NOTE

On a single night in late January 2026, AR-503 enumerated 425 people experiencing homelessness across forty-six counties. Just under half of them — 199 individuals — were unsheltered. This report tells what is known about who they are.

Part I.

At a *Glance.*

The headline numbers from a single night across forty-six Arkansas counties — and where each person was when counted.

At a *Glance.*

The morning of January 23rd, the data told us this much.

TOTAL PERSONS	SHELTERED	UNSHELTERED	CHRONICALLY HOMELESS
425	**226**	**199**	**48**
across 340 households	*53% of total · ES + TH*	*47% of total*	*11.3% of population*

Where People Slept

A breakdown of the 425 persons by sheltered status on the night of the count.

DISTRIBUTION

Sheltered status of all persons counted

BY THE NUMBERS

Emergency Shelter (ES)	**156**	36.7%
Transitional Housing (TH)	**70**	16.5%
Safe Haven (SH)	**0**	0.0%
Unsheltered	**199**	46.8%
Total	**425**	**100%**

WORTH NOTING

Nearly one in two people counted in AR-503 had no shelter at all on the night of the count.

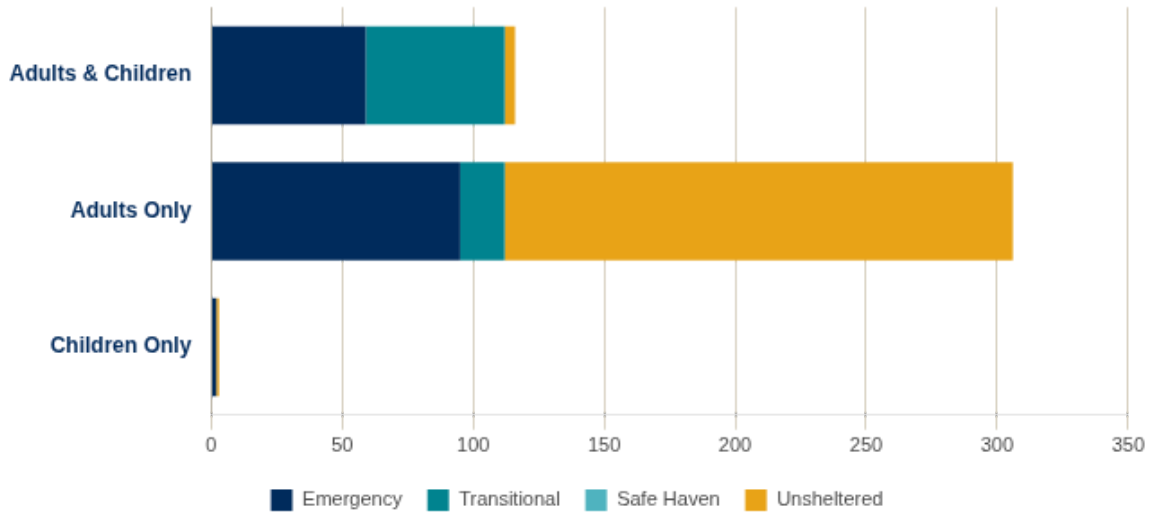
HOUSEHOLDS	ADULTS ONLY	WITH CHILDREN
340	**304**	**36**
total enumerated · all populations	89% of all households	AC + CO households combined

Persons by Household Type & Sheltered Status

How the 425 persons distribute across the three HUD household categories.

HOUSEHOLD COMPOSITION × SHELTER STATUS

Where each population was on the night of the count



POPULATION	EMERGENCY	TRANSITIONAL	SAFE HAVEN	UNSHELTERED	TOTAL
Adults & Children (AC) — *families*	59	53	0	4	116
Adults Only (AO)	95	17	0	194	306
Children Only (CO) — *under 18*	2	0	0	1	3
All Persons	**156**	**70**	**0**	**199**	**425**

KEY FINDING

Adult-only households account for 72% of all persons counted and 97% of unsheltered persons. Families with children are largely absorbed by the shelter system; single adults are not.

Part II.

Household *Composition.*

Three categories, three different stories — families, single adults, and unaccompanied children.

Three *Households*, Three Stories.

HUD categorizes every counted household into one of three types. The differences in their sheltered outcomes are stark.

ADULTS & CHILDREN

Families · 33 households · 116 persons

96% sheltered. The shelter system reaches families effectively.

ADULTS ONLY

Single adults · 304 households · 306 persons

63% unsheltered. The largest gap in the system.

CHILDREN ONLY

Unaccompanied children · 3 households · 3 persons

Small population, but every count matters.

Households by Type

A side-by-side comparison of where each household type slept.

HOUSEHOLD TYPE	HOUSEHOLDS	PERSONS	SHELTERED	UNSHELTERED	% UNSHELTERED
Adults & Children (AC)	33	116	112	4	3.4%
Adults Only (AO)	304	306	112	194	63.4%
Children Only (CO)	3	3	2	1	33.3%
All Households	**340**	**425**	**226**	**199**	**46.8%**

THE ADULT-ONLY GAP

The unsheltered rate for adult-only households is nearly nineteen times higher than for households with children. Closing this gap is the central challenge for AR-503's housing response system.

Part III.

Who They *Are.*

A view into the age and racial composition of the 425 persons counted across AR-503.

Age & *Identity.*

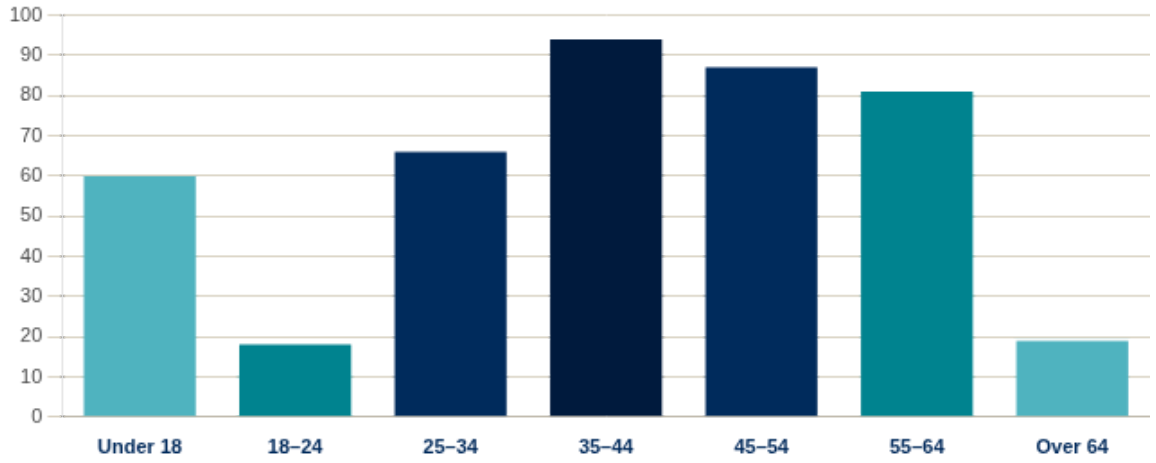
Working-age adults make up the bulk of those counted; race data show a population disproportionately white and Black.

Age Distribution

All 425 persons by age band.

ALL PERSONS · ALL SITES

Age distribution across AR-503



WORKING-AGE	CHILDREN	SENIORS
328	**60**	**19**
25–64 · 77% of all persons counted	under 18 · 14% of all persons	over 64 · 4.5% · oldest cohort

The 35–44 cohort is the single largest age group, with *94 persons counted*. Combined with the 45–54 and 55–64 groups, mid-life adults represent more than 60% of the homeless population observed in AR-503.

Race & Ethnicity

Distribution of all persons counted by HUD's 2024 race/ethnicity categories.

COMPOSITION

All persons by race & ethnicity

BY THE NUMBERS

White (only)	**275**	64.7%
Black, African American (only)	**127**	29.9%
Multi-Racial	**8**	1.9%
Hispanic/Latina/e/o (only)	**6**	1.4%
American Indian/Indigenous	**3**	0.7%
White & Hispanic	**3**	0.7%
Black & Hispanic	**2**	0.5%
Asian / Asian American	**1**	0.2%
Total	**425**	**100%**

DISPARITY SNAPSHOT

According to the U.S. Census, Arkansas's population is roughly 15% Black. Among AR-503's PIT count, 30% identify as Black or African American — a representation roughly twice the statewide share, consistent with documented national patterns of racial disparity in homelessness.

Note: HUD revised its race/ethnicity data standards in 2024 to combine race and ethnicity into a single, multi-select question. Categories shown above reflect the 2024 HUD HMIS Data Standards. Persons may identify with multiple categories.

Part IV.

Special *Populations.*

HUD prioritizes specific subpopulations in funding decisions. These are the people behind those categories in AR-503.

Veterans, Youth & *Chronicity.*

Three federally prioritized populations, each with distinct service needs and policy levers.

VETERANS COUNTED
15
across 14 households

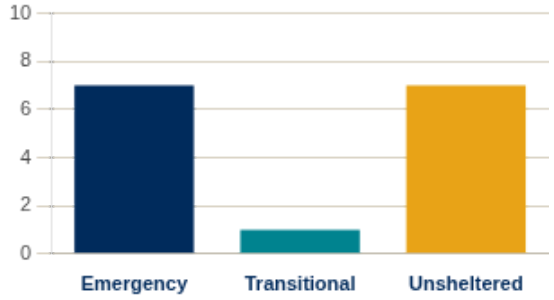
UNACCOMPANIED YOUTH
12
3 children + 9 transition-age

CHRONICALLY HOMELESS
48
all in adult-only households

Veterans Experiencing Homelessness

VETERANS BY SHELTERED STATUS

Where the 15 veterans were on count night



VETERANS	ES	TH	UNSH.	TOTAL
In families (AC)	1	0	0	1
Adults only (AO)	6	1	7	14
All Veterans	**7**	**1**	**7**	**15**

47% of veterans counted were unsheltered — a higher unsheltered rate than the general population, reflecting the predominance of single-adult veterans in the count.

Unaccompanied Youth

YOUTH SUBPOPULATION	ES	TH	SH	UNSH.	TOTAL
Unaccompanied children (under 18)	2	0	0	1	3
Unaccompanied youth (18–24)	9	0	0	0	9
Parenting youth households	0	0	0	0	0
All Unaccompanied Youth	**11**	**0**	**0**	**1**	**12**

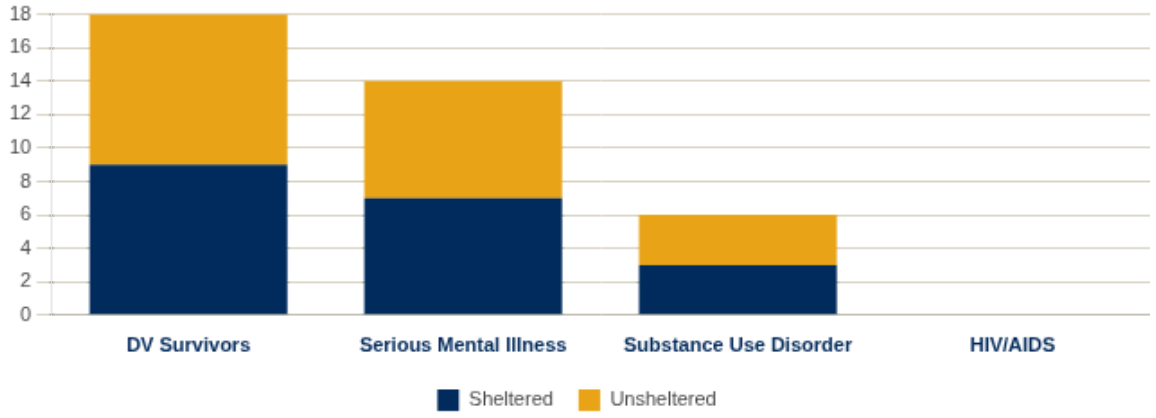
Of the 12 unaccompanied youth counted, 11 were sheltered in emergency shelter, reflecting the operational reach of youth-specific ES programs. No parenting youth households were identified in the 2026 count.

Health & *Vulnerability.*

Self-reported and observed conditions among adults experiencing homelessness in AR-503.

ADULTS ONLY · ALL SITES

Reported conditions among adults experiencing homelessness



CONDITION (ADULTS ONLY)	SHELTERED	UNSHELTERED	TOTAL	SHARE OF ADULTS*
Adult survivors of domestic violence	9	9	18	4.9%
Adults with serious mental illness	7	7	14	3.8%
Adults with substance use disorder	3	3	6	1.6%
Adults with HIV/AIDS	0	0	0	0.0%

NOTE ON REPORTING

These figures rely on self-disclosure during the count or observation by enumerators and are widely understood to undercount actual prevalence. Individuals may decline to disclose mental health, substance use, or HIV status during a brief street-based survey.

** Share of adults calculated against the 365 adults (18+) counted across all household types in AR-503.*

Chronic Homelessness

Persons meeting HUD's chronic homelessness definition.

TOTAL CHRONIC	SHELTERED (ES)	UNSHELTERED
48	**13**	**35**
11.3% of all persons counted	all in adult-only households	73% of chronic population

Chronic homelessness in AR-503 is concentrated entirely in adult-only households. *No persons in families with children, no veterans, and no youth were enumerated as chronically homeless* in 2026 — meaning this is a single-adult phenomenon in this CoC and most amenable to permanent supportive housing interventions.

> **POLICY IMPLICATION**
>
> *The concentration of chronic homelessness among single adults — and the near-total absence of chronicity among families, veterans, and youth — suggests AR-503's investment in PSH and rapid rehousing should be prioritized toward adult-only households, while preserving the existing system capacity that has effectively prevented chronicity in the other subpopulations.*

HUD's chronic homelessness definition requires a continuously homeless episode of at least 12 months (or 4 episodes totaling 12 months in 3 years) and a qualifying disabling condition. The 13 sheltered chronic individuals reported here include only those in emergency shelter — Transitional Housing does not count toward chronicity under HUD's definition.

Methodology & *Notes.*

How the 2026 count was conducted, what the numbers represent, and what they do not.

Count Parameters

COC
AR-503 — Arkansas Balance of State Continuum of Care

COUNT DATE
January 22, 2026 (Wednesday night)

COUNT TYPE
Sheltered & Unsheltered enumeration

GEOGRAPHY
46 counties spanning rural & small-metro Arkansas

SUBMISSION
HUD Homelessness Data Exchange (HDX 2.0)

STATUS
Submitted · April 30, 2026

What the PIT Counts

The Point-in-Time count is a federally required enumeration of all sheltered and unsheltered persons experiencing homelessness on a single night during the last ten days of January, as defined under *24 CFR Part 578*. Sheltered persons are identified through HMIS records for emergency shelter (ES), transitional housing (TH), and Safe Haven (SH) projects. Unsheltered persons are identified through coordinated street outreach, community canvassing, and partnerships with non-HMIS service providers across all 46 counties of the CoC.

Important Caveats

The PIT is a one-night snapshot, not a longitudinal census. *It systematically undercounts* persons in unsheltered locations due to the inherent challenges of locating people experiencing homelessness in rural geographies, persons couch-surfing or doubled-up (who do not meet HUD's literal homelessness definition), and persons who actively avoid contact. PIT figures should be read alongside the System Performance Measures (SPM) and Longitudinal Systems Analysis (LSA) reports for a complete view of system flow and service utilization.

Data Source & Validation

Sheltered data are pulled directly from the AR-503 HMIS (WellSky Community Services) following *HUD's 2024 HMIS Data Standards*. Unsheltered data are aggregated from validated outreach worker surveys and provider submissions reviewed by the AR-503 HMIS Lead. All figures in this report are derived from the official 2026 PIT raw data export submitted to HDX 2.0 and validated against HUD's PIT Summary Report Template (v1.0.4).

Reading This Report

All counts represent the number of persons or households who met HUD's definition of homelessness on the single night of January 22, 2026. Annual totals — the number of unique individuals who experience homelessness across a full year — are typically *three to four times higher* than any single-night PIT count and are reported separately through the LSA report. Demographics in this report use the 2024 HUD HMIS Data Standards which combine race and ethnicity into a single multi-select field.

Glossary of Terms

ACRONYM	DEFINITION
AC	Adults & Children — households with at least one adult and one minor
AO	Adults Only — households containing only persons 18 and over
CO	Children Only — unaccompanied minors
ES	Emergency Shelter — temporary shelter for the homeless
TH	Transitional Housing — time-limited supportive housing (up to 24 months)
SH	Safe Haven — supportive housing for hard-to-reach homeless persons with mental illness
HMIS	Homeless Management Information System — federally required client-level database
HDX 2.0	HUD's Homelessness Data Exchange — federal submission portal for PIT/HIC data
CoC	Continuum of Care — geographic region for coordinating homeless services
PSH	Permanent Supportive Housing — long-term housing with services for chronic homelessness

CONTACT & REPLICATION

Questions about this report or requests for the underlying raw data may be directed to the AR-503 HMIS Lead. The data, methodology, and visualizations are reproducible from the 2026 PIT raw export and the HUD-published summary template.

AR-503 · ARKANSAS BALANCE OF STATE COC

System Performance *Measures* Report

An overview of how AR-503's homeless response system is performing across HUD's seven federally-mandated measures — length of stay, returns to homelessness, system flow, income growth, and housing placement.

REPORTING PERIOD

Jan 1, 2025 – Apr 28, 2026

HMIS SOURCE

WellSky Community Services

GENERATED

April 28, 2026

SPECIFICATIONS

FY 2026 HMIS Data Standards

INTERNAL REPORTING DOCUMENT

PREPARED BY MARK SNIFF · HMIS LEAD

At a Glance EXECUTIVE SUMMARY

This report summarizes data submitted to HUD on behalf of **AR-503 (Arkansas Balance of State Continuum of Care)** covering the System Performance Measures (SPM) for the current reporting cycle. The numbers below describe how well the CoC's coordinated response is moving people out of homelessness, preventing returns, and serving people who are newly homeless.

Two figures stand out. First, the system's **2-year return rate of 5.24%** is well below national norms — a strong signal that exits to permanent housing are durable. Second, of **218 people entering shelter, safe haven, or transitional housing**, roughly **95% had no prior service in HMIS**, indicating most newly-served individuals are first-time homeless rather than re-entries. Length of time homeless and Street Outreach placement rates are the areas with the most room for improvement.

MEDIAN DAYS HOMELESS	TOTAL EXITS TO PH	2-YEAR RETURN RATE	FIRST-TIME HOMELESS
68 days	764	5.24%	94.95%
Persons in ES & SH (Measure 1a)	Across all project types (Measure 2)	Returns within 24 months of PH exit	Of people entering ES, SH, or TH

MEASURE 01 · LENGTH OF TIME HOMELESS

How long are people experiencing homelessness?

Two views: **Measure 1a** uses only the bed nights recorded in HMIS. **Measure 1b** adds self-reported time from element 3.917 plus time spent in PH between project start and move-in.

Measure 1a — HMIS bed-night dates only

STRICT HMIS

ES + SH — UNIVERSE	ES + SH — AVERAGE	ES + SH — MEDIAN
283	242.87	68.00
persons active during the period	days homeless (mean)	days homeless (50th percentile)

ES + SH + TH — UNIVERSE	ES + SH + TH — AVERAGE	ES + SH + TH — MEDIAN
294	250.02	71.00
persons active during the period	days homeless (mean)	days homeless (50th percentile)

Measure 1b — Self-reported & pre-move-in PH time included

EXPANDED

ES + SH + PH — UNIVERSE	ES + SH + PH — AVERAGE	ES + SH + PH — MEDIAN
502	**324.80**	**123.00**
includes PH pre-move-in	days homeless (mean)	days homeless (50th percentile)

ES + SH + TH + PH — UNIVERSE	ES + SH + TH + PH — AVERAGE	ES + SH + TH + PH — MEDIAN
513	**331.57**	**123.00**
broadest universe	days homeless (mean)	days homeless (50th percentile)

WHY 1B IS HIGHER THAN 1A

Adding self-reported homelessness (3.917) and pre-move-in PH time roughly **doubles the universe (502 vs. 283)** and pushes the median from 68 to **123 days**. Half of people stay under 71 days in ES/SH/TH (1a), but the mean of 250 days indicates a smaller group of long-stayers pulling the average upward.

MEASURE 02 · RETURNS TO HOMELESSNESS

Do permanent housing exits stick?

Of the people who exited to a permanent housing destination two years before the reporting window, how many showed up again in HMIS within 6, 12, or 24 months? Lower is better.

Returns by Originating Project Type

COHORT: PH EXITS 2 YRS PRIOR

EXIT FROM	TOTAL PH EXITS	< 6 MO	6–12 MO	13–24 MO	2-YR RETURNS	RETURN RATE
Street Outreach (SO)	47	1	0	1	2	4.26%
Emergency Shelter (ES)	128	12	3	5	20	15.62%
Transitional Housing (TH)	40	5	1	0	6	15.00%
Safe Haven (SH)	0	0	0	0	0	—
Permanent Housing (PH)	549	2	0	10	12	2.19%
System Total	**764**	**20**	**4**	**16**	**40**	**5.24%**

What 5.24% looks like

RETURNS VISUALIZATION

Most exits hold

Of 764 people who exited to a permanent destination, **724 stayed housed** (94.76%) over the 24-month follow-up window. **PH project exits perform best** at 2.19%; **ES and TH exits are weakest** at ~15%, suggesting short-term programs may benefit from stronger aftercare or warm hand-offs.

MEASURE 03 · NUMBER OF PERSONS EXPERIENCING HOMELESSNESS

How many people did the system serve?

Annual unduplicated counts from HMIS for sheltered project types. PIT counts (Metric 3.1) are submitted separately and are not included here.

Metric 3.2 — Unduplicated Annual Sheltered Counts

HMIS

Emergency Shelter	284 persons	284
Transitional Housing		11
Safe Haven		0
Total Unduplicated	295 persons	295

● READING THE CHART

Emergency Shelter is by far the dominant sheltered intervention in AR-503, accounting for **96% of the unduplicated annual count**. The TH count of 11 reflects the limited TH inventory in the CoC. The total of 295 represents distinct individuals — a person served in both ES and TH would only count once here.

MEASURE 04 · INCOME GROWTH (COC-FUNDED PROJECTS ONLY)

Did adults in CoC-funded projects increase their income?

This measure is restricted to projects funded by HUD CoC sources (codes 2, 3, 4, 5, 6, 43, 44, 54, 55, 56) and only counts adult clients. The universe is therefore much smaller than for other measures.

Universe & Outcomes

COC-FUNDED · ADULTS ONLY

System Stayers (in project ≥ 365 days)

Adult stayers (universe)	2
Increased earned income	0
Increased non-employment cash	0
Increased total income	0

System Leavers

Adult leavers (universe)	1
Increased earned income	0
Increased non-employment cash	0
Increased total income	0

IMPORTANT CONTEXT

The very small universe (**2 stayers, 1 leaver**) reflects the limited number of HUD CoC-funded projects in AR-503 that meet the strict programmatic filters of this measure. Income-growth percentages calculated on universes this small are not statistically meaningful — focus instead on whether more CoC-funded projects can be brought into compliance with the full income-data-collection cycle (project start, annual assessment, exit).

MEASURE 05 · FIRST-TIME HOMELESSNESS

How many people became homeless for the first time?

Of clients entering during the reporting period, how many had *no* prior enrollment in any homeless or housing project in the previous 24 months?

Metric 5.1 — Entries to ES, SH, TH

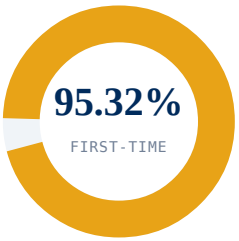
SHELTER / TRANSITIONAL

207 of 218 entries were new

Out of **218 people** who entered Emergency Shelter, Safe Haven, or Transitional Housing, only **11 had a prior enrollment in HMIS** within the past 2 years. The remaining **207 (94.95%)** were experiencing homelessness for the first time as far as the system is aware.

Metric 5.2 — Entries to ES, SH, TH, or PH

INCLUDES PH ENTRIES



428 of 449 broader entries were new

Adding Permanent Housing entries to the universe gives **449 total entries**, of which **21 had a prior HMIS enrollment**. The first-time rate stays high at **95.32%**.

HOW TO READ THIS

A high first-time rate is *not* automatically good — it can indicate strong inflow of newly homeless people that prevention efforts aren't catching upstream. Combined with low return rates (Measure 2), the AR-503 picture is consistent with a system that **exits people durably but is seeing significant new inflow**. Prevention and diversion would be the natural next investment areas.

MEASURE 07 · SUCCESSFUL PLACEMENT & RETENTION

Are exits going to good destinations?

Three views of housing placement: (a) Street Outreach exits to any habitable destination, (b) shelter / TH / RRH exits to permanent housing, and (c) retention or successful exit from PSH-style permanent housing.

Metric 7a.1 — Street Outreach Placement

SO LEAVERS

TOTAL SO LEAVERS	TO TEMP / INSTITUTIONAL	TO PERMANENT HOUSING
185	**19**	**44**
persons exiting Street Outreach	acceptable interim destinations	durable PH destinations

63 successful exits — 34.05%

34.05%

Metric 7b.1 — ES, SH, TH, RRH, PH (no move-in) Placement

SHELTER / TH / RRH

ELIGIBLE LEAVERS	EXITED TO PH	SUCCESSFUL EXIT RATE
347	**142**	**40.92%**
across ES/SH/TH/RRH and pre-MI PH	permanent housing destinations	142 ÷ 347

142 to PH — 40.92% **40.92%**

A SOLID PLACEMENT RATE

About 41% of clients leaving shelter, transitional housing, RRH, or pre-move-in PH in AR-503 are exiting directly to a permanent destination. Combined with the low 2-year return rate (5.24% in Measure 2), this points to a system where placements that do happen tend to last. About **1 in 3 Street Outreach clients** exits to either an interim or permanent destination considered "successful" by HUD — a typical range, but the clearest opportunity for improvement in the AR-503 metrics.

NOTE ON METRIC 7B.2

Metric 7b.2 reports zero qualifying clients, indicating no PH stayers/leavers with valid housing move-in dates were captured under the strict definition for this measure during the reporting period. Worth checking whether housing move-in dates are being recorded properly on PSH and PH-Housing Only enrollments.

APPENDIX · DATA QUALITY INDICATORS

Universe sizes & "Don't know / refused" rates

Not part of the official SPM submission, but helpful context. "DK / R / Missing" counts indicate incomplete destination or exit fields by project type.

Data Quality by Project Type

INTERNAL REFERENCE

PROJECT TYPE	UNDUPLICATED PERSONS	LEAVERS	DK / REFUSED / MISSING	DK RATE
Emergency Shelter / Safe Haven	**287**	229	24	**10.48%**
Transitional Housing	**11**	1	0	**0.00%**
PSH / Other PH	**0**	0	0	—
Rapid Re-Housing	**323**	120	15	**12.50%**
Street Outreach	**230**	123	10	**8.13%**

WHERE TO FOCUS DQ WORK

The highest "Don't know / refused / missing" rates are in **Rapid Re-Housing (12.50%)** and **ES/SH (10.48%)**. Targeted training on exit destination capture for those two project type groups would have the largest impact on Measure 2 and Measure 7 accuracy in the next reporting cycle.

REPORT INFORMATION

Methodology & *Contact*

About this Report

Prepared for the Arkansas Balance of State Continuum of Care (AR-503). Data was generated from the WellSky Community Services HMIS export and aligns with HUD's *System Performance Measures Programming Specifications V1.0* (October 2025), built against the FY 2026 HMIS Data Standards.

This document is intended for internal CoC review and HUD submission preparation. All figures should be verified against the live HMIS prior to formal submission.

Reporting Period

Start: January 1, 2025

End: April 28, 2026

Generated: April 28, 2026

Software: WellSky Community Services

Contact

Mark Sniff

HMIS Lead, AR-503

msniff@occnet.org

For questions about methodology, data corrections, or to request the underlying CSV data export.

ARKANSAS BALANCE OF STATE CONTINUUM OF CARE • AR-503

Longitudinal System Analysis

2024 – 2025

Report Period: October 1, 2024 – September 30, 2025

Submission: Official | **CoC Code:** AR-503 | **Name:** AR503BoSLSA1

Prepared by: Mark Sniff

OVERVIEW

Executive Summary

The LSA shows how people experiencing homelessness move through the AR-503 system. During this period, the system served 387 households (527 people). More people are exiting to permanent housing, and most stay housed — but many remain homeless too long, especially single adults.

387	158	34%	3%
HOUSEHOLDS	AVG. DAYS HOMELESS	EXITS TO PERM. HOUSING	RETURN RATE
527 people served	Cumulative average	84 of 247 exiting HH	1 of 32 HH returned

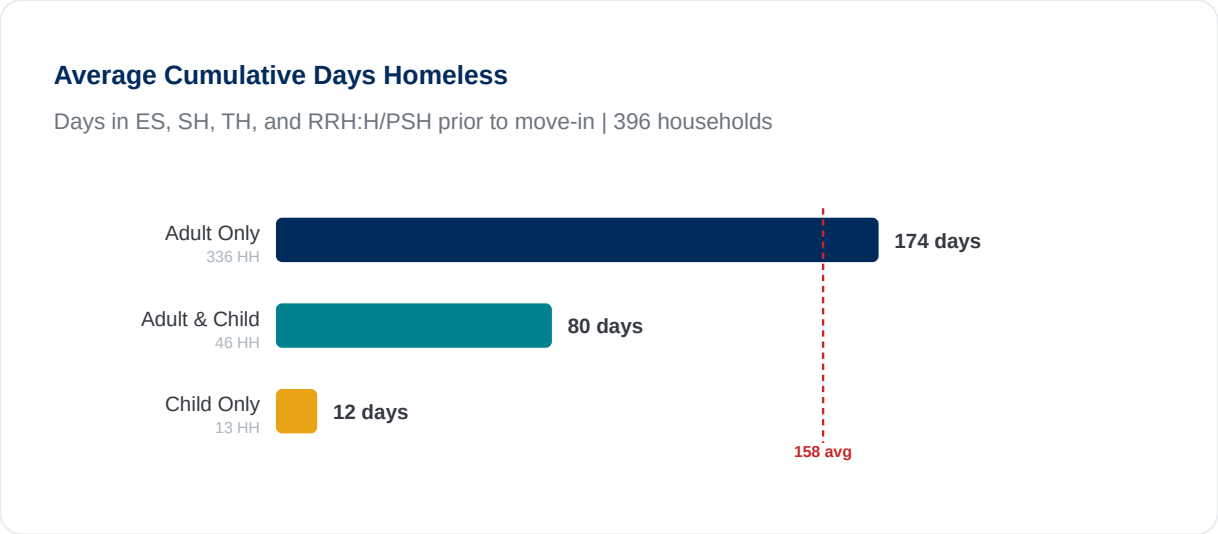
Key Takeaway: Permanent housing exits rose from 21% (2023) to 34% (2025), with only a 3% return rate. Family outcomes are especially strong — 85% exit rate and zero returns. The biggest challenge remains single adults, who average 174 days homeless and account for all returns.

SYSTEM PERFORMANCE

Performance by Household Type

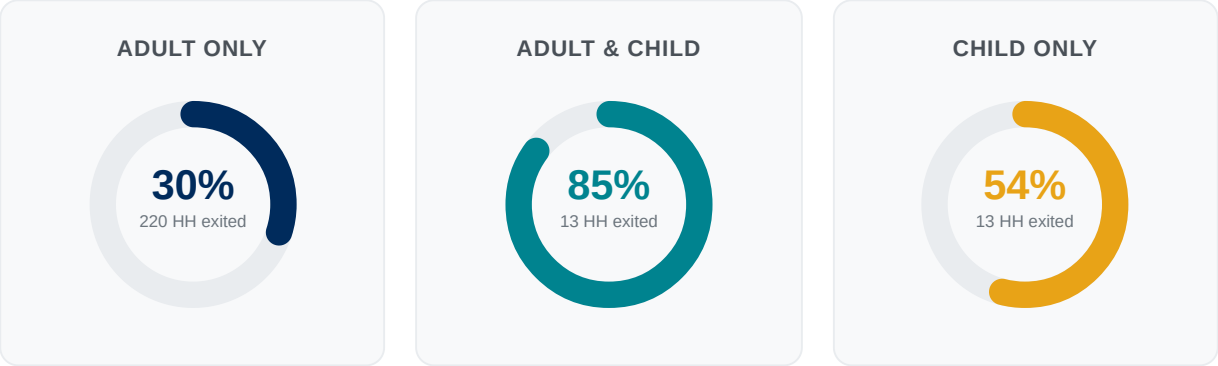
Days Homeless by Household Type

Single adults spend more than double the time homeless compared to families, while child-only households resolve fastest.



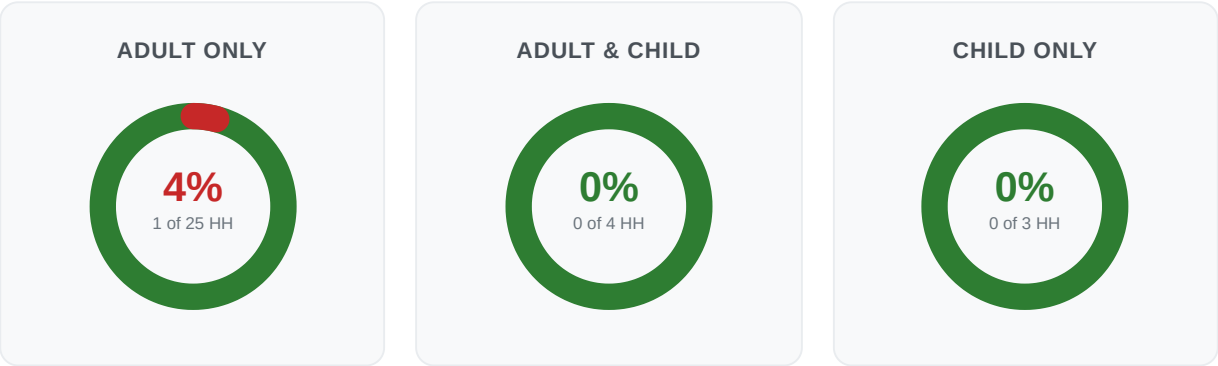
Exits to Permanent Destinations by Household Type

Families exit to permanent housing at nearly triple the rate of single adults.



Returns by Household Type

Only adult-only households experienced returns, and even then just 1 of 25.



THREE-YEAR TRENDS

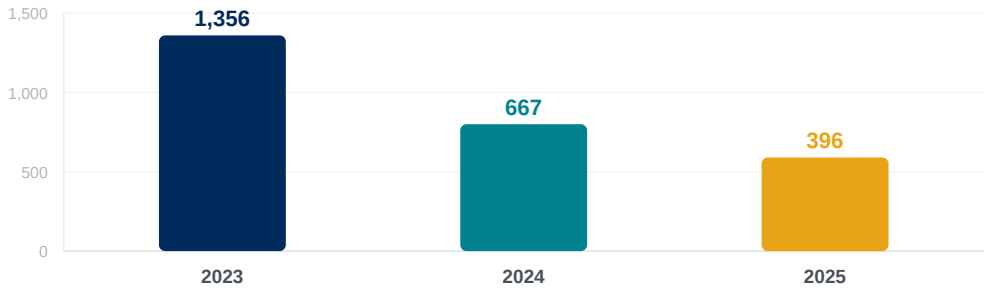
Households, Exits & Returns Over Time

Households with Days Homeless

Total households in the system have declined significantly over three years. This may reflect changes in reporting or project participation rather than a reduction in homelessness.

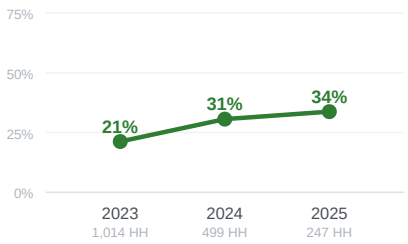
Household Volume Trend

Households with at least one day in ES, SH, TH, or RRH:H/PSH prior to move-in



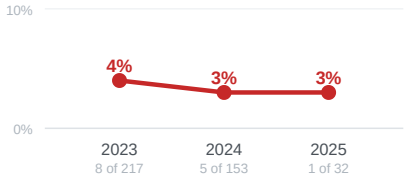
Exits to Permanent Destinations

% of exiting HH reaching permanent housing



Returns to Homelessness

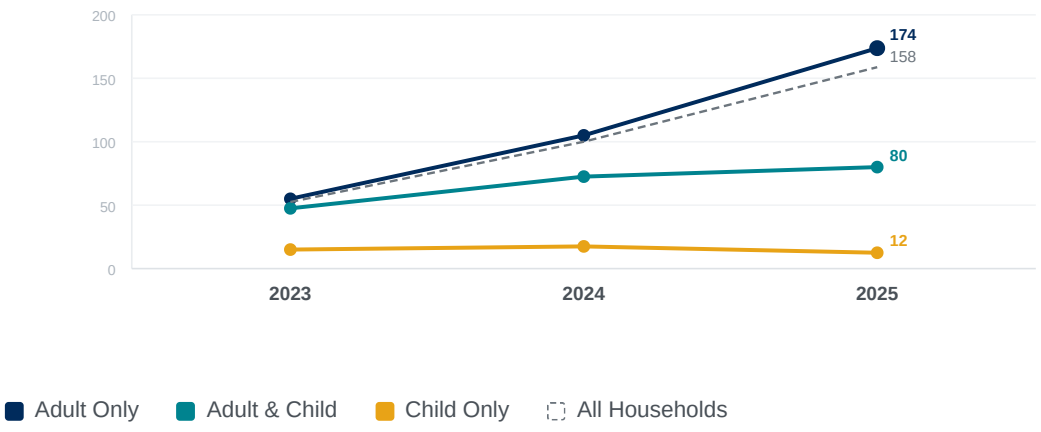
% returned within 6 months of permanent exit



Days Homeless Trend by Household Type

Average Days Homeless Over Three Years

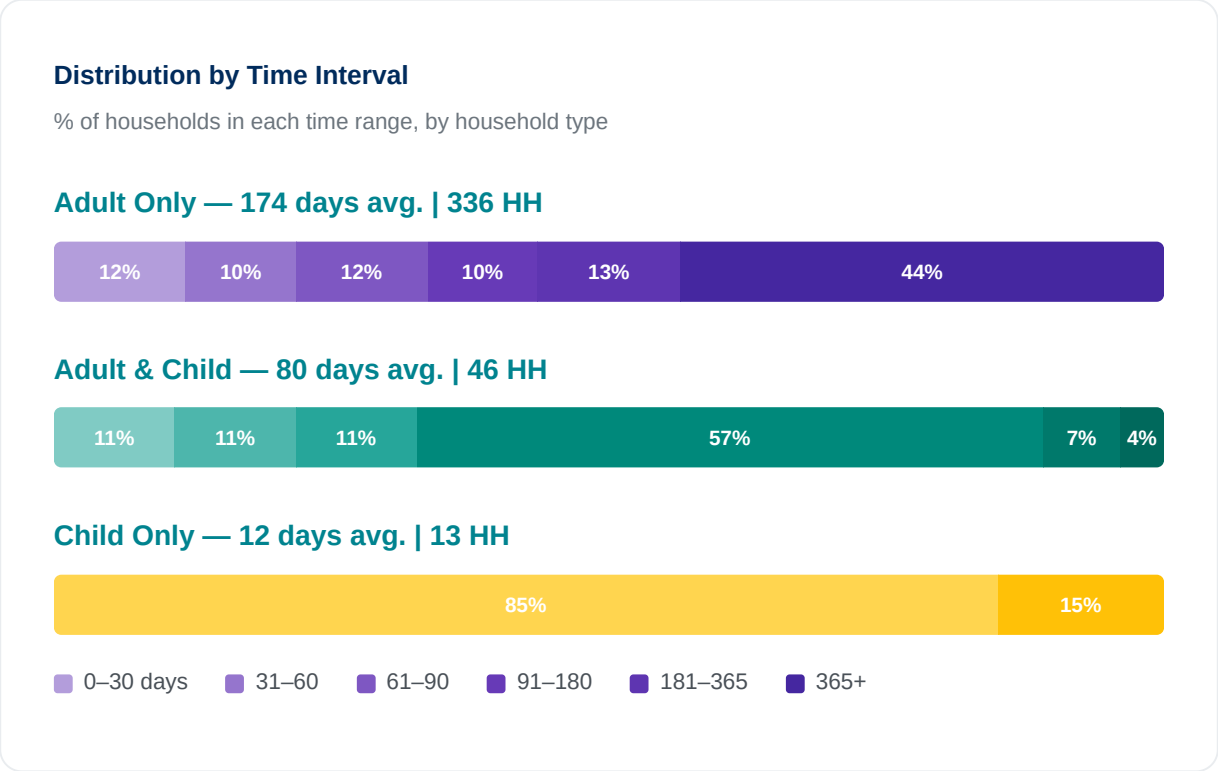
By household type, cumulative days in ES/SH/TH and RRH:H/PSH pre-move-in



DAYS HOMELESS

Time Distribution of Days Homeless

Distribution of cumulative days by time intervals for each household type. Adult-only households cluster heavily at 365+ days, while families and child-only households resolve much faster.



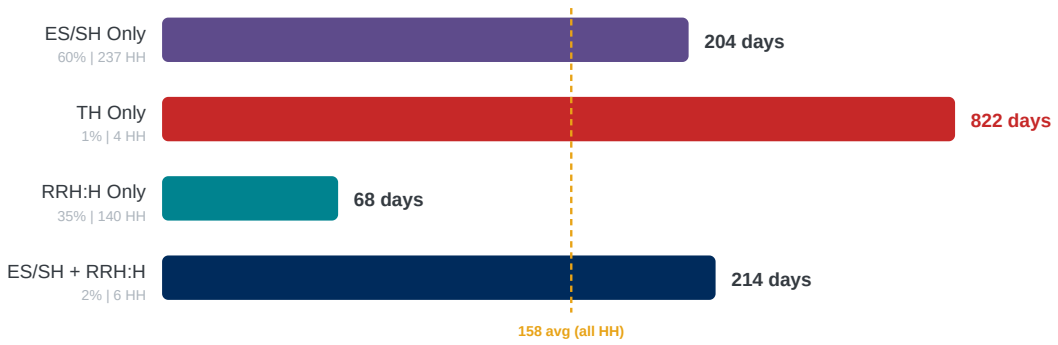
PATHWAYS

Days Homeless by Pathway

How long households remain homeless depends on which project types they use. ES/SH Only is the dominant pathway (60% of households), while RRH:H Only serves 35%.

Average Days Homeless by System Pathway

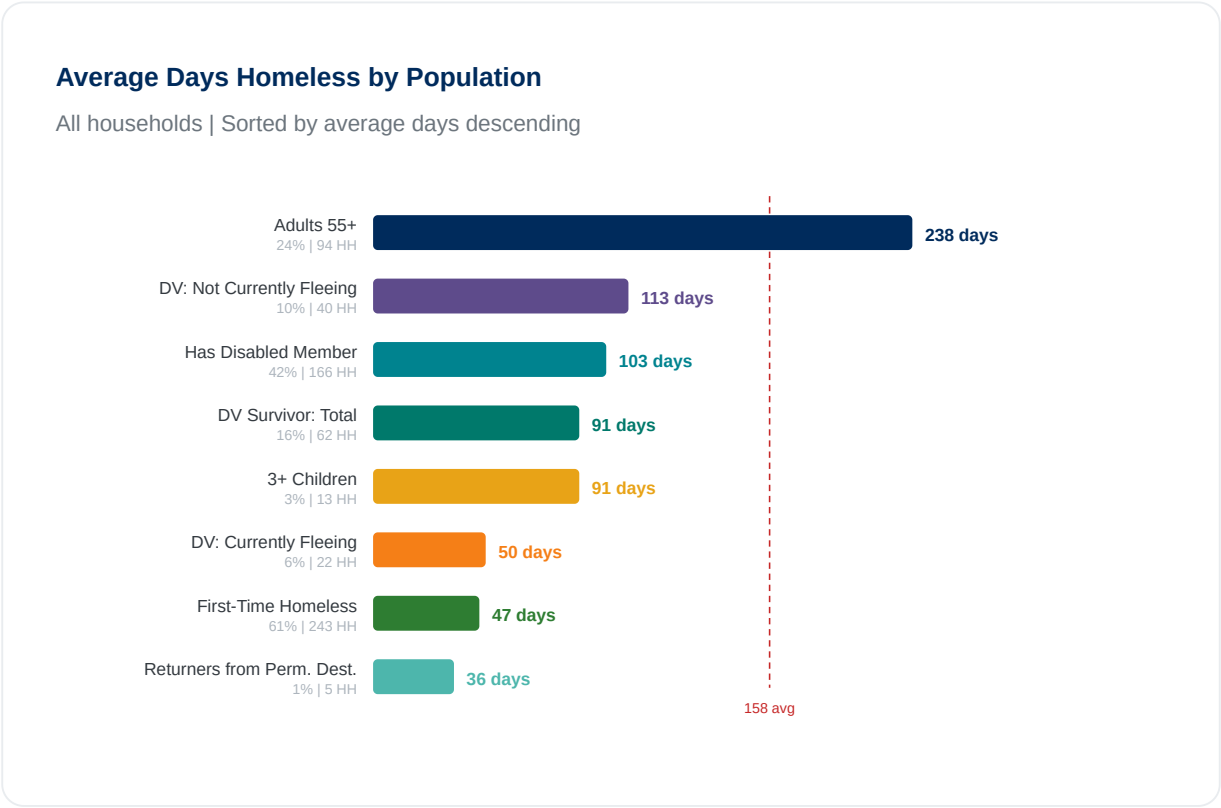
All 396 households | Pathway = combination of project types used



Note: TH Only's 822-day average involves only 4 households — a very small sample. Still, it's worth reviewing whether faster pathways exist for those cases. RRH:H shows the shortest homeless duration (68 days) and serves over a third of all households.

POPULATION ANALYSIS

Days Homeless by Population Group



Bright spot: First-time homeless households average only 47 days — the system responds quickly to newly homeless households. The challenge is with chronic and recurring homelessness, particularly among older adults (238 days avg).

EXITS

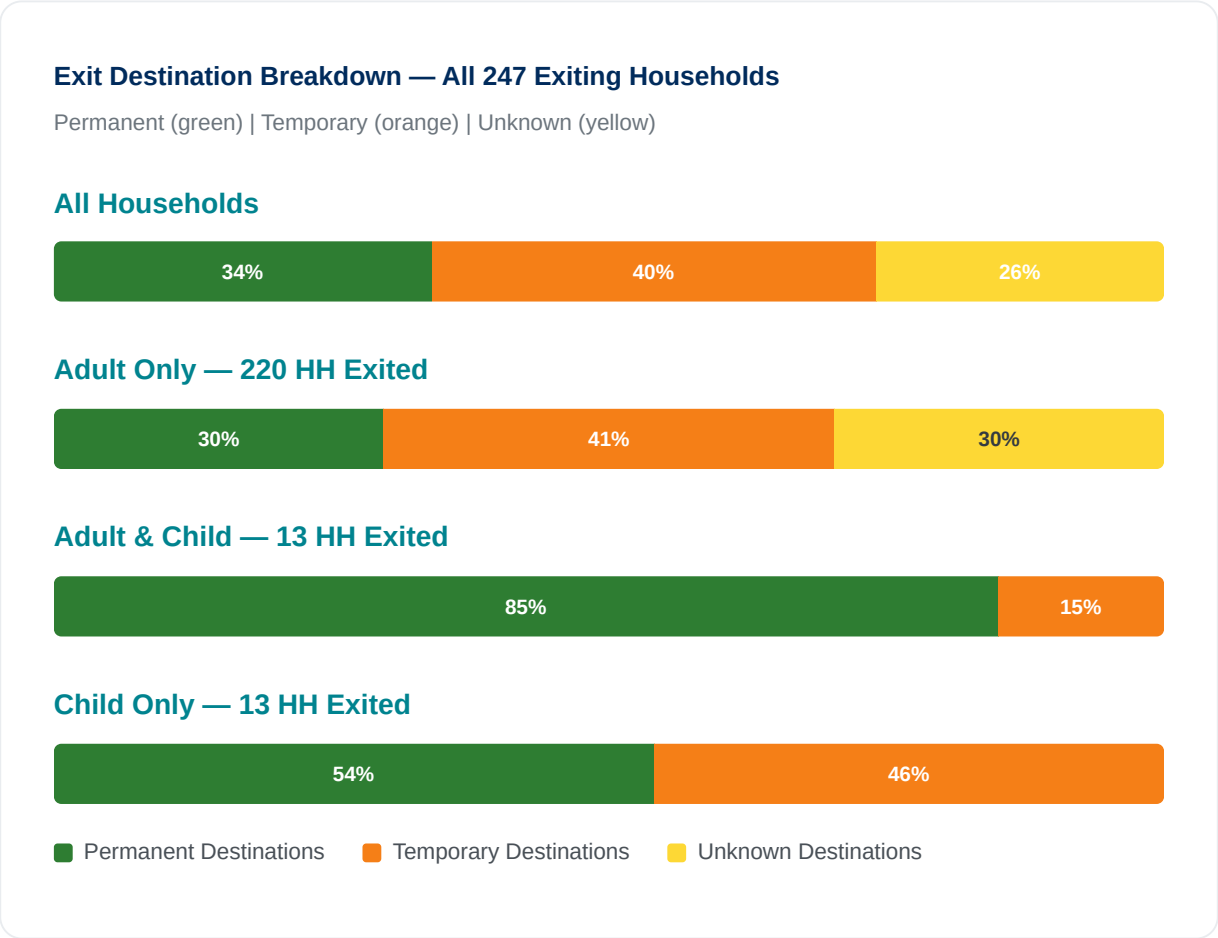
Exits from the Homeless System

34%	40%	26%

PERMANENT	TEMPORARY	UNKNOWN
84 HH	98 HH	65 HH

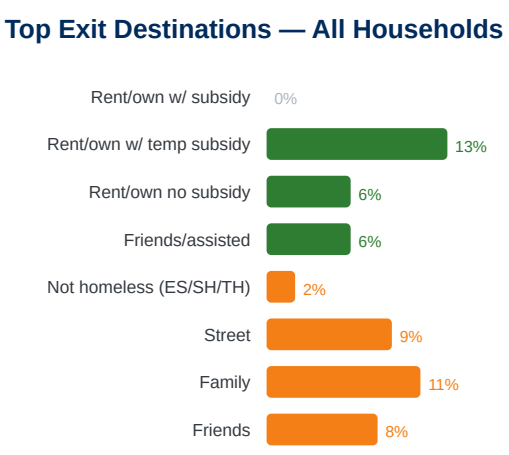
Exits by Destination Type

Of 247 exiting households, exit destinations break down across permanent, temporary, and unknown categories.



Specific Exit Destinations

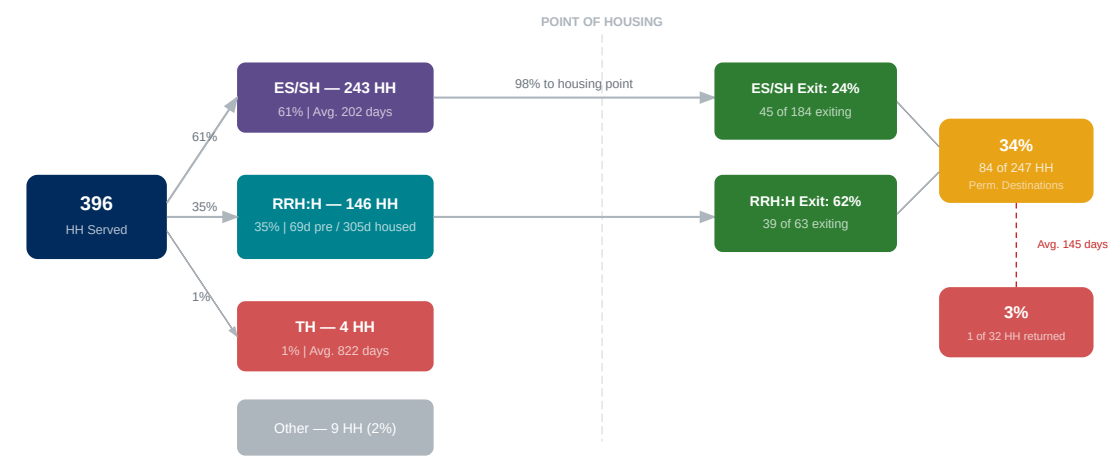
Among all exiting households, the most common specific destinations were staying with family (11%), staying with friends (8%), and the street (9%).



SYSTEM FLOW

System Performance Map

This shows how households flow through project types and where they exit. The majority enter through ES/SH, with RRH:H serving as the primary housing pathway.



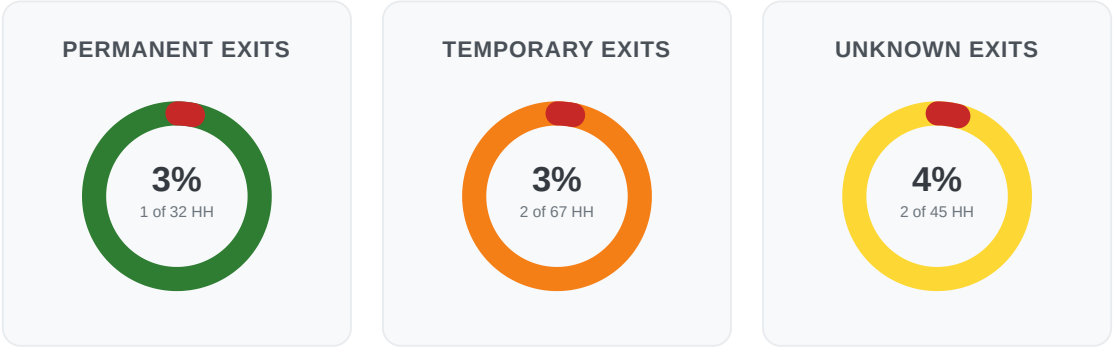
HOUSING STABILITY

Returns to the Homeless System

Only 3% of households returned to homelessness within six months of exiting to permanent destinations — a strong indicator that placements are stable and durable.

Returns by Destination Type

Households that exited in the first 6 months and returned within 6 months



Returns by Population Group

POPULATION GROUP	EXITING HH	RETURNED	RATE
All Exiting HH	144	5	3%
Adults 55+	28	0	0%
DV Survivor: Currently Fleeing	6	0	0%
DV Survivor: Not Fleeing	19	1	5%
Has Disabled Member	54	0	0%
First-Time Homeless	124	5	4%
Returners from Perm. Dest.	7	0	0%

DEMOGRAPHICS

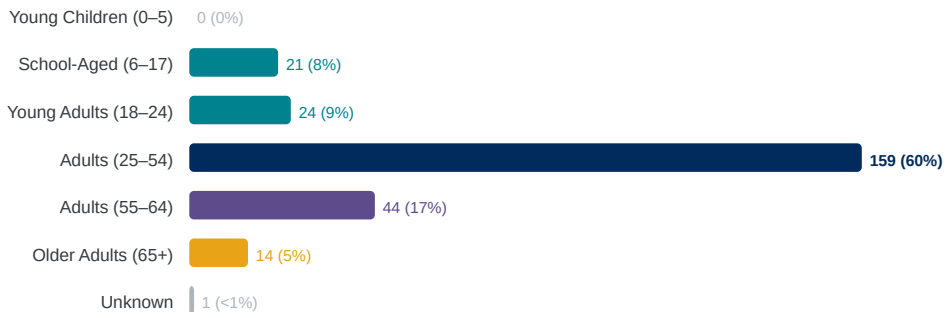
Who the System Serves

Demographic data for the 242 households (263 people) served in shelters and transitional housing.

242	255	263
HOUSEHOLDS	HOH & ADULTS	PEOPLE
ES/SH & TH		

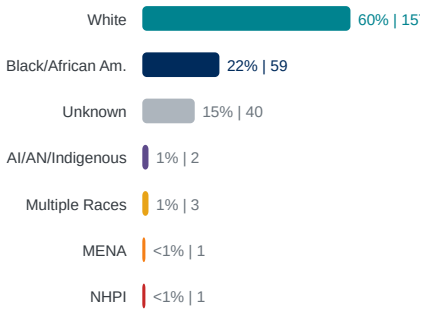
Age Distribution

Age of All Persons — 263 People

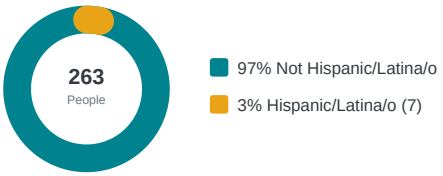


Race & Ethnicity

Race — 263 People

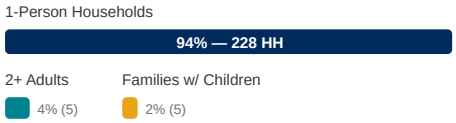


Ethnicity — 263 People



Household Composition & Special Populations

Household Composition — 242 HH



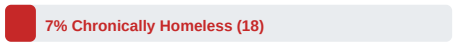
Veteran & DV Status

Veterans
5% 13 of 241 adults

DV Survivors
16% 39 survivors (9 fleeing, 30 not fleeing/unknown)

Chronic Homelessness & Geography

Chronic Homelessness — 255 HoH & Adults



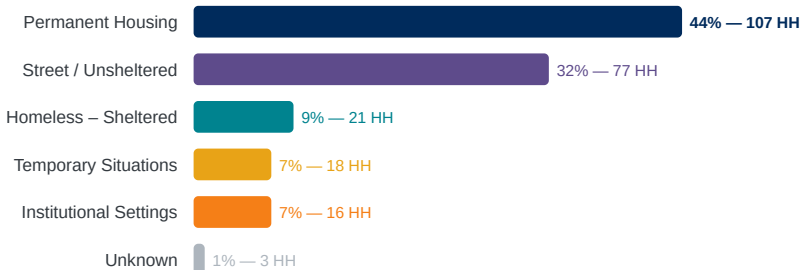
20% had 365+ days with 4+ occasions but no disabling condition (55 people)

Geography Where HH Was Served

54 city | 4 suburb | 184 rural | 0 unknown

Prior Living Situation

Where People Were Before Entering the System — 242 HH



LOOKING FORWARD

Strategic Recommendations

1. Reduce Length of Time Homeless for Single Adults
Single adults average 174 days — more than double families. Expand RRH capacity for individuals, strengthen employment supports at shelter entry, and develop targeted navigation for chronically homeless adults.

2. Expand Permanent Supportive Housing (PSH)
No PSH move-ins occurred this period, despite 42% of households having a disabled member and 7% meeting chronic homelessness criteria. PSH inventory must grow.

3. Address Rural Housing Barriers
76% of households were served in rural areas with limited housing stock. Pursue landlord engagement programs, flexible financial assistance, and partnerships with rural housing authorities.

4. Improve Exit Destination Data Quality
26% of exits went to "unknown" destinations, undermining outcome measurement. Strengthen exit interview completion and data entry processes.

5. Sustain Family-Focused Efforts
Family outcomes are excellent — 85% permanent exit rate, 80-day duration, zero returns. Document and sustain these practices, and consider adapting them for single adult populations.

Arkansas Balance of State Continuum of Care (AR-503)
Longitudinal System Analysis | Report Period: October 1, 2024 – September 30, 2025
Prepared by Mark Sniff | Submission Type: Official

HIC Summary Report

All Beds Summary

AR-503: Arkansas Balance of State CoC

HIC Date: Thu 1/22/26

Beds by HMIS Participation	Households without Children	Households with Children	Households with only Children	Total Year-Round Beds
HMIS Beds	156	122	2	280
Non-HMIS Beds	0	0	0	0
Comp. Database Beds	19	88	0	107
Total	**175**	**210**	**2**	**387**
HMIS Bed Coverage Rate	**89.1%**	**58.1%**	**100.0%**	**72.4%**

Non-VSP* Beds by HMIS Participation	Households without Children	Households with Children	Households with only Children	Total Year-Round Beds
Non-VSP HMIS Beds	156	122	2	280
Non-VSP, Non-HMIS Beds	0	0	0	0
Non-VSP Comp. Database Beds	8	0	0	8
Total	**164**	**122**	**2**	**288**
HMIS Bed Coverage Rate**	**95.1%**	**100.0%**	**100.0%**	**97.2%**

HIC Summary Report

All Beds Summary

AR-503: Arkansas Balance of State CoC

HIC Date: Thu 1/22/26

Beds by Target Population	Households without Children	Households with Children	Households with only Children	Total Year-Round Beds
DV	19	88	0	107
HIV	0	0	0	0
NA	156	122	2	280
Total	**175**	**210**	**2**	**387**

Beds by Inventory Type	Households without Children	Households with Children	Households with only Children	Total Year-Round Beds
Current Beds	175	210	2	387
Under Development Beds	0	0	0	0
Total	**175**	**210**	**2**	**387**

Seasonal/Overflow Beds	Total Seasonal Beds (Regardless of Availability)	Total Overflow Beds
HMIS Beds	0	5
Non-HMIS Beds	0	0
Comp. Database Beds	0	0
Total	**0**	**5**

HIC Summary Report

All Beds Summary

AR-503: Arkansas Balance of State CoC

HIC Date: Thu 1/22/26

All Beds by Project Type	Households without Children	Households with Children	Households with only Children	Total Year-Round Beds
ES	132	187	2	321
TH	15	0	0	15
SH	0	0	0	0
RRH	28	23	0	51
PSH	0	0	0	0
OPH	0	0	0	0
Total	**175**	**210**	**2**	**387**

HMIS Beds by Project Type	Households without Children	Households with Children	Households with only Children	Total Year-Round Beds
ES	121	99	2	222
TH	7	0	0	7
SH	0	0	0	0
RRH	28	23	0	51
PSH	0	0	0	0
OPH	0	0	0	0
Total	**156**	**122**	**2**	**280**

HIC Summary Report

All Beds Summary

AR-503: Arkansas Balance of State CoC

HIC Date: Thu 1/22/26

Notes:

• This summary includes exclusively current inventory (i.e. inventory records for which the "Inventory Type" is "C") and not beds that are under development ("Inventory Type" of "U") unless otherwise specified.

Acronyms/Abbreviations:

• HMIS: Homelessness Management Information System
• VSP: Victim Service Provider
• DV: Beds for Survivors of Domestic Violence
• HIV: Beds for Individuals with Human Immunodeficiency Virus / AIDS
• NA: Beds not otherwise designated as DV or HIV
• Comp: Comparable Database Participating
• Project Types: ES: Emergency Shelter; TH: Transitional Housing; SH: Supportive Housing; RRH: Rapid Re-housing; PSH: Permanent Supportive Housing; OPH: Other Permanent Housing

Coordinated Entry

Coordinated Entry System Policies and Procedures Manual

Arkansas Balance of State Continuum of Care (AR-503)
Version 2.0 | Approved October 2026

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I. Introduction

The Arkansas Balance of State Continuum of Care (AR-503) operates a Coordinated Entry System (CES) in accordance with federal regulations under the McKinney-Vento Homeless Assistance Act and 24 CFR Part 578. This system coordinates access, assessment, and referral to resources for all people experiencing homelessness and at risk of homelessness within the AR-503 geographic area.

A. Legal Authority and Regulatory Framework

This Coordinated Entry System operates under the authority of:

- McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 et seq.)
- 24 CFR Part 578 - Continuum of Care Program regulations
- 24 CFR Part 576 - Emergency Solutions Grants Program regulations
- HUD Notice CPD-17-01 - Establishing Additional Requirements for a Continuum of Care Centralized or Coordinated Assessment System
- Violence Against Women Act (VAWA) provisions
- Fair Housing Act and Americans with Disabilities Act requirements

The system complies with 24 CFR 578.7(a)(8), which requires Continuums of Care to "establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services."

B. Guiding Principles

CES operates under six core principles that inform all policies and procedures:

1. Person-Centered Every person experiencing homelessness will be treated with dignity and respect through person-centered practices including trauma-informed care and services tailored to individual needs and choices.

2. Low Barrier CES eliminates barriers to housing, including systemic biases and restrictive eligibility criteria, to equitably prioritize the most vulnerable people and ensure they receive support until achieving self-sufficiency in permanent housing.

3. Transparent CES processes, performance, communication, decision-making, and governance are clear and transparent to stakeholders, including people experiencing homelessness. All households are assessed using standardized, uniform methods.

4. Efficient CES is efficient and easy to navigate, serving each person with the appropriate level of resources based on their needs while preserving the most limited resources for the most vulnerable people.

5. Culturally Competent and Equitable CES pursues human equity and reduces housing barriers for marginalized and special needs populations through culturally and linguistically competent practices and proactive accessibility features.

6. Data Driven CES decision-making, evaluation, and system improvements are driven by qualitative and quantitative data to ensure continuous improvement and effective outcomes.

C. System Goals and Metrics

The AR-503 CoC's goal is to end homelessness by ensuring homelessness is:

- **Rare:** Each year, first-time homelessness will decline by 10%
- **Brief:** Mean length of homelessness will be 20 days or fewer
- **Non-Recurring:** Rate of recidivism from permanent housing will be 10% or less

II. System Overview

A. Geographic Coverage

The AR-503 Coordinated Entry System covers 46 counties in Arkansas. The geography is divided into Local Homeless Coalitions, with each county served by at least one CES Access Point.

The Prioritization List is subdivided by county. Participants may specify any county within AR-503 where they will accept housing. For housing outside AR-503, participants will be referred to the appropriate CoC region.

B. Core Components

Component	Description	Timing	Performance Target
Access	Initial contact and HMIS entry	At presentation	100% entry within 48 hours
Assessment	Standardized vulnerability assessment (ATT)	At initial contact	Complete within 1 business day

Component	Description	Timing	Performance Target
Prioritization	Ranking on the Prioritization List	Immediately after assessment	Weekly list updates minimum
Case Management: Diversion	Immediate housing problem-solving	Same day as Assessment, while active on the list	75% first-time homeless return to housing
Case Management: Rapid Exit	Ongoing case management while awaiting a housing resource	After Diversion, until housed or inactive	75% return to housing without a housing referral
Referral	Matching to housing programs	When units available	72-hour response time
Intake	Housing program enrollment	Upon referral	3 business day contact minimum

C. Target Populations

The system serves all people experiencing homelessness regardless of household size or subpopulation, including:

- Single adults and families with children
- Unaccompanied youth under age 25
- People fleeing domestic violence
- Veterans
- Chronically homeless individuals and families
- People with disabilities
- People at risk of homelessness

D. System Disclaimer

CES coordinates and prioritizes access to housing but does not guarantee referrals to specific providers or housing types. Final eligibility requirements remain with individual housing programs. The AR-503 CoC encourages all participants to pursue housing resources both through CES and independently.

III. Access

A. Summary and Requirements

The Access component provides immediate response to people experiencing homelessness through:

1. Screening against the HUD homeless definition
2. Access to emergency shelter and crisis housing
3. HMIS data entry within 48 hours of initial contact
4. Administration of the Assessment Triage Tool (ATT) and immediate placement on the Prioritization List
5. Connection to Case Management (Diversion, then Rapid Exit) while the participant awaits an available housing resource

Access is provided by:

- CES Access Points (stationary and mobile)
- CoC Program-funded SSO-CES projects
- ESG-funded Street Outreach and Emergency Shelter projects
- Any CoC or ESG-funded project conducting outreach

B. Determining Homelessness

When someone initially presents for housing, Access Points must:

- Make a preliminary determination of homelessness status under HUD definitions
- Determine if the person is fleeing domestic violence
- Base determination exclusively on self-report without requiring documentation
- Take appropriate actions for specific subpopulations

Homeless Definitions Used:

- Category 1: Literally homeless
- Category 2: Imminent risk of homelessness
- Category 3: Homeless under other federal statutes

- Category 4: Fleeing/attempting to flee domestic violence

At Risk of Homelessness: When determined at risk, individuals are entered into HMIS and referred to ESG-funded Homeless Prevention projects as available.

C. Access Points and Coverage

Access Point Requirements:

- Easily accessible to people experiencing homelessness
- Operating hours when people can reasonably access services
- Staff trained in trauma-informed, culturally competent service delivery
- ADA accessibility and language access accommodations
- Mobile/flexible options for those unable to access fixed locations

Types of Access Points:

- Emergency shelters and service centers
- Outreach programs and mobile units
- Healthcare facilities and institutional settings
- Specialized providers for specific populations

D. HMIS and Data Collection

Data Entry Requirements:

- All household members entered within 48 hours of initial contact
- Release of Information obtained before data entry
- Complete household information including additional members identified later

Declining Release of Information: People may decline to sign Release of Information forms. AR-503 serves these individuals through CES to the extent possible based on information provided, though access to some housing may be limited.

HMIS-Comparable Databases: Domestic violence service providers use HMIS-comparable databases with equivalent data standards and privacy protections.

E. After-Hours Protocol

Crisis Response During Non-Business Hours:

- Arkansas 211: Dial 2-1-1 or 866-489-6983
- Self-Report form on AR-503 CoC website
- Written protocols at each Access Point specifying how to assist people outside regular hours
- Connection to Access Points on the next business day

IV. Assessment

A. Summary and Tools

Assessment provides standardized evaluation of vulnerability and housing needs using the Assessment Triage Tool (ATT). Assessment is the first step after a person is determined to be experiencing homelessness and is not delayed for Case Management. The process includes:

1. ATT administration by the Access Point at initial contact (no later than 1 business day after the homelessness determination)
2. Data entry into HMIS or HMIS-comparable database within 48 hours of ATT completion
3. Immediate placement on the Prioritization List
4. Connection to Case Management (Diversion, then Rapid Exit) while the participant awaits an available housing resource

Assessment is provided by CES Access Points, SSO and SSO-CES projects, ESG-funded programs, and other outreach projects.

B. Assessment Triage Tool (ATT)

The ATT is a locally developed, standardized assessment tool that:

- Identifies households facing barriers to housing stability
- Measures vulnerability factors and acuity levels
- Is incorporated into the CES prioritization process
- Must be used in its official form without modifications

Assessment Guidelines:

- Use the entire ATT, attempting to answer each question
- Tailor approach to each person while maintaining standardization

- Seek accurate information without traumatizing participants
- The staff member making initial contact should administer the ATT when possible; a reassessment requested under Section X.C should be administered by the participant's current CES case manager

C. Placement on the Prioritization List

HMIS Participants: ATT completion automatically flags the participant for Prioritization List inclusion, and the participant is ranked on the list immediately.

HMIS-Comparable Database Participants: Assessor completes the De-identified Referral for Prioritization Form within 1 business day of ATT completion, using the coded identification system:

- Coded First Name: First three letters of DV agency name
- Coded Last Name: Three-digit sequential number
- Default dates of birth by category (Adult: 1/1/1990, Youth: 1/1/2006, Child: 1/1/2024)
- Agency contact information used as participant contact

D. Staff Training Requirements

Initial Training Covers:

- ATT administration procedures
- HMIS data entry and privacy requirements
- Serving people fleeing domestic violence
- Trauma-informed assessment practices

Annual Training Updates:

- Policy and procedure changes
- New tools and processes
- Performance improvement areas
- Best practice updates

Training is provided by the AR-503 CoC and the Coordinated Entry Coordinator, with online materials available and individual training upon request.

V. Prioritization

A. Summary and List Management

The Prioritization List (the CoC's By-Name List, or BNL) ranks all participants for housing referrals based primarily on vulnerability and length of homelessness, applying the criteria in Section V.B. Participants are added to the list immediately upon completion of the ATT (HMIS-comparable database participants within 1 business day of the Coordinator receiving the De-identified Referral for Prioritization Form) and remain active on the list while receiving Case Management (Diversion, then Rapid Exit) until they are housed or made inactive under Section V.C. The Coordinated Entry Coordinator maintains the list with weekly updates minimum, consolidating participants from both HMIS and HMIS-comparable databases and applying status changes.

List Characteristics:

- Equal access regardless of origin or data system
- Position determined exclusively by prioritization criteria
- De-identified aggregate information may be shared publicly
- Full list confidentiality maintained

B. Prioritization Order

General Prioritization (by project type and geographic preference):

Permanent Supportive Housing Priority:

1. Chronically homeless with longest history and highest ATT scores
2. Chronically homeless with longest history
3. Chronically homeless with highest ATT scores
4. All other chronically homeless individuals/families
5. Non-chronically homeless with longest history and highest ATT scores
6. Non-chronically homeless with longest history
7. Non-chronically homeless with highest ATT scores

Rapid Rehousing Priority:

1. Moderate to high ATT scores with potential for short/medium-term assistance success
2. Demonstrated ability to increase income or obtain mainstream benefits

3. Families with children (by length of homelessness)

Transitional Housing Priority:

1. Individuals/families requiring intensive services for housing stability
2. Those transitioning from institutional settings
3. Youth aging out of foster care or other systems

Emergency Transfer Priority: VAWA survivors receive priority regardless of list position for safety reasons.

C. List Updates and Maintenance

Update Schedule:

- Minimum weekly updates by Coordinated Entry Coordinator
- Schedule specified by the Coordinated Entry Committee and the AR-503 CoC Board
- Updates may be suspended during significant operational disruptions
- Board may override suspension by vote

Active Status:

- Assigned upon ATT completion (HMIS participants are flagged automatically; HMIS-comparable database participants are added by the Coordinator within 1 business day of receiving the De-identified Referral for Prioritization Form)
- Maintained while the participant has been contacted by an Access Point or CES case manager within the past 90 days
- Only active participants are referred to housing programs

Inactive Status (reason recorded):

- Housed: returned to housing through Diversion or Rapid Exit, as reported by the case manager
- Housed: enrolled in a housing project through Referral, as reported by the housing provider
- No Contact: no successful contact for 90+ consecutive days
- Ineligible: documented as not meeting the HUD homeless definition or otherwise ineligible for CES

- Before a participant is made inactive for No Contact, an outreach attempt is made via all available contact methods
- Inactive records are retained, not deleted; a participant who returns to homelessness re-enters through Access, receives a new ATT, and is reactivated rather than added as a duplicate

D. Special Population Considerations

Domestic Violence Survivors:

- May receive prioritization through HMIS-comparable databases
- Special confidentiality and safety protocols apply
- Emergency transfer priority for imminent safety threats

Recently Homeless Certification:

- Housing providers certify eligibility for recently homeless participants
- Specific certification form and process required

VI. Case Management

A. Summary and Sequence

Case Management provides housing problem-solving and ongoing support to every active participant on the Prioritization List while the participant awaits an available housing resource. Two strategies are used in sequence: Diversion first, beginning the same day as Assessment, and then Rapid Exit for participants who are not housed through Diversion. Neither strategy delays Assessment or placement on the list, and the participant remains active on the list until housed. The process includes:

1. Quick screening for Diversion appropriateness, the same day as Assessment
2. Immediate Diversion case management if appropriate
3. Transition to Rapid Exit case management if Diversion is not appropriate or is unsuccessful
4. Update of the participant's status to Housed (inactive on the list) when either strategy is successful

Case Management is provided by CES Access Points, SSO and SSO-CES projects, ESG-funded SO and ES projects, and other outreach programs.

Diversion is considered unsuccessful, and the participant transitions to Rapid Exit case management, when the participant has not returned to housing within 5 days of presentation.

B. Diversion

Diversion provides immediate housing problem-solving to help the participant return to housing within the first few days after presentation. It begins the same day as Assessment.

Definition: Diversion is "a strategy that prevents homelessness for people seeking shelter by helping them identify immediate alternate housing arrangements and, if necessary, connecting them with services and financial assistance to help them return to permanent housing." (National Alliance to End Homelessness)

Screening Questions:

- Where did you sleep last night?
- What other housing options do you have for the next few days?
- What barriers exist to remaining in current housing?
- Can barriers be eliminated with assistance, case management, or mediation?
- What resources would help you stay in current housing?

When Diversion is appropriate, case management begins the same day and may include:

- Connection to existing support networks (family, social networks)
- Housing search assistance
- Rental subsidies and financial assistance
- Utility assistance
- Case management and mediation services
- Connection to mainstream resources and legal assistance

The participant remains active on the Prioritization List throughout Diversion. Successful outcomes are reported and recorded as described in Section VI.D.

C. Rapid Exit

Rapid Exit provides longer-term case management, similar to Diversion, for participants for whom Diversion was not appropriate or was unsuccessful. Services continue until the participant:

- Returns to housing without a housing program referral (status updated to Housed)
- Enrolls in a housing project through Referral (status updated to Housed)
- Is made inactive for lost contact under the list status criteria (Section V.C)

Services include:

- Monthly sessions minimum (more as needed)
- Connection to support networks and mainstream benefits
- Housing search and financial assistance
- Case management and service coordination
- Maintaining current contact information in HMIS and assisting housing providers in reaching the participant after referral

Each interaction attempting to connect the person with resources constitutes a "session."

D. Status Updates and Reporting

Case managers report the following to the Coordinated Entry Coordinator within 48 hours:

- Return to housing through Diversion or Rapid Exit
- Inability to reach the participant for a scheduled session, so outreach can begin before the 90-day inactive threshold
- Changes in household composition, geographic preference, or contact information that affect referral matching

When Diversion or Rapid Exit is successful, the participant's status on the Prioritization List is updated to Housed and the participant becomes inactive on the list; inactive participants are not referred to housing programs. The record and assessment data are retained. A participant who later returns to homelessness re-enters through Access, receives a new ATT, and is reactivated on the list rather than added as a duplicate (Section V.C).

E. Effectiveness Monitoring

The Collaborative Applicant conducts quarterly evaluations of both strategies using metrics at project, regional, and system levels:

- Number of people initially presenting for housing
- Number of people receiving Rapid Exit services
- Percentage returning to housing through Diversion before transition to Rapid Exit (target: 75% of first-time homeless participants)
- Percentage returning to housing through Rapid Exit without a housing program referral (target: 75%)
- Success rates by project, region, and system-wide

VII. Referral

A. Summary and Process

When housing providers have openings, they request referrals from the Prioritization List. The Coordinated Entry Coordinator filters the list according to provider eligibility parameters and refers participants in priority order.

Participating Programs:

- All CoC Program-funded TH, RRH, TH-RRH, and PSH projects
- All ESG-funded RRH projects
- Any transitional or permanent housing project using HMIS/HMIS-comparable database

B. Housing Provider Requirements

Requesting Referrals:

- Submit requests when slots are available
- Use method, format, and information specified by AR-503 system
- Request referrals as soon as possible after opening

Eligibility Parameters:

- Set by project applications to funding sources

- Federal/governmental requirements cannot be modified by AR-503
- AR-503 may disallow parameters not required by funding sources

C. Filtering and Matching

The Coordinated Entry Coordinator filters the Prioritization List based on:

- Project eligibility requirements
- Participant preferences for geographic area
- Household size and composition requirements
- Target population specifications

Referral Selection:

- Descending priority order from filtered list
- Multiple referrals may be sent if multiple openings exist
- Household configuration flexibility when unit size not specified

D. Response Timeframes

Coordinated Entry Coordinator Response: Within 72 hours of receiving referral request

Tracking: Open referrals tracked on Prioritization List until resolution reported

Multiple Referrals Encouraged When:

- Housing provider has multiple openings
- Anticipated response time exceeds one business day

VIII. Intake

A. Summary and Process

Housing providers must contact referred participants, verify eligibility, and report outcomes to maintain system integrity. The process includes:

1. Contacting referrals within one business day
2. Minimum three business day contact attempts
3. Eligibility verification and enrollment

4. Outcome reporting to Coordinated Entry Coordinator

B. Contact Requirements

Initial Contact: Begin attempting contact within one business day of receiving the referral

Multiple Referrals: Contact in descending priority order, up to the number of available slots

Minimum Contact Efforts (3 business days):

- Daily contact attempts via at least one mechanism
- Contact the participant's CES case manager
- Try all phone numbers and addresses from past 6 months in HMIS
- Contact through ESG-funded emergency shelters in participant's area
- Contact through drop-in centers and one-stop centers in participant's area
- Connect with organizations that recently entered data for participant

Documentation: All contact attempts must be documented in HMIS

After Three Business Days: May continue attempts or return the referral to the Coordinated Entry Coordinator (the participant remains active on the Prioritization List)

C. Eligibility Verification

Once contacted, housing providers must document:

- Participant meets applicable HUD homelessness definition
- Participant is member of project's target population(s)
- For chronic homelessness projects: head of household has documented disability and meets chronic definition

Successful Documentation: Enroll participant in project

Unsuccessful Documentation: Return the referral to the Coordinated Entry Coordinator with specific reasons

D. Housing Resolution Process

Housing providers must report outcomes within specified timeframes:

Resolution	Timing	Information Required
Successful Enrollment	Within 3 business days	Confirmation of enrollment
Could Not Contact	After 3 business days of documented attempts	Unable to establish contact
Eligibility Not Documented	After the attempt to document eligibility	Which elements, why not documented
Referral Rejected	Within 3 business days	Reason for rejection (waiver required)
Participant Declined	Within 3 business days	Participant declined enrollment

Coordinated Entry System Responses:

- Successful Enrollment: Status updated to Housed; participant inactive on the Prioritization List
- Could Not Contact (after 3 business days of documented attempts): Referral returned; the participant remains active on the Prioritization List and the participant's CES case manager is notified to re-establish contact; inactive status is governed by Section V.C
- Eligibility Issues: Update the relevant eligibility flags, or change the participant's status to Ineligible (inactive) if the participant is documented as no longer eligible for CES
- Rejection/Decline: Participant remains active on the Prioritization List and is available for the next referral

Rejecting Referrals: Only allowed with waiver for credible threat of harm to staff/participants

IX. Special Populations

A. Domestic Violence Survivors

Definition: Individuals/families fleeing domestic violence, dating violence, sexual assault, stalking, or other dangerous conditions where health and safety are jeopardized, with no other safe residence and lacking resources for other safe permanent housing.

Initial Screening: All Access Points ask screening questions to identify survivors

Service Options: Survivors may choose:

- Connection with specialized DV service provider within 1 business day
- Continue with initial Access Point using DV protocols
- Emergency shelter, advocacy, safety planning, peer counseling

Special Protocols:

- DV service providers use HMIS-comparable databases, not HMIS
- ATT administered by the DV service provider within 1 business day of the transfer when the survivor transfers, or by the initial Access Point using DV protocols when the survivor does not
- De-identified referral process for prioritization
- Enhanced safety and confidentiality measures
- Emergency transfer priority under VAWA

B. Unaccompanied Youth

Definition: Youth under age 25 not accompanied by parent or guardian

Assessment: Assessment Triage Tool (ATT), the same tool used for all participants

Special Considerations:

- Specialized Access Points when available
- Age-appropriate services and housing options
- Connection to youth-specific resources
- Foster care transition support

C. Chronic Homelessness

Definition: Per 24 CFR 578.3 - an individual with a disability who has lived in a place not meant for human habitation, a safe haven, or an emergency shelter continuously for at least 12 months, or on at least four separate occasions in the past three years (each separated by a break of at least seven nights) where the combined occasions total at least 12 months; stays of fewer than 90 days in an institutional care facility count toward the total. A family whose head of household meets this definition is chronically homeless.

Documentation Requirements:

- Head of household disability verification: written verification from a state-licensed professional, written verification from the Social Security Administration, or receipt of a disability benefit; an intake worker's observation must be confirmed by one of these within 45 days
- Length and pattern of homelessness: HMIS or comparable database records, written observation by an outreach worker, or written referral by another housing or service provider
- Self-certification only where third-party evidence cannot be obtained after documented due diligence, and for no more than 3 of the 12 months for at least 75% of the chronically homeless households a project serves each operating year (24 CFR 578.103(a)(4))

Priority Access: Chronic status provides highest priority for permanent supportive housing

D. Veterans

Assessment: Assessment Triage Tool (ATT), the same tool used for all participants

Coordination: Work with VA and SSVF programs for comprehensive services

Priority Considerations: Veteran status considered in prioritization process

X. Quality Assurance and Performance

A. Data Standards

HMIS Requirements:

- Data entry within 48 hours of assessment/services
- Complete required data elements (100% for universal elements)
- Regular data quality monitoring and correction
- Annual data quality audit

Performance Indicators:

- Assessment completion rates: 95%+
- Referral response rates: 90% within 72 hours
- Housing placement rates: 75% within 90 days

- Data accuracy rates: 95%+

B. Performance Monitoring

System Performance Measures:

- Average length from assessment to housing placement
- Housing placement percentages at 30, 60, 90 days
- Housing retention at 6 and 12 months
- Return to homelessness rates
- Participant satisfaction scores

Reporting Schedule:

- Monthly outcome reports
- Quarterly comprehensive analysis
- Annual system evaluation
- Real-time dashboard monitoring

Performance Targets:

- Housing placement: 75% within 90 days
- Housing retention: 85% at 6 months, 80% at 12 months
- Return to homelessness: Less than 10% within 12 months
- Participant satisfaction: 85% or higher

C. Grievance Procedures

Participant Rights:

- Clear information about CES processes
- File grievances regarding system operations
- Appeal prioritization decisions
- Request reassessment

Filing Process:

- Grievances submitted by postal mail to AR-503 CoC

- Email option available
- Response within 10 business days
- Board handles conflicts of interest

Appeals Process:

- Assessment scores and prioritization rankings
- Referral decisions and service denials
- Independent panel review within 30 days
- Written response with resolution

D. Annual Review Process

Policy Review Requirements (24 CFR 578.7(a)(8) and Notice CPD-17-01):

- Annual review and update of policies and procedures, in consultation with participating projects and participants (Notice CPD-17-01)
- 30-day public comment period minimum (AR-503 policy)
- AR-503 CoC Board review and approval
- Provider and participant input incorporation

Review Components:

- Performance data analysis
- Regulatory compliance review
- Stakeholder feedback integration
- Best practice updates

Implementation:

- Distribution to participating agencies
- Staff training updates
- Community partner communication
- Public transparency posting

XI. Compliance and Civil Rights

A. Fair Housing Requirements

Applicable Laws:

- Fair Housing Act (race, color, religion, sex, national origin, disability, familial status)
- Section 504 of the Rehabilitation Act
- Americans with Disabilities Act Titles II and III
- HUD Equal Access Rule (sexual orientation, gender identity, marital status)

Prohibited Discrimination:

- Housing transactions based on protected characteristics
- Source of income discrimination (AR-503 policy for participating projects)
- Differential treatment in services or accommodations

B. Reasonable Accommodations

Definition: Changes, exceptions, or adjustments to rules, policies, practices, or services that allow persons with disabilities equal opportunity to use and enjoy housing.

Request Process:

- May be requested verbally or in writing
- No specific form required
- Processed by affected housing program
- Reasonable accommodations readily available (TTY, accessible entrances, aids)

Examples:

- Safety accommodations affecting housing choice
- Service modifications or housing option changes
- Data collection accommodations
- Mobility or communication accommodations
- Large print materials, service animals in no-pet buildings

C. Non-Discrimination Policies

Equal Access: All programs provide equal access regardless of protected characteristics

Affirmative Marketing: Housing and services marketed to eligible persons regardless of protected status, with special outreach to those least likely to apply

Accommodation Requirements: All participating organizations must provide reasonable accommodations and follow civil rights requirements

D. Marketing and Outreach

Community Stakeholder Engagement:

- Information provided to 24-hour establishments, restaurants, hospitals
- Outreach at community events, resource fairs, festivals
- Partnerships with hot meal programs, churches, schools
- Check cashing locations and places frequented by people experiencing homelessness

Accessibility Focus:

- Multilingual materials and interpretation services
- Accommodations for people with disabilities
- Trauma-informed outreach approaches
- Cultural competency in service delivery

Appendices

Appendix A: Homeless Prevention Projects

ESG-funded Homeless Prevention projects operate under separate policies and procedures developed in accordance with project applications and federal regulations. These projects:

- Apply their own eligibility and prioritization criteria within the Coordinated Entry System, as required of ESG-funded projects by 24 CFR 576.400(d)
- Record participant information in HMIS or HMIS-comparable databases
- Receive at-risk households referred through CES Access Points (Section III.B) and coordinate service connections
- Report outcomes for system-wide performance monitoring

Appendix B: Forms and Documentation

The Forms & Documentation Library can be found here: www.arboscoc.org/ceforms

Or scan here:

CE Forms

Required Forms:

- Assessment Triage Tool (ATT)
- De-identified Referral for Prioritization Form
- Release of Information Forms
- Certification of Recently Homeless Form
- Grievance and Appeal Forms
- Contact Documentation Templates

HMIS Data Elements:

- Universal Data Elements (all participants)
- Program-Specific Data Elements
- Coordinated Entry-Specific Elements
- Assessment scores and prioritization information

Appendix C: Access Points Directory

The CE Access Point Directory is a living document hosted on the AR Balance of State website. It can be found here: https://www.arboscoc.org/about/ceaccess/

Or scan here:

CE Access Directory

If you would like to become a Coordinated Entry Access Point or Access Partner, please contact us at: www.arboscoc.org/contact

Appendix D: Training Materials and Resources

Required Training Topics:

- HUD regulations and CES requirements
- Assessment tool administration
- HMIS data entry and privacy
- Trauma-informed practices
- Cultural competency and fair housing
- Working with specific populations

Training Schedule:

- Initial certification for new staff
- Annual refresher training for all staff
- Specialized training for population-specific work
- Updates for policy and procedure changes

Resources:

- Online training materials at www.youtube.com/@ARBoSCoC
- AR-503 CoC website: www.arboscoc.org

Document Control and Contact Information

Version: 2.0

Effective Date: October 2026

Review Date: October 2027

Approved by: AR-503 CoC Board

For questions or technical assistance:

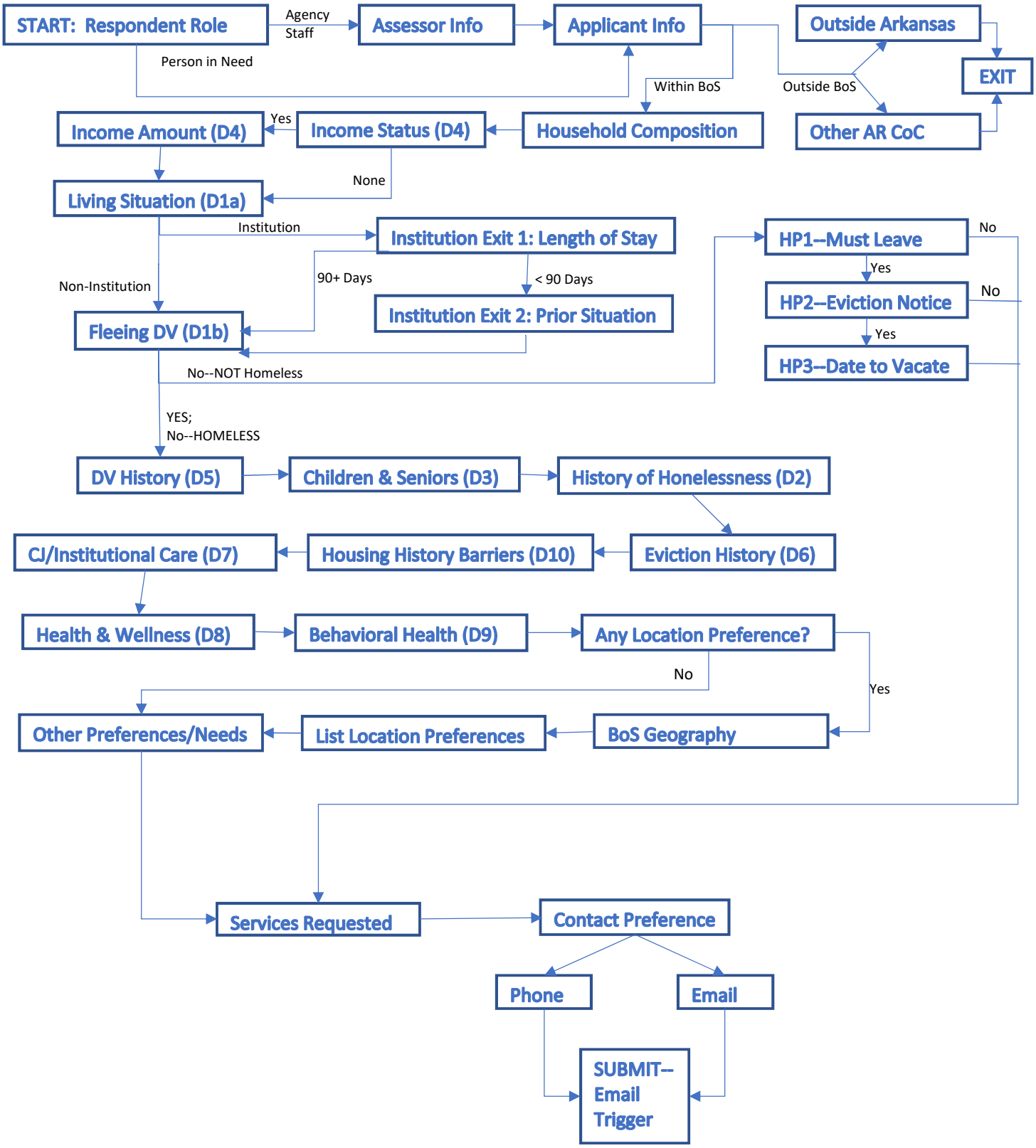
- AR-503 CoC Website: www.arboscoc.org/contact
- Arkansas 211 Crisis Line: 2-1-1 or 866-489-6983

Arkansas Balance of State — Coordinated Entry Assessment: Scoring Reference

Use this sheet to look up valid point values for each domain before entering data.

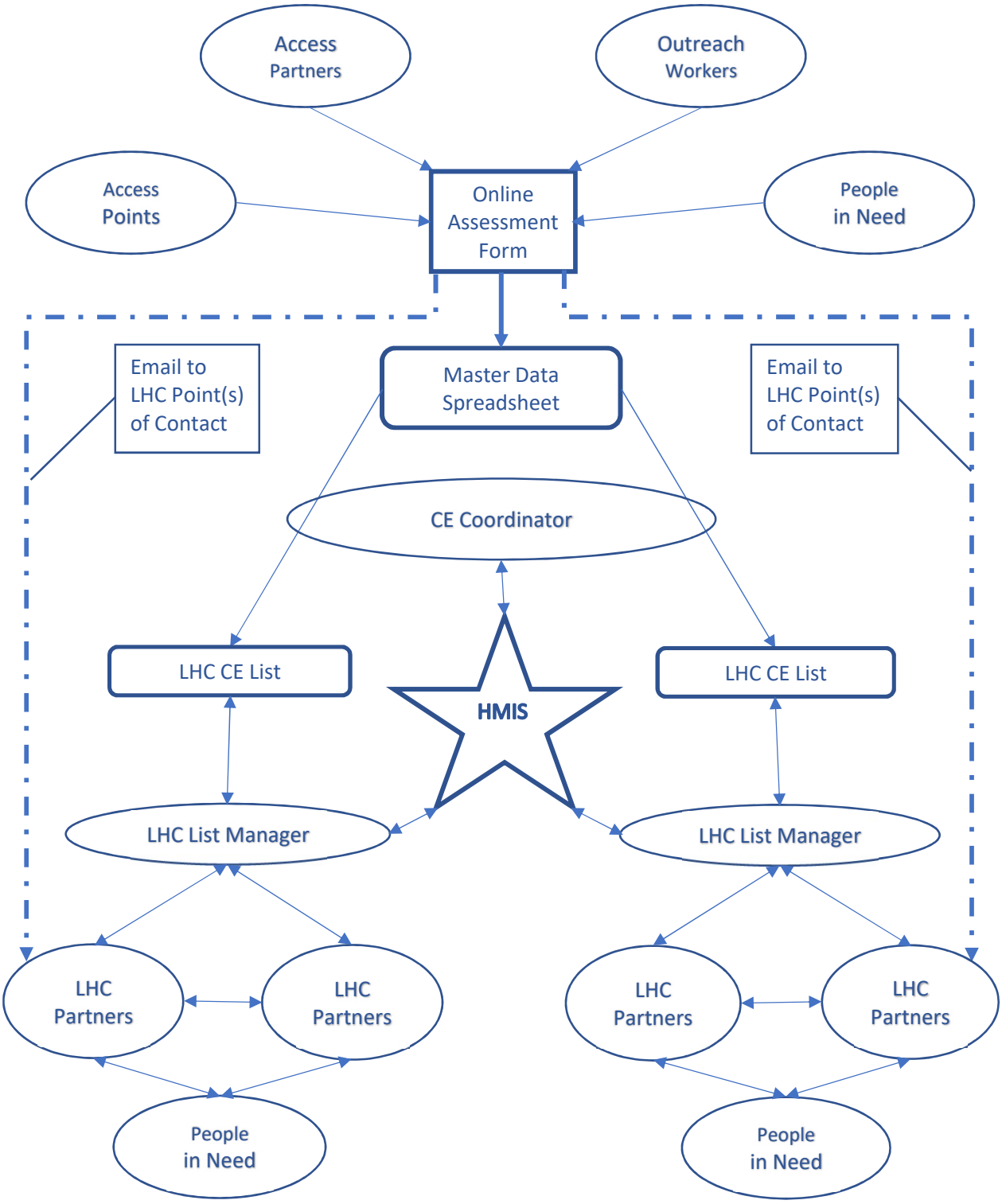
Domain / Question	Description	Points	Max Pts
DOMAIN 1: Current Living Situation			**10**
1A — Unsheltered	Encampments, vehicles, tents, or places not meant for human habitation	6	
1A — Seasonal/Warming Shelter	Seasonal shelter, warming center, or hotel/motel paid by charity/govt; expects to return to unsheltered	3	
1B — Actively Fleeing DV	Actively fleeing or attempting to flee domestic violence (add to 1A)	4	
DOMAIN 2: History of Homelessness			**15**
2A — 5+ Years Homeless	History of periodic or consistent homelessness for more than 5 years	10	
2A — 1–5 Years Homeless	History of periodic or consistent homelessness for more than 1 year but less than 5 years	5	
2B — Prior Housing Assistance	Became homeless again after previously receiving dedicated homeless housing assistance	5	
DOMAIN 3: Household Composition			**10**
3 — Pregnant	Currently pregnant	2	
3 — Single Parent	Single parent household with minor children	1	
3 — Child Requiring Significant Care	Household includes at least one child who requires significant care	1	
3 — Large Family (3+ BR needed)	Household needs a unit with three or more bedrooms due to family size	2	
3 — Adults 65+	Adults older than 65 in the household	4	
DOMAIN 4: Income Status			**4**
4 — No Consistent Income	No consistent income	4	
4 — Below 30% AMI	Income below 30% of Area Median Income	2	
DOMAIN 5: Safety and Domestic Violence			**15**
5a — Currently Fleeing DV/IPV	Currently fleeing domestic or intimate partner violence	10	
5a — Violence in Last 90 Days	Experienced violence within the last 90 days but not currently fleeing	5	
5b — Crime/Violence Contributed to Hom	Client or household member victim of crime/violence/harassment contributing to homelessness	5	
DOMAIN 6: Eviction History			**5**
6 — Eviction in Last 7 Years	One eviction on record in the last 7 years	2	
6 — Eviction in Last Year	Eviction on record within the last year	5	
DOMAIN 7: Criminal Justice / Institutional Care			**10**
7 — Recent Incarceration (90+ days)	Discharged from jail/prison within last 6 months after 90+ days incarceration	3	
7 — DCYF Involvement	Division of Children, Youth & Families involvement in past 7 years (foster/aftercare)	3	
7 — Registered Sex Offender	Registered sex offender (any household member)	1	
7 — Criminal Record	Criminal record for arson, drug dealing/manufacture, or offenses against persons/property	1	
7 — Juvenile Justice	Juvenile justice involvement within past 7 years	1	
7 — Legal Needs Inhibit Housing	Current legal service needs that inhibit housing access	1	
DOMAIN 8: Health and Wellness			**15**
8 — Physical Condition Impairs Housing	Physical condition or illness that impairs ability to access/maintain housing	3	
8 — 3+ Hospitalizations (12 months)	More than 3 hospitalizations, ED, or urgent care visits in last 12 months	3	
8 — Homeless Situation Impairs Medical	Homeless situation not conducive to medication or medical maintenance	3	
8 — Specialized Housing Needed	Physical health conditions require specialized housing types or supports	3	
8 — Living with HIV	Person in household has been told they are living with HIV	3	
DOMAIN 9: Behavioral Health			**12**
9 — Mental Health History	History of mental health challenges leading to adverse housing impacts or instability	6	
9 — Substance Use History	History of substance use leading to adverse housing impacts or instability	6	
DOMAIN 10: Other Considerations			**3**
10 — Prior Landlord/Utility Debt	Previous debts owed to landlord or utility company that may inhibit housing access	2	
10 — Never Had Own Lease	Has never had a lease in their name	1	
GRAND TOTAL			

AR Balance of State CoC Help Request Form Flow Chart



Revised 4/28/2026

AR BoS CE Data System Diagram



Revised 6/29/2026

CE Client Outreach Flyer

AR Balance of State

Better Access. Better Outcomes.

You are not alone. We are here to help you find the right support.

★ Start with the Online Assessment. ★

The **Coordinated Entry** online assessment is the best way to get connected to housing and services that fit your needs.

WHY COMPLETE THE ONLINE ASSESSMENT?

COMPLETE THE ONLINE ASSESSMENT

ONE ASSESSMENT. MANY OPTIONS.
We'll connect you with the programs and services that best fit your needs.

SAVES YOU TIME.
No need to contact multiple agencies or repeat your story.

FAIR AND TRANSPARENT.
Everyone is assessed the same way and prioritized based on need.

BETTER MATCH. BETTER RESULTS.
You're connected to the right resources so you can move forward faster.

SAFE, CONFIDENTIAL, SECURE.
Your information is protected and used only to help you.

VS

CALL/CONTACT AGENCIES DIRECTLY

MAY MISS OTHER OPTIONS
You might only learn about the resources that one agency offers.

MORE TIME CONSUMING
You may need to call or visit several agencies and repeat your information.

INCONSISTENT PROCESS
Different agencies have different processes and wait lists.

NOT CONNECTED TO THE RIGHT FIT
May lead to delays or referrals to programs that don't meet your needs.

INFORMATION MAY NOT BE SHARED
Agencies may not have a complete picture of your needs.

TAKE THE FIRST STEP TODAY
COMPLETE THE ONLINE ASSESSMENT!

- ✓ Easy
- ✓ Secure
- ✓ Available 24/7

Or visit: www.arboscoc.org/gethelp/

Need help with the assessment? Start here.

SCAN HERE

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

Presented by:

Desiree Willmuth, Homeless Programs Director
&
Mark Sniff, HMIS Regional Coordinator/System Analysis Director

Ouachita Children, Youth, & Family Services
AR Balance of State Collaborative Applicant & HMIS Lead

What is it, and why do we need it?

Coordinated Entry is the community's front door to housing assistance.

It creates a fair, transparent, and standardized process that connects individuals and families experiencing homelessness with the housing and services best suited to their needs.

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

BENEFITS FOR INDIVIDUALS & FAMILIES

✓ One clear path to assistance
✓ Fewer repeated intakes and assessments
✓ Fair access to housing resources
✓ Connections based on need, not chance
✓ Faster linkage to appropriate services

BENEFITS FOR SERVICE PROVIDERS

✓ Streamlined referrals
✓ Reduced duplication of services
✓ Stronger community collaboration
✓ Better data for decision making
✓ More effective use of limited resources

Benefits for the CoC: Supports compliance with HUD requirements for fair, standardized, and transparent prioritization and decision-making procedures. Increases overall CoC NOFO scores, which increases likelihood of expanded funding.

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

BoS STANDARDIZED ASSESSMENT DOMAINS

✓ Current Living Situation
✓ History of Homelessness
✓ Household Composition
✓ Income Status
✓ Safety & Domestic Violence
✓ Eviction History
✓ Criminal Justice/Institutional Care
✓ Health & Wellness
✓ Behavioral Health
✓ Adverse Rental History

WHY STANDARDIZED ASSESSMENT

✓ Consistent questions
✓ Objective scoring
✓ Consistent & transparent prioritization
✓ Improves coordination among providers
✓ Captures essential data

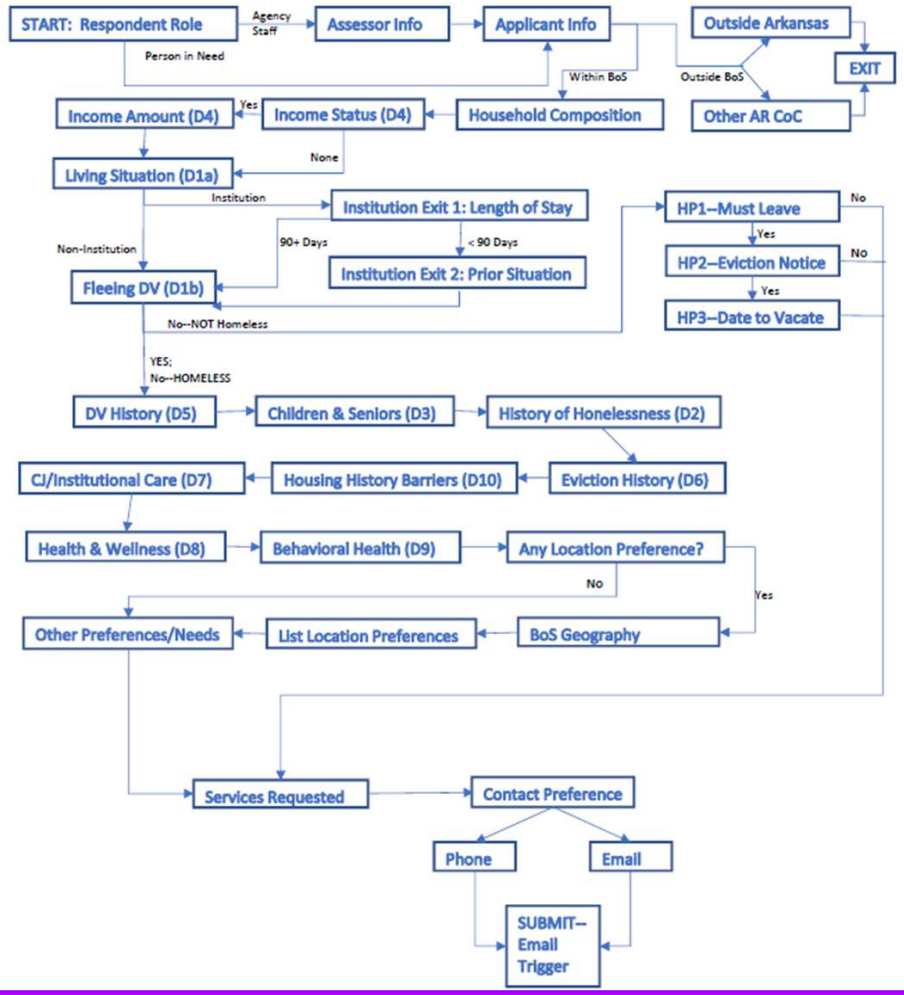
WHY THESE QUESTIONS

✓ Current housing situation
✓ Current service needs
✓ Data-backed risk factors & barriers
✓ Risk of harm
✓ Risk of future or continued homelessness

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

AR Balance of State CoC Help Request Form Flow Chart



INCORPORATES PREVIOUS VERSION

- ✓ Triage homeless status
- ✓ Basic info for client and assessor
- ✓ Client's preferences for housing
- ✓ All CE prioritization questions
- ✓ Notes & other information

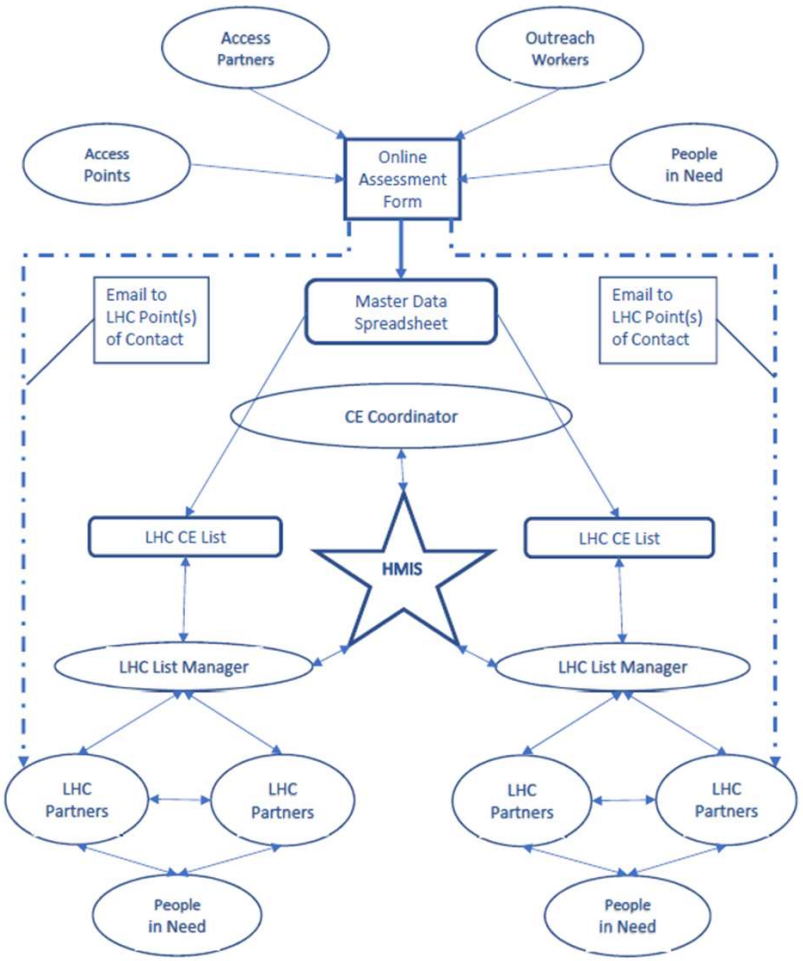
ADVANTAGE OVER PAPER FORM

- ✓ Accessible 24/7, any device w/internet
- ✓ Self assessment or assisted assessment
- ✓ Automatic notification to LHC
- ✓ Automatic scoring of assessment
- ✓ Eliminates manual data entry & errors

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

AR BoS CE Data System Diagram



AUTOMATED PROCESSES

✓ Client's data transfers from assessment to master sheet
✓ LHC Point of Contact receives email notice
✓ Client's CE assessment is scored
✓ Client's info filters down to LHC's list
✓ With HMIS #, client is ranked

MANUAL PROCESSES

✓ LHC PoC follow up with client
✓ Resource navigation/warm handoff
✓ HMIS data entry & HMIS # entered in list
✓ Case management
✓ Case conferencing
✓ List updates: Provider, housing status, etc.

Real Client Example

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

From: BoS Help Request <arbalanceofstatecoc@gmail.com>
Sent: Wednesday, June 24, 2026 4:18 PM
To: Chris Joannides <CJoannides@hotspringsar.gov>; rkaundartcrc@gmail.com <rkaundartcrc@gmail.com>
Subject: Garland County (SWAP) Resident in Need! HOMELESS!

EXTERNAL SENDER. DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DC

Hello,

A resident of Garland County (SWAP) is experiencing homelessness! Please contact the resident and begin the AR BoS CoC Coordinated Entry process.

Here are the details:

Are you a person seeking assistance or an agency staff person/assessor?	I am a person seeking assistance.
Last Name	[redacted]
First Name	
Gender Identity	Woman
Race	White
Ethnicity	Non-Hispanic/Non-Latino
Have you served in the U.S. military or armed forces?	No
What county do you currently live in?	Garland County (SWAP)
What best describes your family/household composition?	Individual
What is your age?	42
Total Adults in Household (Age 18+; include yourself if you are 18 or over)	1
Total Children in Household (Age 17 & under; include yourself if you are 17 or under)	0
Does anyone in your household receive any type of income?	No one in my household receives ANY consistent income
Tell us about your current living situation.	On the streets (including homeless encampments)
If you chose "Other" as your living situation, please provide a brief description.	I'm homeless and I desperately need assistance ASAP please
Do you have any specific preferences as to where you would accept housing?	No, I have no preference. Anywhere is fine.
Please tell us which of these other preference apply to you. Check all that apply.	Needs transportation access to employment/income streams
Are you actively fleeing or attempting to flee domestic violence?	No
Have you experienced domestic violence or intimate partner violence in the past 90 days?	No history of violence in the last 90 days
Have you (or anyone in your household) been a victim of crime or exposed to violence or harassment (including domestic violence,	No

Have you (or anyone in your household) been a victim of crime or exposed to violence or harassment (including domestic violence, trafficking, exploitation, and other violence) that contributed to your/their homelessness?	No
Are you (or anyone in your household) currently pregnant?	No
Are you a single parent with minor children (age 17 & under)?	No
Do any of your children require significant care?	No--OR--I don't have any children.
Do you require a unit with 3+ bedrooms due to family size?	No, 2 bedrooms or less is sufficient for my family size.
Are there any adults older than 65 in your household?	No
How many months have you been homeless this time (since the last time you had housing)?	2
Have you experienced either periodic or consistent homelessness?	Yes, for more than 1 year but less than 5 years
If you have received dedicated homeless housing assistance in the past, did you become homeless again afterward?	N/A. I have never received dedicated homeless housing assistance.
Evictions on record?	Yes, at least one in the last year.
Have you ever had a lease in your name?	Yes
Do you owe debts to a previous landlord or utility company that may inhibit your housing access?	Yes
Were you discharged from jail/prison in the last 6 months after incarceration for 90 days or more?	No
Do you have a criminal record for arson, drug dealing or manufacture, or offense against persons or property?	No
Is any member of your household a registered sex offender?	No
Has your household been involved with the Division of Children, Youth, and Families in the past 7 years, including foster and/or after care?	No
Has your household been involved with the Juvenile Justice system within the past 7 years?	No
Does your household have current legal service needs that inhibit housing access?	No
A physical condition or illness that impairs your ability to access and maintain housing.	No
More than three hospitalizations, emergency department, or urgent care visits in the last 12 months.	No
Do you require medication/medical treatment that is hard to maintain without housing?	No
Physical health conditions that contribute to need for specialized housing types or supports (like wheelchair accessibility, grab bars, assisted living, etc.).	No
Person living in household ever been told they are living with HIV	No
History of mental health that has led to adverse housing impacts or instability.	No
History of substance use that has led to adverse housing impacts or instability.	No

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

A	B	C	D	E	F
Editable Fields					
List Status	CE Stage	HMIS Number: REQUIRED FOR PRIORITIZATION	Current Provider	Case Manager/Staff	Client Name
					[redacted]

G	H	I	J	K
	Editable Fields			
TRANSFERRING IN	**TRANSFERRING OUT**	**TRANSFERRED TO**	**TRANSFER COMPLETE**	Living Situation Category
				Unsheltered

AV	AW	AX	AY	AZ	BA	BB
					INCOME	
Are you (or anyone in your household) currently pregnant?	Are you a single parent with minor children (age 17 & under)?	Do any of your children require significant care?	Do you require a unit with 3+ bedrooms due to family size?	Are there any adults older than 65 in your household?	Does anyone in your household receive any type of income?	How much is your total monthly household income (BEFORE taxes or other deductions)?
No	No	No--OR--I don't h	No, 2 bedrooms	No	No one in my household receives	

BC	BD	BE	BF	BG	BH
HOUSING/HOMELESS HISTORY					
How many months have you been homeless this time (since the last time you had housing)?	Have you experienced either periodic or consistent homelessness?	If you have received dedicated homeless housing assistance in the past, did you	Evictions on record?	Have you ever had a lease in your name?	Do you owe debts to a previous landlord or utility company that may inhibit your housing
2	Yes, for more tha	N/A. I have neve	Yes, at least one	Yes	Yes

Automatic Assessment Scoring!

CQ	CR	CS	CT	CU	CV	CW	CX	CY	CZ	DA	DB	DC	DD	DE	DF
SELF-POPULATING ASSESSMENT SCORING													INCOME STATUS CALCULATION		
1A	1B	2A	2B	3	4	5	6	7	8	9	10	Total	TotalHHmembers	Annual Income	30%AMI
6	0	5	0	0	4	0	5	0	0	0	2	22	1	0	15400

LHC's Dashboard

AR Balance of State CE Assessment — Summary Dashboard

Auto-calculated from Data Entry sheet. Refresh formulas after adding data.

1	22.0	0	1	0
Total Records	Average Score	High Priority (≥50)	Unsheltered (Domain 1A=6)	Fleeing DV (Domain 5≥10)

Average Points by Domain

Domain	Column	Avg Score	Max Possible	% of Max
1A: Current Situation	CQ	6.0	6	100%
1B: Fleeing DV	CR	0.0	4	0%
2A: History Homeless	CS	5.0	10	50%
2B: Prior Housing	CT	0.0	5	0%
3: Household Composition	CU	0.0	10	0%
4: Income Status	CV	4.0	4	100%
5: Safety/DV	CW	0.0	15	0%
6: Eviction History	CX	5.0	5	100%
7: Criminal Justice	CY	0.0	10	0%
8: Health & Wellness	CZ	0.0	15	0%
9: Behavioral Health	DA	0.0	12	0%
10: Other	DB	2.0	3	67%

Score Distribution (Total Points)

Priority Tier	Score Range	Count	% of Total
Highest Priority	≥ 60	0	0%
High Priority	50–59	0	0%
Moderate	30–49	0	0%
Lower Priority	1–29	1	100%
No Score Entered	0	0	0%

LHC's Prioritization List

A	B	C	D	E	F
Editable Fields					
List Status	CE Stage	HMIS Number: REQUIRED FOR PRIORITIZATION	Current Provider	Case Manager/Staff	Client Name
					[redacted]

No HMIS #

PRIORITIZATION LIST — Ranked by Score

Auto-ranked from Data Entry sheet · Higher score = higher priority · Ties broken by: Youth (under 25) first, then longest homelessness

1 clients ranked	0 Highest Priority	0 High Priority	0 Youth clients	22 avg score

RANK	PRIORITY TIER	CLIENT HMIS ID	TOTAL SCORE	AGE	YOUTH (<25)	TIME HOMELESS (months)	ASSESSOR	ORGANIZATION	ASSESS. DATE	CURRENT LIVING SITUATION
	—				—					
	—				—					

LHC's Prioritization List

A	B	C	D	E	F
Editable Fields					
List Status	CE Stage	HMIS Number: REQUIRED FOR PRIORITIZATION	Current Provider	Case Manager/Staff	Client Name
		123			[redacted]

HMIS #

PRIORITIZATION LIST — Ranked by Score

Auto-ranked from Data Entry sheet · Higher score = higher priority · Ties broken by: Youth (under 25) first, then longest homelessness

1 clients ranked	0 Highest Priority	0 High Priority	0 Youth clients	22 avg score

RANK	PRIORITY TIER	CLIENT HMIS ID	TOTAL SCORE	AGE	YOUTH (<25)	TIME HOMELESS (months)	ASSESSOR	ORGANIZATION	ASSESS. DATE	CURRENT LIVING SITUATION
1	LOWER	123	22	42		2	Self Assessed	N/A	06/24/2026	Unsheltered
	—				—					

What Prioritization Means in Practice

ADVANTAGES

✓ Eliminate missed opportunities for clients
✓ Expedite connection w/viable resources
✓ Reduce frustration, false hope, etc.
✓ Reduce duplication of services
✓ Ease burden of decision making

CHALLENGES

✓ Building buy-in among providers as well as clients
✓ Fidelity to CE model
✓ Pressure to make exceptions
✓ Time requirements

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

Save a Shortcut to Your Phone's Home Screen!

iPhone

Step-by-Step Guide

1. **Open Safari:** Locate and open the Safari browser on your iPhone.
2. **Visit the Website:** Go to the exact web page or website you want to save.
3. **Tap the Share Button:** Look at the bottom of your screen and tap the **Share** button, which looks like a square with an upward-pointing arrow.
4. **Select 'Add to Home Screen':** Scroll down through the list of options and tap **Add to Home Screen**.
5. **Name the Shortcut:** A menu will appear where you can customize the name of the shortcut as it will appear under the icon on your screen.
6. **Tap Add:** Click **Add** in the top-right corner. The website will now appear as an icon on your home screen, which you can move around just like a regular app.

Android

Using Google Chrome

1. Open **Chrome** and go to the website you want to save.
2. Tap the **three dots** icon in the top-right corner.
3. Select **"Add to Home screen"** from the menu.
4. Rename the shortcut if you like, then tap **Add**.

Using Samsung Internet

1. Open the **Samsung Internet** browser and go to the website.
2. Tap the **menu** (three lines) in the bottom-right corner.
3. Select **"Add page to"** and then choose **"Home screen"**.
4. Tap **Add** to confirm.

Using Firefox

1. Open **Firefox** and load your target website.
2. Tap the **menu** button (three dots).
3. Tap **"Add to Home Screen"**.
4. Tap **Add** twice to confirm.

For more information, visit www.arboscoc.org and watch our training videos at www.youtube.com/@ARBoSCoC
Assessments can also be completed at www.arboscoc.org/gethelp/

COORDINATED ENTRY

Working Together to Connect People to Housing Faster

Coordinated Entry is the community's front door to housing assistance. It creates a fair, transparent, and standardized process that connects individuals and families experiencing homelessness with the housing and services best suited to their needs.

BENEFITS FOR INDIVIDUALS & FAMILIES

- ✓ One clear path to assistance
- ✓ Fewer repeated intakes and assessments
- ✓ Fair access to housing resources
- ✓ Connections based on need, not chance
- ✓ Faster linkage to appropriate services

BENEFITS FOR SERVICE PROVIDERS

- ✓ Streamlined referrals
- ✓ Reduced duplication of services
- ✓ Stronger community collaboration
- ✓ Better data for decision making
- ✓ More effective use of limited resources

ASSESSMENT → PRIORITIZATION → REFERRAL → HOUSING STABILITY

Scan for CE assessment.

Coordinated Entry: One door. One process. Better outcomes.

Together, we can make homelessness rare, brief, and non-recurring.

For more information, visit www.arboscoc.org and watch our training videos at www.youtube.com/@ARBoSCoC
Assessments can also be completed at www.arboscoc.org/gethelp/

AR Balance of State

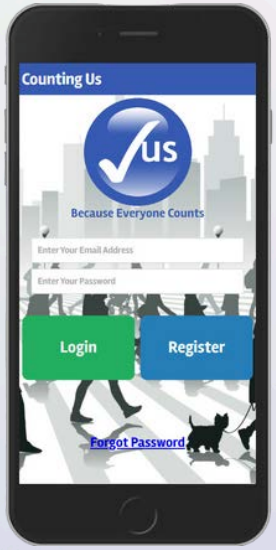
PIT Count

Getting Started with the **Counting Us** App

Step 1: Register for the Count:
Using the Surveyor Registration Portal linked to from https://localcoc.pointintime.info/

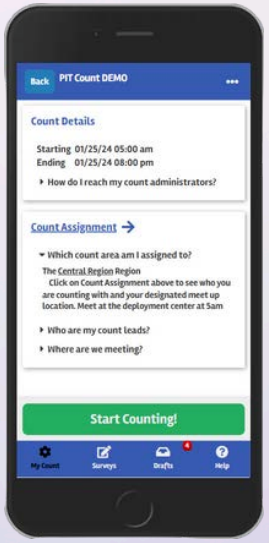
Step 2: Download Counting Us:
In your app store, search for the term "Counting Us" or use the QR code to the right to find the app.

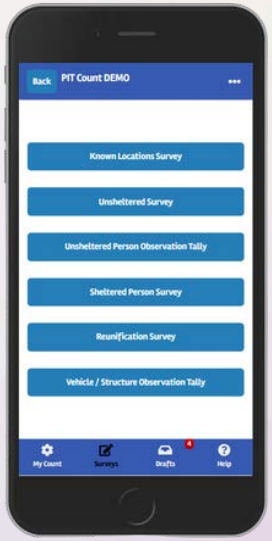
Step 3: Login or Update Password
Login with your registration info, or tap **Forgot Password**, enter your email address, and tap the link in your email.



Step 4: Open your Count Profile
Back at the landing page tap your **Count Name**.

Step 5: Review your Count
Review the **My Count** tab to see assignment details.





Step 6: Start surveying!
Following the guidance from your local PIT leadership, start counting!

The "Getting Started" poster and other helpful support resources can be found at https://pointintime.info/support/

Point in Time Homeless Census Cheat Sheet

What you need to begin:

- A charged phone or device that you will use for the Count
- Download the "Counting Us" app from either Google Play or the App Store.
- Register an account and log in.
- Enter in the Project Key for your region. If you don't know what it is then ask a count administrator.
- Tap "Get Started!" to get to the screen which displays the list of surveys. Follow the guidance below once you get to your designated count area and identify or engage a person whom you believe is homeless.

1) Introduce Yourself

- If you believe you have encountered a person experiencing homelessness approach them, say hello, introduce yourself, and explain that you are a volunteer with the annual one-night homeless census.
- Ask if another volunteer has already spoken with them. If yes, thank them for their participation and move on.
- Don't approach someone too closely too quickly. Maintain a cordial and respectful distance and don't put yourself into any unsafe situations. It is always a good idea to stick with a partner.
- Be sensitive – imagine how this might feel if you were in their shoes.

2) Explain what the annual census is

- The annual survey is conducted with the goal of helping provide better programs & services to people experiencing homelessness. The information gathered helps demonstrate a need for these programs which in turn helps the region get resources to address these needs.
- The survey should take less than 10 minutes. Ask the person if he or she would be willing to participate.

If they are willing to participate proceed to Step 3.
If they are not willing or able to participate but you believe they are homeless then complete either the *Individual Observation* or *Household Observation* survey within the "Counting Us" app as best you can, and submit it.

The unsheltered Point in Time count is intended to report only on people who are sleeping in a place not meant for human habitation, as identified below. People who are staying in sheltered locations should not be included.

Unsheltered/ Places not meant for human habitation		Sheltered locations / housing / other
• Street/sidewalk • Vehicle (car, van, RV, truck) • Park • Abandoned building	• Bus, train station, airport • Under bridge/overpass • Woods/outdoor encampment • Other unsheltered location	• Emergency shelter • Transitional housing • Motel/hotel • House/apartment • Jail, hospital, treatment program

If your region has selected to ask the question "What is your sleeping location on the night of the count?" within the app then the reports will automatically exclude people who are not considered to be unsheltered. If your region chose to not include this question directly within the app then we suggest asking this question after introducing yourself and not complete surveys for people who are not in unsheltered locations.

3) Conduct the Individual or Household Unsheltered Survey.

- You will first pick the activity that you are doing by selecting the survey that you are completing.
- Identify your location on the next screen. Typically the map will pull up your exact location but if it does not you can drag and swipe the map to the proper location. You can also select "Enter Address" and enter in the nearest street of the interaction. This function is especially helpful when entering in surveys that were collected on paper into the app later.
- The rest of the survey gathers the all the HUD elements and a few extra to help the region. Complete the survey and tap "Submit Survey". If you do not have cell service, you can save the survey by tapping "Save Draft". The information collected can be submitted when you are back in an area with cell coverage opening the "Survey Drafts" tab, opening the surveys that have yet to be submitted, scrolling to the bottom of each survey, and submitting each of them.

Last update 12/5/19

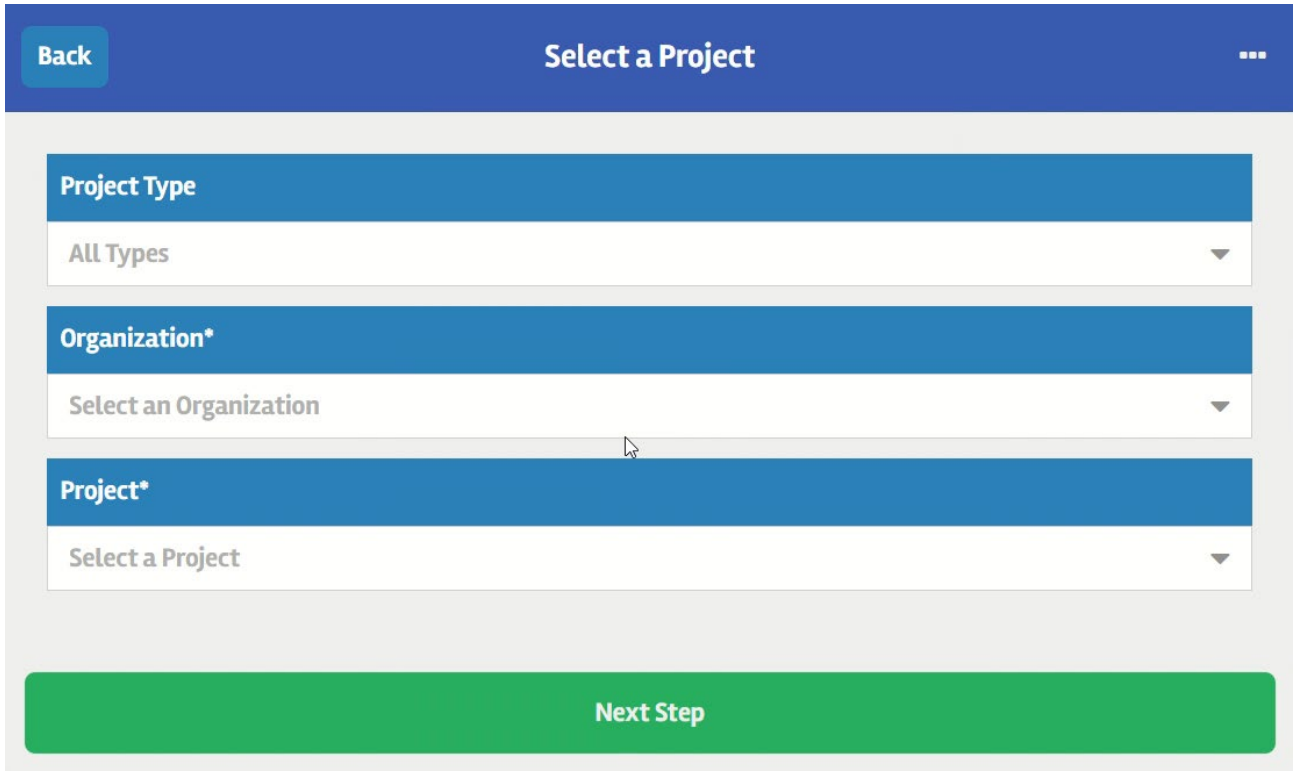
Shelter Providers PIT Count Quick Guide

- Counting Us can be downloaded on your mobile device via Google Play or the app store from Apple
- You can also access Counting Us online: counting.us
- You'll need to **register** for an account, and then **login**
- Then, join your local Count using the setup key provided by your Count Administrator
- Click the **Get Started** button
- Select the **Sheltered Homeless Survey**
- Select if you are entering information about an **Individual** or a **Household**

Prepared by Simtech Solutions, Inc.

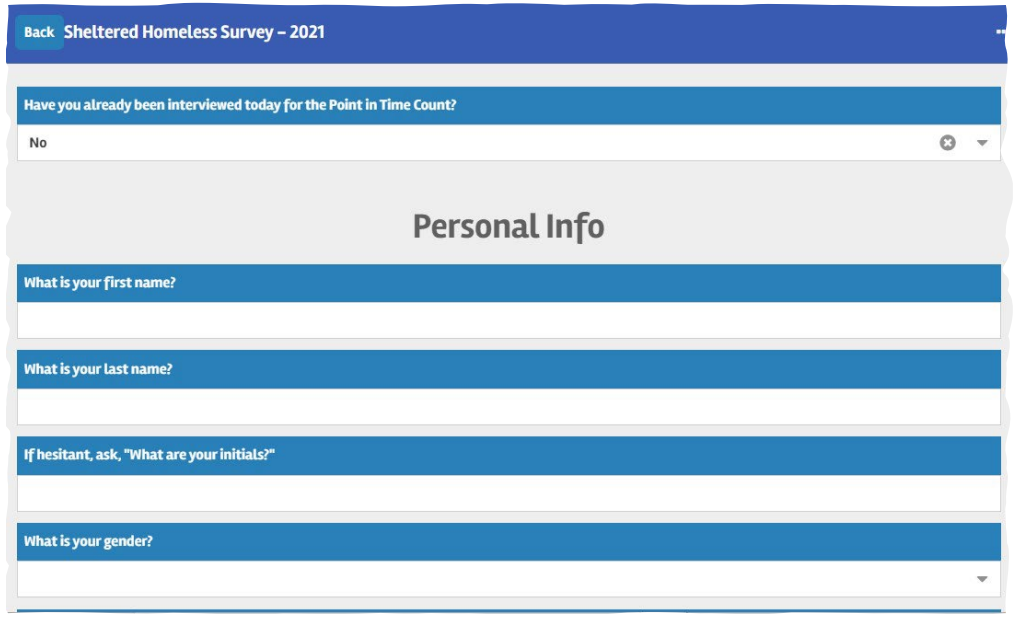
Shelter Providers PIT Count Quick Guide

- Select your **Project Type**
- Select your **Organization** (if you don't see yours in the list, send an email to your Count Administrator)
- Select your **Project**
- These selections will remain in place until you log out or close your browser tab!
- After clicking **Next Step**, please confirm the **location** of the project
  - You can enter the **address** of the project, if you are not located onsite
  - You can also zoom in and out of the map, or drag around with your mouse



Prepared by Simtech Solutions, Inc.

Shelter Providers PIT Count Quick Guide



- You'll now be in the **Sheltered Survey**!
- Use your mouse or finger to click or tap to make selections
- Make sure you look for scroll bars, as additional responses may not be initially visible
- The survey uses conditional logic, so certain questions only appear based on previous responses
  - For example, the follow up questions in the Disabilities section
- You can **submit** surveys or save them as **drafts**
  - Drafts can be accessed, edited, and submitted from the drafts folder on the main menu
- If you are entering information for a Household, you are first asked the **number of persons in the household**.
  - A survey should be completed for **each** household member

Shelter Providers PIT Count Quick Guide

- The survey questions are based on local needs and priorities
  - Required data for the HUD PIT Report
  - Additional information important for potential funding and community planning
- Very few questions are required, but please collect as much data as you can!
- A survey should be completed for each person who is residing in your Emergency Shelter, Safe Haven, or Transitional Housing program on the night of the Count.
- If you have any questions or need help, please reach out to your Count Administrator! You can also visit pointintime.info and submit a support request.

Prepared by Simtech Solutions, Inc.

This Survey Template is designed to mirror the base "Unsheltered Survey" within the Counting Us app. The questions are color coded as noted below.
RED FONT = HUD required questions that are needed in order to produce the HUD Point in Time report.
GREEN FONT = Optional questions used to derive a multiplier for communities that chose the option to include the Vehicle and Makeshift Shelters survey in contract section 2.5.
BLUE FONT = This question is required for communities that chose to include the Miracle Messages Family Reunification survey in contract section 2.10.
PURPLE FONT = These are commonly asked research questions that can be removed without impacting any reporting or conditional logic.
BLACK FONT = Supporting questions designed to help improve the integrity of the data.
YELLOW FONT = Community custom questions.

Introduction & Screener

***Hello, my name is _____ and I'm a volunteer for local outreach. We are conducting a survey to better understand homelessness in our community and improve programs. If you participate your responses will be kept confidential. You can choose to skip any question and your answers will not affect your eligibility for any compensation or services, and the information will not be shared with anyone outside of our team. I need to read each question all the way through. Can I have about 10 minutes of your time? ***

1. Have you already been interviewed today for the Point in Time Count?	❑ Yes ❑ No (If Yes --- STOP)
2. Where are you sleeping on the night of the Count? (If an option in bold is selected, continue with the survey)	❑ **Abandoned building** ❑ **Under a bridge / overpass** ❑ Jail ❑ **Bus/ Train station** ❑ **Vehicle / Boat / RV** ❑ Motel/Hotel paid for w/ own $ ❑ **Motel/Hotel paid for by agency** ❑ **Emergency shelter** ❑ Transitional housing ❑ **Outdoor encampment** ❑ House or apt – rent/own ❑ Treatment program ❑ **Park** ❑ Hospital ❑ **Street or Sidewalk** ❑ w/ friend or family (couch surfing) ❑ In a place being evicted from ❑ **Other**: _____
a. ***What type of vehicle or structure are you sleeping in?***	❑ Car ❑ Boat ❑ Abandoned Building ❑ RV ❑ Tent ❑ Van ❑ Makeshift Shelter ❑ Other
b. ***Please provide details on the condition of the RV:***	❑ Disrepair ❑ No access to sewer, water, or electricity ❑ Parked in an unusual place ❑ Habitable
c. ***Including yourself, how many people are sleeping in this vehicle or structure?***	**Numeric box**

3. What is your name?	First Name (or Initial): _____ Last Name (or Initial): _____ ❑ Person prefers not to answer
a. If hesitant, ask "What are your initials?"	**Text box**

Demographic Questions	
4. What is your gender? (select all that apply)	❑ Woman ❑ Man ❑ Culturally Specific Identity (e.g., Two-Spirit) ❑ Transgender ❑ Non-Binary ❑ Questioning ❑ Different Identity ❑ Person doesn't know ❑ Person prefers not to answer
a. If Different Identity, please specify	**Text box**
5. What is your date of birth?	(mm/dd/yyyy) ___/ ___ /_____ ❑ Person doesn't know ❑ Person prefers not to answer
a. If refused to answer date of birth, ask "How old are you?"	**Numeric Box**
b. If refused to answer age, "What age range do you fall into?"	❑ <5 ❑ 5-12 ❑ 13-17 ❑ 18-24 ❑ 25-34 ❑ 35-44 ❑ 45-54 ❑ 55-64 ❑ 65+
6. What is your race? (select all that apply)	❑ American Indian, Alaska Native, or Indigenous (Specify Tribe (optional): _____) ❑ Asian or Asian American ❑ Black, African American, or African ❑ Hispanic/Latina/e/o ❑ Middle Eastern or North African ❑ Native Hawaiian or Pacific Islander ❑ White ❑ Other: _____ ❑ Person doesn't know ❑ Person prefers not to answer
7. Which of these options best describes your sexual orientation?	❑ Lesbian ❑ Gay ❑ Bisexual ❑ Queer ❑ Straight ❑ Other Identity: _____ ❑ Person doesn't know ❑ Person prefers not to answer
8. Is this the first time you have been homeless?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
9. How long have you been homeless <u>this time</u>? Only include time you spent staying in shelters and/or on the streets.	❑ 0 to 3 months ❑ 4 to 6 months ❑ 7 to 11 months ❑ 12 to 23 months ❑ 24 to 35 months ❑ 36 months or more
10. How many months did you stay in shelters or on the streets over the past 3 years?	❑ 0 to 3 months ❑ 4 to 6 months ❑ 7 to 11 months ❑ 12 to 23 months ❑ 24 to 35 months ❑ 36 months or more

11. How many separate times in the past 3 years have lived in a shelter, on the streets, or in a car?	❑ Fewer than 4 times ❑ 4 or more times ❑ Person doesn't know ❑ Person prefers not to answer
12. How long in months have you been in this community?	❑ 0 to 3 months ❑ 4 to 6 months ❑ 7 to 11 months ❑ 12 to 23 months ❑ 24 to 35 months ❑ 36 months or more
13. Do you remember the address where you were living when you became homeless this time?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
a. If yes	**Street:** _____ **City:** _____ **State:** _____ **Zip:** _____

Sensitive Questions - (Skip for individuals under 18)

***Next, I'm going to read you a list of "yes-no" questions about different situations you may be facing. The information you choose to share on these next questions will help our community better understand the specific services and resources that people in our community need.**
Again, this survey is confidential, and your answers will not affect your eligibility for services or programs. And we can skip any question you don't feel comfortable answering. *

14. Do you have a Substance Use Disorder?	❑ No ❑ Alcohol use disorder ❑ Drug use disorder ❑ Both Alcohol and Drug use disorders ❑ Person Doesn't Know ❑ Person prefers not to answer
a. If yes, is this a long-term disability that impairs your ability to hold a job or live independently?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
15. Do you have a Chronic Health Condition?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
a. If yes, is this a long-term disability that impairs your ability to hold a job or live independently?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
16. Do you have a Mental Health Disorder?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
a. If yes, is this a long-term disability that impairs your ability to hold a job or live independently?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer

17. Do you have a Physical Disability?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
a. If yes, is this a long-term disability that impairs your ability to hold a job or live independently?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
18. Do you have a Developmental Disability?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
19. Do you receive disability benefits?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
20. Are you living with HIV or AIDS?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
21. Are you a survivor of domestic violence?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
22. Before age 18, were you ever placed in a foster home or a group home?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer
23. Are you a veteran? *(served in the US Armed Forces OR been called into duty as a member of the National Guard or as a Reservist)*	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer

Final Questions

These are the last few questions

24. Do you have any friends or family you'd like to reconnect with, even if you do not currently know how to reach them?	❑ Yes ❑ No ❑ Person Doesn't Know ❑ Person prefers not to answer (If the response is "Yes," please complete the *Reunification Survey* after completing this survey.)
25. Notes	**Text box**

***Those are all the questions I have for you. We realize that some of the topics covered are personal and can be difficult to think and talk about. We appreciate your willingness to participate tonight. Thank you for taking the survey! ***

Counting Us and Regional Command Center
Tips for Point-in-Time Count Administrators
Next Steps

The Command Center:
Once you have signed your agreement with Simtech Solutions, we will work quickly to set up your data store in the Command Center. We set up the geography of the region, add the surveys, and establish at least Count Administrator. The Admin can log in using the same credentials that are used for the app. From here you can manage users, change the set-up key, change the status of the activity, update the list of projects, watch data come in and more. These videos and these FAQs provide a good overview but you can also submit a ticket to helpdesk@simtechsolutions.com if you have additional questions.

Training: You are probably getting ready for training and meetings about the PIT. We encourage you to send out the Getting Started Information (step-by-step instructions) found on this support page, completed with your set up key, to all of those that you will be training. Nothing helps team leads and volunteers get ready more than downloading the app, registering an account, and entering surveys. Ideally, this happens in a test version of your actual count. If your surveys are finalized, and your datastore set up in the Command Center is ready to go, you will be able to see which people have entered surveys. When folks arrive for training, they are already familiar with the process, but you can highlight a few key items:

The Surveys:
The surveys are designed with a couple of key goals related to helping communities with the PIT. Whether or not your community has added additional questions, or changed some of the labels of question, the survey is designed to collect the information that is required for a HUD- compliant PIT report and to address some of the common concerns that we have heard among a majority of our customers.

Required questions and conditional logic: Simtech added the ability to make fields required and to add conditional logic, where a response is dependent on responses to other questions. Together these features help streamline data collection and minimize data error as described in this FAQ.

***Who Counts*?** The survey opens with a question about location during the designated Count period. This response determines who is included in the official Count, according to HUD definitions. The survey is set to only display for those who meet the criteria for unsheltered homeless.

***Age range matters*!** HUD does not require a date of birth, nor an exact age but each record must be associated as either a child (<18), youth (18-24), or adult (25+), so the age range question is now required. The additional questions regarding date of birth and exact age allow regions to have more precise data.

Demographics: HUD is also interested in responses to **gender, race, and ethnicity** so try and answer these.

Chronic homelessness: The app collects all the required information to determine the number of people experiencing chronic homelessness, as well as all the subpopulations so the more complete the survey, the better the data and the more you will know. A family is considered chronically homeless if any of the adults, or a youth head-of-household meets the criteria.

Observation tallies: These forms contain minimal information and should be used on a limited basis

Important Information

Plan what day and time you are going to change the activity from "testing" to "active." Consider starting the count at the same time for all components. If someone still needs to test surveys after they have been made "active," just include "test" in the notes so it can be easily archived.

Work with the team leads to ensure that the following is conveyed to all volunteers:

1. **Planning:**

   Be ready to go! The app should be downloaded, accounts should be registered, phones should be fully charged, and location services should be turned on.

2. **During the Count:**

   Mistakes can be fixed! Volunteers should know that if they have submitted a survey that has incomplete or incorrect information, they should have a phone number for the team leader, regional coordinator, etc. and this person should contact the Count Manager or Administrator, so the record can be updated in the Command Center. The closer to real time that this can occur, the more accurate the final data will be.

   This goes two ways! The Administrator may contact a user. For example, if a survey comes in outside of a count area, they can see who submitted it and call the volunteer.

   Surveys should be entered in the app: Volunteers who are not using the app should be paired with someone who is!

3. **After the Count:**

   Count all the surveys! At the end of the Count, confirm that there are *no remaining drafts* on any devices, and if they happened to be used, ensure that all paper surveys have been entered into the app, or web version of Counting Us.

Last update 12/5/2019

POINT-IN-TIME COUNT PLANNING WORKSHEET

POINT-IN-TIME COUNT PLANNING WORKSHEET

CoC NUMBER AND NAME:_____

PIT COUNT COORDINATOR: _____

PIT COUNT YEAR: _____

ABOUT THE TOOL

The Point-in-Time (PIT) Count Planning Worksheet can assist communities in planning for and conducting their point-in-time counts. The document provides a list of all the major steps in planning the count, and offers a way to record information on major decisions related to the count. This calendar-based planning tool is meant to guide CoCs and ensure they are considering all aspects of the PIT count and meeting the HUD PIT Count Standards.

INSTRUCTIONS

A staff member from the Collaborative Applicant should be responsible for referencing and updating the Point-in-Time Count Planning Worksheet during the entire PIT count process (e.g., planning, execution, and debriefing). CoCs should adapt the worksheet as needed to ensure that it meets the planning needs of their CoC.

If additional space is needed, it may be necessary and helpful to expand upon this document by creating a written plan that is updated annually. This will ensure that the entire PIT count process is clearly documented.

POINT-IN-TIME COUNT PLANNING WORKSHEET

AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	AFTER THE COUNT
SET UP PIT COMMITTEE AND SUBCOMMITTEES • REVIEW HUD PIT COUNT METHODOLOGY GUIDANCE	SELECT A PIT COUNT DATE AND TIME • CHOOSE PIT COUNT METHODOLOGY • COC BOARD APPROVAL OF PIT COUNT APPROACH	IDENTIFY AND CONFIRM ALL SHELTERED AND UNSHELTERED COUNT LOCATIONS • REVIEW ANNUAL HIC/PIT COUNT NOTICE	DEVELOP SURVEYS • DEVELOP VOLUNTEER RECRUITMENT AND DEPLOYMENT PLAN	SECURE INCENTIVES • SET TRAINING DATES	PUBLICIZE THE COUNT • CONDUCT PIT COUNT	DATA ENTRY, DE-DUPLICATION, AND ANALYSIS • SUBMIT DATA INTO HDX • DEBRIEF AND SUMMARIZE TENTATIVE PLAN FOR NEXT YEAR

☐ **ESTABLISH PRIMARY PIT COORDINATING COMMITTEE** that is a subcommittee of the CoC. Members include:

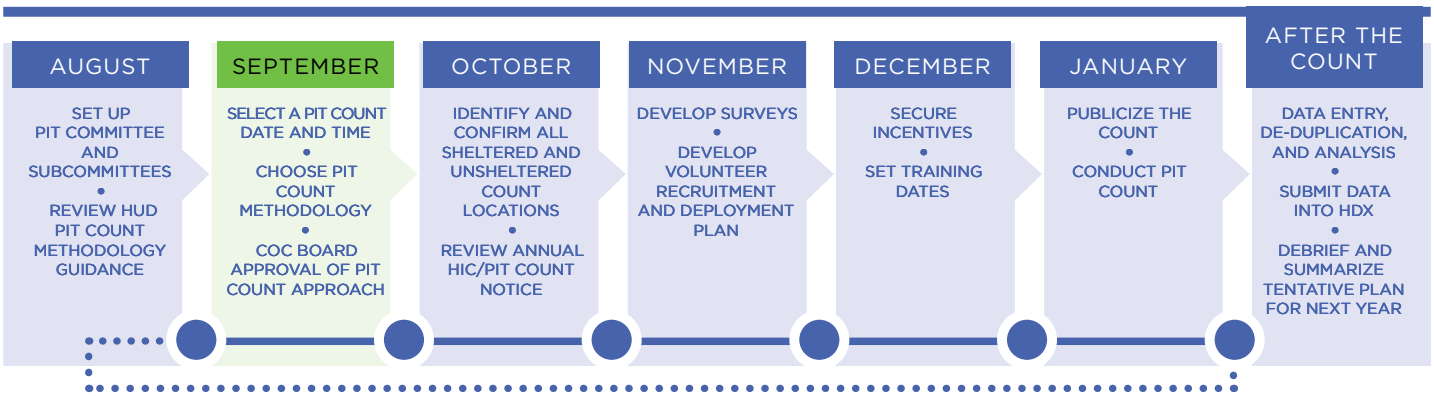
☐ **ESTABLISH SUBCOMMITTEES** focused on specific areas of count. May include, but are not limited to, any of the following areas:

- Methodology, Data Analysis and Reporting
- People who Have Experienced Homelessness
- Unsheltered Populations
- Homeless Youth, Students, and Families
- Domestic Violence and Sexual Assault Survivors
- Homeless Veterans
- Volunteers
- Media and Public Relations
- Government Relations

SUBCOMMITTEE:	SUBCOMMITTEE:	SUBCOMMITTEE:
GOAL/TASKS OF SUBCOMMITTEE:	**GOAL/TASKS OF SUBCOMMITTEE:**	**GOAL/TASKS OF SUBCOMMITTEE:**
MEMBERS:	**MEMBERS:**	**MEMBERS:**

☐ **REVIEW** *HUD PIT Count Methodology Guide*

POINT-IN-TIME COUNT PLANNING WORKSHEET



(September timeline continue on the next page)

SELECT PIT COUNT DATE AND TIME

Select a date for the PIT count between January 22 and January 31 and clearly identify which night will serve as the "night of the count." *(PIT Count Methodology Guide – "Considerations and Requirements for Selecting a Date and Time," pp. 23-24)*

- Select a single night for the PIT count & Housing Inventory Count (HIC) _____
- Day(s) of count _____
- If using the Night of the Count method, what hours will the unsheltered count occur?

  _____

DETERMINE METHODOLOGY

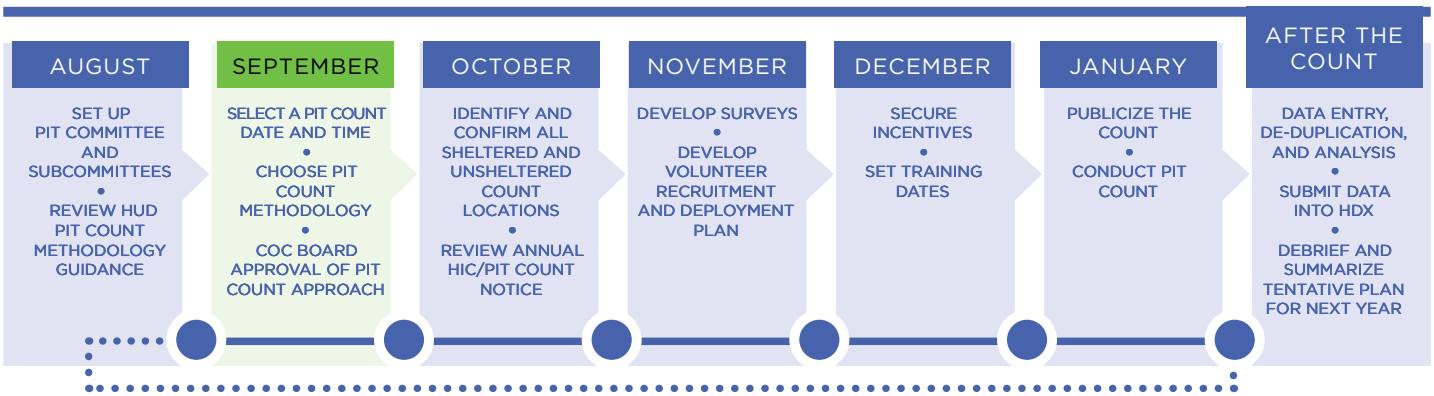
Review HUD guidance to determine the most appropriate methods for conducting the sheltered and unsheltered counts in the CoC. Final PIT count methodology must be approved by the CoC in accordance with the CoC's governance charter.

Considerations in determining above methodology

Define and describe the geographic area the CoC covers.

(September timeline continue on the next page)

POINT-IN-TIME COUNT PLANNING WORKSHEET



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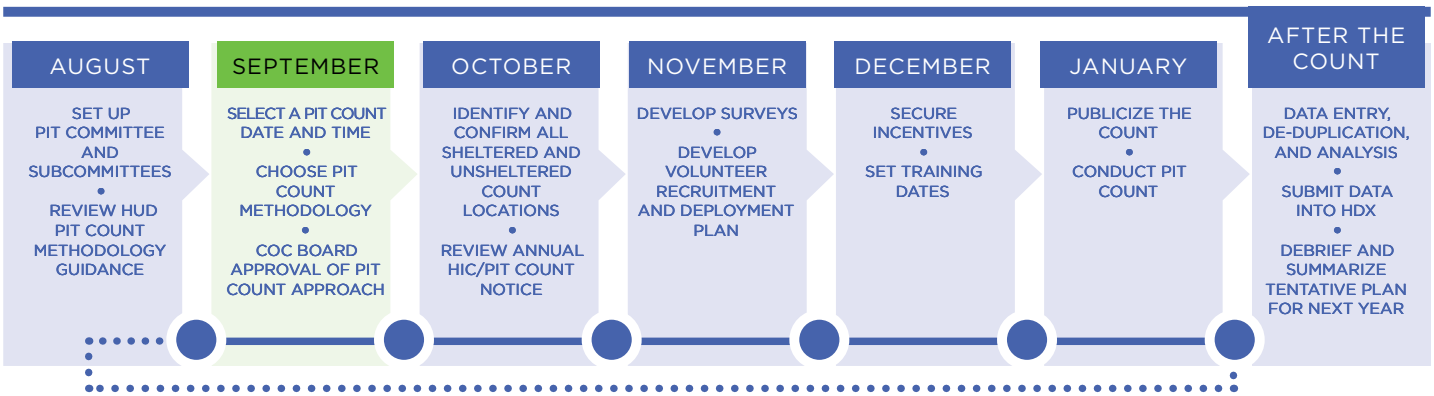
Identify which Consolidated Plan jurisdictions fall within the CoC's geographic area.

Identify specific geographic areas that must be included in the PIT count, e.g., cities, towns, counties, districts, neighborhoods.

(September timeline continue on the next page)

POINT-IN-TIME COUNT PLANNING WORKSHEET



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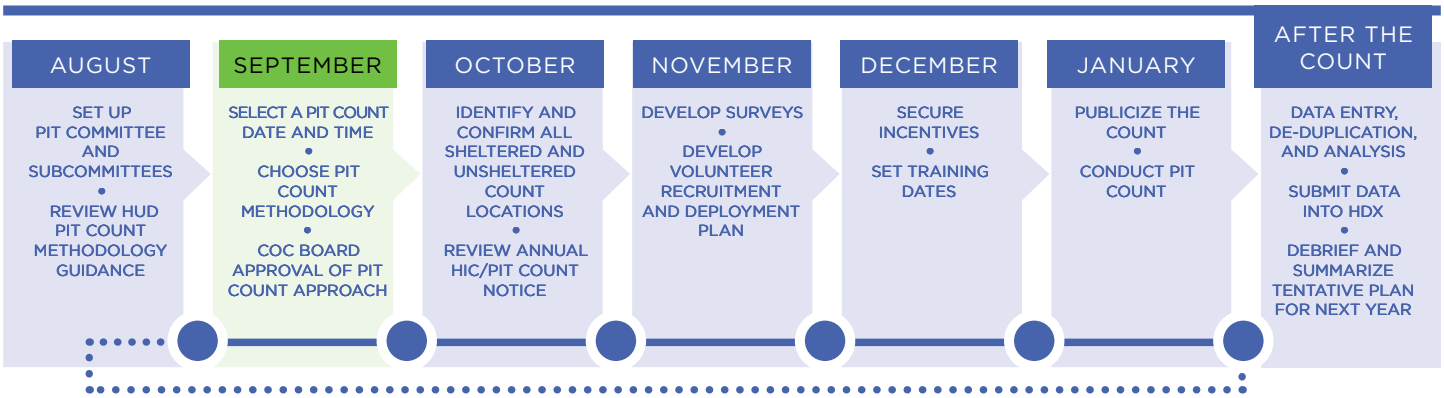
(September timeline continue on the next page)

- Assess the amount of resources available in the CoC to count and survey all unsheltered people on the night of the count.
- Examine data from HMIS participating projects to determine if coverage and completeness are sufficient for deriving the sheltered PIT count.
- **Sheltered Count** *(PIT Count Methodology Guide, pages 14-16, 44-46)*
  Use one or more of the following approaches:
  - Complete census count? ○ Yes ○ No
  - Random sample and extrapolation? ○ Yes ○ No
  - Non-random sample and extrapolation? ○ Yes ○ No
  - Combination approach? ○ Yes ○ No

Rationale:

(September timeline continue on the next page)

POINT-IN-TIME COUNT PLANNING WORKSHEET



(September timeline continued from previous page)

- **Unsheltered Count** *(PIT Count Methodology Guide, pages 17-19)*

  Use one or more of the following approaches:

  Night of the count:

  - Complete coverage count? ○ Yes ○ No
  - Known locations count? ○ Yes ○ No
  - Random sample of areas count? ○ Yes ○ No

  Service-based count ○ Yes ○ No

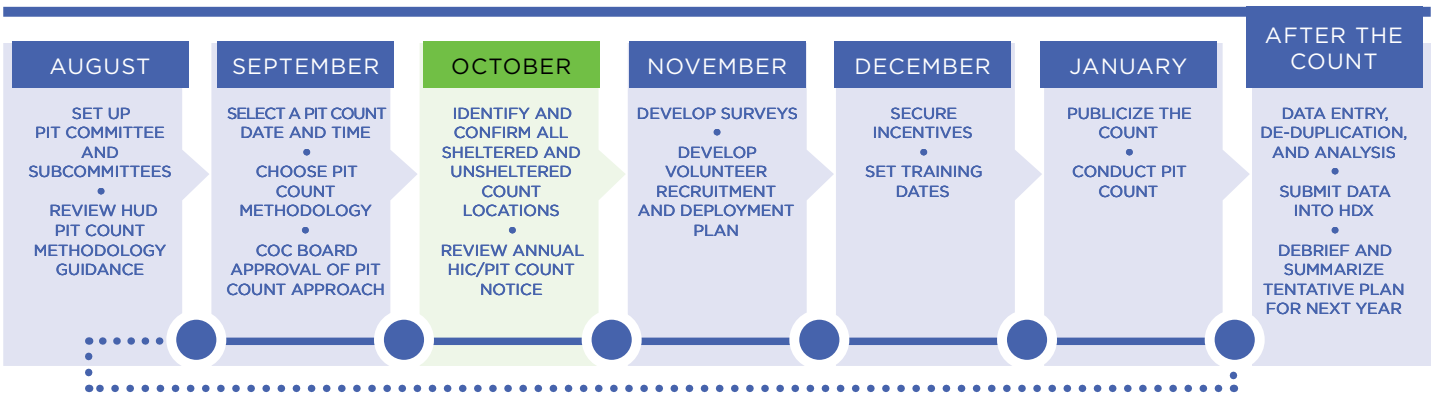
  Combination approach ○ Yes ○ No

Rationale:

☐ **CoC BOARD APPROVAL OF PIT COUNT DATA AND METHODOLOGICAL APPROACH:**

_____

POINT-IN-TIME COUNT PLANNING WORKSHEET



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☐ **REVIEW HIC/PIT COUNT ANNUAL NOTICE**

☐ **IDENTIFY & CONFIRM ALL SHELTERED COUNT LOCATIONS**

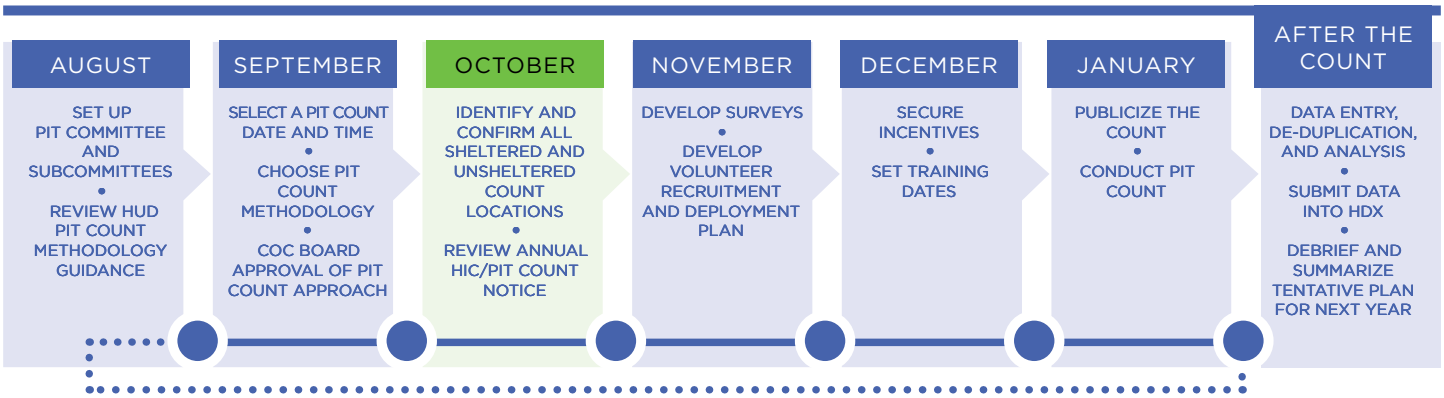
- Create list of emergency shelters, Safe Haven, and transitional housing projects in the CoC as identified in the previous Housing Inventory Count (HIC).
- Add any new projects that were not included in the previous year's HIC.
- Determine which sheltered count locations will use HMIS for their sheltered count and which will use paper surveys.

☐ **IDENTIFY & CONFIRM UNSHELTERED COUNT LOCATIONS**

- Identify and map the specific geographic areas to be included in the unsheltered count based on the unsheltered methodology, e.g., by name list of places, street intersections, bridges, abandoned buildings, campsites, etc.

(October timeline continue on the next page)

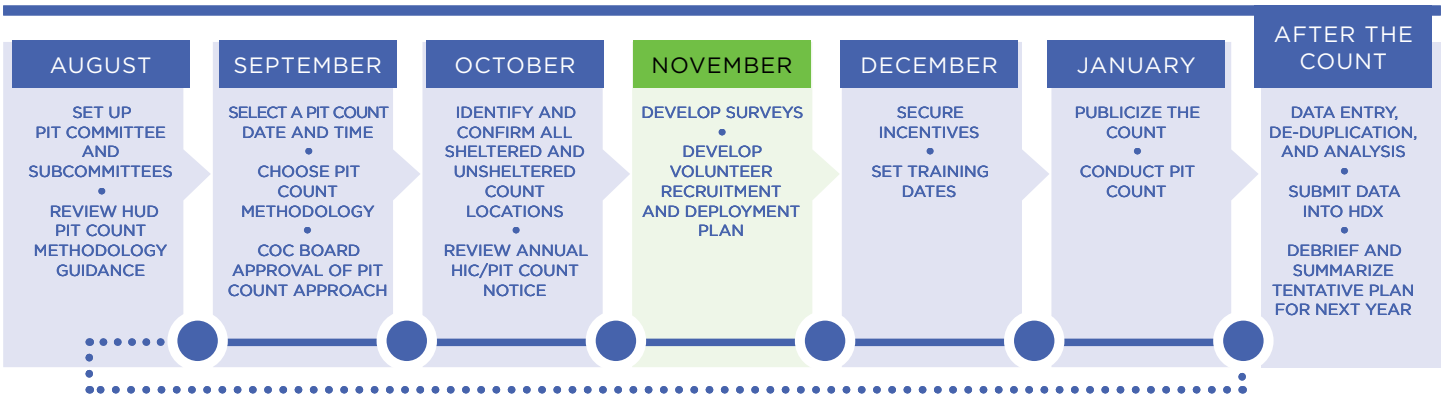
POINT-IN-TIME COUNT PLANNING WORKSHEET



(October timeline continued from previous page)

- Identify and list the geographic areas to be excluded from unsheltered count, if applicable.

POINT-IN-TIME COUNT PLANNING WORKSHEET

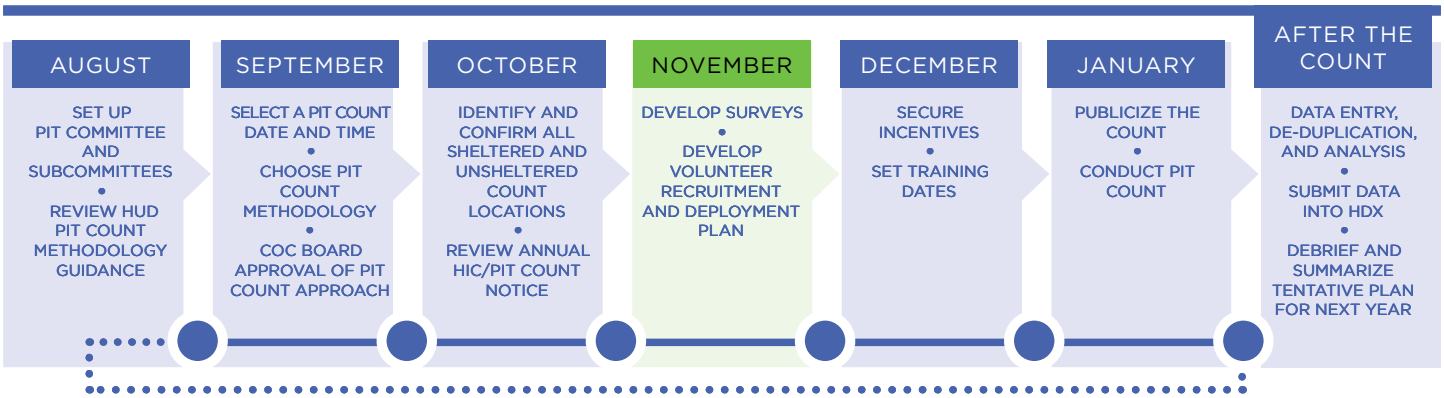


(November timeline continue on the next page)

☐ DEVELOP SURVEYS

- At a minimum, include all information required by HUD as published in its current *Notice for Housing Inventory Count (HIC) and Point-in-Time (PIT) Data Collection for Continuum of Care (CoC) Program and the Emergency Solutions Grants (ESG) Program* after HUD has issued updated data collection guidance. Sample surveys can be found here: *https://www.hudexchange.info/resource/3322/point-in-time-survey-tools/*
- Decide if additional information, beyond what is required by HUD, will be collected based upon the needs of the CoC. Describe below.

(November timeline continue on the next page)



(November timeline continued from previous page)

(November timeline continue on the next page)

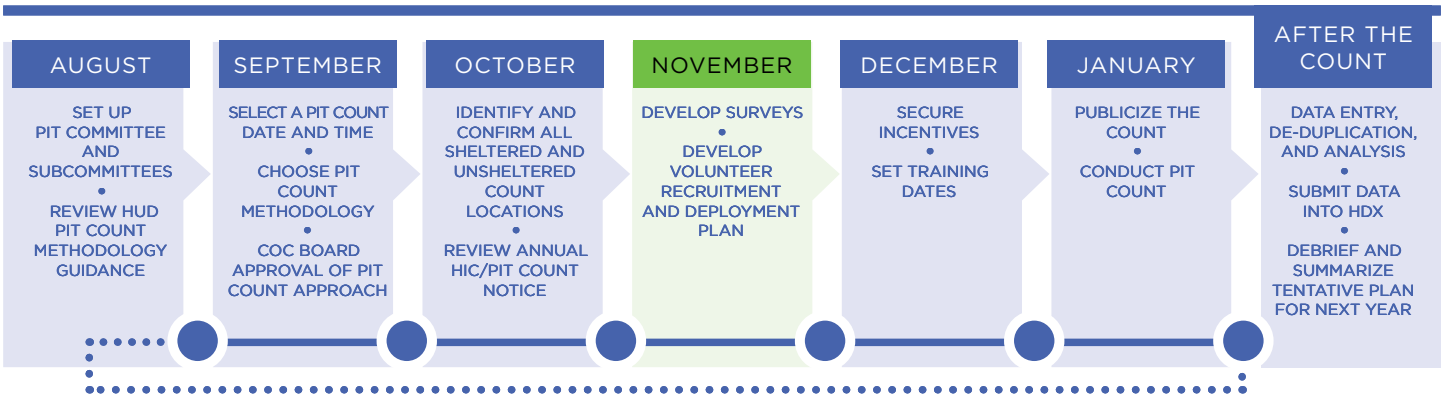
- Determine a consistent methodology in which surveys will be administered for sheltered and unsheltered populations, including privacy and safety of participants and survey administrators.
- Test the survey instrument with people experiencing homelessness and volunteers to check for comprehension and consistency.

☐ **DEVELOP VOLUNTEER RECRUITMENT & DEPLOYMENT PLAN**

- List volunteer roles and number of volunteers for each role needed to execute the PIT count. Describe how volunteers will be recruited.

(November timeline continue on the next page)

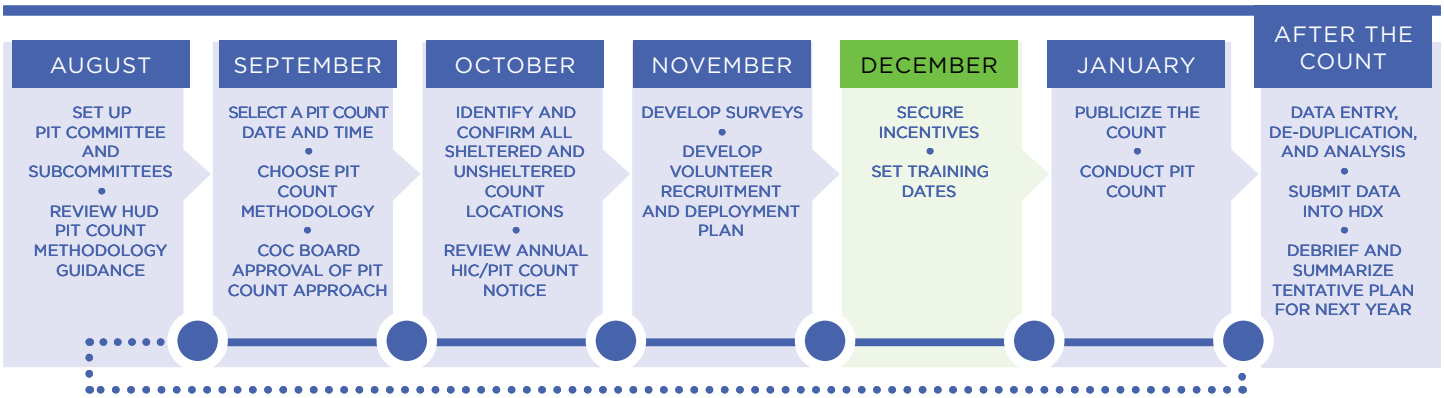
POINT-IN-TIME COUNT PLANNING WORKSHEET



(November timeline continued from previous page)

- Describe volunteer logistics and deployment on night of count.
    - Designate staging areas
    - Leaders
    - Command center
    - Communication plan

POINT-IN-TIME COUNT PLANNING WORKSHEET



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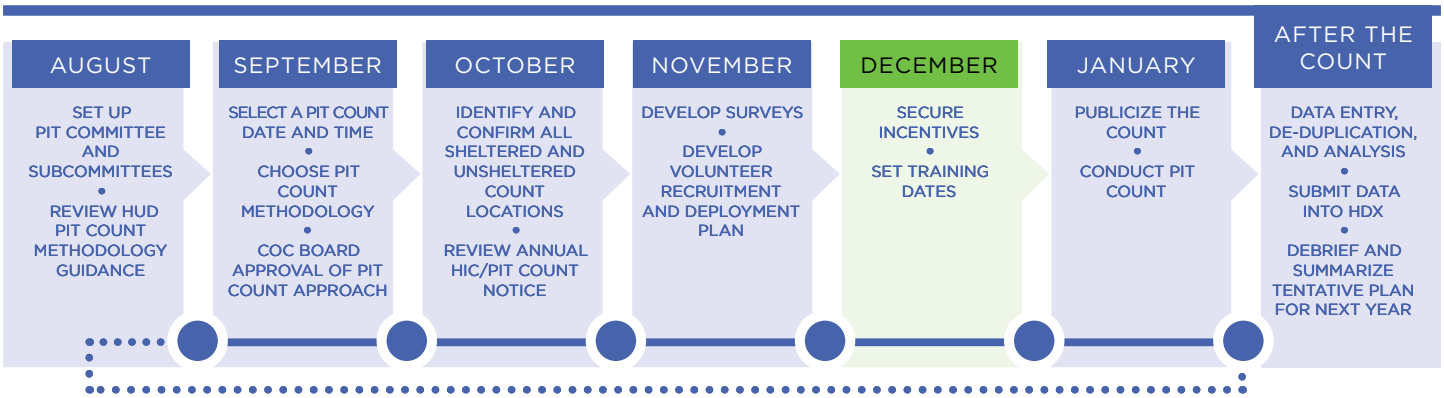
☐ **SECURE INCENTIVES TO PROVIDE TO HOMELESS PEOPLE WHO PARTICIPATE IN THE PIT COUNT, IF APPLICABLE** *(PIT Count Methodology Guide, page 27)*

INCENTIVE/DONATION	PROVIDED BY

- If people experiencing homelessness or who are formerly homeless will be participating as volunteers, determine if stipends or other incentives will be provided and policies for administering them.

(December timeline continue on the next page)

POINT-IN-TIME COUNT PLANNING WORKSHEET



(December timeline continued from previous page)

☐ SET TRAINING DATES

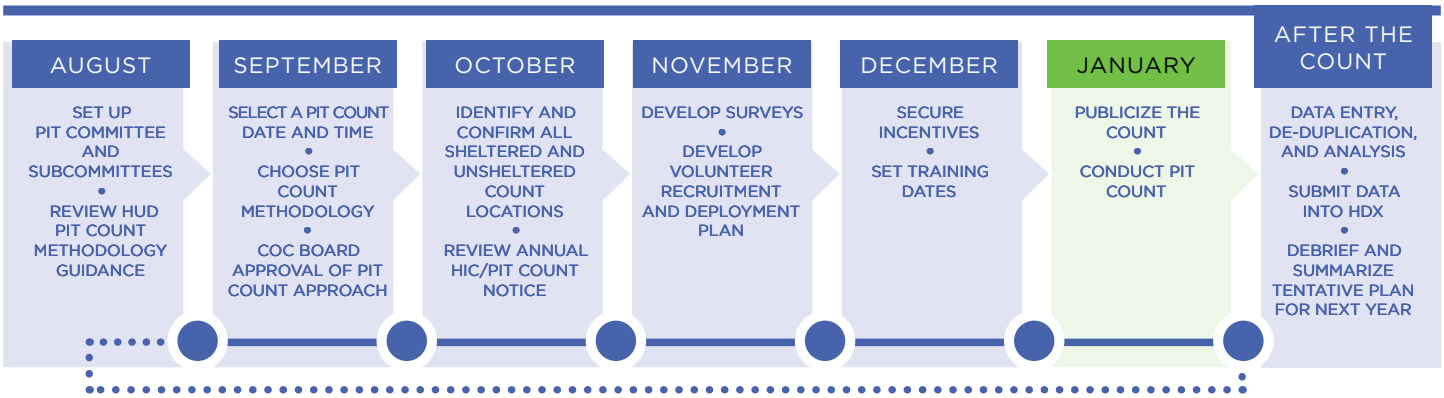
- List training dates and times for specialized groups or general volunteer training.

TRAINING	TRAINING DATE(S)	TRAINER(S)	TRAINING MODE *(IN-PERSON, WEBINAR, RECORDING, ETC.)*

- Develop trainings based on the PIT count methodologies and volunteer roles. *(PIT Count Methodology Guide, pages 37-39)*

- Assign the geographic areas to teams of interviewers. Clearly mark boundaries of neighboring CoCs. Ensure enumeration areas are not overlapping.

POINT-IN-TIME COUNT PLANNING WORKSHEET



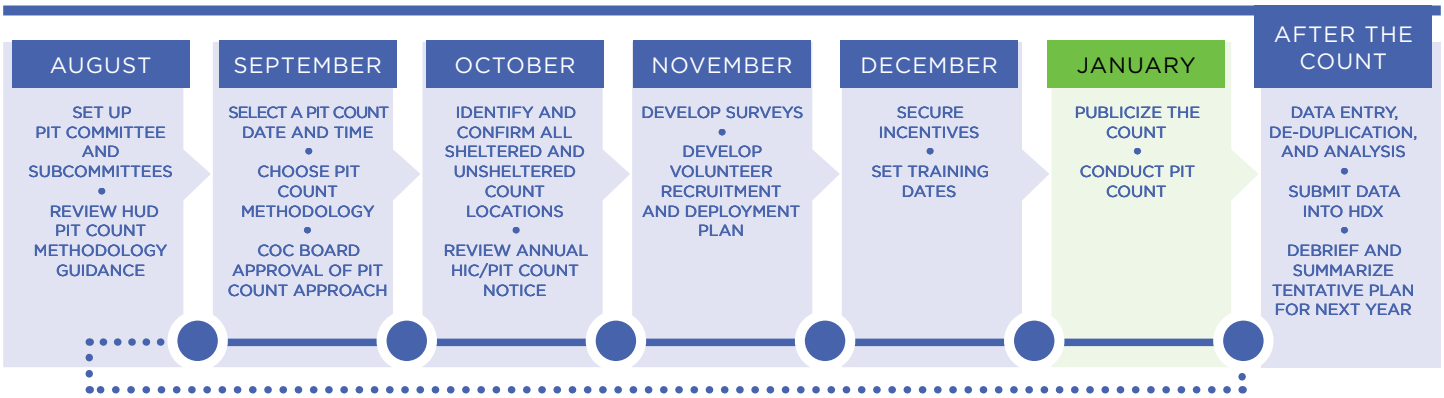
(January timeline continue on the next page)

☐ PUBLICIZE THE COUNT

- Describe communication strategies for conducting the count and announcing the results of the count, e.g., designated phone number, listserv, e-mails, press release, etc.

(January timeline continue on the next page)

POINT-IN-TIME COUNT PLANNING WORKSHEET



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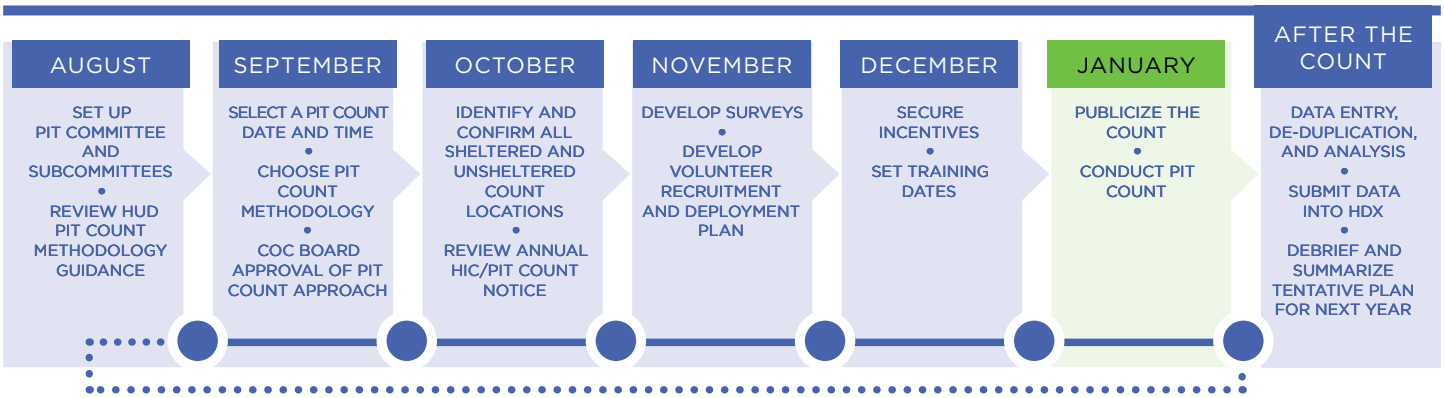
- Designate and list spokesperson(s)/liaison(s) for media, consolidated plan jurisdictions, CoC members, people experiencing homelessness if special events are being held, community stakeholder groups such as hospitals, mental health providers, advocacy organizations, etc.
  (PIT Count Methodology Guide, page 27)

GROUP	COMMUNICATION POINT-OF-CONTACT
MEDIA	
CONSOLIDATED PLAN JURISDICTIONS	
COC MEMBERS	

(January timeline continue on the next page)

POINT-IN-TIME COUNT PLANNING WORKSHEET



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☐ **CONDUCT VOLUNTEER INTERVIEWER TRAININGS**

☐ **CONDUCT THE PIT COUNT** *(during the last 10 calendar days in January)*

- **Sheltered Count**
  - If HMIS has sufficient coverage and completeness, generate the PIT count from the HMIS. If PIT count is conducted using HMIS, hold a meeting in advance with HMIS Administrator to ensure plan is in place. *(PIT Count Methodology Guide, pages 41-43)*
  - For shelters that do not input complete data into HMIS or domestic violence providers, administer project and/or client surveys to obtain required information. Provide due date for providers to submit data to CoC using method identified. *(PIT Count Methodology Guide, page 44)*
  - Deploy interviewers to shelters using paper surveys if requested by providers.
- **Unsheltered Count**
  - Deploy interviewer to designated geographic areas, using the guidance provided in the volunteer interviewer training.
  - During the count, check in to ensure that the areas have adequate coverage and assign additional interviewers as needed.

POINT-IN-TIME COUNT PLANNING WORKSHEET

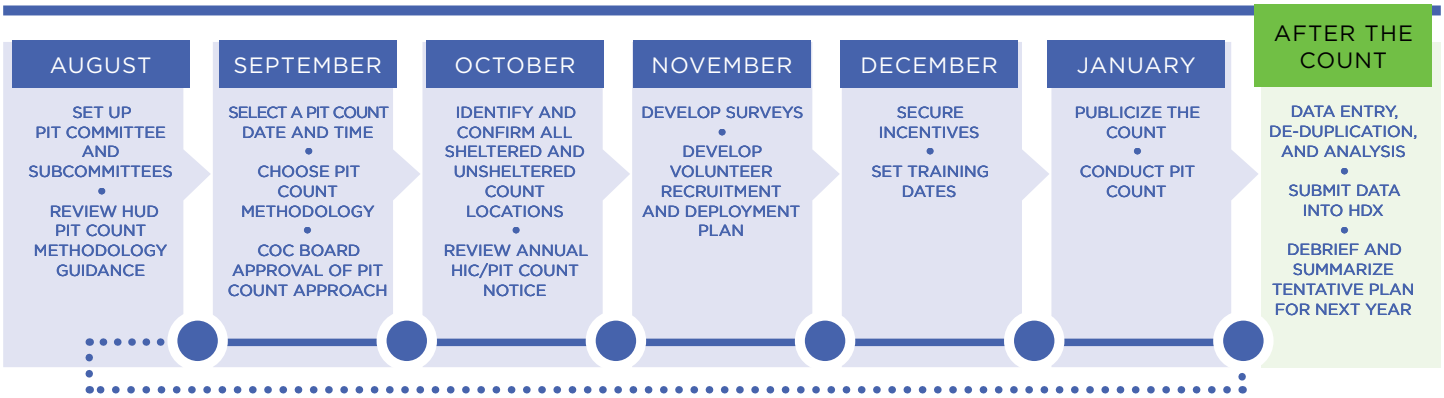
AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	AFTER THE COUNT
SET UP PIT COMMITTEE AND SUBCOMMITTEES • REVIEW HUD PIT COUNT METHODOLOGY GUIDANCE	SELECT A PIT COUNT DATE AND TIME • CHOOSE PIT COUNT METHODOLOGY • COC BOARD APPROVAL OF PIT COUNT APPROACH	IDENTIFY AND CONFIRM ALL SHELTERED AND UNSHELTERED COUNT LOCATIONS • REVIEW ANNUAL HIC/PIT COUNT NOTICE	DEVELOP SURVEYS • DEVELOP VOLUNTEER RECRUITMENT AND DEPLOYMENT PLAN	SECURE INCENTIVES • SET TRAINING DATES	PUBLICIZE THE COUNT • CONDUCT PIT COUNT	DATA ENTRY, DE-DUPLICATION, AND ANALYSIS • SUBMIT DATA INTO HDX • DEBRIEF AND SUMMARIZE TENTATIVE PLAN FOR NEXT YEAR

(After the Count continue on the next page)

- ☐ **COLLECT THE COMPLETED SURVEYS FROM INTERVIEWERS USING THE METHOD IDENTIFIED BY THE CoC** *(PIT Count Methodology Guide, page 66)*
- ☐ **REVIEW SURVEYS FOR DATA QUALITY AND ORGANIZING THEM TO PREPARE FOR DATA ENTRY** *(PIT Count Methodology Guide, page 67)*
- ☐ **CODE SURVEYS IF USING STATISTICAL ANALYSIS SOFTWARE** *(PIT Count Methodology Guide – "Coding Responses," pages 67-68)*
- ☐ **ENTER DATA INTO STATISTICAL ANALYSIS SOFTWARE OR DATABASE**
- ☐ **FIND AND CORRECT DATA ENTRY OR DATA COLLECTION ERRORS** *(PIT Count Methodology Guide, pages 69-70)*
- ☐ **SECURELY STORE AND/OR DISPOSE OF SHELTERED AND UNSHELTERED SURVEYS** *(PIT Count Methodology Guide, pages 71)*
- ☐ **FIND AND REMOVE DUPLICATE RECORDS THAT RELATE TO THE SAME PERSON IN THE PIT COUNT USING ONE OR MORE OF THE THREE IDENTIFIED METHODS** *(PIT Count Methodology Guide, pages 71-72)*
- ☐ **ANALYZE THE DATA TO DETERMINE THE PIT COUNT FOR SHELTERED AND UNSHELTERED POPULATIONS** *(PIT Count Methodology Guide, page 73)*
- ☐ **ENSURE THAT THE HIC AND PIT SHELTERED COUNT ARE IDENTICAL**
- ☐ **SHARE DATA RESULTS WITH PIT COMMITTEE, CoC BOARD AND MEMBERS**
- ☐ **SUBMIT PIT AND HIC DATA THROUGH HUD'S HDX** *(PIT Count Methodology Guide, page 73)*

(After the Count continue on the next page)

POINT-IN-TIME COUNT PLANNING WORKSHEET



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☐ **USE INFORMATION FROM THE PIT COUNT TO ASSIST PEOPLE EXPERIENCING HOMELESSNESS THROUGH ENHANCED OUTREACH AND TRIAGING EFFORTS AND ADAPTING THE CoC'S RESOURCES TO MEET THE NEEDS OF CERTAIN POPULATIONS**
(PIT Count Methodology Guide, page 74)

☐ **RELEASE PIT COUNT DATA TO THE COMMUNITY USING FORMAL (MEDIA) AND INFORMAL MEANS**

☐ **PROVIDE FEEDBACK TO VOLUNTEERS IN APPRECIATION FOR THEIR EFFORTS**

☐ **HOLD PIT COUNT DEBRIEF MEETING WITH PIT COORDINATORS AND LEADERS**

Changes for next year's PIT count. Note successes and areas for improvement for next year.

AR Balance of State

Calendar

AR BoS CoC Calendar 2027

January						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March						
S	M	T	W	T	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April						
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				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May						
S	M	T	W	T	F	S
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2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November						
S	M	T	W	T	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December						
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			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Executive Committee | BoS Board Meeting | General Meeting | PIT Count

CoC Regulations

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Title 24 —Housing and Urban Development
Subtitle B —Regulations Relating to Housing and Urban Development
Chapter V —Office of Assistant Secretary for Community Planning and Development, Department of Housing and Urban Development
Subchapter C —Community Facilities

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PART 578—CONTINUUM OF CARE PROGRAM

Authority: 12 U.S.C. 1701x, 1701 x-1; 42 U.S.C. 11381 *et seq.,* 42 U.S.C. 3535(d).

Source: 77 FR 45442, July 31, 2012, unless otherwise noted.

Subpart A—General Provisions

§ 578.1 Purpose and scope.

(a) The Continuum of Care program is authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381-11389).

(b) The program is designed to:

(1) Promote communitywide commitment to the goal of ending homelessness;

(2) Provide funding for efforts by nonprofit providers, States, and local governments to quickly rehouse homeless individuals (including unaccompanied youth) and families, while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness;

(3) Promote access to and effective utilization of mainstream programs by homeless individuals and families; and

(4) Optimize self-sufficiency among individuals and families experiencing homelessness.

§ 578.3 Definitions.

As used in this part:

Act means the McKinney-Vento Homeless Assistance Act as amended (42 U.S.C. 11371 *et seq.*).

Annual renewal amount means the amount that a grant can be awarded on an annual basis when renewed. It includes funds only for those eligible activities (operating, supportive services, leasing, rental assistance, HMIS, and administration) that were funded in the original grant (or the original grant as amended), less the unrenewable activities (acquisition, new construction, rehabilitation, and any administrative costs related to these activities).

Applicant means an eligible applicant that has been designated by the Continuum of Care to apply for assistance under this part on behalf of that Continuum.

At risk of homelessness.

(1) An individual or family who:

(i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;

(ii) Does not have sufficient resources or support networks, *e.g.,* family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the "Homeless" definition in this section; and

(iii) Meets one of the following conditions:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days of the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid

by charitable organizations or by federal, State, or local government programs for low-income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons, or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as "homeless" under this section, but qualifies as "homeless" under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Centralized or coordinated assessment system means a centralized or coordinated process designed to coordinate program participant intake assessment and provision of referrals. A centralized or coordinated assessment system covers the geographic area, is easily accessed by individuals and families seeking housing or services, is well advertized, and includes a comprehensive and standardized assessment tool.

Chronically homeless means:

(1) A "homeless individual with a disability," as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), who:

(i) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and

(ii) Has been homeless and living as described in paragraph (1)(i) of this definition continuously for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (1)(i). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility;

(2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or

(3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

Collaborative applicant means the eligible applicant that has been designated by the Continuum of Care to apply for a grant for Continuum of Care planning funds under this part on behalf of the Continuum.

Consolidated plan means the HUD-approved plan developed in accordance with 24 CFR 91.

Continuum of Care and Continuum means the group organized to carry out the responsibilities required under this part and that is composed of representatives of organizations, including nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.

Developmental disability means, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002):

(1) A severe, chronic disability of an individual that—

(i) Is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) Is manifested before the individual attains age 22;

(iii) Is likely to continue indefinitely;

(iv) Results in substantial functional limitations in three or more of the following areas of major life activity:

(A) Self-care;

(B) Receptive and expressive language;

(C) Learning;

(D) Mobility;

(E) Self-direction;

(F) Capacity for independent living;

(G) Economic self-sufficiency.

(v) Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(2) An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting three or more of the criteria described in paragraphs (1)(i) through (v) of the definition of "developmental disability" in this section if the individual, without services and supports, has a high probability of meeting these criteria later in life.

Eligible applicant means a private nonprofit organization, State, local government, or instrumentality of State and local government.

Emergency shelter is defined in 24 CFR part 576.

Emergency Solutions Grants (ESG) means the grants provided under 24 CFR part 576.

Fair Market Rent (FMR) means the Fair Market Rents published in the FEDERAL REGISTER annually by HUD.

High-performing community (HPC) means a Continuum of Care that meets the standards in subpart E of this part and has been designated as a high-performing community by HUD.

Homeless means:

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, State, or local government programs for low-income individuals); or

(iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

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

(i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

(ii) No subsequent residence has been identified; and

(iii) The individual or family lacks the resources or support networks, *e.g.,* family, friends, faith-based or other social networks, needed to obtain other permanent housing;

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, *e.g.,* family, friends, and faith-based or other social networks, to obtain other permanent housing.

Homeless Management Information System (HMIS) means the information system designated by the Continuum of Care to comply with the HMIS requirements prescribed by HUD.

HMIS Lead means the entity designated by the Continuum of Care in accordance with this part to operate the Continuum's HMIS on its behalf.

Permanent housing means community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid rehousing. To be permanent housing, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause.

Permanent supportive housing means permanent housing in which supportive services are provided to assist homeless persons with a disability to live independently.

Point-in-time count means a count of sheltered and unsheltered homeless persons carried out on one night in the last 10 calendar days of January or at such other time as required by HUD.

Private nonprofit organization means an organization:

(1) No part of the net earnings of which inure to the benefit of any member, founder, contributor, or individual;

(2) That has a voluntary board;

(3) That has a functioning accounting system that is operated in accordance with generally accepted accounting principles, or has designated a fiscal agent that will maintain a functioning accounting system for the organization in accordance with generally accepted accounting principles; and

(4) That practices nondiscrimination in the provision of assistance.

A private nonprofit organization does not include governmental organizations, such as public housing agencies.

Program participant means an individual (including an unaccompanied youth) or family who is assisted with Continuum of Care program funds.

Project means a group of eligible activities, such as HMIS costs, identified as a project in an application to HUD for Continuum of Care funds and includes a structure (or structures) that is (are) acquired, rehabilitated, constructed, or leased with assistance provided under this part or with respect to which HUD provides rental assistance or annual payments for operating costs, or supportive services under this subtitle.

Recipient means an applicant that signs a grant agreement with HUD.

Safe haven means, for the purpose of defining chronically homeless, supportive housing that meets the following:

(1) Serves hard to reach homeless persons with severe mental illness who came from the streets and have been unwilling or unable to participate in supportive services;

(2) Provides 24-hour residence for eligible persons for an unspecified period;

(3) Has an overnight capacity limited to 25 or fewer persons; and

(4) Provides low-demand services and referrals for the residents.

State means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Marianas, and the Virgin Islands.

Subrecipient means a private nonprofit organization, State, local government, or instrumentality of State or local government that receives a subgrant from the recipient to carry out a project.

Transitional housing means housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of homeless individuals and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be extended.

Unified Funding Agency (UFA) means an eligible applicant selected by the Continuum of Care to apply for a grant for the entire Continuum, which has the capacity to carry out the duties in § 578.11(b), which is approved by HUD and to which HUD awards a grant.

Victim service provider means a private nonprofit organization whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.

Subpart B—Establishing and Operating a Continuum of Care

§ 578.5 Establishing the Continuum of Care.

(a) ***The Continuum of Care.*** Representatives from relevant organizations within a geographic area shall establish a Continuum of Care for the geographic area to carry out the duties of this part. Relevant organizations include nonprofit homeless assistance providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, and organizations that serve veterans and homeless and formerly homeless individuals.

(b) ***The board.*** The Continuum of Care must establish a board to act on behalf of the Continuum using the process established as a requirement by § 578.7(a)(3) and must comply with the conflict-of-interest requirements at § 578.95(b). The board must:

(1) Be representative of the relevant organizations and of projects serving homeless subpopulations; and

(2) Include at least one homeless or formerly homeless individual.

(c) ***Transition.*** Continuums of Care shall have 2 years after August 30, 2012 to comply with the requirements of paragraph (b) of this section.

§ 578.7 Responsibilities of the Continuum of Care.

(a) ***Operate the Continuum of Care.*** The Continuum of Care must:

(1) Hold meetings of the full membership, with published agendas, at least semi-annually;

(2) Make an invitation for new members to join publicly available within the geographic at least annually;

(3) Adopt and follow a written process to select a board to act on behalf of the Continuum of Care. The process must be reviewed, updated, and approved by the Continuum at least once every 5 years;

(4) Appoint additional committees, subcommittees, or workgroups;

(5) In consultation with the collaborative applicant and the HMIS Lead, develop, follow, and update annually a governance charter, which will include all procedures and policies needed to comply with subpart B of this part and with HMIS requirements as prescribed by HUD; and a code of conduct and recusal process for the board, its chair(s), and any person acting on behalf of the board;

(6) Consult with recipients and subrecipients to establish performance targets appropriate for population and program type, monitor recipient and subrecipient performance, evaluate outcomes, and take action against poor performers;

(7) Evaluate outcomes of projects funded under the Emergency Solutions Grants program and the Continuum of Care program, and report to HUD;

(8) In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and operate either a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. The Continuum must develop a specific policy to guide the operation of the centralized or coordinated assessment system on how its system will address the needs of individuals and families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, or stalking, but who are seeking shelter or services from nonvictim service providers. This system must comply with any requirements established by HUD by Notice.

(9) In consultation with recipients of Emergency Solutions Grants program funds within the geographic area, establish and consistently follow written standards for providing Continuum of Care assistance. At a minimum, these written standards must include:

(i) Policies and procedures for evaluating individuals' and families' eligibility for assistance under this part;

(ii) Policies and procedures for determining and prioritizing which eligible individuals and families will receive transitional housing assistance (these policies must include the emergency transfer priority required under § 578.99(j)(8));

(iii) Policies and procedures for determining and prioritizing which eligible individuals and families will receive rapid rehousing assistance (these policies must include the emergency transfer priority required under § 578.99(j)(8));

(iv) Standards for determining what percentage or amount of rent each program participant must pay while receiving rapid rehousing assistance;

(v) Policies and procedures for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance (these policies must include the emergency transfer priority required under § 578.99(j)(8)); and

(vi) Where the Continuum is designated a high-performing community, as described in subpart G of this part, policies and procedures set forth in 24 CFR 576.400(e)(3)(vi), (e)(3)(vii), (e)(3)(viii), and (e)(3)(ix).

(b) ***Designating and operating an HMIS.*** The Continuum of Care must:

(1) Designate a single Homeless Management Information System (HMIS) for the geographic area;

(2) Designate an eligible applicant to manage the Continuum's HMIS, which will be known as the HMIS Lead;

(3) Review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS.

(4) Ensure consistent participation of recipients and subrecipients in the HMIS; and

(5) Ensure the HMIS is administered in compliance with requirements prescribed by HUD.

(c) ***Continuum of Care planning.*** The Continuum must develop a plan that includes:

(1) Coordinating the implementation of a housing and service system within its geographic area that meets the needs of the homeless individuals (including unaccompanied youth) and families. At a minimum, such system encompasses the following:

(i) Outreach, engagement, and assessment;

(ii) Shelter, housing, and supportive services;

(iii) Prevention strategies.

(2) Planning for and conducting, at least biennially, a point-in-time count of homeless persons within the geographic area that meets the following requirements:

(i) Homeless persons who are living in a place not designed or ordinarily used as a regular sleeping accommodation for humans must be counted as unsheltered homeless persons.

(ii) Persons living in emergency shelters and transitional housing projects must be counted as sheltered homeless persons.

(iii) Other requirements established by HUD by Notice.

(3) Conducting an annual gaps analysis of the homeless needs and services available within the geographic area;

(4) Providing information required to complete the Consolidated Plan(s) within the Continuum's geographic area;

(5) Consulting with State and local government Emergency Solutions Grants program recipients within the Continuum's geographic area on the plan for allocating Emergency Solutions Grants program funds and reporting on and evaluating the performance of Emergency Solutions Grants program recipients and subrecipients.

(d) ***VAWA emergency transfer plan.*** The Continuum of Care must develop the emergency transfer plan for the Continuum of Care that meets the requirements under § 578.99(j)(8).

[77 FR 45442, July 31, 2012,as amended at 81 FR 80809, Nov. 16, 2016]

§ 578.9 Preparing an application for funds.

(a) The Continuum must:

(1) Design, operate, and follow a collaborative process for the development of applications and approve the submission of applications in response to a NOFA published by HUD under § 578.19 of this subpart;

(2) Establish priorities for funding projects in the geographic area;

(3) Determine if one application for funding will be submitted for all projects within the geographic area or if more than one application will be submitted for the projects within the geographic area;

(i) If more than one application will be submitted, designate an eligible applicant to be the collaborative applicant that will collect and combine the required application information from all applicants and for all projects within the geographic area that the Continuum has selected funding. The collaborative applicant will also apply for Continuum of Care planning activities. If the Continuum is an eligible applicant, it may designate itself;

(ii) If only one application will be submitted, that applicant will be the collaborative applicant and will collect and combine the required application information from all projects within the geographic area that the Continuum has selected for funding and apply for Continuum of Care planning activities;

(b) The Continuum retains all of its responsibilities, even if it designates one or more eligible applicants other than itself to apply for funds on behalf of the Continuum. This includes approving the Continuum of Care application.

§ 578.11 Unified Funding Agency.

(a) ***Becoming a Unified Funding Agency.*** To become designated as the Unified Funding Agency (UFA) for a Continuum, a collaborative applicant must be selected by the Continuum to apply to HUD to be designated as the UFA for the Continuum.

(b) ***Criteria for designating a UFA.*** HUD will consider these criteria when deciding whether to designate a collaborative applicant a UFA:

(1) The Continuum of Care it represents meets the requirements in § 578.7;

(2) The collaborative applicant has financial management systems that meet the standards set forth in 2 CFR 200.302;

(3) The collaborative applicant demonstrates the ability to monitor subrecipients; and

(4) Such other criteria as HUD may establish by NOFA.

(c) ***Requirements.*** HUD-designated UFAs shall:

(1) Apply to HUD for funding for all of the projects within the geographic area and enter into a grant agreement with HUD for the entire geographic area.

(2) Enter into legally binding agreements with subrecipients, and receive and distribute funds to subrecipients for all projects within the geographic area.

(3) Require subrecipients to establish fiscal control and accounting procedures as necessary to assure the proper disbursal of and accounting for federal funds in accordance with the requirements of 2 CFR part 200, subpart D.

(4) Obtain approval of any proposed grant agreement amendments by the Continuum of Care before submitting a request for an amendment to HUD.

[77 FR 45442, July 31, 2012, as amended at 80 FR 75939, Dec. 7, 2015]

§ 578.13 Remedial action.

(a) If HUD finds that the Continuum of Care for a geographic area does not meet the requirements of the Act or its implementing regulations, or that there is no Continuum for a geographic area, HUD may take remedial action to ensure fair distribution of grant funds within the geographic area. Such measures may include:

(1) Designating a replacement Continuum of Care for the geographic area;

(2) Designating a replacement collaborative applicant for the Continuum's geographic area; and

(3) Accepting applications from other eligible applicants within the Continuum's geographic area.

(b) HUD must provide a 30-day prior written notice to the Continuum and its collaborative applicant and give them an opportunity to respond.

Subpart C—Application and Grant Award Process

§ 578.15 Eligible applicants.

(a) ***Who may apply.*** Nonprofit organizations, States, local governments, and instrumentalities of State or local governments are eligible to apply for grants.

(b) ***Designation by the Continuum of Care.*** Eligible applicant(s) must have been designated by the Continuum of Care to submit an application for grant funds under this part. The designation must state whether the Continuum is designating more than one applicant to apply for funds and, if it is, which applicant is being designated as the collaborative applicant. If the Continuum is designating only one applicant to apply for funds, the Continuum must designate that applicant to be the collaborative applicant.

(c) ***Exclusion.*** For-profit entities are not eligible to apply for grants or to be subrecipients of grant funds.

§ 578.17 Overview of application and grant award process.

(a) ***Formula.***

(1) After enactment of the annual appropriations act for each fiscal year, and issuance of the NOFA, HUD will publish, on its Web site, the Preliminary Pro Rata Need (PPRN) assigned to metropolitan cities, urban counties, and all other counties.

(2) HUD will apply the formula used to determine PPRN established in paragraph (a)(3) of this section, to the amount of funds being made available under the NOFA. That amount is calculated by:

(i) Determining the total amount for the Continuum of Care competition in accordance with section 413 of the Act or as otherwise directed by the annual appropriations act;

(ii) From the amount in paragraph (a)(2)(i) of this section, deducting the amount published in the NOFA as being set aside to provide a bonus to geographic areas for activities that have proven to be effective in reducing homelessness generally or for specific subpopulations listed in the NOFA or achieving homeless prevention and independent living goals established in the NOFA and to meet policy priorities set in the NOFA; and

(iii) Deducting the amount of funding necessary for Continuum of Care planning activities and UFA costs.

(3) PPRN is calculated on the amount determined under paragraph (a)(2) of this section by using the following formula:

(i) Two percent will be allocated among the four insular areas (American Samoa, Guam, the Commonwealth of the Northern Marianas, and the Virgin Islands) on the basis of the ratio of the population of each insular area to the population of all insular areas.

(ii) Seventy-five percent of the remaining amount will be allocated, using the Community Development Block Grant (CDBG) formula, to metropolitan cities and urban counties that have been funded under either the Emergency Shelter Grants or Emergency Solutions Grants programs in any one year since 2004.

(iii) The amount remaining after the allocation under paragraphs (a)(1) and (2) of this section will be allocated, using the CDBG formula, to metropolitan cities and urban counties that have not been funded under the Emergency Solutions Grants program in any year since 2004 and all other counties in the United States and Puerto Rico.

(4) If the calculation in paragraph (a)(2) of this section results in an amount less than the amount required to renew all projects eligible for renewal in that year for at least one year, after making adjustments proportional to increases in fair market rents for the geographic area for leasing, operating, and rental assistance for permanent housing, HUD will reduce, proportionately, the total amount required to renew all projects eligible for renewal in that year for at least one year, for each Continuum of Care. HUD will publish, via the NOFA, the total dollar amount that every Continuum will be required to deduct from renewal projects Continuum-wide.

(b) ***Calculating a Continuum of Care's maximum award amount.***

(1) ***Establish the PPRN amount.*** First, HUD will total the PPRN amounts for each metropolitan city, urban county, other county, and insular area claimed by the Continuum as part of its geographic area, excluding any counties applying for or receiving funding from the Rural Housing Stability Assistance program under 24 CFR part 579.

(2) ***Establishing renewal demand.*** Next, HUD will determine the renewal demand within the Continuum's geographic area. Renewal demand is the sum of the annual renewal amounts of all projects within the Continuum eligible to apply for renewal in that fiscal year's competition, before any adjustments to rental assistance, leasing, and operating line items based on FMR changes.

(3) ***Establishing FPRN.*** The higher of PPRN or renewal demand for the Continuum of Care is the FPRN, which is the base for the maximum award amount for the Continuum.

(4) ***Establishing the maximum award amount.*** The maximum award amount for the Continuum is the FPRN amount plus any additional eligible amounts for Continuum planning; UFA costs; adjustments to leasing, operating and rental assistance line items based on changes to FMR; and available bonuses.

§ 578.19 Application process.

(a) ***Notice of Funding Availability.*** After enactment of the annual appropriations act for the fiscal year, HUD will issue a NOFA in accordance with the requirements of 24 CFR part 4.

(b) ***Applications.*** All applications to HUD, including applications for grant funds and requests for designation as a UFA or HPC, must be submitted at such time and in such manner as HUD may require, and contain such information as HUD determines necessary. At a minimum, an application for grant funds must contain a list of the projects for which it is applying for funds; a description of the projects; a list of the projects that will be carried out by subrecipients and the names of the subrecipients; a description of the subpopulations of homeless or at risk of homelessness to be served by projects; the number of units to be provided and/or the number of persons to be served by each project; a budget request by project; and reasonable assurances that the applicant, or the subrecipient, will own or have control of a site for the proposed project not later than the expiration of the 12-month period beginning upon notification of an award for grant assistance.

§ 578.21 Awarding funds.

(a) ***Selection.*** HUD will review applications in accordance with the guidelines and procedures provided in the NOFA and will award funds to recipients through a national competition based on selection criteria as defined in section 427 of the Act.

(b) ***Announcement of awards.*** HUD will announce awards and notify selected applicants of any conditions imposed on awards. Conditions must be satisfied before HUD will execute a grant agreement with the applicant.

(c) ***Satisfying conditions.*** HUD will withdraw an award if the applicant does not satisfy all conditions imposed on it. Correcting all issues and conditions attached to an award must be completed within the time frame established in the NOFA. Proof of site control, match, environmental review, and the documentation of financial feasibility must be completed within 12 months of the announcement of the award, or 24 months in the case of funds for acquisition, rehabilitation, or new construction. The 12-month deadline may be extended by HUD for up to 12 additional months upon a showing of compelling reasons for delay due to factors beyond the control of the recipient or subrecipient.

§ 578.23 Executing grant agreements.

(a) ***Deadline.*** No later than 45 days from the date when all conditions are satisfied, the recipient and HUD must execute the grant agreement.

(b) ***Grant agreements.***

(1) ***Multiple applicants for one Continuum.*** If a Continuum designates more than one applicant for the geographic area, HUD will enter into a grant agreement with each designated applicant for which an award is announced.

(2) ***One applicant for a Continuum.*** If a Continuum designates only one applicant for the geographic area, after awarding funds, HUD may enter into a grant agreement with that applicant for new awards, if any, and one grant agreement for renewals, Continuum of Care planning, and UFA costs, if any. These two grants will cover the entire geographic area. A default by the recipient under one of those grant agreements will also be a default under the other.

(3) ***Unified Funding Agencies.*** If a Continuum is a UFA that HUD has approved, then HUD will enter into one grant agreement with the UFA for new awards, if any, and one grant agreement for renewals, Continuum of Care planning and UFA costs, if any. These two grants will cover the entire geographic area. A default by the UFA under one of those grant agreements will also be a default under the other.

(c) ***Required agreements.*** Recipients will be required to sign a grant agreement in which the recipient agrees:

(1) To ensure the operation of the project(s) in accordance with the provisions of the McKinney-Veto Act and all requirements under 24 CFR part 578;

(2) To monitor and report the progress of the project(s) to the Continuum of Care and HUD;

(3) To ensure, to the maximum extent practicable, that individuals and families experiencing homelessness are involved, through employment, provision of volunteer services, or otherwise, in constructing, rehabilitating, maintaining, and operating facilities for the project and in providing supportive services for the project;

(4) To require certification from all subrecipients that:

(i) Subrecipients will maintain the confidentiality of records pertaining to any individual or family that was provided family violence prevention or treatment services through the project;

(ii) The address or location of any family violence project assisted under this part will not be made public, except with written authorization of the person responsible for the operation of such project;

(iii) Subrecipients will establish policies and practices that are consistent with, and do not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness;

(iv) In the case of projects that provide housing or services to families, that subrecipients will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of the Act;

(v) The subrecipient, its officers, and employees are not debarred or suspended from doing business with the Federal Government; and

(vi) Subrecipients will provide information, such as data and reports, as required by HUD; and

(5) To establish such fiscal control and accounting procedures as may be necessary to assure the proper disbursal of, and accounting for grant funds in order to ensure that all financial transactions are conducted, and records maintained in accordance with generally accepted accounting principles, if the recipient is a UFA;

(6) To monitor subrecipient match and report on match to HUD;

(7) To take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education;

(8) To monitor subrecipients at least annually;

(9) To use the centralized or coordinated assessment system established by the Continuum of Care as set forth in § 578.7(a)(8). A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system, provided that victim service providers in the area use a centralized or coordinated assessment system that meets HUD's minimum requirements and the victim service provider uses that system instead;

(10) To follow the written standards for providing Continuum of Care assistance developed by the Continuum of Care, including the minimum requirements set forth in § 578.7(a)(9);

(11) Enter into subrecipient agreements requiring subrecipients to operate the project(s) in accordance with the provisions of this Act and all requirements under 24 CFR part 578; and

(12) To comply with such other terms and conditions as HUD may establish by NOFA.

§ 578.25 Site control.

(a) ***In general.*** When grant funds will be used for acquisition, rehabilitation, new construction, operating costs, or to provide supportive services, the recipient or subrecipient must demonstrate that it has site control within the time frame established in section § 578.21 before HUD will execute a grant agreement. This requirement does not apply to funds used for housing that will eventually be owned or controlled by the individuals or families served or for supportive services provided at sites not operated by the recipient or subrecipient.

(b) ***Evidence.*** Acceptable evidence of site control is a deed or lease. If grant funds will be used for acquisition, acceptable evidence of site control will be a purchase agreement. The owner, lessee, and purchaser shown on these documents must be the selected applicant or intended subrecipient identified in the application for assistance.

(c) ***Tax credit projects.***

(1) Applicants that plan to use the low-income housing tax credit authorized under 26 U.S.C. 42 to finance a project must prove to HUD's satisfaction that the applicant or subrecipient identified in the application is in control of the limited partnership or limited liability corporation that has a deed or lease for the project site.

(i) To have control of the limited partnership, the applicant or subrecipient must be the general partner of the limited partnership or have a 51 percent controlling interest in that general partner.

(ii) To have control of the limited liability company, the applicant or subrecipient must be the sole managing member.

(2) If grant funds are to be used for acquisition, rehabilitation, or new construction, the recipient or subrecipient must maintain control of the partnership or corporation and must ensure that the project is operated in compliance with law and regulation for 15 years from the date of initial occupancy or initial service provision. The partnership or corporation must own the project site

throughout the 15-year period. If grant funds were not used for acquisition, rehabilitation, or new construction, then the recipient or subrecipient must maintain control for the term of the grant agreement and any renewals thereof.

§ 578.27 Consolidated plan.

(a) ***States or units of general local government.*** An applicant that is a State or a unit of general local government must have a HUD-approved, complete or abbreviated, consolidated plan in accordance with 24 CFR part 91. The applicant must submit a certification that the application for funding is consistent with the HUD-approved consolidated plan(s) for the jurisdiction(s) in which the proposed project will be located. Funded applicants must certify in a grant agreement that they are following the HUD-approved consolidated plan.

(b) ***Other applicants.*** Applicants that are not States or units of general local government must submit a certification by the jurisdiction(s) in which the proposed project will be located that the applicant's application for funding is consistent with the jurisdiction's HUD-approved consolidated plan. The certification must be made by the unit of general local government or the State, in accordance with the consistency certification provisions under 24 CFR part 91, subpart F. If the jurisdiction refuses to provide a certification of consistency, the applicant may appeal to HUD under § 578.35.

(c) ***Timing of consolidated plan certification submissions.*** The required certification that the application for funding is consistent with the HUD-approved consolidated plan must be submitted by the funding application submission deadline announced in the NOFA.

§ 578.29 Subsidy layering.

HUD may provide assistance under this program only in accordance with HUD subsidy layering requirements in section 102 of the Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3545) and 24 CFR part 4, subpart A. An applicant must submit information in its application on other sources of governmental assistance that the applicant has received, or reasonably expects to receive, for a proposed project or activities. HUD's review of this information is intended to prevent excessive public assistance for proposed project or activities by combining (layering) assistance under this program with other governmental housing assistance from federal, State, or local agencies, including assistance such as tax concessions or tax credits.

§ 578.31 Environmental review.

(a) Activities under this part are subject to environmental review by HUD under 24 CFR part 50. The recipient or subrecipient shall supply all available, relevant information necessary for HUD to perform, for each property, any environmental review required by 24 CFR part 50. The recipient or subrecipient must carry out mitigating measures required by HUD or select an alternate eligible property. HUD may eliminate from consideration any application that would require an Environmental Impact Statement.

(b) The recipient or subrecipient, its project partners, and their contractors may not acquire, rehabilitate, convert, lease, repair, dispose of, demolish, or construct property for a project under this part, or commit or expend HUD or local funds for such eligible activities under this part, until HUD has performed an environmental review under 24 CFR part 50 and the recipient or subrecipient has received HUD approval of the property.

§ 578.33 Renewals.

(a) ***In general.*** Awards made under this part and title IV of the Act, as in effect before August 30, 2012 (the Supportive Housing Program and the Shelter Plus Care program), may be renewed to continue ongoing leasing, operations, supportive services, rental assistance, HMIS, and administration beyond the initial funding period. To be considered for funding, recipients must submit a request in a form specified by HUD, must meet the requirements of this part, and must submit the request within the time frame established by HUD.

(b) ***Length of renewal.*** HUD may award up to 3 years of funds for supportive services, leasing, HMIS, and operating costs. Renewals of tenant-based and sponsor-based rental assistance may be for up to one year of rental assistance. Renewals of project-based rental assistance may be for up to 15 years of rental assistance, subject to availability of annual appropriations.

(c) ***Assistance available.***

(1) Assistance during each year of a renewal period may be for:

(i) Up to 100 percent of the amount for supportive services and HMIS costs in the final year of the prior funding period;

(ii) Up to 100 percent of the amount for leasing and operating in the final year of the prior funding period adjusted in proportion to changes in the FMR for the geographic area; and

(iii) For rental assistance, up to 100 percent of the result of multiplying the number and unit size(s) in the grant agreement by the number of months in the renewal grant term and the applicable FMR.

(d) ***Review criteria.***

(1) Awards made under title IV of the Act, as in effect before August 30, 2012 are eligible for renewal in the Continuum of Care program even if the awardees would not be eligible for a new grant under the program, so long as they continue to serve the same population and the same number of persons or units in the same type of housing as identified in their most recently amended grant agreement signed before August 30, 2012. Grants will be renewed if HUD receives a certification from the Continuum that there is a demonstrated need for the project, and HUD finds that the project complied with program requirements applicable before August 30, 2012. For purposes of meeting the requirements of this part, a project will continue to be administered in accordance with 24 CFR 582.330, if the project received funding under the Shelter Plus Care program, or 24 CFR 583.325, if the project received funding under the Supportive Housing Program.

(2) ***Renewal of awards made after August 30, 2012.*** Review criteria for competitively awarded renewals made after August 30, 2012 will be described in the NOFA.

(e) ***Unsuccessful projects.*** HUD may renew a project that was eligible for renewal in the competition and was part of an application that was not funded despite having been submitted on time, in the manner required by HUD, and containing the information required by HUD, upon a finding that the project meets the purposes of the Continuum of Care program. The renewal will not exceed more than one year and will be under such conditions as HUD deems appropriate.

(f) ***Annual Performance Report condition.*** HUD may terminate the renewal of any grant and require the recipient to repay the renewal grant if:

(1) The recipient fails to timely submit a HUD Annual Performance Report (APR) for the grant year immediately prior to renewal; or

(2) The recipient submits an APR that HUD deems unacceptable or shows noncompliance with the requirements of the grant and this part.

§ 578.35 Appeal.

(a) ***In general.*** Failure to follow the procedures or meet the deadlines established in this section will result in denial of the appeal.

(b) ***Solo applicants.***

(1) ***Who may appeal.*** Nonprofits, States, and local governments, and instrumentalities of State or local governments that attempted to participate in the Continuum of Care planning process in the geographic area in which they operate, that believe they were denied the right to participate in a reasonable manner, and that submitted a solo application for funding by the application deadline established in the NOFA, may appeal the decision of the Continuum to HUD.

(2) ***Notice of intent to appeal.*** The solo applicant must submit a written notice of intent to appeal, with a copy to the Continuum, with their funding application.

(3) ***Deadline for submitting proof.*** No later than 30 days after the date that HUD announces the awards, the solo applicant shall submit in writing, with a copy to the Continuum, all relevant evidence supporting its claim, in such manner as HUD may require by Notice.

(4) ***Response from the Continuum of Care.*** The Continuum shall have 30 days from the date of its receipt of the solo applicant's evidence to respond to HUD in writing and in such manner as HUD may require, with a copy to the solo applicant.

(5) ***Decision.*** HUD will notify the solo applicant and the Continuum of its decision within 60 days of receipt of the Continuum's response.

(6) ***Funding.*** If HUD finds that the solo applicant was not permitted to participate in the Continuum of Care planning process in a reasonable manner, then HUD may award a grant to the solo applicant when funds next become available and may direct the Continuum of Care to take remedial steps to ensure reasonable participation in the future. HUD may also reduce the award to the Continuum's applicant(s).

(c) ***Denied or decreased funding.***

(1) ***Who may appeal.*** Eligible applicants that are denied funds by HUD, or that requested more funds than HUD awarded to them, may appeal the award by filing a written appeal, in such form and manner as HUD may require by Notice, within 45 days of the date of HUD's announcement of the award.

(2) ***Decision.*** HUD will notify the applicant of its decision on the appeal within 60 days of HUD's receipt of the written appeal. HUD will reverse a decision only when the applicant can show that HUD error caused the denial or decrease.

(3) ***Funding.*** Awards and increases to awards made upon appeal will be made from next available funds.

(d) ***Competing Continuums of Care.***

(1) ***In general.*** If more than one Continuum of Care claims the same geographic area, HUD will award funds to the Continuum applicant(s) whose application(s) has the highest total score. No projects will be funded from the lower scoring Continuum. No projects that are submitted in two or more competing Continuum of Care applications will be funded.

(2) ***Who may appeal.*** The designated applicant(s) for the lower scoring Continuum may appeal HUD's decision to fund the application(s) from the competing Continuum by filing a written appeal, in such form and manner as HUD may require by Notice, within 45 days of the date of HUD's announcement of the award.

(3) ***Decision.*** HUD will notify the applicant(s) of its decision on the appeal within 60 days of the date of HUD's receipt of the written appeal. HUD will reverse a decision only upon a showing by the applicant that HUD error caused the denial.

(e) ***Consolidated plan certification.***

(1) ***In general.*** An applicant may appeal to HUD a jurisdiction's refusal to provide a certification of consistency with the Consolidated Plan.

(2) ***Procedure.*** The applicant must submit a written appeal with its application to HUD and send a copy of the appeal to the jurisdiction that denied the certification of consistency. The appeal must include, at a minimum:

(i) A copy of the applicant's request to the jurisdiction for the certification of consistency with the Consolidated Plan;

(ii) A copy of the jurisdiction's response stating the reasons for denial, including the reasons the proposed project is not consistent with the jurisdiction's Consolidated Plan in accordance with 24 CFR 91.500(c); and

(iii) A statement of the reasons why the applicant believes its project is consistent with the jurisdiction's Consolidated Plan.

(3) ***Jurisdiction response.*** The jurisdiction that refused to provide the certification of consistency with the jurisdiction's Consolidated Plan shall have 10 days after receipt of a copy of the appeal to submit a written explanation of the reasons originally given for refusing to provide the certification and a written rebuttal to any claims made by the applicant in the appeal.

(4) ***HUD review.***

(i) HUD will issue its decision within 45 days of the date of HUD's receipt of the jurisdiction's response. As part of its review, HUD will consider:

(A) Whether the applicant submitted the request to the appropriate political jurisdiction; and

(B) The reasonableness of the jurisdiction's refusal to provide the certificate.

(ii) If the jurisdiction did not provide written reasons for refusal, including the reasons why the project is not consistent with the jurisdiction's Consolidated Plan in its initial response to the applicant's request for a certification, HUD will find for the applicant without further inquiry or response from the political jurisdiction.

Subpart D—Program Components and Eligible Costs

§ 578.37 Program components and uses of assistance.

(a) Continuum of Care funds may be used to pay for the eligible costs listed in § 578.39 through § 578.63 when used to establish and operate projects under five program components: permanent housing; transitional housing; supportive services only; HMIS; and, in some cases, homelessness prevention. Although grant funds may be used by recipients and subrecipients in all components for the eligible costs of contributing data to the HMIS designated by the Continuum of Care, only HMIS Leads may use grant funds for an HMIS component. Administrative costs are eligible for all components. All components are subject to the restrictions on combining funds for certain eligible activities in a single project found in § 578.87(c). The eligible program components are:

(1) ***Permanent housing (PH).*** Permanent housing is community-based housing, the purpose of which is to provide housing without a designated length of stay. Grant funds may be used for acquisition, rehabilitation, new construction, leasing, rental assistance, operating costs, and supportive services. PH includes:

(i) ***Permanent supportive housing for persons with disabilities (PSH).*** PSH can only provide assistance to individuals with disabilities and families in which one adult or child has a disability. Supportive services designed to meet the needs of the program participants must be made available to the program participants.

(ii) ***Rapid rehousing.*** Continuum of Care funds may provide supportive services, as set forth in § 578.53, and/or short-term (up to 3 months) and/or medium-term (for 3 to 24 months) tenant-based rental assistance, as set forth in § 578.51(c), as necessary to help a homeless individual or family, with or without disabilities, move as quickly as possible into permanent housing and achieve stability in that housing. When providing short-term and/or medium-term rental assistance to program participants, the rental assistance is subject to § 578.51(a)(1), but not § 578.51(a)(1)(i) and (ii); (a)(2); (c) and (f) through (i); and (l)(1). These projects:

(A) Must follow the written policies and procedures established by the Continuum of Care for determining and prioritizing which eligible families and individuals will receive rapid rehousing assistance, as well as the amount or percentage of rent that each program participant must pay.

(B) May set a maximum amount or percentage of rental assistance that a program participant may receive, a maximum number of months that a program participant may receive rental assistance, and/or a maximum number of times that a program participant may receive rental assistance. The recipient or subrecipient may also require program participants to share in the costs of rent. For the purposes of calculating rent for rapid rehousing, the rent shall equal the sum of the total monthly rent for the unit and, if the tenant pays separately for utilities, the monthly allowance for utilities (excluding telephone) established by the public housing authority for the area in which the housing is located.

(C) Limit rental assistance to no more than 24 months to a household.

(D) May provide supportive services for no longer than 6 months after rental assistance stops.

(E) Must re-evaluate, not less than once annually, that the program participant lacks sufficient resources and support networks necessary to retain housing without Continuum of Care assistance and the types and amounts of assistance that the program participant needs to retain housing. The recipient or subrecipient may require each program participant receiving assistance to notify the recipient or subrecipient of changes in the program

participant's income or other circumstances (*e.g.,* changes in household composition) that affect the program participant's need for assistance. When notified of a relevant change, the recipient or subrecipient must reevaluate the program participant's eligibility and the amount and types of assistance that the program participant needs.

(F) Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability. The project is exempt from this requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13925 *et seq.*) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 *et seq.*) prohibits the recipient carrying out the project from making its housing conditional on the participant's acceptance of services.

(2) ***Transitional Housing (TH).*** Transitional housing facilitates the movement of homeless individuals and families to PH within 24 months of entering TH. Grant funds may be used for acquisition, rehabilitation, new construction, leasing, rental assistance, operating costs, and supportive services.

(3) ***Supportive Service Only (SSO).*** Funds may be used for acquisition, rehabilitation, relocation costs, or leasing of a facility from which supportive services will be provided, and supportive services in order to provide supportive services to unsheltered and sheltered homeless persons for whom the recipient or subrecipient is not providing housing or housing assistance. SSO includes street outreach.

(4) ***HMIS.*** Funds may be used by HMIS Leads to lease a structure in which the HMIS is operated or as operating funds to operate a structure in which the HMIS is operated, and for other costs eligible in § 578.57.

(5) ***Homelessness prevention.*** Funds may be used by recipients in Continuums of Care-designated high-performing communities for housing relocation and stabilization services, and short- and/or medium-term rental assistance, as described in 24 CFR 576.105 and 24 CFR 576.106, that are necessary to prevent an individual or family from becoming homeless.

(b) ***Uses of assistance.*** Funds are available to pay for the eligible costs listed in § 578.39 through § 578.63 when used to:

(1) Establish new housing or new facilities to provide supportive services;

(2) Expand existing housing and facilities in order to increase the number of homeless persons served;

(3) Bring existing housing and facilities into compliance with State and local government health and safety standards, as described in § 578.87;

(4) Preserve existing permanent housing and facilities that provide supportive services;

(5) Provide supportive services for residents of supportive housing or for homeless persons not residing in supportive housing;

(6) Continue funding permanent housing when the recipient has received funding under this part for leasing, supportive services, operating costs, or rental assistance;

(7) Establish and operate an HMIS or comparable database; and

(8) Establish and carry out a Continuum of Care planning process and operate a Continuum of Care.

(c) ***Multiple purposes.*** Structures used to provide housing, supportive housing, supportive services, or as a facility for HMIS activities may also be used for other purposes. However, assistance under this part will be available only in proportion to the use of the structure for supportive housing or supportive services. If eligible and ineligible activities are carried out in separate portions of the same structure or in separate structures, grant funds may not be used to pay for more than the actual cost of acquisition, construction, or rehabilitation of the portion of the structure or structures used for eligible activities. If eligible and ineligible activities are carried out in the same structure, the costs will be prorated based on the amount of time that the space is used for eligible versus ineligible activities.

§ 578.39 Continuum of Care planning activities.

(a) ***In general.*** Collaborative applicants may use up to 3 percent of their FPRN, or a maximum amount to be established by the NOFA, for costs of:

(1) Designing and carrying out a collaborative process for the development of an application to HUD;

(2) Evaluating the outcomes of projects for which funds are awarded in the geographic area under the Continuum of Care and the Emergency Solutions Grants programs; and

(3) Participating in the consolidated plan(s) for the geographic area(s).

(b) ***Continuum of Care planning activities.*** Eligible planning costs include the costs of:

(1) Developing a communitywide or regionwide process involving the coordination of nonprofit homeless providers, victim service providers, faith-based organizations, governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve veterans, and homeless and formerly homeless individuals;

(2) Determining the geographic area that the Continuum of Care will serve;

(3) Developing a Continuum of Care system;

(4) Evaluating the outcomes of projects for which funds are awarded in the geographic area, including the Emergency Solutions Grants program;

(5) Participating in the consolidated plan(s) of the jurisdiction(s) in the geographic area; and

(6) Preparing and submitting an application to HUD on behalf of the entire Continuum of Care membership, including conducting a sheltered and unsheltered point-in-time count and other data collection as required by HUD.

(c) ***Monitoring costs.*** The costs of monitoring recipients and subrecipients and enforcing compliance with program requirements are eligible.

§ 578.41 Unified Funding Agency costs.

(a) ***In general.*** UFAs may use up to 3 percent of their FPRN, or a maximum amount to be established by the NOFA, whichever is less, for fiscal control and accounting costs necessary to assure the proper disbursal of, and accounting for, federal funds awarded to subrecipients under the Continuum of Care program.

(b) ***UFA costs.*** UFA costs include costs of ensuring that all financial transactions carried out under the Continuum of Care program are conducted and records are maintained in accordance with generally accepted accounting principles, including arranging for an annual survey, audit, or evaluation of the financial records of each project carried out by a subrecipient funded by a grant received through the Continuum of Care program.

(c) ***Monitoring costs.*** The costs of monitoring subrecipients and enforcing compliance with program requirements are eligible for costs.

§ 578.43 Acquisition.

Grant funds may be used to pay up to 100 percent of the cost of acquisition of real property selected by the recipient or subrecipient for use in the provision of housing or supportive services for homeless persons.

§ 578.45 Rehabilitation.

(a) ***Use.*** Grant funds may be used to pay up to 100 percent of the cost of rehabilitation of structures to provide housing or supportive services to homeless persons.

(b) ***Eligible costs.*** Eligible rehabilitation costs include installing cost-effective energy measures, and bringing an existing structure to State and local government health and safety standards.

(c) ***Ineligible costs.*** Grant funds may not be used for rehabilitation of leased property.

(d) ***Broadband infrastructure.*** Any substantial rehabilitation, as defined by 24 CFR 5.100, of a building with more than 4 rental units and funded by a grant awarded after January 19, 2017 must include installation of broadband infrastructure, as this term is also defined in 24 CFR 5.100, except where the grantee determines and, in accordance with § 578.103, documents the determination that:

(1) The location of the substantial rehabilitation makes installation of broadband infrastructure infeasible;

(2) The cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden; or

(3) The structure of the housing to be substantially rehabilitated makes installation of broadband infrastructure infeasible.

[77 FR 45442, July 31, 2012, as amended at 81 FR 92637, Dec. 20, 2016]

§ 578.47 New construction.

(a) ***Use.*** Grant funds may be used to:

(1) Pay up to 100 percent of the cost of new construction, including the building of a new structure or building an addition to an existing structure that increases the floor area by 100 percent or more, and the cost of land associated with that construction, for use as housing.

(2) If grant funds are used for new construction, the applicant must demonstrate that the costs of new construction are substantially less than the costs of rehabilitation or that there is a lack of available appropriate units that could be rehabilitated at a cost less than new construction. For purposes of this cost comparison, costs of rehabilitation or new construction may include the cost of real property acquisition.

(b) ***Ineligible costs.*** Grant funds may not be used for new construction on leased property.

(c) ***Broadband infrastructure.*** Any new construction of a building with more than 4 rental units and funded by a grant awarded after January 19, 2017 must include installation of broadband infrastructure, as this term is defined in 24 CFR 5.100, except where the grantee determines and, in accordance with § 578.103, documents the determination that:

(1) The location of the new construction makes installation of broadband infrastructure infeasible; or

(2) The cost of installing broadband infrastructure would result in a fundamental alteration in the nature of its program or activity or in an undue financial burden.

[77 FR 45442, July 31, 2012, as amended at 81 FR 92637, Dec. 20, 2016]

§ 578.49 Leasing.

(a) ***Use.***

(1) Where the recipient or subrecipient is leasing the structure, or portions thereof, grant funds may be used to pay for 100 percent of the costs of leasing a structure or structures, or portions thereof, to provide housing or supportive services to homeless persons for up to 3 years. Leasing funds may not be used to lease units or structures owned by the recipient, subrecipient, their parent organization(s), any other related organization(s), or organizations that are members of a partnership, where the partnership owns the structure, unless HUD authorized an exception for good cause.

(2) Any request for an exception must include the following:

(i) A description of how leasing these structures is in the best interest of the program;

(ii) Supporting documentation showing that the leasing charges paid with grant funds are reasonable for the market; and

(iii) A copy of the written policy for resolving disputes between the landlord and tenant, including a recusal for officers, agents, and staff who work for both the landlord and tenant.

(b) ***Requirements.***

(1) ***Leasing structures.*** When grants are used to pay rent for all or part of a structure or structures, the rent paid must be reasonable in relation to rents being charged in the area for comparable space. In addition, the rent paid may not exceed rents currently being charged by the same owner for comparable unassisted space.

(2) ***Leasing individual units.*** When grants are used to pay rent for individual housing units, the rent paid must be reasonable in relation to rents being charged for comparable units, taking into account the location, size, type, quality, amenities, facilities, and management services. In addition, the rents may not exceed rents currently being charged for comparable units, and the rent paid may not exceed HUD-determined fair market rents.

(3) ***Utilities.*** If electricity, gas, and water are included in the rent, these utilities may be paid from leasing funds. If utilities are not provided by the landlord, these utility costs are an operating cost, except for supportive service facilities. If the structure is being used as a supportive service facility, then these utility costs are a supportive service cost.

(4) ***Security deposits and first and last month's rent.*** Recipients and subrecipients may use grant funds to pay security deposits, in an amount not to exceed 2 months of actual rent. An advance payment of the last month's rent may be provided to the landlord in addition to the security deposit and payment of the first month's rent.

(5) ***Occupancy agreements and subleases.*** Occupancy agreements and subleases are required as specified in § 578.77(a).

(6) ***Calculation of occupancy charges and rent.*** Occupancy charges and rent from program participants must be calculated as provided in § 578.77.

(7) ***Program income.*** Occupancy charges and rent collected from program participants are program income and may be used as provided under § 578.97.

(8) ***Transition.*** Beginning in the first year awards are made under the Continuum of Care program, renewals of grants for leasing funds entered into under the authority of title IV, subtitle D of the Act as it existed before May 20, 2009, will be renewed either as grants for leasing or as rental assistance, depending on the characteristics of the project. Leasing funds will be renewed as rental assistance if the funds are used to pay rent on units where the lease is between the program participant and the landowner or sublessor. Projects requesting leasing funds will be renewed as leasing if the funds were used to lease a unit or structure and the lease is between the recipient or subrecipient and the landowner.

§ 578.51 Rental assistance.

(a) ***Use.***

(1) Grant funds may be used for rental assistance for homeless individuals and families. Rental assistance cannot be provided to a program participant who is already receiving rental assistance, or living in a housing unit receiving rental assistance or operating assistance through other federal, State, or local sources.

(i) The rental assistance may be short-term, up to 3 months of rent; medium-term, for 3 to 24 months of rent; or long-term, for longer than 24 months of rent and must be administered in accordance with the policies and procedures established by the Continuum as set forth in § 578.7(a)(9) and this section.

(ii) The rental assistance may be tenant-based, project-based, or sponsor-based, and may be for transitional or permanent housing.

(2) Grant funds may be used for security deposits in an amount not to exceed 2 months of rent. An advance payment of the last month's rent may be provided to the landlord, in addition to the security deposit and payment of first month's rent.

(b) ***Rental assistance administrator.*** Rental assistance must be administered by a State, unit of general local government, or a public housing agency.

(c) ***Tenant-based rental assistance.*** Tenant-based rental assistance is rental assistance in which program participants choose housing of an appropriate size in which to reside. Up to 5 years' worth of rental assistance may be awarded to a project in one competition.

(1) When necessary to facilitate the coordination of supportive services, recipients and subrecipients may require program participants to live in a specific area for their entire period of participation, or in a specific structure for the first year and in a specific area for the remainder of their period of participation. Program participants who are receiving rental assistance in transitional housing may be required to live in a specific structure for their entire period of participation in transitional housing.

(2) Program participants who have complied with all program requirements during their residence retain the rental assistance if they move.

(3) Program participants who have complied with all program requirements during their residence, who have been a victim of domestic violence, dating violence, sexual assault, or stalking, who reasonably believe they are imminently threatened by harm from further domestic violence, dating violence, sexual assault, or stalking (which would include threats from a third party, such as a friend or family member of the perpetrator of the violence) if they remain in the assisted unit, and who are able to document the violence and basis for their belief, may retain the rental assistance and move to a different Continuum of Care geographic area if they move out of the assisted unit to protect their health and safety. These program participants may move to a different Continuum of Care's geographic service area even if the recipient or subrecipient cannot meet all regulatory requirements of this part in the new geographic area where the unit is located. The recipient or subrecipient, however, must be able to meet all statutory requirements of the Continuum of Care program either directly or through a third-party contract or agreement.

(4) Program participants other than those described in paragraph (c)(3) of this section may choose housing outside of the Continuum of Care's geographic area if the recipient or subrecipient, through its employees or contractors, is able to meet all requirements of this part in the geographic area where the program participant chooses housing. If the recipient or subrecipient is unable to meet the requirements of this part, either directly or through a third-party contract or agreement, the recipient or subrecipient may refuse to permit the program participant to retain the tenant-based rental assistance if the program participant chooses to move outside of the Continuum of Care's geographic area.

(d) ***Sponsor-based rental assistance.*** Sponsor-based rental assistance is provided through contracts between the recipient and sponsor organization. A sponsor may be a private, nonprofit organization, or a community mental health agency established as a public nonprofit organization. Program participants must reside in housing owned or leased by the sponsor. Up to 5 years worth of rental assistance may be awarded to a project in one competition.

(e) ***Project-based rental assistance.*** Project-based rental assistance is provided through a contract with the owner of an existing structure, where the owner agrees to lease the subsidized units to program participants. Program participants will not retain rental assistance if they move. Up to 15 years of rental assistance may be awarded in one competition.

(f) ***Grant amount.*** The amount of rental assistance in each project will be based on the number and size of units proposed by the applicant to be assisted over the grant period. The amount of rental assistance in each project will be calculated by multiplying the number and size of units proposed by the FMR of each unit on the date the application is submitted to HUD, by the term of the grant.

(g) ***Rent reasonableness.*** HUD will only provide rental assistance for a unit if the rent is reasonable. The recipient or subrecipient must determine whether the rent charged for the unit receiving rental assistance is reasonable in relation to rents being charged for comparable unassisted units, taking into account the location, size, type, quality, amenities, facilities, and management and maintenance of each unit. Reasonable rent must not exceed rents currently being charged by the same owner for comparable unassisted units.

(h) ***Payment of grant.***

(1) The amount of rental assistance in each project will be reserved for rental assistance over the grant period. An applicant's request for rental assistance in each grant is an estimate of the amount needed for rental assistance. Recipients will make draws from the grant funds to pay the actual costs of rental assistance for program participants.

(2) For tenant-based rental assistance, on demonstration of need:

(i) Up to 25 percent of the total rental assistance awarded may be spent in any year of a 5-year grant term; or

(ii) A higher percentage if approved in advance by HUD, if the recipient provides evidence satisfactory to HUD that it is financially committed to providing the housing assistance described in the application for the full 5-year period.

(3) A recipient must serve at least as many program participants as shown in its application for assistance.

(4) If the amount in each grant reserved for rental assistance over the grant period exceeds the amount that will be needed to pay the actual costs of rental assistance, due to such factors as contract rents being lower than FMRs and program participants being able to pay a portion of the rent, recipients or subrecipients may use the excess funds for covering the costs of rent increases, or for serving a greater number of program participants.

(i) ***Vacancies.*** If a unit assisted under this section is vacated before the expiration of the lease, the assistance for the unit may continue for a maximum of 30 days from the end of the month in which the unit was vacated, unless occupied by another eligible person. No additional assistance will be paid until the unit is occupied by another eligible person. Brief periods of stays in institutions, not to exceed 90 days for each occurrence, are not considered vacancies.

(j) ***Property damage.*** Recipients and subrecipients may use grant funds in an amount not to exceed one month's rent to pay for any damage to housing due to the action of a program participant. This shall be a one-time cost per participant, incurred at the time a participant exits a housing unit.

(k) ***Resident rent.*** Rent must be calculated as provided in § 578.77. Rents collected from program participants are program income and may be used as provided under § 578.97.

(l) ***Leases.***

(1) ***Initial lease.*** For project-based, sponsor-based, or tenant-based rental assistance, program participants must enter into a lease agreement for a term of at least one year, which is terminable for cause. The leases must be automatically renewable upon expiration for terms that are a minimum of one month long, except on prior notice by either party.

(2) ***Initial lease for transitional housing.*** Program participants in transitional housing must enter into a lease agreement for a term of at least one month. The lease must be automatically renewable upon expiration, except on prior notice by either party, up to a maximum term of 24 months.

(m) ***VAWA emergency transfer plan costs.*** Recipients and subrecipients of grants for tenant-based rental assistance may use grant funds to pay amounts owed for breaking the lease if the family qualifies for an emergency transfer under the emergency transfer plan established under § 578.99(j)(8).

[77 FR 45442, July 31, 2012, as amended at 81 FR 38584, June 14, 2016; 81 FR 80810, Nov. 16, 2016]

§ 578.53 Supportive services.

(a) ***In general.*** Grant funds may be used to pay the eligible costs of supportive services that address the special needs of the program participants. If the supportive services are provided in a supportive service facility not contained in a housing structure, the costs of day-to-day operation of the supportive service facility, including maintenance, repair, building security, furniture, utilities, and equipment are eligible as a supportive service.

(1) Supportive services must be necessary to assist program participants obtain and maintain housing.

(2) Recipients and subrecipients shall conduct an annual assessment of the service needs of the program participants and should adjust services accordingly.

(b) ***Duration.***

(1) For a transitional housing project, supportive services must be made available to residents throughout the duration of their residence in the project.

(2) Permanent supportive housing projects must provide supportive services for the residents to enable them to live as independently as is practicable throughout the duration of their residence in the project.

(3) Services may also be provided to former residents of transitional housing and current residents of permanent housing who were homeless in the prior 6 months, for no more than 6 months after leaving transitional housing or homelessness, respectively, to assist their adjustment to independent living.

(4) Rapid rehousing projects must require the program participant to meet with a case manager not less than once per month as set forth in § 578.37(a)(1)(ii)(F), to assist the program participant in maintaining long-term housing stability.

(c) ***Special populations.*** All eligible costs are eligible to the same extent for program participants who are unaccompanied homeless youth; persons living with HIV/AIDS; and victims of domestic violence, dating violence, sexual assault, or stalking.

(d) ***Ineligible costs.*** Any cost that is not described as an eligible cost under this section is not an eligible cost of providing supportive services using Continuum of Care program funds. Staff training and the costs of obtaining professional licenses or certifications needed to provide supportive services are not eligible costs.

(e) ***Eligible costs.***

(1) ***Annual Assessment of Service Needs.*** The costs of the assessment required by § 578.53(a)(2) are eligible costs.

(2) ***Assistance with moving costs.*** Reasonable one-time moving costs are eligible and include truck rental and hiring a moving company.

(3) ***Case management.*** The costs of assessing, arranging, coordinating, and monitoring the delivery of individualized services to meet the needs of the program participant(s) are eligible costs. Component services and activities consist of:

(i) Counseling;

(ii) Developing, securing, and coordinating services;

(iii) Using the centralized or coordinated assessment system as required under § 578.23(c)(9).

(iv) Obtaining federal, State, and local benefits;

(v) Monitoring and evaluating program participant progress;

(vi) Providing information and referrals to other providers;

(vii) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and

(viii) Developing an individualized housing and service plan, including planning a path to permanent housing stability.

(4) ***Child care.*** The costs of establishing and operating child care, and providing child-care vouchers, for children from families experiencing homelessness, including providing meals and snacks, and comprehensive and coordinated developmental activities, are eligible.

(i) The children must be under the age of 13, unless they are disabled children.

(ii) Disabled children must be under the age of 18.

(iii) The child-care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible.

(5) ***Education services.*** The costs of improving knowledge and basic educational skills are eligible.

(i) Services include instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED).

(ii) Component services or activities are screening, assessment and testing; individual or group instruction; tutoring; provision of books, supplies, and instructional material; counseling; and referral to community resources.

(6) ***Employment assistance and job training.*** The costs of establishing and operating employment assistance and job training programs are eligible, including classroom, online and/or computer instruction, on-the-job instruction, services that assist individuals in securing employment, acquiring learning skills, and/or increasing earning potential. The cost of providing reasonable stipends to program participants in employment assistance and job training programs is also an eligible cost.

(i) Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates.

(ii) Services that assist individuals in securing employment consist of:

(A) Employment screening, assessment, or testing;

(B) Structured job skills and job-seeking skills;

(C) Special training and tutoring, including literacy training and pre-vocational training;

(D) Books and instructional material;

(E) Counseling or job coaching; and

(F) Referral to community resources.

(7) ***Food.*** The cost of providing meals or groceries to program participants is eligible.

(8) ***Housing search and counseling services.*** Costs of assisting eligible program participants to locate, obtain, and retain suitable housing are eligible.

(i) Component services or activities are tenant counseling; assisting individuals and families to understand leases; securing utilities; and making moving arrangements.

(ii) Other eligible costs are:

(A) Mediation with property owners and landlords on behalf of eligible program participants;

(B) Credit counseling, accessing a free personal credit report, and resolving personal credit issues; and

(C) The payment of rental application fees.

(iii) Housing counseling, as defined in § 5.100, that is funded with or provided in connection with grant funds must be carried out in accordance with § 5.111. When recipients or subrecipients provide housing services to eligible persons that are incidental to a larger set of holistic case management services, these services do not meet the definition of Housing counseling, as defined in § 5.100, and therefore are not required to be carried out in accordance with the certification requirements of § 5.111.

(9) ***Legal services.*** Eligible costs are the fees charged by licensed attorneys and by person(s) under the supervision of licensed attorneys, for advice and representation in matters that interfere with the homeless individual or family's ability to obtain and retain housing.

(i) Eligible subject matters are child support; guardianship; paternity; emancipation; legal separation; orders of protection and other civil remedies for victims of domestic violence, dating violence, sexual assault, and stalking; appeal of veterans and public benefit claim denials; landlord tenant disputes; and the resolution of outstanding criminal warrants.

(ii) Component services or activities may include receiving and preparing cases for trial, provision of legal advice, representation at hearings, and counseling.

(iii) Fees based on the actual service performed (i.e., fee for service) are also eligible, but only if the cost would be less than the cost of hourly fees. Filing fees and other necessary court costs are also eligible. If the subrecipient is a legal services provider and performs the services itself, the eligible costs are the subrecipient's employees' salaries and other costs necessary to perform the services.

(iv) Legal services for immigration and citizenship matters and issues related to mortgages and homeownership are ineligible. Retainer fee arrangements and contingency fee arrangements are ineligible.

(10) ***Life skills training.*** The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, substance abuse, and homelessness are eligible. These services must be necessary to assist the program participant to function independently in the community. Component life skills training are the budgeting of resources and money management, household management, conflict management, shopping for food and other needed items, nutrition, the use of public transportation, and parent training.

(11) ***Mental health services.*** Eligible costs are the direct outpatient treatment of mental health conditions that are provided by licensed professionals. Component services are crisis interventions; counseling; individual, family, or group therapy sessions; the prescription of psychotropic medications or explanations about the use and management of medications; and combinations of therapeutic approaches to address multiple problems.

(12) ***Outpatient health services.*** Eligible costs are the direct outpatient treatment of medical conditions when provided by licensed medical professionals including:

(i) Providing an analysis or assessment of an individual's health problems and the development of a treatment plan;

(ii) Assisting individuals to understand their health needs;

(iii) Providing directly or assisting individuals to obtain and utilize appropriate medical treatment;

(iv) Preventive medical care and health maintenance services, including in-home health services and emergency medical services;

(v) Provision of appropriate medication;

(vi) Providing follow-up services; and

(vii) Preventive and noncosmetic dental care.

(13) ***Outreach services.*** The costs of activities to engage persons for the purpose of providing immediate support and intervention, as well as identifying potential program participants, are eligible.

(i) Eligible costs include the outreach worker's transportation costs and a cell phone to be used by the individual performing the outreach.

(ii) Component activities and services consist of: initial assessment; crisis counseling; addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries; actively connecting and providing people with information and referrals to homeless and mainstream programs; and publicizing the availability of the housing and/or services provided within the geographic area covered by the Continuum of Care.

(14) ***Substance abuse treatment services.*** The costs of program participant intake and assessment, outpatient treatment, group and individual counseling, and drug testing are eligible. Inpatient detoxification and other inpatient drug or alcohol treatment are ineligible.

(15) ***Transportation.*** Eligible costs are:

(i) The costs of program participant's travel on public transportation or in a vehicle provided by the recipient or subrecipient to and from medical care, employment, child care, or other services eligible under this section.

(ii) Mileage allowance for service workers to visit program participants and to carry out housing quality inspections;

(iii) The cost of purchasing or leasing a vehicle in which staff transports program participants and/or staff serving program participants;

(iv) The cost of gas, insurance, taxes, and maintenance for the vehicle;

(v) The costs of recipient or subrecipient staff to accompany or assist program participants to utilize public transportation; and

(vi) If public transportation options are not sufficient within the area, the recipient may make a one-time payment on behalf of a program participant needing car repairs or maintenance required to operate a personal vehicle, subject to the following:

(A) Payments for car repairs or maintenance on behalf of the program participant may not exceed 10 percent of the Blue Book value of the vehicle (Blue Book refers to the guidebook that compiles and quotes prices for new and used automobiles and other vehicles of all makes, models, and types);

(B) Payments for car repairs or maintenance must be paid by the recipient or subrecipient directly to the third party that repairs or maintains the car; and

(C) The recipients or subrecipients may require program participants to share in the cost of car repairs or maintenance as a condition of receiving assistance with car repairs or maintenance.

(16) ***Utility deposits.*** This form of assistance consists of paying for utility deposits. Utility deposits must be a one-time fee, paid to utility companies.

(17) ***Direct provision of services.*** If the service described in paragraphs (e)(1) through (e)(16) of this section is being directly delivered by the recipient or subrecipient, eligible costs for those services also include:

(i) The costs of labor or supplies, and materials incurred by the recipient or subrecipient in directly providing supportive services to program participants; and

(ii) The salary and benefit packages of the recipient and subrecipient staff who directly deliver the services.

[77 FR 45442, July 31, 2012, as amended at 81 FR 90660, Dec. 14, 2016]

§ 578.55 Operating costs.

(a) ***Use.*** Grant funds may be used to pay the costs of the day-to-day operation of transitional and permanent housing in a single structure or individual housing units.

(b) ***Eligible costs.***

(1) The maintenance and repair of housing;

(2) Property taxes and insurance;

(3) Scheduled payments to a reserve for replacement of major systems of the housing (provided that the payments must be based on the useful life of the system and expected replacement cost);

(4) Building security for a structure where more than 50 percent of the units or area is paid for with grant funds;

(5) Electricity, gas, and water;

(6) Furniture; and

(7) Equipment.

(c) ***Ineligible costs.*** Program funds may not be used for rental assistance and operating costs in the same project. Program funds may not be used for the operating costs of emergency shelter- and supportive service-only facilities. Program funds may not be used for the maintenance and repair of housing where the costs of maintaining and repairing the housing are included in the lease.

§ 578.57 Homeless Management Information System.

(a) ***Eligible costs.***

(1) The recipient or subrecipient may use Continuum of Care program funds to pay the costs of contributing data to the HMIS designated by the Continuum of Care, including the costs of:

(i) Purchasing or leasing computer hardware;

(ii) Purchasing software or software licenses;

(iii) Purchasing or leasing equipment, including telephones, fax machines, and furniture;

(iv) Obtaining technical support;

(v) Leasing office space;

(vi) Paying charges for electricity, gas, water, phone service, and high-speed data transmission necessary to operate or contribute data to the HMIS;

(vii) Paying salaries for operating HMIS, including:

(A) Completing data entry;

(B) Monitoring and reviewing data quality;

(C) Completing data analysis;

(D) Reporting to the HMIS Lead;

(E) Training staff on using the HMIS; and

(F) Implementing and complying with HMIS requirements;

(viii) Paying costs of staff to travel to and attend HUD-sponsored and HUD-approved training on HMIS and programs authorized by Title IV of the McKinney-Vento Homeless Assistance Act;

(ix) Paying staff travel costs to conduct intake; and

(x) Paying participation fees charged by the HMIS Lead, as authorized by HUD, if the recipient or subrecipient is not the HMIS Lead.

(2) If the recipient or subrecipient is the HMIS Lead, it may also use Continuum of Care funds to pay the costs of:

(i) Hosting and maintaining HMIS software or data;

(ii) Backing up, recovering, or repairing HMIS software or data;

(iii) Upgrading, customizing, and enhancing the HMIS;

(iv) Integrating and warehousing data, including development of a data warehouse for use in aggregating data from subrecipients using multiple software systems;

(v) Administering the system;

(vi) Reporting to providers, the Continuum of Care, and HUD; and

(vii) Conducting training on using the system, including traveling to the training.

(3) If the recipient or subrecipient is a victim services provider, or a legal services provider, it may use Continuum of Care funds to establish and operate a comparable database that complies with HUD's HMIS requirements.

(b) ***General restrictions.*** Activities funded under this section must comply with the HMIS requirements.

§ 578.59 Project administrative costs.

(a) ***Eligible costs.*** The recipient or subrecipient may use up to 10 percent of any grant awarded under this part, excluding the amount for Continuum of Care Planning Activities and UFA costs, for the payment of project administrative costs related to the planning and execution of Continuum of Care activities. This does not include staff and overhead costs directly related to carrying out activities eligible under § 578.43 through § 578.57, because those costs are eligible as part of those activities. Eligible administrative costs include:

(1) ***General management, oversight, and coordination.*** Costs of overall program management, coordination, monitoring, and evaluation. These costs include, but are not limited to, necessary expenditures for the following:

(i) Salaries, wages, and related costs of the recipient's staff, the staff of subrecipients, or other staff engaged in program administration. In charging costs to this category, the recipient may include the entire salary, wages, and related costs allocable to the program of each person whose primary responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes any program administration assignments. The recipient may use only one of these methods for each fiscal year grant. Program administration assignments include the following:

(A) Preparing program budgets and schedules, and amendments to those budgets and schedules;

(B) Developing systems for assuring compliance with program requirements;

(C) Developing agreements with subrecipients and contractors to carry out program activities;

(D) Monitoring program activities for progress and compliance with program requirements;

(E) Preparing reports and other documents directly related to the program for submission to HUD;

(F) Coordinating the resolution of audit and monitoring findings;

(G) Evaluating program results against stated objectives; and

(H) Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described in paragraph (a)(1)(i)(A) through (G) of this section.

(ii) Travel costs incurred for monitoring of subrecipients;

(iii) Administrative services performed under third-party contracts or agreements, including general legal services, accounting services, and audit services; and

(iv) Other costs for goods and services required for administration of the program, including rental or purchase of equipment, insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.

(2) ***Training on Continuum of Care requirements.*** Costs of providing training on Continuum of Care requirements and attending HUD-sponsored Continuum of Care trainings.

(3) ***Environmental review.*** Costs of carrying out the environmental review responsibilities under § 578.31.

(b) ***Sharing requirement.***

(1) ***UFAs.*** If the recipient is a UFA that carries out a project, it may use up to 10 percent of the grant amount awarded for the project on project administrative costs. The UFA must share the remaining project administrative funds with its subrecipients.

(2) ***Recipients that are not UFAs.*** If the recipient is not a UFA, it must share at least 50 percent of project administrative funds with its subrecipients.

§ 578.61 Relocation costs.

(a) ***In general.*** Relocation costs under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 are eligible.

(b) ***Eligible relocation costs.*** Eligible costs are costs to provide relocation payments and other assistance to persons displaced by a project assisted with grant funds in accordance with § 578.83.

§ 578.63 Indirect costs.

(a) ***In general.*** Continuum of Care funds may be used to pay indirect costs in accordance with 2 CFR part 200, subpart E.

(b) ***Allocation.*** Indirect costs may be allocated to each eligible activity as provided in this subpart, so long as that allocation is consistent with an indirect cost rate proposal developed in accordance with 2 CFR part 200, subpart E.

(c) ***Expenditure limits.*** The indirect costs charged to an activity subject to an expenditure limit under §§ 578.39, 578.41, and 578.59 must be added to the direct costs charged for that activity when determining the total costs subject to the expenditure limits.

[77 FR 45442, July 31, 2012, as amended at 80 FR 75939, Dec. 7, 2015]

Subpart E—High-Performing Communities

§ 578.65 Standards.

(a) ***In general.*** The collaborative applicant for a Continuum may apply to HUD to have the Continuum be designated a high-performing community (HPC). The designation shall be for grants awarded in the same competition in which the designation is applied for and made.

(b) ***Applying for HPC designation.*** The application must be submitted at such time and in such manner as HUD may require, must use HMIS data where required to show the standards for qualifying are met, and must contain such information as HUD requires, including at a minimum:

(1) A report showing how the Continuum of Care program funds received in the preceding year were expended;

(2) A specific plan for how grant funds will be expended; and

(3) Information establishing that the Continuum of Care meets the standards for HPCs.

(c) ***Standards for qualifying as an HPC.*** To qualify as an HPC, a Continuum must demonstrate through:

(1) Reliable data generated by the Continuum of Care's HMIS that it meets all of the following standards:

(i) ***Mean length of homelessness.*** Either the mean length of episode of homelessness within the Continuum's geographic area is fewer than 20 days, or the mean length of episodes of homelessness for individuals or families in similar circumstances was reduced by at least 10 percent from the preceding federal fiscal year.

(ii) ***Reduced recidivism.*** Of individuals and families who leave homelessness, less than 5 percent become homeless again at any time within the next 2 years; or the percentage of individuals and families in similar circumstances who become homeless again within 2 years after leaving homelessness was decreased by at least 20 percent from the preceding federal fiscal year.

(iii) ***HMIS coverage.*** The Continuum's HMIS must have a bed coverage rate of 80 percent and a service volume coverage rate of 80 percent as calculated in accordance with HUD's HMIS requirements.

(iv) ***Serving families and youth.*** With respect to Continuums that served homeless families and youth defined as homeless under other federal statutes in paragraph (3) of the definition of homeless in § 576.2:

(A) 95 percent of those families and youth did not become homeless again within a 2-year period following termination of assistance; or

(B) 85 percent of those families achieved independent living in permanent housing for at least 2 years following termination of assistance.

(2) Reliable data generated from sources other than the Continuum's HMIS that is provided in a narrative or other form prescribed by HUD that it meets both of the following standards:

(i) ***Community action.*** All the metropolitan cities and counties within the Continuum's geographic area have a comprehensive outreach plan, including specific steps for identifying homeless persons and referring them to appropriate housing and services in that geographic area.

(ii) ***Renewing HPC status.*** If the Continuum was designated an HPC in the previous federal fiscal year and used Continuum of Care grant funds for activities described under § 578.71, that such activities were effective at reducing the number of individuals and families who became homeless in that community.

§ 578.67 Publication of application.

HUD will publish the application to be designated an HPC through the HUD Web site, for public comment as to whether the Continuum seeking designation as an HPC meets the standards for being one.

§ 578.69 Cooperation among entities.

An HPC must cooperate with HUD in distributing information about its successful efforts to reduce homelessness.

§ 578.71 HPC-eligible activities.

In addition to using grant funds for the eligible costs described in subpart D of this part, recipients and subrecipients in Continuums of Care designated as HPCs may also use grant funds to provide housing relocation and stabilization services and short- and/or medium-term rental assistance to individuals and families at risk of homelessness as set forth in 24 CFR 576.103 and 24 CFR 576.104, if necessary to prevent the individual or family from becoming homeless. Activities must be carried out in accordance with the plan submitted in the application. When carrying out housing relocation and stabilization services and short- and/or medium-term rental assistance, the written standards set forth in § 578.7(a)(9)(v) and recordkeeping requirements of 24 CFR 576.500 apply.

Subpart F—Program Requirements

§ 578.73 Matching requirements.

(a) ***In general.*** The recipient or subrecipient must match all grant funds, except for leasing funds, with no less than 25 percent of funds or in-kind contributions from other sources. For Continuum of Care geographic areas in which there is more than one grant agreement, the 25 percent match must be provided on a grant-by-grant basis. Recipients that are UFAs or are the sole recipient for their Continuum, may provide match on a Continuum-wide basis. Cash match must be used for the costs of activities that are eligible under subpart D of this part, except that HPCs may use such match for the costs of activities that are eligible under § 578.71.

(b) ***Cash sources.*** Notwithstanding 2 CFR 200.306(b)(5), a recipient or subrecipient may use funds from any source, including any other federal sources (excluding Continuum of Care program funds), as well as State, local, and private sources, provided that funds from the source are not statutorily prohibited to be used as a match. The recipient must ensure that any funds used to satisfy the matching requirements of this section are eligible under the laws governing the funds in order to be used as matching funds for a grant awarded under this program.

(c) ***In-kind contributions.***

(1) The recipient or subrecipient may use the value of any real property, equipment, goods, or services contributed to the project as match, provided that if the recipient or subrecipient had to pay for them with grant funds, the costs would have been eligible under Subpart D, or, in the case of HPCs, eligible under § 578.71.

(2) The requirements of 2 CFR 200.306, with the exception of § 200.306(b)(5) apply.

(3) Before grant execution, services to be provided by a third party must be documented by a memorandum of understanding (MOU) between the recipient or subrecipient and the third party that will provide the services. Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work in the recipient's or subrecipient's organization. If the recipient or subrecipient does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.

(i) The MOU must establish the unconditional commitment, except for selection to receive a grant, by the third party to provide the services, the specific service to be provided, the profession of the persons providing the service, and the hourly cost of the service to be provided.

(ii) During the term of the grant, the recipient or subrecipient must keep and make available, for inspection, records documenting the service hours provided.

[77 FR 45442, July 31, 2012, as amended at 80 FR 75940, Dec. 7, 2015]

§ 578.75 General operations.

(a) ***State and local requirements.***

(1) Housing and facilities constructed or rehabilitated with assistance under this part must meet State or local building codes, and in the absence of State or local building codes, the International Residential Code or International Building Code (as applicable to the type of structure) of the International Code Council.

(2) Services provided with assistance under this part must be provided in compliance with all applicable State and local requirements, including licensing requirements.

(b) ***Housing standards.*** Housing leased with Continuum of Care program funds, or for which rental assistance payments are made with Continuum of Care program funds, must meet the applicable standards under 24 CFR 5.703, except that the carbon monoxide detection requirement at 24 CFR 5.703(b)(2) and (d)(6) shall not apply. For housing that is occupied by program participants receiving tenant-based rental assistance, 24 CFR part 35, subparts A, B, M, and R apply. For housing rehabilitated with funds under this part, the lead-based paint requirements in 24 CFR part 35, subparts A, B, J, and R apply. For housing that receives project-based or sponsor-based rental assistance, 24 CFR part 35, subparts A, B, H, and R apply. For residential property for which funds under this part are used for acquisition, leasing, services, or operating costs, 24 CFR part 35, subparts A, B, K, and R apply. Additionally, for tenant-based rental assistance, for leasing of individual units, and for sponsor based rental assistance where not all units in a structure are or will be assisted, the standards apply only to the unit itself, and to the means of ingress and egress from the unit to the public way and to the building's common areas.

(1) Before any assistance will be provided on behalf of a program participant, the recipient, or subrecipient, must physically inspect each unit to assure that the unit meets 24 CFR 5.703. Assistance will not be provided for units that fail to meet 24 CFR 5.703, unless the owner corrects any deficiencies within 30 days from the date of the initial inspection and the recipient or subrecipient verifies that all deficiencies have been corrected.

(2) Recipients or subrecipients must inspect all units at least annually during the grant period to ensure that the units continue to meet 24 CFR 5.703.

(3) The requirements in 24 CFR 5.705 through 5.713 do not apply.

(c) ***Suitable dwelling size.*** The dwelling unit must have at least one bedroom or living/sleeping room for each two persons.

(1) Children of opposite sex, other than very young children, may not be required to occupy the same bedroom or living/sleeping room.

(2) If household composition changes during the term of assistance, recipients and subrecipients may relocate the household to a more appropriately sized unit. The household must still have access to appropriate supportive services.

(d) ***Meals.*** Each recipient and subrecipient of assistance under this part who provides supportive housing for homeless persons with disabilities must provide meals or meal preparation facilities for residents.

(e) ***Ongoing assessment of supportive services.*** To the extent practicable, each project must provide supportive services for residents of the project and homeless persons using the project, which may be designed by the recipient or participants. Each recipient and subrecipient of assistance under this part must conduct an ongoing assessment of the supportive services needed by the residents of the project, the availability of such services, and the coordination of services needed to ensure long-term housing stability and must make adjustments, as appropriate.

(f) ***Residential supervision.*** Each recipient and subrecipient of assistance under this part must provide residential supervision as necessary to facilitate the adequate provision of supportive services to the residents of the housing throughout the term of the commitment to operate supportive housing. Residential supervision may include the employment of a full- or part-time residential supervisor with sufficient knowledge to provide or to supervise the provision of supportive services to the residents.

(g) ***Participation of homeless individuals.***

(1) Each recipient and subrecipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policymaking entity of the recipient or subrecipient, to the extent that such entity considers and makes policies and decisions regarding any project, supportive services, or assistance provided under this part. This requirement is waived if a recipient or subrecipient is unable to meet such requirement and obtains HUD approval for a plan to otherwise consult with homeless or formerly homeless persons when considering and making policies and decisions.

(2) Each recipient and subrecipient of assistance under this part must, to the maximum extent practicable, involve homeless individuals and families through employment; volunteer services; or otherwise in constructing, rehabilitating, maintaining, and operating the project, and in providing supportive services for the project.

(h) ***Supportive service agreement.*** Recipients and subrecipients may require the program participants to take part in supportive services that are not disability-related services provided through the project as a condition of continued participation in the program. Examples of disability-related services include, but are not limited to, mental health services, outpatient health services, and provision of medication, which are provided to a person with a disability to address a condition caused by the disability. Notwithstanding this provision, if the purpose of the project is to provide substance abuse treatment services, recipients and subrecipients may require program participants to take part in such services as a condition of continued participation in the program.

(i) ***Retention of assistance after death, incarceration, or institutionalization for more than 90 days of qualifying member.*** For permanent supportive housing projects surviving, members of any household who were living in a unit assisted under this part at the time of the qualifying member's death, long-term incarceration, or long-term institutionalization, have the right to rental assistance under this section until the expiration of the lease in effect at the time of the qualifying member's death, long-term incarceration, or long-term institutionalization.

(j) ***Remaining program participants following bifurcation of a lease or eviction as a result of domestic violence.*** For permanent supportive housing projects, members of any household who were living in a unit assisted under this part at the time of a qualifying member's eviction from the unit because the qualifying member was found to have engaged in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking, have the right to rental assistance under this section until the expiration of the lease in effect at the time of the qualifying member's eviction.

[77 FR 45442, July 31, 2012, as amended at 81 FR 80810, Nov. 16, 2016; 88 FR 30499, May 11, 2023]

§ 578.77 Calculating occupancy charges and rent.

(a) ***Occupancy agreements and leases.*** Recipients and subrecipients must have signed occupancy agreements or leases (or subleases) with program participants residing in housing.

(b) ***Calculation of occupancy charges.*** Recipients and subrecipients are not required to impose occupancy charges on program participants as a condition of residing in the housing. However, if occupancy charges are imposed, they may not exceed the highest of:

(1) 30 percent of the family's monthly adjusted income (adjustment factors include the number of people in the family, age of family members, medical expenses, and child-care expenses);

(2) 10 percent of the family's monthly income; or

(3) If the family is receiving payments for welfare assistance from a public agency and a part of the payments (adjusted in accordance with the family's actual housing costs) is specifically designated by the agency to meet the family's housing costs, the portion of the payments that is designated for housing costs.

(4) ***Income.*** Income must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a). Recipients and subrecipients must examine a program participant's income initially, and if there is a change in family composition (*e.g.,* birth of a child) or a decrease in the resident's income during the year, the resident may request an interim reexamination, and the occupancy charge will be adjusted accordingly.

(c) ***Resident rent.***

(1) ***Amount of rent.***

(i) Each program participant on whose behalf rental assistance payments are made must pay a contribution toward rent in accordance with section 3(a)(1) of the U.S. Housing Act of 1937 (42 U.S.C. 1437a(a)(1)).

(ii) Income of program participants must be calculated in accordance with 24 CFR 5.609 and 24 CFR 5.611(a).

(2) ***Review.*** Recipients or subrecipients must examine a program participant's income initially, and at least annually thereafter, to determine the amount of the contribution toward rent payable by the program participant. Adjustments to a program participant's contribution toward the rental payment must be made as changes in income are identified.

(3) ***Verification.*** As a condition of participation in the program, each program participant must agree to supply the information or documentation necessary to verify the program participant's income. Program participants must provide the recipient or subrecipient with information at any time regarding changes in income or other circumstances that may result in changes to a program participant's contribution toward the rental payment.

§ 578.79 Limitation on transitional housing.

A homeless individual or family may remain in transitional housing for a period longer than 24 months, if permanent housing for the individual or family has not been located or if the individual or family requires additional time to prepare for independent living. However, HUD may discontinue assistance for a transitional housing project if more than half of the homeless individuals or families remain in that project longer than 24 months.

§ 578.81 Term of commitment, repayment of grants, and prevention of undue benefits.

(a) ***In general.*** All recipients and subrecipients receiving grant funds for acquisition, rehabilitation, or new construction must operate the housing or provide supportive services in accordance with this part, for at least 15 years from the date of initial occupancy or date of initial service provision. Recipient and subrecipients must execute and record a HUD-approved Declaration of Restrictive Covenants before receiving payment of grant funds.

(b) ***Conversion.*** Recipients and subrecipients carrying out a project that provides transitional or permanent housing or supportive services in a structure may submit a request to HUD to convert a project for the direct benefit of very low-income persons. The request must be made while the project is operating as homeless housing or supportive services for homeless individuals and families, must be in writing, and must include an explanation of why the project is no longer needed to provide transitional or permanent housing or supportive services. The primary factor in HUD's decision on the proposed conversion is the unmet need for transitional or permanent housing or supportive services in the Continuum of Care's geographic area.

(c) ***Repayment of grant funds.*** If a project is not operated as transitional or permanent housing for 10 years following the date of initial occupancy, HUD will require repayment of the entire amount of the grant used for acquisition, rehabilitation, or new construction, unless conversion of the project has been authorized under paragraph (b) of this section. If the housing is used for such purposes for more than 10 years, the payment amount will be reduced by 20 percentage points for each year, beyond the 10-year period in which the project is used for transitional or permanent housing.

(d) ***Prevention of undue benefits.*** Except as provided under paragraph (e) of this section, upon any sale or other disposition of a project site that received grant funds for acquisition, rehabilitation, or new construction, occurring before the 15-year period, the recipient must comply with such terms and conditions as HUD may prescribe to prevent the recipient or subrecipient from unduly benefiting from such sale or disposition.

(e) ***Exception.*** A recipient or subrecipient will not be required to comply with the terms and conditions prescribed under paragraphs (c) and (d) of this section if:

(1) The sale or disposition of the property used for the project results in the use of the property for the direct benefit of very low-income persons;

(2) All the proceeds are used to provide transitional or permanent housing that meet the requirements of this part;

(3) Project-based rental assistance or operating cost assistance from any federal program or an equivalent State or local program is no longer made available and the project is meeting applicable performance standards, provided that the portion of the project that had benefitted from such assistance continues to meet the tenant income and rent restrictions for low-income units under section 42(g) of the Internal Revenue Code of 1986; or

(4) There are no individuals and families in the Continuum of Care geographic area who are homeless, in which case the project may serve individuals and families at risk of homelessness.

§ 578.83 Displacement, relocation, and acquisition.

(a) ***Minimizing displacement.*** Consistent with the other goals and objectives of this part, recipients and subrecipients must ensure that they have taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of projects assisted under this part. "Project," as used in this section, means any activity or series of activities assisted with Continuum of Care funds received or anticipated in any phase of an undertaking.

(b) ***Temporary relocation.***

(1) ***Existing Building Not Assisted under Title IV of the McKinney-Vento Act.*** No tenant may be required to relocate temporarily for a project if the building in which the project is being undertaken or will be undertaken is not currently assisted under Title IV of the McKinney-Vento Act. The absence of such assistance to the building means the tenants are not homeless and the tenants are therefore not eligible to receive assistance under the Continuum of Care program. When a tenant moves for such a project under conditions that cause the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), 42 U.S.C. 4601-4655, to apply, the tenant must be treated as permanently displaced and offered relocation assistance and payments consistent with paragraph (c) of this section.

(2) ***Existing Transitional Housing or Permanent Housing Projects Assisted Under Title IV of the McKinney-Vento Act.*** Consistent with paragraph (c)(2)(ii) of this section, no program participant may be required to relocate temporarily for a project if the person cannot be offered a decent, safe, and sanitary unit in the same building or complex upon project completion under reasonable terms and conditions. The length of occupancy requirements in § 578.79 may prevent a program participant from returning to the property upon completion (See paragraph (c)(2)(iii)(D) of this section). Any program participant who has been temporarily relocated for a period beyond one year must be treated as permanently displaced and offered relocation assistance and payments consistent with paragraph (c) of this section. Program participants temporarily relocated in accordance with the policies described in this paragraph must be provided:

(i) Reimbursement for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from the temporarily occupied housing and any increase in monthly rent/occupancy charges and utility costs; and

(ii) Appropriate advisory services, including reasonable advance written notice of:

(A) The date and approximate duration of the temporary relocation;

(B) The location of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary period;

(C) The reasonable terms and conditions under which the program participant will be able to occupy a suitable, decent, safe, and sanitary dwelling in the building or complex upon completion of the project; and

(D) The provisions of paragraph (b)(2)(i) of this section.

(c) ***Relocation assistance for displaced persons.***

(1) ***In general.*** A displaced person (defined in paragraph (c)(2) of this section) must be provided relocation assistance in accordance with the requirements of the URA and implementing regulations at 49 CFR part 24. A displaced person must be advised of his or her rights under the Fair Housing Act. Whenever possible, minority persons must be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require providing a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling. See 49 CFR 24.205(c)(2)(ii)(D).

(2) ***Displaced person.***

(i) For the purposes of paragraph (c) of this section, the term "displaced person" means any person (family, individual, business, nonprofit organization, or farm) that moves from real property, or moves personal property from real property, permanently, as a direct result of acquisition, rehabilitation, or demolition for a project. This includes any permanent, involuntary move for a project, including any permanent move from the real property that is made:

(A) After the owner (or person in control of the site) issues a notice to move permanently from the property, or refuses to renew an expiring lease, if the move occurs after the date of the submission by the recipient or subrecipient of an application for assistance to HUD (or the recipient, as applicable) that is later approved and funded and the recipient or subrecipient has site control as evidenced in accordance with § 578.25(b); or

(B) After the owner (or person in control of the site) issues a notice to move permanently from the property, or refuses to renew an expiring lease, if the move occurs after the date the recipient or subrecipient obtains site control, as evidenced in accordance with § 578.25(b), if that occurs after the application for assistance; or

(C) Before the date described under paragraph (c)(2)(i)(A) or (B) of this section, if the recipient or HUD determines that the displacement resulted directly from acquisition, rehabilitation, or demolition for the project; or

(D) By a tenant of a building that is not assisted under Title IV of the McKinney-Vento Act, if the tenant moves after execution of the agreement covering the acquisition, rehabilitation, or demolition of the property for the project; or

(ii) For the purposes of paragraph (c) of this section, the term "displaced person" means any person (family, individual, business, nonprofit organization, or farm) that moves from real property, or moves personal property from real property, permanently, as a direct result of acquisition, rehabilitation, or demolition for a project. This includes any permanent, involuntary

move for a project that is made by a program participant occupying transitional housing or permanent housing assisted under Title IV of the McKinney-Vento Act, if any one of the following three situations occurs:

(A) The program participant moves after execution of the agreement covering the acquisition, rehabilitation, or demolition of the property for the project and is either not eligible to return upon project completion or the move occurs before the program participant is provided written notice offering the program participant an opportunity to occupy a suitable, decent, safe, and sanitary dwelling in the same building or complex upon project completion under reasonable terms and conditions. Such reasonable terms and conditions must include a lease (or occupancy agreement, as applicable) consistent with Continuum of Care program requirements, including a monthly rent or occupancy charge and monthly utility costs that does not exceed the maximum amounts established in § 578.77; or

(B) The program participant is required to relocate temporarily, does not return to the building or complex, and any one of the following situations occurs:

(*1*) The program participant is not offered payment for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation;

(*2*) The program participant is not eligible to return to the building or complex upon project completion; or

(*3*) Other conditions of the temporary relocation are not reasonable; or

(C) The program participant is required to move to another unit in the same building or complex, and any one of the following situations occurs:

(*1*) The program participant is not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move;

(*2*) The program participant is not eligible to remain in the building or complex upon project completion; or

(*3*) Other conditions of the move are not reasonable.

(iii) Notwithstanding the provisions of paragraph (c)(2)(i) or (ii) of this section, a person does not qualify as a “displaced person” if:

(A) The person has been evicted for serious or repeated violation of the terms and conditions of the lease or occupancy agreement; the eviction complied with applicable federal, State, or local requirements (see § 578.91); and the recipient or subrecipient determines that the eviction was not undertaken for the purpose of evading the obligation to provide relocation assistance;

(B) The person moved into the property after the submission of the application but, before signing a lease or occupancy agreement and commencing occupancy, was provided written notice of the project's possible impact on the person (*e.g.,* the person may be displaced, temporarily relocated, or incur a rent increase) and the fact that the person would not qualify as a “displaced person” (or for any relocation assistance provided under this section), as a result of the project;

(C) The person is ineligible under 49 CFR 24.2(a)(9)(ii));

(D) The person is a program participant occupying transitional housing or permanent housing assisted under Title IV of the Act who must move as a direct result of the length-of-occupancy restriction under § 578.79; or

(E) HUD determines that the person was not displaced as a direct result of acquisition, rehabilitation, or demolition for the project.

(iv) The recipient may request, at any time, HUD's determination of whether a displacement is or would be covered under this section.

(3) ***Initiation of negotiations.*** For purposes of determining the formula for computing replacement housing payment assistance to be provided to a displaced person pursuant to this section, if the displacement is a direct result of privately undertaken rehabilitation, demolition, or acquisition of the real property, "initiation of negotiations" means the execution of the agreement between the recipient and the subrecipient, or between the recipient (or subrecipient, as applicable) and the person owning or controlling the property. In the case of an option contract to acquire property, the initiation of negotiations does not become effective until execution of a written agreement that creates a legally enforceable commitment to proceed with the purchase, such as a purchase agreement.

(d) ***Real property acquisition requirements.*** Except for acquisitions described in 49 CFR 24.101(b)(1) through (5), the URA and the requirements of 49 CFR part 24, subpart B apply to any acquisition of real property for a project where there are Continuum of Care funds in any part of the project costs.

(e) ***Appeals.*** A person who disagrees with the recipient's (or subrecipient's, if applicable) determination concerning whether the person qualifies as a displaced person, or the amount of relocation assistance for which the person is eligible, may file a written appeal of that determination with the recipient (see 49 CFR 24.10). A low-income person who is dissatisfied with the recipient's determination on his or her appeal may submit a written request for review of that determination to the local HUD field office.

§ 578.85 Timeliness standards.

(a) ***In general.*** Recipients must initiate approved activities and projects promptly.

(b) ***Construction activities.*** Recipients of funds for rehabilitation or new construction must meet the following standards:

(1) Construction activities must begin within 9 months of the later of signing of the grant agreement or of signing an addendum to the grant agreement authorizing use of grant funds for the project.

(2) Construction activities must be completed within 24 months of signing the grant agreement.

(3) Activities that cannot begin until after construction activities are completed must begin within 3 months of the date that construction activities are completed.

(c) ***Distribution.*** A recipient that receives funds through this part must:

(1) Distribute the funds to subrecipients (in advance of expenditures by the subrecipients);

(2) Distribute the appropriate portion of the funds to a subrecipient no later than 45 days after receiving an approvable request for such distribution from the subrecipient; and

(3) Draw down funds at least once per quarter of the program year, after eligible activities commence.

§ 578.87 Limitation on use of funds.

(a) ***Maintenance of effort.*** No assistance provided under this part (or any State or local government funds used to supplement this assistance) may be used to replace State or local funds previously used, or designated for use, to assist homeless persons.

(b) ***Equal participation of faith-based organizations.*** The HUD program requirements in § 5.109 apply to the Continuum of Care program, including the requirements regarding disposition and change in use of real property by a faith-based organization.

(c) ***Restriction on combining funds.*** In a single structure or housing unit, the following types of assistance may not be combined:

(1) Leasing and acquisition, rehabilitation, or new construction;

(2) Tenant-based rental assistance and acquisition, rehabilitation, or new construction;

(3) Short- or medium-term rental assistance and acquisition, rehabilitation, or new construction;

(4) Rental assistance and leasing; or

(5) Rental assistance and operating.

(d) ***Program fees.*** Recipients and subrecipients may not charge program participants program fees.

[77 FR 45442, July 31, 2012, as amended at 80 FR 75804, Dec. 4, 2015;80 FR 75940, Dec. 7, 2015; 81 FR 19418, Apr. 4, 2016]

§ 578.89 Limitation on use of grant funds to serve persons defined as homeless under other federal laws.

(a) ***Application requirement.*** Applicants that intend to serve unaccompanied youth and families with children and youth defined as homeless under other federal laws in paragraph (3) of the homeless definition in § 576.2 must demonstrate in their application, to HUD's satisfaction, that the use of grant funds to serve such persons is an equal or greater priority than serving persons defined as homeless under paragraphs (1), (2), and (4) of the definition of homeless in § 576.2. To demonstrate that it is of equal or greater priority, applicants must show that it is equally or more cost effective in meeting the overall goals and objectives of the plan submitted under section 427(b)(1)(B) of the Act, especially with respect to children and unaccompanied youth.

(b) ***Limit.*** No more than 10 percent of the funds awarded to recipients within a single Continuum of Care's geographic area may be used to serve such persons.

(c) ***Exception.*** The 10 percent limitation does not apply to Continuums in which the rate of homelessness, as calculated in the most recent point-in-time count, is less than one-tenth of one percent of the total population.

§ 578.91 Termination of assistance to program participants.

(a) ***Termination of assistance.*** The recipient or subrecipient may terminate assistance to a program participant who violates program requirements or conditions of occupancy. Termination under this section does not bar the recipient or subrecipient from providing further assistance at a later date to the same individual or family.

(b) ***Due process.*** In terminating assistance to a program participant, the recipient or subrecipient must provide a formal process that recognizes the rights of individuals receiving assistance under the due process of law. This process, at a minimum, must consist of:

(1) Providing the program participant with a written copy of the program rules and the termination process before the participant begins to receive assistance;

(2) Written notice to the program participant containing a clear statement of the reasons for termination;

(3) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and

(4) Prompt written notice of the final decision to the program participant.

(c) ***Hard-to-house populations.*** Recipients and subrecipients that are providing permanent supportive housing for hard-to-house populations of homeless persons must exercise judgment and examine all extenuating circumstances in determining when violations are serious enough to warrant termination so that a program participant's assistance is terminated only in the most severe cases.

§ 578.93 Fair Housing and Equal Opportunity.

(a) ***Nondiscrimination and equal opportunity requirements.*** The nondiscrimination and equal opportunity requirements set forth in 24 CFR 5.105(a) are applicable.

(b) ***Housing for specific subpopulations.*** Recipients and subrecipients may exclusively serve a particular homeless subpopulation in transitional or permanent housing if the housing addresses a need identified by the Continuum of Care for the geographic area and meets one of the following:

(1) The housing may be limited to one sex where such housing consists of a single structure with shared bedrooms or bathing facilities such that the considerations of personal privacy and the physical limitations of the configuration of the housing make it appropriate for the housing to be limited to one sex;

(2) The housing may be limited to a specific subpopulation, so long as admission does not discriminate against any protected class under federal nondiscrimination laws in 24 CFR 5.105 (*e.g.*, the housing may be limited to homeless veterans, victims of domestic violence and their children, or chronically homeless persons and families).

(3) The housing may be limited to families with children.

(4) If the housing has in residence at least one family with a child under the age of 18, the housing may exclude registered sex offenders and persons with a criminal record that includes a violent crime from the project so long as the child resides in the housing.

(5) Sober housing may exclude persons who refuse to sign an occupancy agreement or lease that prohibits program participants from possessing, using, or being under the influence of illegal substances and/or alcohol on the premises.

(6) If the housing is assisted with funds under a federal program that is limited by federal statute or Executive Order to a specific subpopulation, the housing may be limited to that subpopulation (*e.g.*, housing also assisted with funding from the Housing Opportunities for Persons with AIDS program under 24 CFR part 574 may be limited to persons with acquired immunodeficiency syndrome or related diseases).

(7) Recipients may limit admission to or provide a preference for the housing to subpopulations of homeless persons and families who need the specialized supportive services that are provided in the housing (*e.g.,* substance abuse addiction treatment, domestic violence services, or a high intensity package designed to meet the needs of hard-to-reach homeless persons). While the housing may offer services for a particular type of disability, no otherwise eligible individuals with disabilities or families including an individual with a disability, who may benefit from the services provided may be excluded on the grounds that they do not have a particular disability.

(c) ***Affirmatively furthering fair housing.*** A recipient must implement its programs in a manner that affirmatively furthers fair housing, which means that the recipient must:

(1) Affirmatively market their housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or handicap who are least likely to apply in the absence of special outreach, and maintain records of those marketing activities;

(2) Where a recipient encounters a condition or action that impedes fair housing choice for current or prospective program participants, provide such information to the jurisdiction that provided the certification of consistency with the Consolidated Plan; and

(3) Provide program participants with information on rights and remedies available under applicable federal, State and local fair housing and civil rights laws.

(d) ***Accessibility and integrative housing and services for persons with disabilities.*** Recipients and subrecipients must comply with the accessibility requirements of the Fair Housing Act (24 CFR part 100), Section 504 of the Rehabilitation Act of 1973 (24 CFR part 8), and Titles II and III of the Americans with Disabilities Act, as applicable (28 CFR parts 35 and 36). In accordance with the requirements of 24 CFR 8.4(d), recipients must ensure that their program's housing and supportive services are provided in the most integrated setting appropriate to the needs of persons with disabilities.

(e) ***Prohibition against involuntary family separation.*** The age and gender of a child under age 18 must not be used as a basis for denying any family's admission to a project that receives funds under this part.

§ 578.95 Conflicts of interest.

(a) ***Procurement.*** For the procurement of property (goods, supplies, or equipment) and services, the recipient and its subrecipients must comply with the standards of conduct and conflict-of-interest requirements under 2 CFR 200.317 and 200.318.

(b) ***Continuum of Care board members.*** No Continuum of Care board member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.

(c) ***Organizational conflict.*** An organizational conflict of interest arises when, because of activities or relationships with other persons or organizations, the recipient or subrecipient is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance under this part, or when a covered person's, as in paragraph (d)(1) of this section, objectivity in performing work with respect to any activity assisted under this part is or might be otherwise impaired. Such an organizational conflict would arise when a board member of an applicant participates in decision of the applicant concerning the award of a grant, or provision of other financial benefits, to the organization that such member represents. It would also arise when an employee of a recipient or subrecipient participates in making rent reasonableness determinations under § 578.49(b)(2) and § 578.51(g) and housing quality inspections of property under § 578.75(b) that the recipient, subrecipient, or related entity owns.

(d) ***Other conflicts.*** For all other transactions and activities, the following restrictions apply:

(1) No covered person, meaning a person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its subrecipients and who exercises or has exercised any functions or responsibilities with respect to activities assisted under this part, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under this part, may obtain a financial interest or benefit from an assisted activity, have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity, or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or during the one-year period following his or her tenure.

(2) ***Exceptions.*** Upon the written request of the recipient, HUD may grant an exception to the provisions of this section on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (d)(2)(ii) of this section, provided that the recipient has satisfactorily met the threshold requirements of paragraph (d)(2)(ii) of this section.

(i) ***Threshold requirements.*** HUD will consider an exception only after the recipient has provided the following documentation:

(A) Disclosure of the nature of the conflict, accompanied by a written assurance, if the recipient is a government, that there has been public disclosure of the conflict and a description of how the public disclosure was made; and if the recipient is a private nonprofit organization, that the conflict has been disclosed in accordance with their written code of conduct or other conflict-of-interest policy; and

(B) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law, or if the subrecipient is a private nonprofit organization, the exception would not violate the organization's internal policies.

(ii) ***Factors to be considered for exceptions.*** In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements under paragraph (c)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the Continuum of Care program and the effective and efficient administration of the recipient's or subrecipient's project, taking into account the cumulative effect of the following factors, as applicable:

(A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

(B) Whether an opportunity was provided for open competitive bidding or negotiation;

(C) Whether the affected person has withdrawn from his or her functions, responsibilities, or the decision-making process with respect to the specific activity in question;

(D) Whether the interest or benefit was present before the affected person was in the position described in paragraph (c)(1) of this section;

(E) Whether undue hardship will result to the recipient, the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict;

(F) Whether the person affected is a member of a group or class of persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class; and

(G) Any other relevant considerations.

[77 FR 45442, July 31, 2012, as amended at 80 FR 75940, Dec. 7, 2015]

§ 578.97 Program income.

(a) ***Defined.*** Program income is the income received by the recipient or subrecipient directly generated by a grant-supported activity.

(b) ***Use.*** Program income earned during the grant term shall be retained by the recipient, and added to funds committed to the project by HUD and the recipient, used for eligible activities in accordance with the requirements of this part. Costs incident to the generation of program income may be deducted from gross income to calculate program income, provided that the costs have not been charged to grant funds.

(c) ***Rent and occupancy charges.*** Rents and occupancy charges collected from program participants are program income. In addition, rents and occupancy charges collected from residents of transitional housing may be reserved, in whole or in part, to assist the residents from whom they are collected to move to permanent housing.

§ 578.99 Applicability of other Federal requirements.

In addition to the requirements set forth in 24 CFR part 5, use of assistance provided under this part must comply with the following federal requirements:

(a) ***Environmental review.*** Activities under this part are subject to environmental review by HUD under 24 CFR part 50 as noted in § 578.31.

(b) ***Section 6002 of the Solid Waste Disposal Act.*** State agencies and agencies of a political subdivision of a state that are using assistance under this part for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6003 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. In accordance with Section 6002, these agencies and persons must:

(1) Procure items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired in the preceding fiscal year exceeded $10,000;

(2) Procure solid waste management services in a manner that maximizes energy and resource recovery; and

(3) Must have established an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

(c) ***Transparency Act Reporting.*** Section 872 of the Duncan Hunter Defense Appropriations Act of 2009, and additional requirements published by the Office of Management and Budget (OMB), requires recipients to report subawards made either as pass-through awards, subrecipient awards, or vendor awards in the Federal Government Web site *www.fsrs.gov* or its successor system. The reporting of award and

subaward information is in accordance with the requirements of the Federal Financial Assistance Accountability and Transparency Act of 2006, as amended by section 6202 of Public Law 110-252 and in OMB Policy Guidance issued to the federal agencies on September 14, 2010 (75 FR 55669).

(d) ***The Coastal Barrier Resources Act of 1982*** (16 U.S.C. 3501 *et seq.*) may apply to proposals under this part, depending on the assistance requested.

(e) ***Applicability of uniform administrative requirements, cost principles, and audit requirements for Federal awards.*** The requirements of 2 CFR part 200 apply to recipients and subrecipients, except where inconsistent with the provisions of the McKinney-Vento Act or this part.

(f) ***Lead-based paint.*** The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations at 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to activities under this program.

(g) ***Audit.*** Recipients and subrecipients must comply with the audit requirements of 2 CFR part 200, subpart F.

(h) ***Davis-Bacon Act.*** The provisions of the Davis-Bacon Act do not apply to this program.

(i) ***Section 3 of the Housing and Urban Development Act.*** Recipients and subrecipients must, as applicable, comply with Section 3 of the Housing and Urban Development Act of 1968 and its implementing regulations at 24 CFR part 75, as applicable.

(j) ***Protections for victims of domestic violence, dating violence, sexual assault, or stalking*** —

(1) ***General.*** The requirements set forth in 24 CFR part 5, subpart L (Protection for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), implementing the requirements of VAWA apply to all permanent housing and transitional housing for which Continuum of Care program funds are used for acquisition, rehabilitation, new construction, leasing, rental assistance, or operating costs. The requirements also apply where funds are used for homelessness prevention, but only where the funds are used to provide short- and/or medium-term rental assistance. Safe havens are subject only to the requirements in paragraph (j)(9) of this section.

(2) ***Definition of covered housing provider.*** For the Continuum of Care program, "covered housing provider," as such term is used in HUD's regulations in 24 CFR part 5, subpart L refers to:

(i) The owner or landlord, which may be the recipient or subrecipient, for purposes of 24 CFR 5.2005(d)(1) and 5.2009(a);

(ii) The recipient, subrecipient, and owner or landlord for purposes of 24 CFR 5.2005(d)(2) through (d)(4); and

(iii) The recipient, subrecipient, and owner or landlord for purposes of 24 CFR 5.2007. However, the recipient or subrecipient may limit documentation requests under § 5.2007 to only the recipient or subrecipient, provided that:

(A) This limitation is made clear in both the notice described under 24 CFR 5.2005(a)(1) and the rental assistance agreement;

(B) The entity designated to receive documentation requests determines whether the program participant is entitled to protection under VAWA and immediately advise the program participant of the determination; and

(C) If the program participant is entitled to protection, the entity designated to receive documentation requests must notify the owner in writing that the program participant is entitled to protection under VAWA and work with the owner on the program participant's behalf. Any further sharing or disclosure of the program participant's information will be subject to the requirements in 24 CFR 5.2007.

(3) ***Effective date.*** The core statutory protections of VAWA that prohibit denial or termination of assistance or eviction solely because an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking, applied upon enactment of VAWA 2013 on March 7, 2013. Compliance with the VAWA regulatory requirements under this section and at 24 CFR part 5, subpart L, is required for grants awarded pursuant to NOFAs published on or after December 16, 2016.

(4) ***Notification requirements.***

(i) The recipient or subrecipient must provide each individual or family applying for permanent housing and transitional housing and each program participant the notice and the certification form described in 24 CFR 5.2005 at each of the following times:

(A) When an individual or family is denied permanent housing or transitional housing;

(B) When a program participant is admitted to permanent housing or transitional housing;

(C) When a program participant receives notification of eviction; and

(D) When a program participant is notified of termination of assistance.

(ii) When grant funds are used for rental assistance, the recipient or subrecipient must ensure that the owner or manager of the housing provides the notice and certification form described in 24 CFR 5.2005(a) to the program participant with any notification of eviction. This commitment and the confidentiality requirements under 24 CFR 5.2007(c) must be set forth in a contract with the owner or landlord.

(5) ***Contract, lease, and occupancy agreement provisions.***

(i) Recipients and subrecipients must include in any contracts and leases between the recipient or subrecipient, and an owner or landlord of the housing:

(A) The requirement to comply with 24 CFR part 5, subpart L; and

(B) Where the owner or landlord of the housing will have a lease with a program participant, the requirement to include a lease provision that include all requirements that apply to tenants, the owner or the lease under 24 CFR part 5, subpart L, as supplemented by this part, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c).

(ii) The recipient or subrecipient must include in any lease, sublease, and occupancy agreement with the program participant a provision that include all requirements that apply to tenants, the owner or the lease under 24 CFR part 5, subpart L, as supplemented by this part, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.2005(b) and (c). The lease, sublease, and occupancy agreement may specify that the protections under 24 CFR part 5, subpart L, apply only during the period of assistance under the Continuum of Care Program. The period of assistance for housing where grant funds were used for acquisition, construction, or rehabilitation is 15 years from the date of initial occupancy or date of initial service provision.

(iii) Except for tenant-based rental assistance, recipients and subrecipients must require that any lease, sublease, or occupancy agreement with a program participant permits the program participant to terminate the lease, sublease, or occupancy agreement without penalty if the recipient or subrecipient determines that the program participant qualifies for an emergency transfer under the emergency transfer plan established under paragraph (j)(8) of this section.

(iv) For tenant-based rental assistance, the recipient or subrecipient must enter into a contract with the owner or landlord of the housing that:

(A) Requires the owner or landlord of the housing to comply with the provisions of 24 CFR part 5, subpart L; and

(B) Requires the owner or landlord of the housing to include a lease provision that include all requirements that apply to tenants, the owner or the lease under 24 CFR part 5, subpart L, as supplemented by this part, including the prohibited bases for eviction and restrictions on construing lease terms under 24 CFR 5.005(b) and (c). The lease may specify that the protections under 24 CFR part 5, subpart L, only apply while the program participant receives tenant-based rental assistance under the Continuum of Care Program.

(6) ***Transition.***

(i) The recipient or subrecipient must ensure that the requirements set forth in paragraph (j)(5) of this section apply to any contracts, leases, subleases, or occupancy agreements entered into, or renewed, following the expiration of an existing term, on or after the effective date in paragraph (j)(2) of this section. This obligation includes any contracts, leases, subleases, and occupancy agreements that will automatically renew on or after the effective date in paragraph (j)(3) of this section.

(ii) For leases for tenant-based rental assistance existing prior to the effective date in paragraph (j)(2) of this section, recipients and subrecipients must enter into a contract under paragraph (j)(6)(iv) of this section before the next renewal of the lease.

(7) ***Bifurcation.*** For the purposes of this part, the following requirements shall apply in place of the requirements at 24 CFR 5.2009(b):

(i) If a family who is receiving tenant-based rental assistance under this part separates under 24 CFR 5.2009(a), the family's tenant-based rental assistance and any utility assistance shall continue for the family member(s) who are not evicted or removed.

(ii) If a family living in permanent supportive housing separates under 24 CFR 5.2009(a), and the family's eligibility for the housing was based on the evicted individual's disability or chronically homeless status, the remaining tenants may stay in the project as provided under § 578.75(i)(2). Otherwise, if a family living in a project funded under this part separates under 24 CFR 5.2009(a), the remaining tenant(s) will be eligible to remain in the project.

(8) ***Emergency transfer plan.*** The Continuum of Care must develop an emergency transfer plan for the Continuum of Care, and recipients and subrecipients in the Continuum of Care must follow that plan. The plan must comply with 24 CFR 5.2005(e) and include the following program requirements:

(i) For families receiving tenant-based rental assistance, the plan must specify what will happen with respect to the non-transferring family member(s), if the family separates in order to effect an emergency transfer.

(ii) For families living in units that are otherwise assisted under this part (assisted units), the required policies must provide that for program participants who qualify for an emergency transfer but a safe unit is not immediately available for an internal emergency transfer, the individual or family shall have priority over all other applicants for rental assistance, transitional housing, and permanent supportive housing projects funded under this part, provided that: The individual or family meets all eligibility criteria required by Federal law or regulation or HUD NOFA; and the individual or family meets any additional criteria or preferences established in accordance with § 578.93(b)(1), (4), (6), or (7). The individual or family shall not be required to meet any other eligibility criteria or preferences for the project. The individual or family shall retain their original homeless or chronically homeless status for the purposes of the transfer.

(9) ***Protections with respect to safe havens.*** The following requirements apply to safe havens funded under this part:

(i) No individual may be denied admission to or removed from the safe haven on the basis or as a direct result of the fact that the individual is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the individual otherwise qualifies for admission or occupancy.

(iii) The terms “affiliated individual,” “dating violence,” “domestic violence,” “sexual assault,” and “stalking” are defined in 24 CFR 5.2003.

[77 FR 45442, July 31, 2012, as amended at 80 FR 75940, Dec. 7, 2015; 81 FR 80810, Nov. 16, 2016; 81 FR 87812, Dec. 6, 2016; 85 FR 61568, Sept. 29, 2020]

Subpart G—Grant Administration

§ 578.101 Technical assistance.

(a) ***Purpose.*** The purpose of Continuum of Care technical assistance is to increase the effectiveness with which Continuums of Care, eligible applicants, recipients, subrecipients, and UFAs implement and administer their Continuum of Care planning process; improve their capacity to prepare applications; prevent the separation of families in projects funded under the Emergency Solutions Grants, Continuum of Care, and Rural Housing Stability Assistance programs; and adopt and provide best practices in housing and services for persons experiencing homelessness.

(b) ***Defined.*** Technical assistance means the transfer of skills and knowledge to entities that may need, but do not possess, such skills and knowledge. The assistance may include, but is not limited to, written information such as papers, manuals, guides, and brochures; person-to-person exchanges; web-based curriculums, training and Webinars, and their costs.

(c) ***Set-aside.*** HUD may set aside funds annually to provide technical assistance, either directly by HUD staff or indirectly through third-party providers.

(d) ***Awards.*** From time to time, as HUD determines the need, HUD may advertise and competitively select providers to deliver technical assistance. HUD may enter into contracts, grants, or cooperative agreements, when necessary, to implement the technical assistance. HUD may also enter into agreements with other federal agencies for awarding the technical assistance funds.

§ 578.103 Recordkeeping requirements.

(a) ***In general.*** The recipient and its subrecipients must establish and maintain standard operating procedures for ensuring that Continuum of Care program funds are used in accordance with the requirements of this part and must establish and maintain sufficient records to enable HUD to determine whether the recipient and its subrecipients are meeting the requirements of this part, including:

(1) ***Continuum of Care records.*** Each collaborative applicant must keep the following documentation related to establishing and operating a Continuum of Care:

(i) Evidence that the Board selected by the Continuum of Care meets the requirements of § 578.5(b);

(ii) Evidence that the Continuum has been established and operated as set forth in subpart B of this part, including published agendas and meeting minutes, an approved Governance Charter that is reviewed and updated annually, a written process for selecting a board that is reviewed and updated at least once every 5 years, evidence required for designating a single HMIS for the Continuum, and monitoring reports of recipients and subrecipients;

(iii) Evidence that the Continuum has prepared the application for funds as set forth in § 578.9, including the designation of the eligible applicant to be the collaborative applicant.

(2) ***Unified funding agency records.*** UFAs that requested grant amendments from HUD, as set forth in § 578.105, must keep evidence that the grant amendment was approved by the Continuum. This evidence may include minutes of meetings at which the grant amendment was discussed and approved.

(3) ***Homeless status.*** Acceptable evidence of the homeless as status is set forth in 24 CFR 576.500(b).

(4) ***Chronically homeless status.*** The recipient must maintain and follow written intake procedures to ensure compliance with the chronically homeless definition in § 578.3. The procedures must require documentation at intake of the evidence relied upon to establish and verify chronically homeless status. The procedures must establish the order of priority for obtaining evidence as third-party documentation first, intake worker observations second, and certification from the person seeking assistance third. Records contained in an HMIS, or comparable database used by victim service or legal service providers, are acceptable evidence of third-party documentation and intake worker observations if the HMIS, or comparable database, retains an auditable history of all entries, including the person who entered the data, the date of entry, and the change made, and if the HMIS prevents overrides or changes of the dates on which entries are made.

(i) For paragraph (1) of the “Chronically homeless” definition in § 578.3, evidence that the individual is a “homeless individual with a disability” as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)) must include:

(A) Evidence of homeless status as set forth in paragraph (a)(3) of this section; and

(B) Evidence of a disability. In addition to the documentation required under paragraph (a)(4)(i)(A) of this section, the procedures must require documentation at intake of the evidence relied upon to establish and verify the disability of the person applying for homeless assistance. The recipient must keep these records for 5 years after the end of the grant term. Acceptable evidence of the disability includes:

(*1*) Written verification of the disability from a professional licensed by the state to diagnose and treat the disability and his or her certification that the disability is expected to be long-continuing or of indefinite duration and substantially impedes the individual's ability to live independently;

(*2*) Written verification from the Social Security Administration;

(*3*) The receipt of a disability check (*e.g.,* Social Security Disability Insurance check or Veteran Disability Compensation);

(*4*) Intake staff-recorded observation of disability that, no later than 45 days from the application for assistance, is confirmed and accompanied by evidence in paragraph (a)(4)(i)(B)(*1*), (*2*), (*3*), or (*5*) of this section; or

(*5*) Other documentation approved by HUD.

(ii) For paragraph (1)(i) of the "Chronically homeless" definition in § 578.3, evidence that the individual lives in a place not meant for human habitation, a safe haven, or an emergency shelter, which includes:

(A) An HMIS record or record from a comparable database;

(B) A written observation by an outreach worker of the conditions where the individual was living;

(C) A written referral by another housing or service provider; or

(D) Where evidence in paragraphs (a)(4)(ii)(A) through (C) of this section cannot be obtained, a certification by the individual seeking assistance, which must be accompanied by the intake worker's documentation of the living situation of the individual or family seeking assistance and the steps taken to obtain evidence in paragraphs (a)(4)(ii)(A) through (C).

(iii) For paragraph (1)(ii) of the "Chronically homeless" definition in § 578.3, evidence must include a combination of the evidence described in paragraphs (a)(4)(ii)(A) through (D) of this section, subject to the following conditions:

(A) Third-party documentation of a single encounter with a homeless service provider on a single day within 1 month is sufficient to consider an individual as homeless and living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter for the entire calendar month (e.g., an encounter on May 5, 2015, counts for May 1—May 31, 2015), unless there is evidence that there have been at least 7 consecutive nights not living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter during that month (e.g., evidence in HMIS of a stay in transitional housing);

(B) Each break in homelessness of at least 7 consecutive nights not living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter between separate occasions must be documented with the evidence described in paragraphs (a)(4)(ii)(A) through (D) of this section;

(C) Evidence of stays in institutional care facilities fewer than 90 days included in the total of at least 12 months of living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter must include the evidence in paragraphs (a)(4)(iv)(A) through (B) of this section and evidence described in paragraphs (a)(4)(ii)(A) through (D)

of this section that the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately prior to entering the institutional care facility; and

(D) For at least 75 percent of the chronically homeless individuals and families assisted by a recipient in a project during an operating year, no more than 3 months of living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter may be documented using the evidence in paragraph (a)(4)(ii)(D) of this section for each assisted chronically homeless individual or family. This limitation does not apply to documentation of breaks in homelessness between separate occasions, which may be documented entirely based on a self-report by the individual seeking assistance.

(iv) If an individual qualifies as chronically homeless under paragraph (2) of the "Chronically homeless" definition in § 578.3 because he or she has been residing in an institutional care facility for fewer than 90 days and met all of the criteria in paragraph (1) of the definition, before entering that facility, evidence must include the following:

(A) Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institutional care facility stating the beginning and end dates of the time residing in the institutional care facility. All oral statements must be recorded by the intake worker; or

(B) Where the evidence in paragraph (a)(4)(iv)(A) of this section is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in paragraph (a)(4)(iv)(A) and a certification by the individual seeking assistance that states that he or she is exiting or has just exited an institutional care facility where he or she resided for fewer than 90 days; and

(C) Evidence as set forth in paragraphs (a)(4)(i) through (iii) of this section that the individual met the criteria in paragraph (1) of the definition for "Chronically homeless" in § 578.3, immediately prior to entry into the institutional care facility.

(v) If a family qualifies as chronically homeless under paragraph (3) of the "Chronically homeless" definition in § 578.3, evidence must include the evidence as set forth in paragraphs (a)(4)(i) through (iv) of this section that the adult head of household (or if there is no adult in the family, a minor head of household) met all of the criteria in paragraph (1) or (2) of the definition.

(5) ***At risk of homelessness status.*** For those recipients and subrecipients that serve persons at risk of homelessness, the recipient or subrecipient must keep records that establish "at risk of homelessness" status of each individual or family who receives Continuum of Care homelessness prevention assistance. Acceptable evidence is found in 24 CFR 576.500(c).

(6) ***Moves for victims of domestic violence, dating violence, sexual assault, and stalking.***

(i) For each program participant who moved to a different Continuum of Care due to imminent threat of further domestic violence, dating violence, sexual assault, or stalking under § 578.51(c)(3), each recipient or subrecipient of assistance under this part must retain:

(A) Documentation of the original incidence of domestic violence, dating violence, sexual assault, or stalking, only if the original violence is not already documented in the program participant's case file. This may be written observation of the housing or service provider; a letter or other documentation from a victim service provider, social worker, legal

assistance provider, pastoral counselor, mental health provider, or other professional from whom the victim has sought assistance; medical or dental records; court records or law enforcement records; or written certification by the program participant to whom the violence occurred or by the head of household.

(B) Documentation of the reasonable belief of imminent threat of further domestic violence, dating violence, or sexual assault or stalking, which would include threats from a third-party, such as a friend or family member of the perpetrator of the violence. This may be written observation by the housing or service provider; a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom the victim has sought assistance; current restraining order; recent court order or other court records; law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts; or a written certification by the program participant to whom the violence occurred or the head of household.

(ii) Data on emergency transfers requested under 24 CFR 5.2005(e) and § 578.99, pertaining to victims of domestic violence, dating violence, sexual assault, or stalking, including data on the outcomes of such requests.

(7) ***Annual income.*** For each program participant who receives housing assistance where rent or an occupancy charge is paid by the program participant, the recipient or subrecipient must keep the following documentation of annual income:

(i) Income evaluation form specified by HUD and completed by the recipient or subrecipient; and

(ii) Source documents (*e.g.,* most recent wage statement, unemployment compensation statement, public benefits statement, bank statement) for the assets held by the program participant and income received before the date of the evaluation;

(iii) To the extent that source documents are unobtainable, a written statement by the relevant third party (*e.g.,* employer, government benefits administrator) or the written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period; or

(iv) To the extent that source documents and third-party verification are unobtainable, the written certification by the program participant of the amount of income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.

(8) ***Program participant records.*** In addition to evidence of “homeless” status or “at-risk-of-homelessness” status, as applicable, the recipient or subrecipient must keep records for each program participant that document:

(i) The services and assistance provided to that program participant, including evidence that the recipient or subrecipient has conducted an annual assessment of services for those program participants that remain in the program for more than a year and adjusted the service package accordingly, and including case management services as provided in § 578.37(a)(1)(ii)(F); and

(ii) Where applicable, compliance with the termination of assistance requirement in § 578.91.

(9) ***Housing standards.*** The recipient or subrecipient must retain documentation of compliance with the housing standards in § 578.75(b), including inspection reports.

(10) ***Services provided.*** The recipient or subrecipient must document the types of supportive services provided under the recipient's program and the amounts spent on those services. The recipient or subrecipient must keep record that these records were reviewed at least annually and that the service package offered to program participants was adjusted as necessary.

(11) ***Match.*** The recipient must keep records of the source and use of contributions made to satisfy the match requirement in § 578.73. The records must indicate the grant and fiscal year for which each matching contribution is counted. The records must show how the value placed on third party in-kind contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that the organization uses to support the allocation of regular personnel costs.

(12) ***Conflicts of interest.*** The recipient and its subrecipients must keep records to show compliance with the organizational conflict-of-interest requirements in § 578.95(c), the Continuum of Care board conflict-of-interest requirements in § 578.95(b), the other conflict requirements in § 578.95(d), a copy of the personal conflict-of-interest policy developed and implemented to comply with the requirements in § 578.95, and records supporting exceptions to the personal conflict-of-interest prohibitions.

(13) ***Homeless participation.*** The recipient or subrecipient must document its compliance with the homeless participation requirements under § 578.75(g).

(14) ***Faith-based activities.*** The recipient and its subrecipients must document their compliance with the faith-based activities requirements under § 578.87(b).

(15) ***Affirmatively Furthering Fair Housing.*** Recipients and subrecipients must maintain copies of their marketing, outreach, and other materials used to inform eligible persons of the program to document compliance with the requirements in § 578.93(c).

(16) ***Other federal requirements.*** The recipient and its subrecipients must document their compliance with the federal requirements in § 578.99, as applicable.

(17) ***Subrecipients and contractors.***

(i) The recipient must retain copies of all solicitations of and agreements with subrecipients, records of all payment requests by and dates of payments made to subrecipients, and documentation of all monitoring and sanctions of subrecipients, as applicable.

(ii) The recipient must retain documentation of monitoring subrecipients, including any monitoring findings and corrective actions required.

(iii) The recipient and its subrecipients must retain copies of all procurement contracts and documentation of compliance with the procurement requirements in 2 CFR part 200, subpart D.

(18) ***Other records specified by HUD.*** The recipient and subrecipients must keep other records specified by HUD.

(b) ***Confidentiality.*** In addition to meeting the specific confidentiality and security requirements for HMIS data, the recipient and its subrecipients must develop and implement written procedures to ensure:

(1) All records containing protected identifying information of any individual or family who applies for and/or receives Continuum of Care assistance will be kept secure and confidential;

(2) The address or location of any family violence project assisted with Continuum of Care funds will not be made public, except with written authorization of the person responsible for the operation of the project; and

(3) The address or location of any housing of a program participant will not be made public, except as provided under a preexisting privacy policy of the recipient or subrecipient and consistent with State and local laws regarding privacy and obligations of confidentiality;

(c) ***Period of record retention.*** All records pertaining to Continuum of Care funds must be retained for the greater of 5 years or the period specified below. Copies made by microfilming, photocopying, or similar methods may be substituted for the original records.

(1) Documentation of each program participant's qualification as a family or individual at risk of homelessness or as a homeless family or individual and other program participant records must be retained for 5 years after the expenditure of all funds from the grant under which the program participant was served; and

(2) Where Continuum of Care funds are used for the acquisition, new construction, or rehabilitation of a project site, records must be retained until 15 years after the date that the project site is first occupied, or used, by program participants.

(d) ***Access to records.***

(1) ***Federal Government rights.*** Notwithstanding the confidentiality procedures established under paragraph (b) of this section, HUD, the HUD Office of the Inspector General, and the Comptroller General of the United States, or any of their authorized representatives, must have the right of access to all books, documents, papers, or other records of the recipient and its subrecipients that are pertinent to the Continuum of Care grant, in order to make audits, examinations, excerpts, and transcripts. These rights of access are not limited to the required retention period, but last as long as the records are retained.

(2) ***Public rights.*** The recipient must provide citizens, public agencies, and other interested parties with reasonable access to records regarding any uses of Continuum of Care funds the recipient received during the preceding 5 years, consistent with State and local laws regarding privacy and obligations of confidentiality and confidentiality requirements in this part.

(e) ***Reports.*** In addition to the reporting requirements in 2 CFR part 200, subpart D, the recipient must collect and report data on its use of Continuum of Care funds in an Annual Performance Report (APR), as well as in any additional reports as and when required by HUD. Projects receiving grant funds only for acquisition, rehabilitation, or new construction must submit APRs for 15 years from the date of initial occupancy or the date of initial service provision, unless HUD provides an exception under § 578.81(e).

[77 FR 45442, July 31, 2012, as amended at 80 FR 75804, Dec. 4, 2015; 80 FR 75940, Dec. 7, 2015; 80 FR 80258, Dec. 24, 2015; 81 FR 80811, Nov. 16, 2016]

§ 578.105 Grant and project changes.

(a) ***For Unified Funding Agencies and Continuums having only one recipient.***

(1) The recipient may not make any significant changes without prior HUD approval, evidenced by a grant amendment signed by HUD and the recipient. Significant grant changes include a change of recipient, a shift in a single year of more than 10 percent of the total amount awarded under the

grant for one approved eligible activity category to another activity and a permanent change in the subpopulation served by any one project funded under the grant, as well as a permanent proposed reduction in the total number of units funded under the grant.

(2) Approval of substitution of the recipient is contingent on the new recipient meeting the capacity criteria in the NOFA under which the grant was awarded, or the most recent NOFA. Approval of shifting funds between activities and changing subpopulations is contingent on the change being necessary to better serve eligible persons within the geographic area and ensuring that the priorities established under the NOFA in which the grant was originally awarded, or the most recent NOFA, are met.

(b) ***For Continuums having more than one recipient.***

(1) The recipients or subrecipients may not make any significant changes to a project without prior HUD approval, evidenced by a grant amendment signed by HUD and the recipient. Significant changes include a change of recipient, a change of project site, additions or deletions in the types of eligible activities approved for a project, a shift of more than 10 percent from one approved eligible activity to another, a reduction in the number of units, and a change in the subpopulation served.

(2) Approval of substitution of the recipient is contingent on the new recipient meeting the capacity criteria in the NOFA under which the grant was awarded, or the most recent NOFA. Approval of shifting funds between activities and changing subpopulations is contingent on the change being necessary to better serve eligible persons within the geographic area and ensuring that the priorities established under the NOFA in which the grant was originally awarded, or the most recent NOFA, are met.

(c) ***Documentation of changes not requiring a grant amendment.*** Any other changes to an approved grant or project must be fully documented in the recipient's or subrecipient's records.

§ 578.107 Sanctions.

(a) ***Performance reviews.***

(1) HUD will review the performance of each recipient in carrying out its responsibilities under this part, with or without prior notice to the recipient. In conducting performance reviews, HUD will rely primarily on information obtained from the records and reports from the recipient and subrecipients, as well as information from on-site monitoring, audit reports, and information generated from HUD's financial and reporting systems (*e.g.,* LOCCS and e-snaps) and HMIS. Where applicable, HUD may also consider relevant information pertaining to the recipient's performance gained from other sources, including citizen comments, complaint determinations, and litigation.

(2) If HUD determines preliminarily that the recipient or one of its subrecipients has not complied with a program requirement, HUD will give the recipient notice of this determination and an opportunity to demonstrate, within the time prescribed by HUD and on the basis of substantial facts and data that the recipient has complied with the requirements. HUD may change the method of payment to require the recipient to submit documentation before payment and obtain HUD's prior approval each time the recipient draws down funds. To obtain prior approval, the recipient may be required to manually submit its payment requests and supporting documentation to HUD in order to show that the funds to be drawn down will be expended on eligible activities in accordance with all program requirements.

(3) If the recipient fails to demonstrate to HUD's satisfaction that the activities were carried out in compliance with program requirements, HUD may take one or more of the remedial actions or sanctions specified in paragraph (b) of this section.

(b) ***Remedial actions and sanctions.*** Remedial actions and sanctions for a failure to meet a program requirement will be designed to prevent a continuation of the deficiency; to mitigate, to the extent possible, its adverse effects or consequences; and to prevent its recurrence.

(1) HUD may instruct the recipient to submit and comply with proposals for action to correct, mitigate, and prevent noncompliance with program requirements, including:

(i) Preparing and following a schedule of actions for carrying out activities and projects affected by the noncompliance, including schedules, timetables, and milestones necessary to implement the affected activities and projects;

(ii) Establishing and following a management plan that assigns responsibilities for carrying out the remedial actions;

(iii) Canceling or revising activities or projects likely to be affected by the noncompliance, before expending grant funds for them;

(iv) Reprogramming grant funds that have not yet been expended from affected activities or projects to other eligible activities or projects;

(v) Suspending disbursement of grant funds for some or all activities or projects;

(vi) Reducing or terminating the remaining grant of a subrecipient and either reallocating those funds to other subrecipients or returning funds to HUD; and

(vii) Making matching contributions before or as draws are made from the recipient's grant.

(2) HUD may change the method of payment to a reimbursement basis.

(3) HUD may suspend payments to the extent HUD determines necessary to preclude the further expenditure of funds for affected activities or projects.

(4) HUD may continue the grant with a substitute recipient of HUD's choosing.

(5) HUD may deny matching credit for all or part of the cost of the affected activities and require the recipient to make further matching contributions to make up for the contribution determined to be ineligible.

(6) HUD may require the recipient to reimburse the recipient's line of credit in an amount equal to the funds used for the affected activities.

(7) HUD may reduce or terminate the remaining grant of a recipient.

(8) HUD may condition a future grant.

(9) HUD may take other remedies that are legally available.

(c) ***Recipient sanctions.*** If the recipient determines that a subrecipient is not complying with a program requirement or its subrecipient agreement, the recipient must take one of the actions listed in paragraphs (a) and (b) of this section.

(d) ***Deobligation.*** HUD may deobligate funds for the following reasons:

(1) If the timeliness standards in § 578.85 are not met;

(2) If HUD determines that delays completing construction activities for a project will mean that the funds for other funded activities cannot reasonably be expected to be expended for eligible costs during the remaining term of the grant;

(3) If the actual total cost of acquisition, rehabilitation, or new construction for a project is less than the total cost agreed to in the grant agreement;

(4) If the actual annual leasing costs, operating costs, supportive services costs, rental assistance costs, or HMIS costs are less than the total cost agreed to in the grant agreement for a one-year period;

(5) Program participants have not moved into units within 3 months of the time that the units are available for occupancy; and

(6) The grant agreement may set forth in detail other circumstances under which funds may be deobligated and other sanctions may be imposed.

§ 578.109 Closeout.

(a) ***In general.*** Grants will be closed out in accordance with the requirements of 2 CFR part 200, subpart D, and closeout procedures established by HUD.

(b) ***Reports.*** Applicants must submit all reports required by HUD no later than 90 days from the date of the end of the project's grant term.

(c) ***Closeout agreement.*** Any obligations remaining as of the date of the closeout must be covered by the terms of a closeout agreement. The agreement will be prepared by HUD in consultation with the recipient. The agreement must identify the grant being closed out, and include provisions with respect to the following:

(1) Identification of any closeout costs or contingent liabilities subject to payment with Continuum of Care program funds after the closeout agreement is signed;

(2) Identification of any unused grant funds to be deobligated by HUD;

(3) Identification of any program income on deposit in financial institutions at the time the closeout agreement is signed;

(4) Description of the recipient's responsibility after closeout for:

(i) Compliance with all program requirements in using program income on deposit at the time the closeout agreement is signed and in using any other remaining Continuum of Care program funds available for closeout costs and contingent liabilities;

(ii) Use of real property assisted with Continuum of Care program funds in accordance with the terms of commitment and principles;

(iii) Use of personal property purchased with Continuum of Care program funds; and

(iv) Compliance with requirements governing program income received subsequent to grant closeout.

(5) Other provisions appropriate to any special circumstances of the grant closeout, in modification of or in addition to the obligations in paragraphs (c)(1) through (4) of this section.

[77 FR 45442, July 31, 2012, as amended at 80 FR 75940, Dec. 7, 2015]