



**OGDEN CITY CORPORATION
REQUEST FOR PROPOSAL**

HOME-ARP SUBRECIPIENT



Prepared by Ward Ogden, Manager
Ogden City Community Development

09/14/2022

OGDEN CITY CORPORATION

REQUEST FOR PROPOSAL

HOME-ARP SUBRECIPIENT

Ogden City is requesting sealed proposals from qualified offerors to operate a tenant based rental assistance and supportive services program as a subrecipient of Ogden City.

Proposal packets are available and may be obtained by downloading from the Ogden City website at <http://ogdencity.com/264/Purchasing>.

Proposers are responsible for securing any and all addenda issued.

Sealed responses to this RFP shall be submitted to the Purchasing Office, c/o 1st Floor Information, 2549 Washington Blvd, Ogden, UT, 84401 by **October 6, 2022, no later than 3 PM. LATE PROPOSALS WILL NOT BE ACCEPTED.**

The City reserves the right to accept or reject any proposal as it best serves its convenience and/or is found to be in the best interest of the City.

Ogden City encourages and welcomes bids from small, local, women and minority owned businesses and other disadvantaged business enterprises.

Ad Published: September 17 and 24, 2022

OGDEN CITY CORPORATION

REQUEST FOR PROPOSAL

HOME-ARP SUBRECIPIENT

I. INTRODUCTION

Ogden City desires to enter into a written agreement with a qualified entity who would act as a subrecipient to Ogden City in the operation of a tenant based rental assistance (TBRA) program and an accompanying supportive services (SS) program.

A. Project Scope

The U.S. Department of Housing and Urban Development (HUD) has awarded Ogden City \$1,652,923 through the HOME Investment Partnerships American Rescue Plan Program (HOME-ARP). This funding is awarded for the purpose of addressing issues surrounding homelessness in Ogden, Utah and can only be used to serve individuals that meet one of the following definitions, defined as “Qualifying Populations” in the HUD funding notice:

- Homeless: as defined in 24 CFR 91.5 Homeless (1), (2), or (3).
- At risk of Homelessness: as defined in 24 CFR 91.5 At risk of homelessness.
- Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking: as defined by HUD.
- Other Populations: where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family’s homelessness or would serve those with the greatest risk of housing instability.

Ogden City has adopted a HOME-ARP Allocation Plan, attached hereto as Exhibit C, which outlines the programmatic uses of the HOME-ARP funds in Ogden. These will include a Tenant Based Rental Assistance (TBRA) program and a Supportive Services (SS) program.

The purpose of this Request for Proposal (“RFP”) is to solicit proposals from experienced and established agencies interested in operating both of Ogden City’s HOME-ARP programs. Only Responders with demonstrable knowledge and experience in operating rental assistance and supportive services programs and having extensive experience with U.S Department of Housing and Urban Development (HUD) policies, procedures, and programs need apply to this solicitation.

This is a single-step selection process that will be conducted by Ogden City (the “City”) as outlined by this RFP. After evaluation of responsive submittals, the City intends to make its final selection for award of a Subrecipient Agreement.

It is not the intention of the City to receive proposals for program design. Rather, respondents shall limit their submittals to the information required herein, which includes draft policies and procedures, as well as other relative information regarding qualifications and experience.

It is estimated that a Subrecipient Agreement will be awarded in time for implementation to begin January 2023. The Agreement will be for a period of five (5) years.

B. Overview

Pursuant to the Ogden City Five Year Consolidated Plan (2021-2025), its subsequent Annual Action Plan (FY 2022) including the HOME-ARP Allocation Plan, and in partnership with local stakeholders, the City desires to address issues surrounding homelessness in Ogden. Through the HOME-ARP Allocation Plan, we have identified TBRA and SS as priority programs for HOME-ARP funds. The City seeks to partner with a qualified entity to assist with implementing these programs. Required services of the selected Responder shall include, but are not limited to:

- o TBRA
- o Program marketing
- o Program operational documents
- o Applicant intake and qualification
- o Lease agreement certification
- o Payments for rent, utilities, security deposits
- o Invoicing for reimbursement
- o HUD funding compliance documentation
- o Record keeping and reporting
- o Supportive Services
- o Program marketing
- o Program operational documents
- o Contracts with service providers
- o Applicant intake and qualification
- o Service coordination
- o Payment for services
- o Invoicing for reimbursement
- o HUD funding compliance documentation
- o Record keeping and reporting

II. SCOPE OF WORK or SPECIFICATIONS – Refer to Exhibits A & B

The scope of work for the selected Subrecipient will include the following:

A. TBRA:

1. Subrecipient will create budgeting and staffing to undertake the TBRA program.
2. Subrecipient will develop operational procedures and forms and implement the City's "Policies & Procedures – HOME-ARP Tenant Based Rental Assistance" attached hereto as Exhibit A.

B. Supportive Services:

1. Subrecipient will create budgeting and staffing to undertake the Supportive Services program.
2. Subrecipient will develop operational procedures and forms and implement the City's "Policies & Procedures – HOME-ARP Supportive Services" attached hereto as Exhibit B.

III. MINIMUM REQUIREMENTS

A. Qualifies as Subrecipient

1. Subrecipient means a public or private nonprofit agency, authority, or organization receiving federal funds from Ogden City to undertake activities eligible for such assistance.

B. Organizational Experience

1. Has successfully undertaken similar programs or activities.
2. Has received other federal funding in the past and demonstrated success in meeting program requirements.

C. Organizational Capacity

1. Understands and has implemented federal regulatory requirements similar to those that will apply to the proposed activities. Exhibit D contains sections of HUD Notice CPD-21-10 relevant to TBRA and SS.
2. Has adequate administrative and financial processes and systems in place to comply with the requirements to maintain detailed records to track expenditures, revenues, and staff time spent on specific activities.
3. Has qualified individuals on staff assigned to work on the proposed activities. Has adequate staff time available to complete the identified tasks on time or has a plan to fill these gaps in personnel.

IV. RESPONSE TO RFP

Ogden City is seeking proposals from offerors capable of providing all the work described in the Scope of Work including attachments.

A. Each Proposal must include, as a minimum, the following information:

1. Authorized Representative – Indicate name, address, email and telephone number of the company submitting the proposal.
 - a. Include the name and contact information of the person designated as authorized to contractually bind the offer.
2. Company Experience - A description of the firm's experience and capability of fulfilling the subject programs if awarded.
 - a. Detailed statements addressing each of the Minimum Requirements noted above.
3. Team Information – Provide an organization chart showing the staffing or staffing positions anticipated to undertake the proposal.
4. Evidence of Insurability – Copy of Certificate of Insurance (COI)

B. Proposals are to be no longer than 10 pages. Double-sided pages count as two pages.

C. For City record-keeping purposes, please do not use spiral or wire binding methods.

The following methods will be accepted:

- a. Submitted as loose leaf with binder clip

- b. Submitted in a regular 3-ring binder
- D. Proposals submitted to Ogden City are considered public records, unless protected within [Utah Code 63G-2-1](#).

V. EVALUATION OF PROPOSALS

Proposals will be evaluated in accordance with the criteria listed below:

- A. Organizational Experience 50%
- B. Organizational Capacity 50%

The selection committee will primarily be composed of City employees. On occasion, consultants may be invited to participate in the review.

Note that proposals that are received after the deadline or not conforming to the RFP requirements may be deemed non-responsive and eliminated. Each proposer bears sole responsibility for the items included or not included in the response submitted by that proposer.

All proposals in response to this RFP will be evaluated in a manner consistent with the Ogden City policies and procedures. Ogden City reserves the right to disqualify any proposal that includes significant deviations or exceptions to the terms, conditions and/or specifications in this RFP.

In the initial phase of the evaluation process, the selection committee will review all responsive proposals in a cursory manner to eliminate from further consideration proposals which in the judgment of the evaluation committee fail to offer sufficient and substantive provisions to warrant further consideration.

At the conclusion of this initial phase, finalist proposals will be selected for detailed review and evaluation.

Ogden City may require an in-person presentation by a proposer to supplement their written proposal.

Being selected and entering into an agreement does not guarantee the offeror will be extended any specific amount of work.

VI. SUBMISSION OF PROPOSALS

October 6, 2022, No later than 3 PM; proposers shall submit six (6) copies of the proposal in a sealed envelope.

On the envelope, indicate your company's name and the RFP name "HOME-ARP SUBRECIPIENT"

Submit Proposal To:

Ogden City Corporation
c/o 1st Floor Information Desk
ATTN: Purchasing Office

“HOME-ARP SUBRECIPIENT”

2549 Washington Blvd.

Ogden, UT 84401

LATE PROPOSALS WILL NOT BE ACCEPTED.

If the sealed bid is submitted by mail or other delivery service, it must be received prior to the submission deadline.

The Proposal may also be hand-carried to the 1st Floor Information Desk (west entrance of the building) at the same address.

No facsimile or email transmittals will be accepted.

It is the sole responsibility of those responding to this RFP to ensure that their submittal is made to the correct location and in compliance with the stated date and time.

City offices are closed on holidays.

VII. INSURANCE REQUIREMENTS

The successful proposer shall procure and maintain for the duration of the agreement the required insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of this agreement. The Agency shall pay the cost of such insurance.

- a. The amount of insurance shall not be less than:
 - i) Commercial General Liability: Minimum of \$4,000,000 in general aggregate with \$1,000,000 for each occurrence. Policy to include coverage for operations, contractual liability, personal injury liability, products/completed operations liability, broad-form property damage (if applicable) and independent agency’s liability (if applicable) written on an occurrence form.
 - ii) Business Automobile Liability: \$1,000,000 combined single limit per occurrence for bodily injury and property damage for owned, non-owned and hired autos.
 - iii) Workers’ Compensation and Employer’s Liability: Worker’s Compensation limits as required by the Labor Code of the State of Utah and employer’s liability with limits of \$1,000,000 per accident.
 - iv) Professional Liability: Minimum of \$1,000,000 aggregate with \$500,000 per occurrence
- b. Each insurance policy required by this Agreement shall contain the following clauses:
 - i) “This insurance shall not be suspended, voided, canceled, reduced in coverage or in limits except after thirty days prior written notice by certified mail, return receipt requested, has been given to the Ogden City Corporation”.
 - ii) “It is agreed that any insurance or self-insurance maintained by Ogden City Corporation, its elected or appointed officials, employees, agents and volunteers shall be excess of Agency’s insurance and shall not contribute with insurance provided by this policy.”

- c. Each insurance policy required by this Agreement, excepting policies for Workers' Compensation, shall contain the following clause in a separate endorsement:
 - i) "Ogden City Corporation, its elected and appointed officials, employees, volunteers and agents are to be named as additional insureds in respect to operations and activities of or on behalf of, the named insured as performed under Agreement with Ogden City Corporation."
- d. Insurance is to be placed with insurers acceptable to and approved by Ogden City Corporation. Agency's insurer must be authorized to do business in Utah at the time the license is executed and throughout the time period the license is maintained, unless otherwise agreed to in writing by Ogden City Corporation. Failure to maintain or renew coverage or to provide evidence of renewal will be treated as a material breach of the Agreement.
- e. City shall be furnished with original certificates of insurance and endorsements effecting coverage required within, signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received by the City before work begins on the premises.
- f. City reserves the right to require complete, certified copies of all required insurance policies at any time.
- g. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respect to the City, their elected and appointed officials, employees, agents and volunteers; or Contractor shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.
- h. Agency shall include all of its contractors as insured under its policies or shall furnish separate certificates and endorsements for each contractor. All coverages for Agency's contractors shall be subject to all of the requirements stated herein.
- i. Nothing contained herein shall be construed as limiting in any way the extent to which Agency may be held responsible for payments of damages to persons or property resulting from the activities of Agency or its agents, employees, invitees or contractors upon the Premises during the License Period.

VIII. GENERAL TERMS AND CONDITIONS

- A. Qualified respondents shall be a qualified subrecipient. Subrecipient means a public or private nonprofit agency, authority, or organization receiving federal funds from Ogden City to undertake activities eligible for such assistance.
- B. For projects that are security-sensitive in nature, Ogden City reserves the right to conduct a criminal background check of each person who will be providing services in response to this RFP. If requested, the agency shall submit a BCI Criminal History Report dated within 30 days of response to RFP for each employee who will be on-site, that shows "Criminal History Verified" and has Arrest History attachments. Employees who have any convictions on their BCI record may be subject to further review and approval by Ogden City. Ogden City may reject any response to this RFP that involves services from a person or entity that Ogden City determines is unfit or unqualified to fulfill the requirements of this RFP.

- C. All work must meet current industry standards including all Federal, State and local rules and regulations.
- D. Ogden City reserves the right to request clarification of information submitted, and to request additional information from any proposer.
- E. Ogden City will make every effort to ensure all offerors are treated fairly and equally throughout the entire advertisement, review and selection process. The procedures established herein are designed to give all parties reasonable access to the same basic information.
- F. Cost of Developing Proposals - All costs related to the preparation of proposals and any related activities are the sole responsibility of the offeror. Ogden City assumes no liability for any costs incurred by offerors throughout the entire selection process.
- G. Proposal Ownership – Once submitted, all proposals, including attachments, supplementary materials, addenda, etc. become the property of Ogden City and will not be returned to the offeror.
- H. Conflict of Interest – No member, officer, or employee of Ogden City, during his or her tenure shall have any interest, direct or indirect, in this agreement or the proceeds thereof, except as permitted by Ogden City policy.
- I. Non-Collusion – The offeror guarantees the proposal is not a product of collusion with any other offeror and no effort has been made to fix the proposal price or any offeror or to fix any overhead, profit or cost estimate of any proposal price.
- J. Award - The selection of the agency will be made by a selection committee comprised of city employees. Ogden City reserves the right to negotiate and hold discussions with prospective service providers as necessary, however, Ogden City may award this agreement without discussion of proposals received from prospective service providers.

The selected agency shall enter into a written agreement with Ogden City.

Ogden City reserves the right to cancel this Request for Proposal.

Ogden City reserves the right to reject any or all proposals received. Furthermore, Ogden City shall have the right to waive any informality or technicality in proposals received, when in the best interest of Ogden City. Ogden City reserves the right to segment or reduce the scope of services and enter agreements with more than one vendor.

- K. Pursuant to the Utah Government Records Access and Management Act (GRAMA), records will be considered public after the Agreement is awarded. If an offeror wishes to protect any records, a request for business confidentiality may be submitted to the Ogden City Records Office at the time of bid submission. The form can be accessed through the Recorder's webpage at: <https://www.ogdencity.com/DocumentCenter/View/7004/Business-Confidentiality-Claim-form>

IX. ADDITIONAL INFORMATION

Any adjustment or amendment to the agreement will not be effective unless approved by Ogden City.

Agency will only be allowed to invoice for the cost of services / goods in compliance with the submitted proposal as accepted by Ogden City Corporation.

- A. Invoices must contain a complete description of the work / service / goods that was performed / provided, the contract price for each service, the City purchase order or contract number, and address of service location or delivery address.
- B. Upon the Award of Agreement, Agency may receive a request to process payments electronically.
- C. Invoices shall be sent to the following address:

Ogden City Corporation
c/o Community Development Division
Street 2549 Washington Blvd, Suite 120
Ogden, Utah 84401

Or;

Email invoices to: cathyf@ogdencity.com

X. GOVERNING INSTRUCTIONS

This RFP will constitute the governing document for submitting Proposals and will take precedent over any oral representations.

XI. RFP SCHEDULE

Ogden City will follow the timetable below. Ogden City reserves the right to modify the dates due to unforeseen circumstances. Revision of dates, specifically the RFP response deadline will result in an RFP amendment. Amendments will be published in the City's Purchasing webpage - <https://www.ogdencity.com/264/Purchasing>.

EVENT	TARGET DATE
Open RFP Process	9/15/22
1 st Ad – Standard Examiner	9/17/22
2 nd Ad - Standard Examiner	9/24/22
Last day for Q&A	9/28/22; No later than 3PM
RFP Response Deadline	10/6/22; No later than 3PM
Committee Review and Selection process	To Be Determined
Agreement Start Date	To Be Determined

XII. CONTACT INFORMATION

For any questions related to this RFP, please contact the Ogden City Purchasing Office via email wardogden@ogdencity.com or at (801) 629-8942.

The question-and-answer period ends at 3 PM on 9/28/22.

Please check the City's Purchasing webpage for any published Q&A document(s) that might have already addressed your questions or concerns - <https://www.ogdencity.com/264/Purchasing>.

Thank you for your interest in doing business with Ogden City.

EXHIBIT A

SCOPE OF WORK

HOME-ARP TENANT BASED RENTAL ASSISTANCE

POLICIES & PROCEDURES

HOME-ARP TENANT BASED RENTAL ASSISTANCE (TBRA)

A. COMMITMENT AND SETUP

1. The following policies and procedures for operation of a HOME-ARP Tenant Based Rental Assistance program (TBRA) are enabled under the Ogden City HOME-ARP Allocation Plan adopted as Amendment #3 to the Ogden City Annual Action Plan adopted on June 21, 2022.
2. Ogden City set up its TBRA Program in IDIS following the written agreement with the subrecipient administering the program. [24 CFR 92.502(b)]

B. PARTICIPANT SELECTION

1. Tenant selection policies and procedures are governed by HOME regulations at 24 CFR 92.209(c) and 24 CFR 92.508(a)(2)(v), and HOME-ARP guidance in CPD Notice 2021-10.
2. Eligible Populations:
 - a. Eligibility is limited to households that meet one of the HOME-ARP Qualifying Populations (QP) as defined in EXHIBIT A – QUALIFYING POPULATIONS.
 - b. No preferences are given for specific QP's or subpopulations as there are no preferences provided for in the HOME-ARP Allocation Plan.
 - c. Subrecipient will screen applicants and document compliance with Qualifying Population requirements.
3. Waiting List: Subrecipient will maintain a written waiting list and select participants in chronological order of their application. Subrecipient will provide waiting list to Ogden City along with annual documentation and reports.
4. Rejection: Subrecipient will give prompt written notification to any rejected applicant of the grounds for any rejection. (Within five business days)
5. Geographic Boundaries: TBRA will be offered only for housing located within Ogden City boundaries. [24 CFR 92.209(d)]
6. Violence Against Women Act (VAWA): 24 CFR 92.359; 24 CFR part 5, subpart L
 - a. Notice: Provide notice and certification form described in 24 CFR 5.2005(a) to the HOME-ARP applicant when the TBRA assistance is approved or denied. Provide notice and certification form described in 24 CFR 5.2005(a) to the HOME-ARP recipient with notification of termination of TBRA assistance, and when Ogden City learns that recipients housing owner intends to provide the tenant with notification of eviction.
 - b. Bifurcation of Lease Requirements: If a family who is receiving HOME-ARP TBRA separates under 24 CFR 5.2009(a), the remaining tenant(s) will retain the HOME-ARP TBRA assistance. Subrecipient will determine if the separated tenant is eligible and will receive HOME-ARP TBRA.
 - c. Period of Applicability: Applies to the owner of the TBRA recipient's housing for the period for which the TBRA assistance is provided.
 - d. Emergency Transfer Plan: 24 CFR 5.2005(e)

7. Supportive Services

- a. As a condition of selection for TBRA assistance, the family is required to participate in HOME-ARP Supportive Services offered through a Subrecipient consistent with the requirements of Notice CPD-21-10 Section VI.D.
- b. The family's failure to continue participation in the Supportive Services program is not a basis for terminating the assistance [24 CFR 92.209(c)(2)(iii)]
- c. Renewal of TBRA assistance may be renewed pending the availability of HOME-ARP funds and will be conditioned on participation in the Supportive Services program. [24 CFR 92.209(c)(2)(iii)]

C. TENANT RENTAL ASSISTANCE CONTRACT

1. Rental assistance contract with tenant [24 CFR 92.209(e) and 24 CFR 92.508(a)(3)(xiv)]

- a. TBRA Rental Assistance Contract (RAC) must be signed by both Subrecipient and tenant. [24 CFR 92.504(b)]

2. Contract contents

- a. Amount of assistance
- b. Term of RAC
 - i. Term of the initial RAC does not exceed 12 months. [24 CFR 92.209(c)(2)(iii)] (The requirements at 24 CFR 92.209(e) defining the term of the rental assistance contract for providing assistance with HOME funds are waived for HOME-ARP TBRA.)
 - ii. The term of the RAC cannot extend beyond 9/30/2030.
 - iii. The term of the RAC begins on the first day of the lease term 24 CFR 92.209(e)
 - iv. For a RAC between the Subrecipient and the family, the term of the contract need not end on termination of the lease, but no payments may be made after termination of the lease until the family enters into a new lease.
 - v. RAC may be renewed pending the availability of HOME-ARP funds, for a maximum combined term of 24 months. [24 CFR 92.209(c)(2)(iii)]
- c. Supportive Services Program
 - i. Participation in the HOME-ARP Supportive Services Program is required as a condition of selection for TBRA assistance.
 - ii. RAC renewal after initial and subsequent terms will be conditioned on participation in the Supportive Services program. 24 CFR 92.209(c)(iii)
- d. Rent reasonableness: Subrecipient will determine that the rent charged for the unit is reasonable. [24 CFR 92.209(f)]
- e. Inspections: Subrecipient will conduct initial and annual inspections to ensure unit complies with housing quality standards set forth in 24 CFR 982.401. 24 CFR 92.209(i)
- f. Lease Review: Subrecipient will review and approve lease to ensure compliance with program guidelines. 24 CFR 92.253(a) and (b)
- g. Portability: The TBRA assisted household may choose to move to another unit with continued TBRA as long as the new unit meets the applicable property standards. If a TBRA assisted household chooses to move, the rental assistance contract terminates and a new rental assistance contract for the new unit will be executed according to TBRA requirements. The TBRA assisted household must notify the Subrecipient before moving in order to receive continued TBRA.

D. TBRA SUBSIDY ADMINISTRATION

1. Rent Standard

- a. Ogden City will establish a rent standard which represents the rent plus utility cost by unit size that is based on local market conditions. [24 CFR 92.209(h)(3)] Subrecipient will conduct the analysis annually and provide recommendations to Ogden City for approval.
 - b. Subrecipient will review prospective lease agreements and disapprove them if they do not meet the applicable rent standard.
 - c. Subrecipient will determine and document that the rent charged for the unit is reasonable. [24 CFR 92.209(f)]
2. Maximum Subsidy:
 - a. Monthly TBRA subsidy is no more than the difference between the Rent Standard for the unit size and 30% of the tenant family's adjusted income. [24 CFR 92.209(h)(1)]
 - b. Tenant's rent contribution is based on the household's adjusted income. [24 CFR 92.209(h)(1)]
 - c. Minimum tenant contribution is waived for this HOME-ARP TBRA program. The Program may provide up to 100 percent subsidy for rent, security deposit, utility deposit and utility bills.
 3. Security deposit: Assistance amount must be less than or equal to 2 months' rent. [24 CFR 92.209(j)(2)]
 4. HOME Subsidy & Tenant Contribution: Tenant file must include documentation of the calculation of the HOME subsidy and the tenant's contribution to rent. [24 CFR 92.508(a)(3)(vi)]
 5. Income Determination: [24 CFR 92.203]
 - a. Subrecipient must determine annual income by examining at least 2 months of source documents evidencing annual income (e.g., wage statement, interest statement, unemployment compensation statement) for the family.
 - b. Annual income is defined at 24 CFR 5.609 as used in Section 8 and Public Housing programs. [24 CFR 92.203(b)(1)]
 - c. The Subrecipient must calculate the annual income of the family by projecting the prevailing rate of income of the family at the time of application. Annual income shall include income from all persons in the household.
 - d. Income determination must be conducted no more than 6 months prior to commitment of HOME-ARP funds to the recipient family.
 - e. The Subrecipient must determine income before the RAC is signed and annually thereafter during the period of assistance.

E. LEASE PROVISIONS

1. Subrecipient will review and approve the lease and document approval in file. [24 CFR 92.209(k) and 24 CFR 92.508(a)(3)(ix)]
2. Subrecipient will incorporate the HOME Lease Addendum, including applicable lease prohibitions, into the approved lease. 24 CFR 92.209(g), 24 CFR 92.253(b)
3. Subrecipient will incorporate the VAWA Lease Addendum into the approved lease in accordance with 24 CFR 92.359(e). [24 CFR 92.253(a)]
4. Owner and tenant must execute a lease for a period of at least one year, or shorter term by mutual agreement, as evidenced by signature of both parties. [24 CFR 92.209(g) and 92.253(a)]

F. PROPERTY REQUIREMENTS

1. Subrecipient conducts a Section 8 Housing Quality Standards inspection (HQS standard at 24 CFR 982.401) at the time the lease is signed by the household and documents in file. [24 CFR 92.209(i), and 24 CFR 92.508(a)(3)(vi)]
2. At Initial Occupancy: Document in file that the unit meets the HQS requirements (including applicable lead hazard reduction requirements) before execution of the tenant based rental assistance contract. [24 CFR 92.209(i) and 24 CFR 92.251(d)]

3. Annual Inspection: Document in file that the annual inspection determined that the unit continued to meet HQS standards. [24 CFR 92.209(i); 92.504(d)(1)(iii); 24 CFR 92.508(a)(3)(vi)]

G. ELIGIBLE COSTS

1. Document that all HOME-funded costs are eligible. Eligible costs are:
 - a. Tenant Rental assistance: up to 100% subsidy allowed.
 - b. Tenant Utility Bills
 - c. Tenant Utility Deposit: Eligible only if this assistance is provided with tenant-based rental assistance or security deposit payment.
 - d. Tenant Security Deposit: Amount must be less than or equal to 2 months' rent.
 - e. Project Costs: Housing inspections and determination of income eligibility of the TBRA recipient.
 - f. Administrative Costs: Costs for general management oversight and coordination consistent with 24 CFR 92.207(a), which include administering a TBRA program.

H. RECORD RETENTION AND REPORTING

1. Ogden City must retain tenant-based rental assistance project records, including the tenant assistance contract, for five years after the period of affordability terminates. [24 CFR 92.508(c)(3)]
2. Subrecipient Reporting
 - a. Monthly invoicing/reporting
 - b. Quarterly reporting for IDIS documentation
 - c. Annual reporting and file documentation transfer

EXHIBIT A – QUALIFYING POPULATIONS

The American Rescue Plan (ARP) requires that funds be used to primarily benefit individuals and families in the following specified “qualifying populations.” Any individual or family who meets the criteria for these populations is eligible to receive assistance or services funded through HOME-ARP without meeting additional criteria (e.g., additional income criteria). All income calculations to meet income criteria of a qualifying population or required for income determinations in HOME-ARP eligible activities must use the annual income definition in [24 CFR 5.609](#) in accordance with the requirements of [24 CFR 92.203\(a\)\(1\)](#).

Qualifying Populations

1. Homeless, as defined in [24 CFR 91.5](#) *Homeless (1), (2), or (3)*:

- (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;

2. At risk of Homelessness, as defined in 24 CFR 91.5 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 after 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(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), 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.

3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to 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 or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

Domestic violence, which is defined in [24 CFR 5.2003](#) includes felony or misdemeanor crimes of violence committed by:

- 1) A current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship);
- 2) A person with whom the victim shares a child in common;
- 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving HOME-ARP funds; or
- 5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence which is defined in [24 CFR 5.2003](#) means violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship.

Sexual assault which is defined in [24 CFR 5.2003](#) means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

Stalking which is defined in [24 CFR 5.2003](#) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) Fear for the person’s individual safety or the safety of others; or
- 2) Suffer substantial emotional distress.

Human Trafficking includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7102). These are defined as:

- 1) Sex trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- 2) Labor trafficking means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

4. Other Populations where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. HUD defines these populations as individuals and households who do not qualify under any of the populations above but meet one of the following criteria:

1) **Other Families Requiring Services or Housing Assistance to Prevent Homelessness** is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in 24 CFR 91.5, are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

(2) **At Greatest Risk of Housing Instability** is defined as household who meets either paragraph (i) or (ii) below:

(i) has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);

(ii) has annual income that is less than or equal to 50% of the area median income, as determined by HUD, AND meets one of the following conditions from paragraph (iii) of the "At risk of homelessness" definition established at 24 CFR 91.5:

(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 after 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 persons reside 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)

Veterans and Families that include a Veteran Family Member that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP assistance.

EXHIBIT B

SCOPE OF WORK HOME-ARP SUPPORTIVE SERVICES POLICIES & PROCEDURES

POLICIES & PROCEDURES

HOME-ARP SUPPORTIVE SERVICES

A. COMMITMENT AND SETUP

1. The following policies and procedures for operation of a HOME-ARP Supportive Services program are enabled under the Ogden City HOME-ARP Allocation Plan adopted as Amendment #3 to the Ogden City Annual Action Plan adopted on June 21, 2022.
2. Ogden City set up its HOME-ARP Supportive Services Program in IDIS following the written agreement with the subrecipient administering the program. [24 CFR 92.502(b)]

B. PARTICIPANT SELECTION

1. Participant selection policies and procedures are governed by HOME-ARP guidance in CPD Notice 2021-10.
2. Eligible Populations:
 - a. Eligibility is limited to individuals and families that meet one of the HOME-ARP Qualifying Populations (QP) as defined in EXHIBIT A – QUALIFYING POPULATIONS.
 - b. No preferences are given for specific QP's or subpopulations as there are no preferences provided for in the HOME-ARP Allocation Plan.
 - c. Subrecipient will screen applicants and document compliance with Qualifying Population requirements.
3. Waiting List: Subrecipient will maintain a written waiting list and select participants in chronological order of their application. Subrecipient will provide waiting list to Ogden City along with annual documentation and reports.
4. Rejection: Subrecipient will give prompt written notification to any rejected applicant of the grounds for any rejection. (Within five business days)
5. Geographic Boundaries: Supportive Services will be offered only for individuals or households residing within Ogden City boundaries.
6. Non-Duplication of Services:
 - a. Supportive services may be provided to individuals and families who meet the definition of a QP and who are not already receiving these services through another program.
 - b. Subrecipient intake process will document compliance with this provision.
7. Tenant Based Rental Assistance (TBRA)
 - a. A HOME-ARP TBRA program is administered through a subrecipient concurrent with the HOME-ARP Supportive Services program. As a condition of selection for TBRA assistance, the family is required to participate in HOME-ARP Supportive Services offered through a Subrecipient consistent with the requirements of Notice CPD-21-10 Section VI.D.
 - b. The family's failure to continue participation in the Supportive Services program is not a basis for terminating the assistance [24 CFR 92.209(c)(2)(iii)]

- c. Renewal of TBRA assistance may be renewed pending the availability of HOME-ARP funds and will be conditioned on participation in the Supportive Services program. [24 CFR 92.209(c)(2)(iii)]
- d. Participants in the Supportive Services program may be served by TBRA for up to two years before they will no longer be eligible as a QP for purposes of the Supportive Services program. This provision is subject to the eligible renewal of TBRA assistance to the family and is not a guarantee of the duration of Supportive Services.

C. SUPPORTIVE SERVICES GRANT AGREEMENT

1. Subrecipient will enter into an agreement with recipient as a way of offering specific types of services and assuring program compliance.

D. SUPPORTIVE SERVICES SUBSIDY ADMINISTRATION

1. Maximum Subsidy
 - a. Ogden City will negotiate a maximum subsidy level with Subrecipient and implement annually.
2. Income Determination: Some of the QP eligibility evaluation will require income determination. In those cases, the following procedures are required. [24 CFR 92.203]
 - a. Subrecipient must determine annual income by examining at least 2 months of source documents evidencing annual income (e.g., wage statement, interest statement, unemployment compensation statement) for the family.
 - b. Annual income is defined at 24 CFR 5.609 as used in Section 8 and Public Housing programs. [24 CFR 92.203(b)(1)]
 - c. The Subrecipient must calculate the annual income of the family by projecting the prevailing rate of income of the family at the time of application. Annual income shall include income from all persons in the household.
 - d. Income determination must be conducted no more than 6 months prior to commitment of HOME-ARP funds to the recipient family.
3. Procurement of Services
 - a. Ogden City will approve Subrecipient's internal procurement policy for use in administering the TBRA and SS programs.
4. Cash Management & Subrecipient Reimbursement
 - a. Ogden City will approve Subrecipient's cash management and invoicing policy for use in administering the TBRA and SS programs.

E. ELIGIBLE COSTS

1. Eligible Costs for McKinney Vento Supportive Services and Homelessness Prevention Services:
 - a. May be provided for homeless persons and for persons who are housed and the supportive services are intended to help the program participant regain stability in the program participant's current permanent housing or move into other permanent housing to achieve stability in that housing.
 - b. The list of eligible costs is included in the attached EXHIBIT B – ELIGIBLE COSTS FOR MCKINNEY VENTO SUPPORTIVE SERVICES AND HOMELESSNESS PREVENTION SERVICES.

F. RECORD RETENTION AND REPORTING

3. Ogden City must retain records of Supportive Services provided for five years after the fiscal year in which the services were provided. [24 CFR 92.508(c)(3)]
4. Subrecipient Reporting
 - a. Monthly invoicing/reporting

- b. Quarterly reporting for IDIS documentation
- c. Annual reporting and file documentation transfer

EXHIBIT A – QUALIFYING POPULATIONS

The American Rescue Plan (ARP) requires that funds be used to primarily benefit individuals and families in the following specified “qualifying populations.” Any individual or family who meets the criteria for these populations is eligible to receive assistance or services funded through HOME-ARP without meeting additional criteria (e.g., additional income criteria). All income calculations to meet income criteria of a qualifying population or required for income determinations in HOME-ARP eligible activities must use the annual income definition in [24 CFR 5.609](#) in accordance with the requirements of [24 CFR 92.203\(a\)\(1\)](#).

Qualifying Populations

1. Homeless, as defined in [24 CFR 91.5](#) *Homeless (1), (2), or (3)*:

- (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;

2. At risk of Homelessness, as defined in 24 CFR 91.5 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 after 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(l) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(l)), 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.

3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD.

For HOME-ARP, this population includes any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking. This population includes cases where an individual or family reasonably believes that there is a threat of imminent harm from further violence due to 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 or remain within the same dwelling unit. In the case of sexual assault, this also includes cases where an individual reasonably believes there is a threat of imminent harm from further violence if the individual remains within the same dwelling unit that the individual is currently occupying, or the sexual assault occurred on the premises during the 90-day period preceding the date of the request for transfer.

Domestic violence, which is defined in [24 CFR 5.2003](#) includes felony or misdemeanor crimes of violence committed by:

- 1) A current or former spouse or intimate partner of the victim (the term “spouse or intimate partner of the victim” includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship);
- 2) A person with whom the victim shares a child in common;
- 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- 4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving HOME-ARP funds; or
- 5) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence which is defined in [24 CFR 5.2003](#) means violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship;
 - b. The type of relationship; and
 - c. The frequency of interaction between the persons involved in the relationship.

Sexual assault which is defined in [24 CFR 5.2003](#) means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

Stalking which is defined in [24 CFR 5.2003](#) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- 1) Fear for the person’s individual safety or the safety of others; or
- 2) Suffer substantial emotional distress.

Human Trafficking includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7102). These are defined as:

- 1) Sex trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or
- 2) Labor trafficking means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

4. Other Populations where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. HUD defines these populations as individuals and households who do not qualify under any of the populations above but meet one of the following criteria:

1) **Other Families Requiring Services or Housing Assistance to Prevent Homelessness** is defined as households (i.e., individuals and families) who have previously been qualified as "homeless" as defined in 24 CFR 91.5, are currently housed due to temporary or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness.

(2) **At Greatest Risk of Housing Instability** is defined as household who meets either paragraph (i) or (ii) below:

(i) has annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e., is paying more than 50% of monthly household income toward housing costs);

(ii) has annual income that is less than or equal to 50% of the area median income, as determined by HUD, AND meets one of the following conditions from paragraph (iii) of the "At risk of homelessness" definition established at 24 CFR 91.5:

(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 after 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 persons reside 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)

Veterans and Families that include a Veteran Family Member that meet the criteria for one of the qualifying populations described above are eligible to receive HOME-ARP assistance.

EXHIBIT B
ELIGIBLE COSTS FOR MCKINNEY VENTO SUPPORTIVE SERVICES AND
HOMELESSNESS PREVENTION SERVICES

- (A) Child care: The costs of child care for program participants, including providing meals and snacks, and comprehensive and coordinated developmental activities, are eligible. The child care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible. The following conditions also apply:
- Children must be under the age of 13 unless the children have a disability.
 - Children with a disability must be under the age of 18.
- (B) Education services: The costs of improving knowledge and basic educational skills are eligible costs including:
- Instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED).
 - Screening, assessment, and testing; individual or group instruction; tutoring; provision of books, supplies, and instructional material; counseling; and referral to community resources.
- (C) Employment assistance and job training: The costs of establishing and/or 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.
- Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates.
 - Services that assist individuals in securing employment consist of:
 - Employment screening, assessment, or testing;
 - Structured job skills and job-seeking skills;
 - Special training and tutoring, including literacy training and pre-vocational training;
 - Books and instructional material;
 - Counseling or job coaching; and
 - Referral to community resources.
- (D) Food: The cost of providing meals or groceries to program participants is eligible.
- (E) Housing search and counseling services: Costs of assisting eligible program participants to locate, obtain, and retain suitable housing are eligible. Services are:
- Development of an action plan for locating housing;
 - Housing search;
 - Tenant counseling;
 - Securing utilities;
 - Making moving arrangements;
 - Outreach to and negotiation with owners;
 - Assistance submitting rental applications and understanding leases;
 - Assessment of housing for compliance with HOME-ARP requirements for HOME-ARP TBRA assistance in Section B.7. of this document and financial assistance for short-term and medium-term rental payments provided below;

- Assistance obtaining utilities;
- Tenant counseling;
- Mediation with property owners and landlords on behalf of eligible program participants;
- Credit counseling, accessing a free personal credit report, and resolving personal credit issues; and
- Payment of rental application fees.

Note: When Subrecipient provides 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 24 CFR 5.100, and therefore are not required to be carried out in accordance with the certification requirements of 24 CFR 5.111.

(F) 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 a qualifying individual or family's ability to obtain and retain housing.

- Eligible subject matters are child support; guardianship; paternity; emancipation; legal separation; orders of protection and other legal remedies for victims of domestic violence, dating violence, sexual assault, human trafficking, and stalking; appeal of veterans and public benefit claim denials; landlord-tenant disputes; and the resolution of outstanding criminal warrants; landlord/tenant matters, provided that the services must be necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.
- Legal services for immigration and citizenship matters and for issues related to mortgages and homeownership are ineligible. Retainer fee arrangements and contingency fee arrangements are prohibited.
- Services may include client intake, receiving and preparing cases for trial, provision of legal advice, representation at hearings, and counseling.
- 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.

(G) Life skills training: The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, dating violence, sexual assault, stalking, human trafficking, substance abuse, and homelessness are eligible. These services must be necessary to assist the program participant to function independently in the community. Life skills training includes:

- 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.

(H) Mental health services: Eligible costs are the direct outpatient treatment of mental health conditions that are provided by licensed professionals.

- Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances. Problem areas may include family and marital relationships, parent-child problems, or symptom management.
- 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.

- (I) Outpatient health services: Eligible costs are the direct outpatient treatment of medical conditions when provided by licensed medical professionals including:
- Providing an analysis or assessment of a program participant's health problems and the development of a treatment plan;
 - Assisting program participants to understand their health needs;
 - Providing directly or assisting program participants to obtain and utilize appropriate medical treatment;
 - Preventive medical care and health maintenance services, including in-home health services and emergency medical services;
 - Provision of appropriate medication;
 - Providing follow-up services; and
 - Preventive and non-cosmetic dental care.
- (J) Outreach services: The costs of activities to engage qualified populations for the purpose of providing immediate support and intervention, as well as identifying potential program participants, are eligible.
- Eligible costs include the outreach worker's transportation costs and a cell phone to be used by the individual performing the outreach.
 - Costs associated with the following services are eligible: 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 Ogden area.
- (K) Substance abuse treatment services: Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals. The costs include:
- Program participant intake and assessment;
 - Outpatient treatment;
 - Group and individual counseling
 - Drug testing;
 - Inpatient detoxification and other inpatient drug or alcohol treatment are ineligible.
- (L) Transportation: Eligible costs are:
- The costs of program participant's travel on public transportation or in a vehicle provided by the Subrecipient to and from medical care, employment, childcare, or other services eligible under this Policy and Procedure;
 - Mileage allowance for service workers to visit program participants and to carry out housing inspections;
 - The costs of Subrecipient staff to accompany or assist program participants to utilize public transportation.
 - Mileage reimbursement will be equal to the federal mileage reimbursement rate.
- (M) 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. Subrecipients providing these supportive services must have written standards for providing the assistance. Eligible costs are those associated with the following services and activities:
- Conducting the initial evaluation, including verifying and documenting eligibility, for individuals and families applying for supportive services;
 - Counseling;
 - Developing, securing, and coordinating services;
 - Obtaining federal, State, and local benefits;
 - Monitoring and evaluating program participant progress;

- Providing information and referrals to other providers;
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking;
- Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
- Conducting re-evaluations of the program participant's eligibility and the types and amounts of assistance the program participant needs.

(N) Mediation: HOME-ARP funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.

(O) Credit repair: HOME-ARP funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.

(P) Landlord/Tenant Liaison: Costs of liaison services between property managers/owners and program participants are eligible HOME-ARP costs and may include:

- Landlord outreach;
- Physical inspections and rent reasonable studies as needed to secure units;
- Rental application fees and security deposits for clients, in accordance with the financial assistance costs requirements in (R);
- Mediation services in (N) for housing issues that may arise between owner, property manager, or other residents and clients;
- Coordination or assistance with the provision of other HOME-ARP eligible services to assist clients to maintain permanent housing.

(Q) Services for special populations: HOME-ARP funds may be used to provide services for special populations, such as victim services, so long as the costs of providing these services are eligible under this section. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, stalking, or human trafficking.

(R) Financial assistance costs: HOME-ARP funds may be used to pay housing owners, utility companies, and other third parties for the following costs, as applicable:

- Rental application fees: Rental housing application fee that is charged by the owner to all applicants.
- Security deposits: A security deposit that is equal to no more than 2 months' rent. This assistance is separate and distinct from the provision of financial assistance for First and Last Month's rent provided under this section and cannot be used to duplicate those costs.
- Utility deposits: HOME-ARP funds may pay for a standard utility deposit or initiation fee required by the utility company or owner (if owner-paid utilities are provided) for all program participants for the following utilities:
 - Gas
 - Electric
 - Water
 - Sewer
- Utility payments: HOME-ARP funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial

payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.

- Moving costs: HOME-ARP funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance under this section of the Notice and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.
- First and Last month's rent: If necessary to obtain housing for a program participant, HOME-ARP funds may be used to make a pre-payment of the first and last month's rent under a new lease to the owner at the time the owner is paid the security deposit for the program participant's tenancy in the housing. This assistance must not exceed two month's rent and must be tracked for purposes of determining the total short- and medium-term financial assistance for rent that the program participant may receive. This assistance is separate and distinct from financial assistance for Security Deposits provided under this section and cannot be used to duplicate those costs.
- Payment of rental arrears: HOME-ARP funds may be used for a one-time payment for up to 6 months of rent in arrears, including any late fees or charges on those arrears, if necessary for the household to maintain their existing housing or, for those without housing, if necessary to remove a demonstrated barrier to obtaining housing.

(S) Short-term and medium-term financial assistance for rent: Subject to the following conditions, a program participant may be provided with short-term or medium-term financial assistance for rent, provided that the total financial assistance provided, including any pre-payment of first and last month's rent as described above, does not exceed 24 months of rental payments over any 3-year period.

- Short-term means up to 3 months.
- Medium-term means more than 3 months but not more than 24 months.
- The Subrecipient may make rental payments only to an owner with whom the Subrecipient has entered into a financial assistance agreement for rental payment. The financial assistance agreement must set forth the terms under which rental payments will be provided, including the requirements that apply under this Policy and Procedure. The financial assistance agreement must provide that, during the term of the agreement, the owner must give the Subrecipient a copy of any notice to the program participant to vacate the housing unit or any complaint used under State or local law to commence an eviction action against the program participant. The owner must serve written notice upon the program participant at least 30 days before termination of tenancy specifying the grounds for the action. Each financial assistance agreement that is executed or renewed must comply with the requirements in 24 CFR 92.359.
- The Subrecipient must make timely payments to each owner in accordance with the financial assistance agreement. The financial assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The Subrecipient is solely responsible for paying late payment penalties that it incurs with non-HOME-ARP funds.
- Rental payments cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507.
- Each program participant receiving financial assistance for rental payments must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the financial assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent

owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. New leases must have an initial term of 1 year unless a shorter period is agreed upon by the program participant and owner. The lease requirements in 24 CFR 92.359 apply to this financial assistance.

- Short- or medium-term financial assistance for rent may not be provided for the same period for which a program participant is receiving rental assistance or living in housing provided with ongoing assistance (such as project-based rental assistance or operating subsidies).
- If a program participant receiving financial assistance for short- or medium-term rental payments under this section meets the conditions for an emergency transfer under 24 CFR 5.2005(e), HOME-ARP funds may be used to pay amounts owed for breaking a lease to effectuate an emergency transfer. These costs are not subject to the 24-month limit on rental payments.

Ineligible costs - Financial assistance cannot be provided to a program participant who is receiving the same type of assistance through other public sources. Financial assistance also cannot be provided to a program participant who has been provided with replacement housing payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC 4601 et seq.) and its implementing regulations at [49 CFR part 24](#), or Section 104(d) of the Housing and Community Development Act of 1974 (42 USC 5304(d) and its implementing regulations at [24 CFR part 42](#), during the period of time covered by the replacement housing payments.

EXHIBIT C

HOME-ARP ALLOCATION PLAN

Participating Jurisdiction: Ogden, Utah

Date: June 21, 2022

Introduction

The U.S. Department of Housing and Urban Development (HUD) has awarded Ogden City \$1,652,923 through the HOME Investment Partnerships American Rescue Plan Program (HOME-ARP). This funding is awarded for the purpose of addressing issues surrounding homelessness in Ogden, Utah and can only be used to serve individuals that meet one of the following definitions, defined as “Qualifying Populations” in the HUD funding notice:

- Homeless: as defined in 24 CFR 91.5 *Homeless* (1), (2), or (3).
- At risk of Homelessness: as defined in 24 CFR 91.5 *At risk of homelessness*.
- Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking: as defined by HUD.
- Other Populations: where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family’s homelessness or would serve those with the greatest risk of housing instability.

The following is a list of the eligible activities which may be undertaken with the funding. All activities must benefit Qualifying Populations described above:

- Rental Housing: Funds may be used to acquire, rehabilitate, or construct affordable rental housing primarily for occupancy by households of individuals and families of qualifying populations.
- Tenant Based Rental Assistance: Assists a household with payments to cover the entire or insufficient amounts that the qualifying household cannot pay for housing and housing-related costs, such as rental assistance, security deposits, and utility deposits.
- Supportive Services: These include services listed in section 401(29) of the McKinney-Vento Homeless Assistance Act (“McKinney-Vento Supportive Services”)1 (42 U.S.C. 11360(29)); homelessness prevention services; and housing counseling services.
- Non-Congregate Shelter: A non-congregate shelter is one or more buildings that provide private units or rooms as temporary shelter to individuals and families and does not require occupants to sign a lease or occupancy agreement. Includes acquisition and renovation or construction of units. HOME-ARP funds may not be used to pay the operating costs of the non-congregate shelter.

To determine local needs and priorities for the use of HOME-ARP funds, Ogden City analyzed data on homelessness, facilities, and services. Ogden City also consulted with the local homeless coordinating council members, homeless providers, public housing agencies, public agencies serving qualifying populations, and other partners. After this analysis and consultation, Ogden City has prepared the following HOME-ARP Allocation Plan.

Consultation

Before developing this Plan, Ogden City Community and Economic Development (CED) staff consulted with a wide variety of partners with expertise in serving the Qualifying Populations. At the inception of the consultation process, staff met with the Continuum of Care (CoC) lead agency, Weber Morgan Local Homeless Coordinating Council (WLHCC). This was followed up with a survey sent to the CoC members, homeless and domestic violence service providers, veterans’ groups, Ogden and Weber Housing Authorities, public agencies that address the needs of the qualifying populations, and agencies that address fair housing, civil rights, and needs of persons with disabilities.

Partners were provided with a description of the grant and funding amount, the qualifying populations, and the range of eligible activities for the use of the funds. Partners were asked to respond with data on their units, resources, and operations. They were also asked to provide feedback on unmet needs and priorities for the qualifying populations they serve, and to discuss gaps in the inventory and service delivery system. Numerous additional one-on-one meetings and phone calls with these partners have been conducted throughout the development of the HOME-ARP Allocation Plan.

Organizations Consulted

Agency/Org Consulted	Type of Agency/Org	Method of Consultation	Feedback
Weber Morgan County Local Homeless Coordinating Committee	CoC – Lead for CoC	Meeting / presentation	Need for deeply affordable and permanent supportive housing, and supportive services. Need rental assistance with case management for households not qualifying for other programs. Gaps include permanent supportive housing, services, funds for case management.
Weber County Center of Excellence	CoC	Survey, Phone, email	Need for deeply affordable and permanent supportive housing, and supportive services. Gaps include permanent supportive housing, services, winter overflow.
United Way	CoC	Meeting, email	Unmet needs: Help rent burdened, working households stay in their units. Gaps and priorities: COVID rent relief often does not reach households in need. Need rental assistance with case management for households not qualifying for other programs. Priority to homeless prevention and supportive services.
Church of Jesus Christ Homeless Services	CoC	Phone, email	Unmet needs: Help for working poor, employed and employable who are housed. Gaps and priorities: homeless prevention, supportive services.
Lantern House	Homeless Provider	Presentation	Unmet Needs: deeply affordable housing.
Youth Futures	Homeless Provider	Survey	128 homeless youth under 12. 93 are 12-18 years old. Needs: homeless prevention, drop-in, street outreach, transitional housing. Gaps and priorities: street outreach, supportive services, affordable housing.
YCC	Domestic Violence Provider	Survey	Unmet needs: Affordable rental units. Gaps and priorities: Affordable rental units, case management, childcare.
Homeless Veterans Fellowship	Veterans Group	Phone	Unmet needs: Availability of housing for those with criminal records and bad credit – even when tenant can pay. Gaps and priorities: Damage deposits to entice landlords to accept tenants. Additional units which accept challenged history.

Ogden Housing Authority	Public Housing Authority	Survey, phone, email	Unmet Needs: Affordable rental units, permanent supportive housing, supportive services. Priorities: Help rent burdened households to stay in their unit.
Weber Housing Authority	Public Housing Authority	Survey	Unmet Needs: Affordable rental units, case management. Priorities: Affordable rental units, case management.
Weber Human Services, Weber Health Department	Public Agency	Survey	There are 34,000 in Weber County who are at risk and housing unstable. Unmet needs: Sober living beds. Gaps and priorities: sober living, long-term permanent supportive housing.
Ogden-Weber Community Action Partnership	Public Agency	Phone	Unmet needs: More housing units, including deeply affordable. Gaps and priorities: Existing rent relief cannot help all who need it due to program constraints. Need a program not subject to COVID restrictions.
Ogden Police Homeless Outreach Coordinator	Public Agency	Phone	Unmet needs: Deeply affordable housing and mental health. Landlords to work with homeless. One-stop case management agency that continues after person is housed. Gaps: case management and better coordination of case management providers, mental health services, transitional and permanent supportive housing, transportation and funding. Priorities: Mental health services, case management after housed and deeply affordable housing.
Utah Fair Housing Forum	Fair Housing and Civil Rights advocacy	Meetings/ presentation	Unmet needs: Incomes not keeping up with inflation; as a result, more homeless and less case management workers (can't hire case workers because grants restrict amount they can pay workers) Grants need to offer competitive wages. Gaps: More affordable housing units and Case management and supportive services. Transportation for people to get to jobs. Priority: case management and supportive services, affordable housing.
Roads to Independence	Disability service provider	Phone	Unmet needs: Supportive services to stay housed, mental health services. Gaps and priorities: Attendant care services. Units with rents vouchers will accept. Transitional vouchers. ADA upgrades to units.
Weber Homeless Charitable Trust	Private entity - homeless resource provider	Meeting/ presentation	All the eligible housing types and services would benefit our qualified populations. Rental assistance with supportive services would help in homeless prevention would address an unmet need and gaps in services.
Coalition of Resources	Private entity – committee of service providers	Meetings/ presentation	Priority Needs: Deeply affordable housing units for homeless and for seniors on a fix income as rents go up

Public Participation

- **Public Comment Period:** 4/10/2022 – 5/9/2022
- **Public Hearing:** 6/21/2022

Public participation is a vital element in assessing the needs and gaps in services for the homeless for development of the HOME ARP Allocation Plan. City Council held a work session April 12, 2022, that discussed the HOME ARP Allocation plan, which included a presentation on information and data

gathered to determine gaps in the homeless continuum of care and eligible types of activities related to HOME ARP, along with a discussion the proposed budget and activities. A public notice inviting public comments and describing how to review the HOME-ARP Allocation Plan was published in the Standard Examiner on April 9, 2022 and an announcement was posted in English and Spanish at the city's website. June 21, 2022, Ogden City Council held an in-person public hearing, which provided the option for virtual participation, and real-time Spanish translation services, to accept public comments and review for adoption the HOME ARP Allocation Plan.

Ogden City's Community and Economic Development Department's Citizen Advisory Committee (CAC) met October 27, 2021 and February 24, 2022 to participate in the development and review AAP FY22 Amendment #3 – HOME ARP Allocation Plan, which included review of information and data gathered, input from consultants and stakeholders to apply for and budget the HOME ARP grant and adopting a HOME ARP Allocation Plan. The CAC's recommendations were incorporated in the final document.

During the HOME ARP Allocation Plan process, the city followed its Citizen Participation Plan and encouraged the participation of the public, city departments, public agencies and nonprofit housing and public service providers.

For more details on consultation and public outreach, see the Expanded Outreach Section, page 14.

The City expanded its outreach for public participation to include:

- Published notice in the Standard Examiner announcing a 30-day public comment period and the availability for review and comment on the HOME ARP Allocation Plan.
- Posted announcements for the availability for review and comment of the HOME ARP Allocation Plan in English and Spanish to City's websites and the following social media websites: Suazo Center, LUPEC, MVA Media, Marketing Utah, Mexicanas en Utah.
- City Council work session, April 12, 2022, held in-person and by Zoom and Facebook Live to allow citizens to view the work sessions in real time. The work session discussed the HOME ARP Allocation Plan's homeless service providers' data and input gathered, a gap analysis for the COC for homeless persons, community needs, and eligible activities related to HOME ARP.
- The June 21, 2022, Public Hearing included the availability of real-time Spanish translation.
- June 7, 2022 a notice was posted announcing the June 21, 2022 public hearing to adopt the AAP Amendment #3 and HOME ARP Allocation Plan.
- City Council Public Hearing June 21, 2022, to accept comments and consider for adoption the HOME ARP Allocation was held an in-person with the option to attend virtually by Zoom and Facebook Live with the option for real-time participation allowing expanded participation options.
- The public had the option to view the Draft HOME ARP Allocation Plan on-line or to download the draft.
- Citizens could comment through email, phone, voicemail, and postal mail or complete an online comment form.
- CED staff attended community meetings with presentations to inform stakeholders of the HOME-ARP grant and public hearings, which included Coalition of Resources, Ogden City's Diversity Commission and Ogden Housing Authority Resident Advisory Board, and Weber County League of Women Voters, OgdenCAN, Utah Fair Housing Forum, Weber Human Services Department of Aging.

- A presentation to the Coalition of Resources (COR) meeting to outreach to local social service providers, initiating conversations regarding HOME ARP Allocation Plan and inviting them to comment.

Summary of the comments and recommendations received through the public participation process:

3/28/22, Ogden Housing Authority (OHA) Resident Advisory Board, Mary Carroll: Please support the OHA's permanent supportive housing. Can you build smaller houses for older people or smaller families?

4/17/22, Weber Prosperity Center of Excellence (WPCE), Melissa Freigang: the obvious need is for housing units. This need is far superior to rental assistance or supportive services. Homeless people on housing waiting lists are living unsheltered until units become available. Numbers will likely grow exponentially. There is a big difference between supportive services. Hope that supportive services will be tied to individuals and families that receive rental assistance so that the allocation can be strategic.

4/26/22, Weber County League of Women Voters, Terri McCulloch: My opinion is that this is an excellent plan and with the addition of the homeless or near homeless money – it helps moderate income and low income.

5/9/22, Your Community Connection (YCC), Ian Williams: already a large sum of funding for rental assistance in Ogden that is underutilized and unused, mostly due to lack of affordable units, and lack of resources and manpower to spend it effectively. Recommend a portion of funding allocated for client supportive services and case management. Some funding should be allocated to development and construction of new rental housing for qualifying populations.

Summary of any comments or recommendations not accepted and the reason(s) why:

WPCE and YCC: Need for housing units. Ogden City is processing development proposals for both the Ogden Housing Authority and the Weber Housing Authority. Each involves construction of new deeply affordable housing units. Ogden Housing Authority will house only persons meeting the definition of qualifying populations. Weber Housing Authority will include a portion for those populations. Funding is being derived from other sources, including Low Income Housing Tax Credits. Housing vouchers will be dedicated to the units. This will stretch the available vouchers needed to provide housing under HOME-ARP and will limit capacities for additional HOME-ARP rental housing.

Needs Assessment and Gaps Analysis

2021 Point in Time and Housing Inventory Count

		Current Inventory								Homeless Population				
		Total		Family		Adults Only		Vets	DV	Total	Family HH (at least 1 child)	Adult HH (w/o child)	Vets	Victims of DV
		# of Beds	# of Units	# of Beds	# of Units	# of Beds	# of Units	# of Beds	# of Beds					
Emergency Shelter		467		155	31	312		0	21					
Transitional Housing		25				25		25						
Permanent Supportive Housing		311		56	24	255		104	10					
Rapid Rehousing		137		65	21	72		37	47					
Total		940		276	76	664		166	78					
Sheltered Homeless	Households									210	25	175	N/A	
	Individuals									281	93	177	18	55
Unsheltered Homeless	Households									N/A	N/A	N/A	N/A	
	Individuals									91	N/A	N/A	N/A	N/A
Total Homeless	Households									N/A	N/A	N/A	N/A	
	Individuals									372	N/A	N/A	N/A	N/A

Source for Individuals: Utah Annual Homeless Report 2021-PIT, Source for Beds/Units: HUD 2020 CoC Housing Inventory

Vets & DV are subsets of Family & Adult

Housing Needs Inventory and Gap Analysis Table

Non-Homeless			
	Current Inventory	Level of Need	Gap Analysis
	# of Units	# of Households	# of Households
Total Rental Units	13,295		
Rental Units Affordable to HH at 30% AMI (At-Risk of Homelessness)	1,220		
Rental Units Affordable to HH at 50% AMI (Other Populations)	2,135		
0%-30% AMI Renter HH w/cost burden >30% (At-Risk of Homelessness)		3,070	
30%-50% AMI Renter HH w/cost burden >30% (Other Populations)		1,810	
<i>Current Gaps</i>			4,880

CHAS data for the 2014-2018 ACS for Ogden City

Size and demographic composition of qualifying populations within the PJ's boundaries

Homeless

The 2021 Point in Time Count reported 281 sheltered homeless and 91 unsheltered homeless individuals on a single night in January 2021. On the date of this Point in Time (PIT) count the utilization rate of available units was reported to be 78% for Emergency Shelters, 56% for Transitional Housing, and 100% for Rapid Re-Housing. The PIT count for unsheltered individuals is considered to be a subset of the actual number due to the difficulty of contacting and estimating unsheltered populations. CoC members consider the count to be significantly below the actual number of homeless in Weber County.

The majority of those experiencing homelessness during the 2021 PIT count, 63%, were adults in households without children, while individuals in households of adults and children made up 33% of those counted. Unaccompanied children made up 7% of the overall count. 20% of those counted in 2021 identified as currently fleeing domestic violence. Veterans made up 6% of the PIT count.

At Risk of Homelessness

Comprehensive Housing Affordability Strategy data prepared by HUD indicate a large population of households experiencing housing instability who may be at risk of homelessness. There are an estimated 3,070 very low-income households (incomes less than 30% AMI) who are rent burdened (paying greater than 30% of income towards rent).

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking

Rates of abuse have increased exponentially since the onset of the pandemic, mainly due to isolation, financial and work-related stressors, homeschooling, and the cost of childcare. As a result, the demand for services for victims of domestic violence in Ogden has never been higher. For example, calls to YCC 24-hr crisis line increased 4-fold at the onset of the pandemic, and remains at about twice the level than prior to Covid pandemic. Referrals from law enforcement for those at highest risk have increased nearly 30% and sexual assaults have also seen an increase.

Although there is no definitive number for households fleeing or attempting to flee domestic violence in Ogden, according to the National Coalition Against Domestic Violence (NCADV), intimate partner violence accounts for 20% of all violent crimes in the US, and 15% in Utah. Additionally, 37% of women and 20% of men in Utah experience intimate partner physical violence, intimate partner sexual violence, and/or intimate partner stalking in their lifetimes, which is higher than the national average of 25% of women and 11% of men. Evidence also shows that access to firearms increases the danger of femicide fivefold and the majority of domestic-related homicides in Utah included the use of a firearm.

Other Populations Requiring Services or Housing to Prevent Homelessness or At Greatest Risk of Housing Instability

Comprehensive Housing Affordability Strategy data indicate that there are an estimated 1,810 low-income (incomes between 30% and 50% AMI) rent burdened households (paying greater than 30% of income towards rent).

All of the 137 Rapid Rehousing units and beds were utilized at the time of the 2021 Point in Time Count. At least this number of individuals require services and housing to avoid a return to homelessness.

Unmet housing and service needs of qualifying populations

In consultation with the homeless providers and agencies the following unmet housing and services needs for the Qualifying Populations were identified:

Homeless

Housing: Deeply affordable housing, permanent supportive housing, transitional housing, additional sober living beds. Housing which accepts those with sufficient income but with criminal records and bad credit.

Services: Additional street outreach. Supportive Services. Additional mental health services. Case management when housed.

Assessment: Housing affordable to households earning below 30% AMI is and has been a concern since the 2016 Weber County housing study identified the need for over 2,100 units. There are 318 permanent supportive housing beds provided through vouchers and funding mechanisms. However, Ogden does not have a permanent supportive housing facility which would operate into perpetuity. Funding and staffing for supportive services continue to be a challenge. Weber County Center of Excellence has made significant progress in the past few years.

At Risk of Homelessness

Housing: Deeply affordable housing.

Services: Rent assistance for rent burdened, working households to stay in their units and services to increase capacity to pay rents. Supportive Services. Childcare.

Assessment: See assessment on affordable housing above. There are an estimated 4,880 households who pay more than 30% of their income for rent and utilities. According to agencies administering those funds, COVID rent relief may only assist a fraction of these households because they do not meet funding guidelines. Rent assistance with supportive services aimed at stabilizing and increasing household income is a significant and growing unmet need.

Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking

Housing: Affordable housing units.

Services: Case management, childcare.

Assessment: Additional transitional housing units for domestic violence victims is an unmet need. YCC is undertaking a new 15-unit facility aimed at addressing this need.

Other Populations Requiring Services or Housing to Prevent Homelessness or At Greatest Risk of Housing Instability

Housing: Affordable housing units.

Services: Rent assistance for rent burdened, working households to stay in their units and services to increase capacity to pay rents. Supportive Services. Childcare.

Assessment: See assessment on affordable housing above. See assessment of rent relief and supportive services in the At Risk of Homelessness section above.

Current resources available to assist qualifying populations

Ogden City and the Weber County area have a variety of funding, providers, facilities, and services to assist the needs of qualifying populations. Fund sources include Low Income Housing Tax Credits, HOME, Emergency Solutions Grant, Temporary Assistance for Needy Families, Housing Opportunities for Persons with Aids, Emergency Housing Vouchers, and COVID relief rent assistance.

As discussed in the above section regarding unmet needs, the gap in affordable housing continues to grow. Ogden has a significant number of housing units which are deeply affordable. These include 1,089 Housing Vouchers, 200 Public Housing Units, 485 Project-Based Subsidized Units, 698 Project-Based with Section 8, and 1,695 Low Income Housing Tax Credit Units. Ogden Housing Authority and Weber Housing Authority both are planning rental housing projects utilizing low-income housing tax credits. These projects may add as many as 100 additional deeply affordable units in the next two years.

In addition to the annual CoC funding, the City provides additional resources to assist Ogden residents that are part of the qualifying populations. Ogden City Police Department has two Homeless Services Advocates, who work full-time in street outreach. The City funds a homeless court at the Lantern House, which works to stabilize and assist offending homeless persons rather than jail them. The City works with community partners to leverage resources and build up systems to serve Ogden residents.

Gaps within the current shelter and housing inventory as well as the service delivery system

Specific gaps noted by consulting parties are in the areas of permanent supportive housing, homeless prevention and supportive services, affordable housing, case management, and rental assistance. One common theme among many of the respondents was the need for assistance to help keep working poor families in their housing units, and to provide the needed supportive services to help the household to maintain and improve their incomes to be able to afford the unit

in the long-term. Existing COVID-related rent assistance is often too narrowly focused, and many households cannot qualify.

According to HUD's Comprehensive Housing Affordability Strategy (CHAS) data, Ogden is reported to have an estimated 13,295 total rental units. Only 1,220 or 9% are affordable to households with incomes below 30% of Area Median Income (AMI) and 2,135 or 16% are affordable to households with incomes below 50% AMI. According to CHAS data, a minimum of 4,880 affordable housing units would be needed to address the needs of low- and very-low income rent burdened households.

Many of the needs of the qualifying populations are similar and include the need for affordable housing, wrap around services, and supportive services or assistance that could prevent homelessness or greater housing instability.

Explain how the level of need and gaps in its shelter and housing inventory and service delivery systems based on the data presented in the plan were determined

The gaps in services and programs that provide shelter, housing, and services were determined using data from multiple sources, including stakeholder and public engagement. The level of need for unsheltered and shelter households experiencing homelessness was determined by evaluating the number of unsheltered households and the level of resources available to adequately house the families or individuals with permanent supportive housing and critical long-term supportive services to achieve housing stability.

For households that are currently housed but have challenges maintaining their home, the level of need was measured by the amount of inventory that had affordable, safe, and adequate living conditions and the number of renter households that are experiencing severe housing cost burdens. These households need housing that help them stay housed without encumbering them with the cost of their home.

The Utah State Annual Report on Homelessness gives a total of 940 beds and the Point in Time (PIT) counts state 372 sheltered and unsheltered individuals. This would indicate that Ogden has sufficient beds for the homeless population. However, providers indicate that while not quantifiable the unsheltered homeless count is much higher than the PIT count. Permanent supportive housing for the large population of homeless single males is an identified gap in inventory and services. Ogden Housing Authority is preparing to undertake such a project in the next year. Through the consultation and gap analysis process during the development of the HOME-ARP Allocation Plan, consulting agencies indicated the need for more available affordable housing, permanent supportive housing, and the need for additional rental assistance.

Ogden City, with the help of CoC members, partners and stakeholders, identified permanent supportive housing and supportive services as ways to address the gaps in the current shelter and housing inventory to best assist people experiencing homelessness or at risk of homelessness. One primary gap involves the need for rental assistance and supportive services to help working poor

obtain or maintain occupancy in their housing units. COVID relief rental assistance is designed for this purpose but is limited in scope and timing. Many households do not qualify. Housing vouchers are a helpful resource, but Ogden Housing Authority reports 1,650 on the waiting list for 1,700 units and Weber Housing Authority reports 1,100 on the waiting list for 200 units. Rapid Rehousing fills some of this need but some households may need follow-up assistance to obtain stability. A rental assistance program with a broad range of connected services could help a significant number of households who do not qualify for the above programs.

Priority Needs for Qualifying Populations

In the HOME ARP Consultation Survey, partners provided the following set of priority needs:

- Homeless: deeply affordable housing, permanent supportive housing, street outreach, transitional housing, case management, sober living beds.
- Fleeing Violence, etc: Affordable rental units, case management, childcare.
- At Risk of Homelessness: Affordable rental units, rental assistance with case management, homeless prevention supportive services.
- Other Populations: Affordable rental units, rental assistance with case management, homeless prevention supportive services.

The level of needs and gaps in the shelter and housing inventory and service delivery systems were determined through a review of the CHAS data, homeless reports and counts, and consulting partner surveys and meetings. The preponderance of the information shows that Ogden and Weber County have a broad approach to addressing the needs of the homeless, even with the often-limited resources. The priority needs and gaps were driven mostly by consulting party responses. These consulting parties are involved daily in addressing the pressing needs of homeless individuals and households. Greatest weight is given to their responses.

HOME-ARP Activities

Anticipated method for soliciting applications for funding and/or selecting developers, service providers, sub-recipients and/or contractors

As with HOME funds, Ogden City will use HOME-ARP funds to promote public/private partnerships as a vehicle for preserving and expanding the stock of affordable homes. HOME-ARP funds may be leveraged with private and public funding sources to support activities for supportive services, and tenant-based rental assistance.

HOME-ARP funds will be awarded to City departments, agencies, nonprofit or for-profit organizations, based on the merit of proposals received prior to or during the grant implementation period. For development activities and supportive services, greater preference is given to proposals that have other sources of equity and financing and are in line with Ogden City's priorities. The locations of activities will be determined after subrecipients are selected and prioritized.

Ogden City will not administer the proposed activities directly. The programs funded will be selected through a request for proposals process in accordance with the established Ogden City policies and procedures. This process will involve development of a scope of services consistent with the HOME-ARP Notice, solicitation to local non-profit and governmental agencies who serve homeless populations, review, scoring, interviews, and award.

Proposed Use of HOME-ARP Funding

	Funding Amount	Percent of the Grant	Statutory Limit
Supportive Services	\$ 464,000		
Acquisition and Development of Non-Congregate Shelters	\$ 0		
Tenant Based Rental Assistance (TBRA)	\$ 940,985		
Development of Affordable Rental Housing	\$ 0		
Non-Profit Operating	\$ 0	0%	5%
Non-Profit Capacity Building	\$ 0	0%	5%
Administration and Planning	\$ 247,938	15 %	15%
Total HOME ARP Allocation	\$1,652,923		

Characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provided a rationale for the plan to fund eligible activities

Ogden City has identified activities that will assist families and individuals of the most vulnerable populations. HUD CHAS data show a need for a significant number of additional deeply affordable housing units. Creation of new units is being actively pursued by housing partners with new units coming online in the next one to two years. Additional methods of rendering units affordable involve rent subsidies. Tenant Based Rent Assistance is the method which best addresses the needs identified by consulting parties. When coupled with a broad range of linked supportive services, this approach provides assistance for households to obtain and maintain housing that is affordable to them.

Among the most vulnerable qualified populations in jeopardy of housing instability are families and individuals challenged with housing affordability. To help keep families housed, Ogden City will fund activities that provide rental assistance to low- and moderate-income families. Tenant-based rental assistance will be administered by local non-profits or public agencies that support families or individual who are at-risk of homelessness. Many of the families or individuals who receive assistance to mitigate homelessness or flee violent circumstances require wrap-around

services because of the compounding challenges they face. Ogden City will support organizations that provide supportive services to help program participants achieve self-sufficiency.

HOME-ARP Production Housing Goals

- Number of affordable rental housing units for Qualifying Populations Ogden City will support: 0. The Plan anticipates funding for TBRA and Supportive Services and not for development of rental housing units.
- Rental housing production goal: 0

Preferences

No specific preferences are anticipated. Any individual or household in a Qualifying Population will have access to the TBRA and Supportive Services provided in the Plan. Guidelines for administration of these programs will be developed in coordination with the request for proposal process.

HOME-ARP Refinancing Guidelines

- Not applicable.

EXHIBIT D

HOME-ARP FEDERAL REGULATORY REQUIREMENTS

HUD NOTICE CPD-21-10

C. Tenant-Based Rental Assistance (TBRA)

HOME-ARP funds may be used to provide tenant-based rental assistance to qualifying households (“HOME-ARP TBRA”). In HOME-ARP TBRA, the PJ assists a qualifying household with payments to cover the entire or insufficient amounts that the qualifying household cannot pay for housing and housing-related costs, such as rental assistance, security deposits, and utility deposits. HOME-ARP TBRA assisted households may choose to rent a unit in a HOME-ARP rental project or any other eligible rental unit. HOME-ARP TBRA is a form of rental assistance that is attached to the household and not a particular rental unit. Therefore, the HOME-ARP TBRA assisted household may choose to move to another unit with continued HOME-ARP TBRA as long as the new unit meets the applicable property standards of this Notice. If a HOME-ARP TBRA assisted household chooses to move, the rental assistance contract terminates and a new rental assistance contract for the new unit will be executed according to HOME-ARP TBRA requirements. The HOME-ARP TBRA assisted household must notify the PJ before moving in order to receive continued HOME-ARP TBRA.

1. Tenant Selection: Only individuals and families in the qualifying populations are eligible to receive HOME-ARP TBRA assistance. PJs must perform tenant selection in accordance with Section IV.C of this Notice. The PJ must select qualifying households for HOME-ARP TBRA in accordance with written tenant selection policies and criteria that are based on local housing needs established in the HOME-ARP allocation plan. The PJ must follow written tenant selection policies and criteria that:

a. Limit eligibility to households that meet one of the HOME-ARP qualifying populations definitions in accordance with HOME-ARP requirements. Preferences for households in one or more of the HOME-ARP qualifying populations, if any, must comply with the preferences and/or method of prioritization in the PJ’s HOME-ARP allocation plan and the PJ’s policies and procedures for applying such preferences, if any, and must not violate nondiscrimination requirements in 24 CFR 92.350.

b. If the PJ selects HOME-ARP TBRA applicants off a waiting list, it must provide for the selection of qualifying households from a written waiting list in accordance with the PJ’s preferences or method of prioritization in the chronological order of their application, insofar as is practicable.

c. Give prompt written notification to any rejected applicant of the grounds for any rejection, and

d. Comply with the VAWA requirements as described in 24 CFR 92.359.

Finally, the PJ may offer, in conjunction with HOME-ARP TBRA assistance, a simultaneous award of services in accordance with [Section VI.D](#) of this Notice, and also provide particular types of other nonmandatory services that may be most appropriate for persons with a special need or a particular disability. Any provision of supportive services must comply with all requirements of [Section VI.D](#) of the Notice and the PJ's policies and procedures.

2. Tenant Protections: PJs must require and verify that there is an executed lease between the qualifying household that receives HOME-ARP TBRA and the owner of the rental unit or between the owner of the rental unit and a HOME-ARP sponsor with a sublease between the qualifying households and the HOME-ARP sponsor, in accordance with [24 CFR 92.253\(a\)](#). A HOME-ARP sponsor is a nonprofit organization that provides housing or supportive services to qualifying households and facilitates the leasing of a rental unit to a qualifying household or the use and maintenance of HOME-ARP TBRA by a qualifying household. PJs may permit a HOME-ARP sponsor, as defined in [Section VI.B.19](#), to execute a lease or master lease with a project owner. The HOME-ARP sponsor must then sublease a unit to a qualifying household. The lease between the qualifying household and the rental unit owner or the sublease between the HOME-ARP sponsor and the qualifying household cannot contain any of the prohibited lease terms specified in [24 CFR 92.253\(b\)](#).

3. Eligible Costs: Eligible costs under HOME-ARP TBRA include rental assistance, security deposit payments, and utility deposit assistance to qualifying households. HOME-ARP funds may be used to pay for up to 100% of these eligible costs. A PJ may use HOME-ARP TBRA funds to provide loans or grants to qualifying households for security deposits for rental units regardless of whether the PJ provides any other HOME-ARP TBRA assistance. The amount of funds that may be provided for a security deposit may not exceed the equivalent of two months' rent for the unit. Utility deposit assistance is an eligible cost only if rental assistance or a security deposit payment is provided. Costs of inspecting the housing are also eligible as costs of HOME-ARP TBRA. Administration of HOME-ARP TBRA is an eligible cost only if executed in accordance with general management oversight and coordination at [24 CFR 92.207\(a\)](#), except that the costs of inspecting the housing and determining the income eligibility of the family are eligible project costs under HOME-ARP TBRA.

4. Ineligible Costs: HOME-ARP TBRA may not be used to pay for the homebuyer program as defined at [24 CFR 92.209\(c\)\(2\)\(iv\)](#).

5. Portability of Assistance: A PJ may require the HOME-ARP TBRA assisted household to use HOME-ARP TBRA within the PJ's boundaries or may permit the household to use the assistance outside its boundaries pursuant to [24 CFR 92.209\(d\)](#).

6. Term of Rental Assistance Contract: The requirements at [24 CFR 92.209\(e\)](#) defining the term of the rental assistance contract for providing assistance with HOME funds are waived for HOME-ARP TBRA. The PJ must determine the maximum term of the rental assistance

contract. The rental assistance contract continues until the end of the rental assistance contract term, as determined by the PJ, or until the lease or sublease is terminated, whichever occurs first. The term of the rental assistance contract may be renewed, subject to the availability of HOME-ARP funds. The term of the rental assistance contract must begin on the first day of the term of the lease or sublease. HOME-ARP TBRA funds cannot be used after the end of the budget period.

7. Maximum Subsidy: The PJ must establish policies for the allowable maximum subsidy, which may differ from the maximum subsidy requirements at [24 CFR 92.209\(h\)](#). PJs may provide up to 100 percent subsidy for rent, security deposit payments, and utility bills. The PJ must also establish policies for determining any household contribution to rent based on a determination of the qualifying household's income.

8. Rent Standard: Consistent with [24 CFR 92.209\(h\)\(3\)](#), PJs must also establish a rent standard for HOME-ARP TBRA by unit size that is based upon local market conditions or the section 8 Housing Choice Voucher program under [24 CFR part 982](#). The PJ must determine whether the rent for a HOME-ARP TBRA household complies with the rent standard established by the PJ for the HOME-ARP program and must disapprove a lease if the rent does not meet the PJ's rent standard for HOME-ARP TBRA.

9. Housing Quality Standards: Housing occupied by a household receiving HOME-ARP TBRA must comply with all housing quality standards required in [24 CFR 982.401](#) (or successor inspection standards issued by HUD) unless the tenant is residing in a HOME or HOME-ARP

10. Program Operation: The PJ may operate HOME-ARP TBRA itself or may contract with a PHA or other entity with the capacity to operate a rental assistance program. In either case, the PJ or entity operating the program must approve the lease. HOME-ARP TBRA may be provided through an assistance contract with (1) an owner that leases a unit to a qualifying household; (2) the qualifying household, or (3) an owner and the qualifying household in a tri-party contract. In the case of HOME-ARP TBRA provided in coordination with a HOME-ARP sponsor, as described below, the PJ may require that payments be made directly to the HOME-ARP sponsor that will make rental payments to the owner on behalf of the qualifying household or require payments directly to the owner of the unit.

11. HOME-ARP TBRA with a HOME-ARP Sponsor: HOME-ARP TBRA may be provided in coordination with a HOME-ARP sponsor. As defined in [Section VI.B.19](#), a HOME-ARP sponsor is a nonprofit organization that provides housing or supportive services to qualifying households and facilitates the leasing of a HOME-ARP rental unit to a qualifying household or the use and maintenance of HOME-ARP TBRA by a qualifying household. A HOME-ARP sponsor may make rental subsidy payments and a security deposit payment on behalf of a qualifying household. Under HOME-ARP TBRA, a qualifying household may reside in housing leased by a HOME-ARP sponsor if there is a sublease that complies with HOME-ARP lease requirements between the HOME-ARP sponsor and the qualifying household.

a. Rental Assistance Contract: There must be a rental assistance contract between the PJ and at least one of the following:

- HOME-ARP sponsor;
- Qualifying household; or
- Owner of the housing.

Rental subsidy payments are made on behalf of the HOME-ARP TBRA household pursuant to a rental assistance contract. The rental assistance contract continues until the lease is terminated or the term of the rental assistance contract expires (and is not renewed).

Regardless of the role of the HOME-ARP sponsor, the HOME-ARP TBRA household has the right to continued HOME-ARP TBRA assistance if the household chooses to move from the unit. HOME-ARP TBRA funds cannot be used beyond the end of the HOME-ARP budget period.

The HOME-ARP sponsor may only receive the TBRA subsidy directly from the PJ on behalf of the qualifying household if the rental assistance contract is between the HOME-ARP sponsor and the PJ or the HOME-ARP sponsor and the PJ have entered into a written agreement as outlined below. The HOME-ARP sponsor must make rental subsidy payments to the owner on behalf of the qualifying household per the terms and conditions of the HOME-ARP TBRA contract or written agreement with the PJ. When the HOME-ARP TBRA assisted household moves to a new unit, the HOME-ARP sponsor is not required to continue its sponsor relationship with the HOME-ARP TBRA assisted household for the new rental unit but may do so with the consent of the HOME-ARP TBRA household.

The PJ must establish policies and procedures regarding termination of HOME-ARP TBRA assistance for qualifying households who are absent from the rental unit for a minimum of 60 days and where a HOME-ARP sponsor is leasing the rental unit and subleasing to the qualifying household or providing HOME-ARP TBRA rental subsidy payments on behalf of the household.

b. Lease and Sublease: PJs must require and verify that each household that receives HOME-ARP TBRA assistance has an executed lease that complies with the tenant protection requirements of this Notice. The lease agreement may be between the project owner and the HOME-ARP TBRA household, or PJs may permit a HOME-ARP sponsor to execute a lease with an owner for an individual unit or a master lease for more than one unit restricted for occupancy by HOME-ARP TBRA households. If the lease agreement is between the HOME-ARP sponsor and owner, the HOME-ARP sponsor must execute a sublease agreement with a HOME-ARP TBRA household. The sublease between the HOME-ARP sponsor and the HOME-ARP TBRA household must meet the tenant protection requirements of this Notice.

c. Written Agreement with HOME-ARP Sponsor: The PJ must enter into a written agreement with the HOME-ARP sponsor if the HOME-ARP TBRA rental assistance contract is not with the HOME-ARP sponsor and the HOME-ARP sponsor will receive the HOME-ARP TBRA subsidy directly from the PJ. The written agreement must specify the requirements for the HOME-ARP sponsor receiving the HOME-ARP TBRA subsidy on behalf of the qualifying household and the HOME-ARP sponsor's obligation to provide the HOME-ARP TBRA payment to the owner for the unit's required rent.

12. Project Completion: Project completion for a HOME-ARP TBRA project means the final drawdown has been disbursed for the project.

D. Supportive Services

HOME-ARP funds may be used to provide a broad range of supportive services to qualifying individuals or families as a separate activity or in combination with other HOME-ARP activities. Supportive services include: a) services listed in section 401(29) of the McKinney-Vento Homeless Assistance Act (“McKinney-Vento Supportive Services”)¹ (42 U.S.C. 11360(29)); b) homelessness prevention services, as described in [Section VI.D.3.](#) and [D.4](#) below; and c) housing counseling services.

1. Eligible Program Participants: Supportive services may be provided to individuals and families who meet the definition of a qualifying population under [Section IV.A](#) of this Notice and who are not already receiving these services through another program. Program participants in other HOME-ARP activities are eligible for supportive services under this Notice in accordance with policies and procedures developed by the PJ. These policies and procedures should identify the length of time that program participants may be served by HOME-ARP TBRA and/or HOME ARP rental housing before they will no longer be eligible as a qualifying population for purposes of this section.

2. Client Selection: HOME-ARP funds may only be used to provide supportive services to individuals or families that meet the definition of a qualifying population in [Section IV.A](#) of this Notice. PJs must develop policies and procedures for the selection of program participants for services under this section of the Notice that comply with [Section IV.C](#) and this section of this Notice.

3. Eligible Supportive Services under HOME-ARP: There are three categories specifically included as supportive services under HOME-ARP:

a. McKinney-Vento Supportive Services: McKinney-Vento Supportive Services under HOME-ARP are adapted from the services listed in section 401(29) of McKinney-Vento.

b. Homelessness Prevention Services: HOME-ARP Homelessness Prevention Services are adapted from eligible homelessness prevention services under the regulations at [24 CFR 576.102](#), [24 CFR 576.103](#), [24 CFR 576.105](#), and [24 CFR 576.106](#), and are revised, supplemented, and streamlined in [Section VI.D.4.c.i](#) below.

4. Eligible Costs of Supportive Services for Qualifying Individuals and Families: HOME-ARP funds may be used to pay eligible costs associated with the HOME-ARP supportive services activity in accordance with the requirements in this Notice. Eligible costs that may be paid using HOME-ARP funds are limited to only those identified in [Section VI.D.4.c](#) below. Any ineligible costs paid using HOME-ARP funds must be repaid in accordance with the requirements of this Notice.

HUD has used its discretion in ARP to include eligible costs for supportive services that are necessary to assist the qualifying populations, prevent homelessness, or to enable qualifying households to obtain and maintain housing. The list of eligible costs associated with McKinney-Vento Supportive Services and Homelessness Prevention Services is in [Section VI.D.4.c.i](#) of this Notice.

While all qualifying households are eligible to receive supportive services under this activity, the PJ must establish requirements for documenting eligible costs for an individual or family in a qualifying population (as defined in [Section IV.A](#) of this Notice) as McKinney-Vento supportive services, homelessness prevention services, or Housing Counseling.

If a person is homeless, then the person is eligible to be provided the supportive services as McKinney-Vento supportive services for the costs allowable in [Section VI.D.4.c](#) below. If a person is housed and the supportive services are intended to help the program participant regain stability in the program participant's current permanent housing or move into other permanent housing to achieve stability in that housing then the person is eligible for homelessness prevention services for the costs allowable in [Section VI.D.4.c.i](#) below.

Housing Counseling services may be provided regardless of whether a person is homeless or currently housed.

program participants. If PJs are using a supportive services provider, PJs must document in their written agreements with supportive service providers whether they are authorizing McKinney-Vento supportive services, homelessness prevention services, Housing Counseling services or some combination of the three. Only the supportive services that are authorized in the written agreement with the supportive service provider may be provided to program participants by that supportive service provider and only program participants that are eligible for those supportive services may be served. As such, supportive services providers must demonstrate through their documentation that the individuals served were eligible to receive the supportive services that were authorized under the written agreement in order for those costs to be eligible.

Consistent with the requirements in this section, the PJ may set a maximum dollar amount that a program participant may receive for each type of service described in [Section VI.D.4.c](#) below and may also set a maximum period for which a program participant may receive any of the types of assistance or services.

a. Oversight of Eligible Costs: All supportive service costs paid for by HOME-ARP must comply with the requirements of this Notice, including requirements in [2 CFR part 200](#), subpart E, Cost Principles that require costs be necessary and reasonable. If a qualifying household is already receiving the same eligible supportive service or has been approved to receive the same service through another program or provider, the program participant does not have a need for the HOME-ARP service and the costs related to the service do not comply with the Cost Principles. The PJ is responsible for establishing requirements that allow a program participant to receive only the HOME-ARP services needed so there is no duplication of services or assistance in the use of HOME-ARP funds for supportive services. This may include the use of systems such as Homeless Management Information Systems in coordination with local supportive service providers, CoCs, and other nonprofit organizations.

b. Direct provision of services: PJs contracting with service providers engaged directly in the provision of services under the HOME-ARP eligible supportive services categories, shall have written agreements or contracts that comply with the requirements of this Notice and, to the extent practicable, enter into agreements or contracts in amounts that cover the actual total program costs and administrative overhead to provide the services contracted.

subrecipient, the following costs are eligible project delivery costs for those services:

- the costs of labor or supplies and materials incurred by the PJ or subrecipient in directly providing supportive services to program participants.
- the salary and benefit packages of the PJ and subrecipient staff who directly deliver the services.

These project delivery costs must be attributable to the identifiable objective of the service delivered, otherwise they are administrative costs of the PJ or subrecipient.

c. Eligible Costs:

i. Eligible Costs for McKinney Vento Supportive Services and Homelessness Prevention Services: Eligible costs for supportive services under either of these two categories include costs associated with the following services:

(A) Child care: The costs of child care for program participants, including providing meals and snacks, and comprehensive and coordinated developmental activities, are eligible. The child care center must be licensed by the jurisdiction in which it operates in order for its costs to be eligible. The following conditions also apply:

- Children must be under the age of 13 unless the children have a disability.
- Children with a disability must be under the age of 18.

(B) Education services: The costs of improving knowledge and basic educational skills are eligible costs including:

- Instruction or training in consumer education, health education, substance abuse prevention, literacy, English as a Second Language, and General Educational Development (GED).
- Screening, assessment, and testing; individual or group instruction; tutoring; provision of books, supplies, and instructional material; counseling; and referral to community resources.

(C) Employment assistance and job training: The costs of establishing and/or 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.

- Learning skills include those skills that can be used to secure and retain a job, including the acquisition of vocational licenses and/or certificates.
- Services that assist individuals in securing employment consist of:
 - Employment screening, assessment, or testing;
 - Structured job skills and job-seeking skills;
 - Special training and tutoring, including literacy training and pre-vocational training;
 - Books and instructional material;
 - Counseling or job coaching; and
 - Referral to community resources.

(D) Food: The cost of providing meals or groceries to program participants is eligible.

(E) Housing search and counseling services: Costs of assisting eligible program participants to locate, obtain, and retain suitable housing are eligible. Services are:

- Development of an action plan for locating housing;
- Housing search;
- Tenant counseling;
- Securing utilities;
- Making moving arrangements;
- Outreach to and negotiation with owners;
- Assistance submitting rental applications and understanding leases;
- Assessment of housing for compliance with HOME-ARP requirements for TBRA assistance in [Section VI.C](#) of this Notice and financial assistance for short-term and medium-term rental payments provided under [Section VI.D.4.c.i.\(R\)](#) below;
- Assistance obtaining utilities; and
- Tenant counseling;
- Mediation with property owners and landlords on behalf of eligible program participants;
- Credit counseling, accessing a free personal credit report, and resolving personal credit issues; and
- Payment of rental application fees;
- Other Housing counseling costs, as defined in [24 CFR 5.100](#), funded with or provided in connection with grant funds must be carried out in accordance with [24 CFR 5.111](#).

Please Note: When PJs 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 [24 CFR 5.100](#), and therefore are not required to be carried out in accordance with the certification requirements of [24 CFR 5.111](#).

(F) 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 a qualifying individual or family's ability to obtain and retain housing.

- Eligible subject matters are child support; guardianship; paternity; emancipation; legal separation; orders of protection and other legal remedies for victims of domestic violence, dating violence, sexual assault, human trafficking, and stalking; appeal of veterans and public benefit claim denials; landlord-tenant disputes; and the resolution of outstanding criminal warrants; landlord/tenant matters, provided that the services must be necessary to resolve a legal problem that prohibits the program participant from obtaining permanent housing or will likely result in the program participant losing the permanent housing in which the program participant currently resides.
- Legal services for immigration and citizenship matters and for issues related to mortgages and homeownership are ineligible. Retainer fee arrangements and contingency fee arrangements are prohibited.
- Services may include client intake, receiving and preparing cases for trial, provision of legal advice, representation at hearings, and counseling.

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.

(G) Life skills training: The costs of teaching critical life management skills that may never have been learned or have been lost during the course of physical or mental illness, domestic violence, dating violence, sexual assault, stalking, human trafficking, substance abuse, and homelessness are eligible. These services must be necessary to assist the program participant to function independently in the community. Life skills training includes:

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.

(H) Mental health services: Eligible costs are the direct outpatient treatment of mental health conditions that are provided by licensed professionals.

Mental health services are the application of therapeutic processes to personal, family, situational, or occupational problems in order to bring about positive resolution of the problem or improved individual or family functioning or circumstances. Problem areas may include family and marital relationships, parent-child problems, or symptom management.

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.

(I) Outpatient health services: Eligible costs are the direct outpatient treatment of medical conditions when provided by licensed medical professionals including:

Providing an analysis or assessment of a program participant's health problems and the development of a treatment plan;

Assisting program participants to understand their health needs;

Providing directly or assisting program participants to obtain and utilize appropriate medical treatment;

Preventive medical care and health maintenance services, including in-home health services and emergency medical services;

Provision of appropriate medication;

Providing follow-up services; and

Preventive and non-cosmetic dental care.

(J) Outreach services: The costs of activities to engage qualified populations for the purpose of providing immediate support and intervention, as well as identifying potential program participants, are eligible.

Eligible costs include the outreach worker's transportation costs and a cell phone to be used by the individual performing the outreach.

Costs associated with the following services are eligible: 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 PJ's geographic area.

(K) Substance abuse treatment services: Eligible substance abuse treatment services are designed to prevent, reduce, eliminate, or deter relapse of substance abuse or addictive behaviors and are provided by licensed or certified professionals. The costs include:

- Program participant intake and assessment;
- Outpatient treatment;
- Group and individual counseling
- Drug testing;
- Inpatient detoxification and other inpatient drug or alcohol treatment are ineligible.

(L) Transportation: Eligible costs are:

- The costs of program participant's travel on public transportation or in a vehicle provided by the PJ or subrecipient to and from medical care, employment, childcare, or other services eligible under this Notice;
- Mileage allowance for service workers to visit program participants and to carry out housing inspections;
- The cost of purchasing or leasing a vehicle in which staff transports program participants and/or staff serving program participants;
- The cost of gas, insurance, taxes, and maintenance for the vehicle;
- The costs of PJ or subrecipient staff to accompany or assist program participants to utilize public transportation; and
- If public transportation options are not sufficient within the area, the PJ 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:
 - 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);
 - Payments for car repairs or maintenance must be paid by the PJ or subrecipient directly to the third party that repairs or maintains the car; and
 - PJs 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.
 - The PJ must establish policies and procedures surrounding payments for the cost of gas, insurance, taxes, the one-time payment for car repairs or maintenance described above, and maintenance for vehicles of program participants. Such costs must be limited to program participants with the inability to pay for such costs and who, without such assistance, would not be able to participate in eligible services under this [Section VI.D.4.c.i.](#)

(M) 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. PJs and subrecipients providing these supportive services must have written standards for providing the assistance. Eligible costs are those associated with the following services and activities:

- Conducting the initial evaluation, including verifying and documenting eligibility, for individuals and families applying for supportive services;

- Counseling;
- Developing, securing, and coordinating services;
- Using a centralized or coordinated assessment system that complies with the requirements of [Section IV.C](#) of the Notice;
- Obtaining federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers;
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking;
- Developing an individualized housing and service plan, including planning a path to permanent housing stability; and
- Conducting re-evaluations of the program participant's eligibility and the types and amounts of assistance the program participant needs.

(N) Mediation: HOME-ARP funds may pay for mediation between the program participant and the owner or person(s) with whom the program participant is living, provided that the mediation is necessary to prevent the program participant from losing permanent housing in which the program participant currently resides.

(O) Credit repair: HOME-ARP funds may pay for credit counseling and other services necessary to assist program participants with critical skills related to household budgeting, managing money, accessing a free personal credit report, and resolving personal credit problems. This assistance does not include the payment or modification of a debt.

(P) Landlord/Tenant Liaison: Costs of liaison services between property managers/owners and program participants are eligible HOME-ARP costs and may include:

- Landlord outreach;
 - Physical inspections and rent reasonable studies as needed to secure units;
 - Rental application fees and security deposits for clients, in accordance with the financial assistance costs requirements in [\(R\)](#);
 - Mediation services in [\(N\)](#) for housing issues that may arise between owner, property manager, or other residents and clients;
- Coordination or assistance with the provision of other HOME-ARP eligible services to assist clients to maintain permanent housing.

(Q) Services for special populations: HOME-ARP funds may be used to provide services for special populations, such as victim services, so long as the costs of providing these services are eligible under this section. The term victim services means services that assist program participants who are victims of domestic violence, dating violence, sexual assault, stalking, or human trafficking including services offered by rape crisis centers and domestic violence shelters, and other organizations with a documented history of effective work concerning domestic violence, dating violence, sexual assault, stalking, or human trafficking.

(R) Financial assistance costs: HOME-ARP funds may be used to pay housing owners, utility companies, and other third parties for the following costs, as applicable:

- Rental application fees: Rental housing application fee that is charged by the owner to all applicants.
- Security deposits: A security deposit that is equal to no more than 2 months' rent. This assistance is separate and distinct from the provision of financial assistance for First and Last Month's rent provided under this section and cannot be used to duplicate those costs.
- Utility deposits: HOME-ARP funds may pay for a standard utility deposit or initiation fee required by the utility company or owner (if owner-paid utilities are provided) for all program participants for the following utilities:
 - Gas
 - Electric
 - Water
 - Sewer
- Utility payments: HOME-ARP funds may pay for up to 24 months of utility payments per program participant, per service, including up to 6 months of utility payments in arrears, per service. A partial payment of a utility bill counts as one month. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage. No program participant shall receive more than 24 months of utility assistance within any 3-year period.

Moving costs: HOME-ARP funds may pay for moving costs, such as truck rental or hiring a moving company. This assistance may include payment of temporary storage fees for up to 3 months, provided that the fees are accrued after the date the program participant begins receiving assistance under this section of the Notice and before the program participant moves into permanent housing. Payment of temporary storage fees in arrears is not eligible.

- First and Last month's rent: If necessary to obtain housing for a program participant, HOME-ARP funds may be used to make a pre-payment of the first and last month's rent under a new lease to the owner at the time the owner is paid the security deposit for the program participant's tenancy in the housing. This assistance must not exceed two month's rent and must be tracked for purposes of determining the total short- and medium-term financial assistance for rent that the program participant may receive. This assistance is separate and distinct from financial assistance for Security Deposits provided under this section and cannot be used to duplicate those costs.
- Payment of rental arrears: HOME-ARP funds may be used for a one-time payment for up to 6 months of rent in arrears, including any late fees or charges on those arrears, if necessary for the household to maintain their existing housing or, for those without housing, if necessary to remove a demonstrated barrier to obtaining housing.

(S) Short-term and medium-term financial assistance for rent: Subject to the following conditions, a PJ may provide a program participant with short-term or medium-term financial assistance for rent, provided that the total financial assistance provided, including any pre-payment of first and last month's rent as described above, does not exceed 24 months of rental payments over any 3-year period.

- Short-term means up to 3 months.
- Medium-term means more than 3 months but not more than 24 months.

□ The PJ may make rental payments only to an owner with whom the PJ has entered into a financial assistance agreement for rental payment. The financial assistance agreement must set forth the terms under which rental payments will be provided, including the requirements that apply under this Notice. The financial assistance agreement must provide that, during the term of the agreement, the owner must give the PJ a copy of any notice to the program participant to vacate the housing unit or any complaint used under State or local law to commence an eviction action against the program participant. The owner must serve written notice upon the program participant at least 30 days before termination of tenancy specifying the grounds for the action. Each financial assistance agreement that is executed or renewed must comply with the requirements in [24 CFR 92.359](#).

□ The PJ must make timely payments to each owner in accordance with the financial assistance agreement. The financial assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease. The PJ is solely responsible for paying late payment penalties that it incurs with non-HOME-ARP funds.

□ Rental payments cannot be provided unless the rent does not exceed the Fair Market Rent established by HUD, as provided under [24 CFR part 888](#), and complies with HUD's standard of rent reasonableness, as established under [24 CFR 982.507](#).

□ Each program participant receiving financial assistance for rental payments must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the financial assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks. New leases must have an initial term of 1 year unless a shorter period is agreed upon by the program participant and owner. The lease requirements in [24 CFR 92.359](#) apply to this financial assistance.

□ PJs must establish requirements to prevent the provision of short- or medium-term financial assistance for rent for the same period for which a program participant is receiving rental assistance or living in housing provided with ongoing assistance (such as project-based rental assistance or operating subsidies).

□ If a program participant receiving financial assistance for short- or medium-term rental payments under this section meets the conditions for an emergency transfer under [24 CFR 5.2005\(e\)](#), HOME-ARP funds may be used to pay amounts owed for breaking a lease to effectuate an emergency transfer. These costs are not subject to the 24-month limit on rental payments.

Ineligible costs - Financial assistance cannot be provided to a program participant who is receiving the same type of assistance through other public sources. Financial assistance also cannot be provided to a program participant who has been provided with replacement housing payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC 4601 et seq.) and its implementing regulations at [49 CFR part 24](#), or Section 104(d) of the Housing and Community Development Act of 1974 (42 USC 5304(d) and its implementing regulations at [24 CFR part 42](#), during the period of time covered by the replacement housing payments.