City of Lowell

Continuum of Care Program

Governance Charter

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SECTION 1: INTRODUCTION

In 1995, HUD established the competitive Continuum of Care (CoC) funding application process to provide resources to communities to implement community-wide, coordinated efforts for assessing and addressing the housing and service needs of individuals and families that were homeless or at risk of homelessness. The CoC is the group that takes on coordination of homeless services and homelessness prevention activities across a specified geographic area.

With its Federal and State partners, the Lowell CoC has established a comprehensive Continuum of Care System within the city of Lowell, committed to meeting the goals of the "*Opening Doors*" the federal strategic plan to end homelessness and of the Continuum of Care program authorized by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act. Specifically the CoC is committed to address homelessness by employing the strategic use of housing, health care and other mainstream service resources to move homeless individuals and families into stable permanent housing.

In addition, the Lowell CoC efforts including the creation of the City's *Partnership for Change to End Homelessness in 10 Years: 2008 Action Plan* and implementation of the *Keys to Ending Homelessness Conference Series* have and are continuing to inform the work of the Lowell Continuum of Care Advisory Board and Steering Committee on issues including, but not limited to:

1. Housing,
2. Youth,
3. Veterans,
4. Seniors,
5. Food Security and Healthy Living,
6. Trauma Informed Care and Behavioral Health,
7. Criminal Justice,
8. Education and Employment, and
9. Data Collection and Analysis.

This governance charter has been developed in accordance with HUD regulations and guidance, and with its locally driven philosophy and practical experience in working with homeless individuals, families and unaccompanied youth. The Lowell CoC's goal is to provide the community with tools to improve all aspects of the CoC. This tool focuses on the governance element of the CoC, specifically to help organize the multi-agency organization.

SECTION 2: PURPOSE & GOALS

The purpose of the Lowell CoC is to promote communitywide commitment to the goal of ending homelessness; attain and provide funding for efforts by nonprofit providers, in cooperation with Federal, State and local governments and private funders, to quickly rehouse homeless individuals and families

while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness; promote access to and effective utilization of mainstream programs by homeless individuals and families; and optimize self-sufficiency among individuals and families experiencing homelessness. In addition the Lowell CoC is committed to avoiding duplication of efforts, leveraging resources, coordinating entry and assessments, and comprehensive planning.

Lowell's CCAB/Steering Committee is responsible for the coordination of policies, strategies and activities toward ending homelessness. The CCAB/Steering Committee gathers and analyzes information in order to determine the local needs of people experiencing homelessness, implements strategic responses, educates and engages the community on issues of homeless, provides advice and input on the operations of homeless housing and services programs, and measures CoC performance. *For additional information see Lowell CoC By--Laws Article III*

The Lowell CoC will focus on the following HUD goals: Creating a systemic response to homelessness strategically allocating resources, ending chronic homelessness, ending family homelessness, ending youth homelessness, ending veteran homelessness, using a Housing First approach.

SECTION 3: GUIDING PRINCIPLES

In this section the Lowell CoC establishes its guiding principles, how CAB and member organizations will interact including: the ground rules to be used during the meetings, issues to be addressed, and standards for member and community accountability.

The Lowell CoC will:

1. Respect all individuals. persons in families and unaccompanied youth served and protect their safety and privacy;
2. Consider each agency's/organization's unique needs—recognize and respect them, and work with them to attempt to address issues of capacity and performance if they negatively impact the CoC's ability to meet Federal, state and local regulations to prevent and end homelessness.
3. Coordinate with other Federal, state, local and regional partners and CoC's on prevention and ending homelessness strategies;
4. Identify the balance between, built infrastructure, funding, mainstream resources and CoC needs;
5. Distribute the responsibility and coordination of CoC communication and efforts so that it does not rest on one individual;
6. Ensure that CoC takes on a collaborative approach to dealing with the issues and efforts;
7. Stay aligned with other Federal, state and local plans and systems;
8. Speak with one voice when reporting externally;
9. Not lose the sense of urgency of preventing and ending homelessness;
10. Keep the issue of preventing and ending homelessness in the forefront of political discussions;
11. Meet or exceed data collection and analysis standards, and performance standards; Always maintain privacy standards for the protection of all those in the care of the Lowell Continuum of Care; and
    a. Hold ourselves accountable to those we serve, our funders and the residents of Lowell.

SECTION 4: RESPONSIBILITIES

The interim rule establishes three major duties for which the Continuum of Care is responsible: to operate

the Continuum of Care, to designate an HMIS for the Continuum of Care, and to plan for the Continuum of Care. The responsibilities for operating the Lowell CoC are divided between the CCAB/Steering Committee, and the CoC Collaborative Applicant and HMIS lead as described below:

A. CoC Operations

Lowell's CCAB/Steering Committee is responsible for the following activities:

1. Develops and updates annually the CoC governance charter and By-Laws, which includes all procedures and policies needed to comply with HUD and with HMIS requirements, including a code of conduct and recusal process for the Lowell CCAB/Steering Committee, its chairs, and any person acting on behalf of the CCAB/Steering Committee.
2. In consultation with recipients of ESG funds, the CoC works with the Massachusetts Departments of Housing and Community Development, Transitional Assistance, Mental Health, Social Services, Youth Services, Elder Affairs, and Public Health; and the Merrimack Valley Coalition to End Homelessness, Massachusetts Housing and Shelter Alliance, U.S. Department of Veterans Affairs and many others to operate a coordinated access system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services. (To be completed)
3. In consultation with recipients of ESG funds within the CoC, establishes and consistently follows written standards for providing CoC assistance.
4. Consults with recipients and subrecipients to establish performance targets appropriate for population and program type.
5. Monitors performance of CoC and ESG recipients and subrecipients.
6. Evaluates the outcomes of projects funded under ESG and CoC programs.
7. Takes action against ESG and CoC projects that perform poorly.
8. Reports the outcomes of ESG and CoC projects to HUD annually. (*For additional information, see Lowell CoC By-Laws Article IIL, Sections 2 and 4)*

B. CoC Planning

The Lowell CCAB/Steering Committee is responsible for the following activities:

1. Conducts an annual gaps analysis of the needs of homeless people, as compared to available housing and services within the CoC geographic area
2. Works closely with government agencies, funders, advocates, providers and consumers to coordinate the implementation of a housing and service system within the CoC's geographic area that meets the needs of homeless individuals and families. The system encompasses:
3. Outreach, engagement, and assessment
4. Shelter, housing, and supportive services
5. Prevention strategies
6. Provides information required to complete the Consolidated Plan(s) within the CoC geographic area
7. Consults with State and local government ESG recipients within the CoC geographic area on the plan for allocating ESG funds and reporting on and evaluating the performance of ESG recipients and subrecipients. (*For additional information, see Lowell CoC By-Laws, Article III, Section 2)*

C. Designating and Operating an HMIS

The Lowell CCAB/Steering Committee is responsible for the following activities:

1. Designates a single HMIS for the CoC and currently that HMIS is the MA-HMIS. The City of Lowell's Department of Planning and Development (DPD) as the CoC's Collaborative Applicant also currently serves as the CoC's HMIS lead agency. (See

2. The Lowell CoC HMIS Lead/DPD is responsible for the following activities:
    a. Works with the HMIS subcommittee to review, revise and approve a CoC HMIS data privacy plan, data security plan, and data quality plan.
    b. Ensures that the HMIS is administered in compliance with HUD requirements.
3. The Lowell CoC HMIS Lead/DPD and CCAB/Steering Committee are responsible for the following activities:
    a. Ensure consistent participation by CoC and ESG recipients and subrecipients in the MA-HMIS

D. Preparing an application for CoC funds

The Lowell CCAB/Steering Committee:

1. Establishes priorities that align with local and federal policies for recommending projects for HUD Homeless Assistance CoC Grant funding.
2. Designates an eligible collaborative applicant (i.e., Lowell Department of Planning and Development) to collect and combine the required application information from all applicants.
3. Determines whether to select the collaborative applicant to apply for Unified Funding Agency designation from HUD.
4. Approves the final submission of applications in response to the CoC Notice of Funding Availability.
5. Designs, operates, and follows a collaborative process for the development of a CoC application to HUD.

E. Membership and Leadership of the CCAB/Steering Committee

The Lowell CCAB/Steering Committee shall adhere to the membership and leadership standards outlined in Article IV and Article VI of the Lowell CoC By-Laws.

F. CCAB/Steering Committee Member Qualifications

All members of the Lowell CCAB/Steering Committee shall demonstrate a professional interest in, or personal commitment to, addressing and alleviating the impacts of homelessness on the people of the community.

G. CCAB/Steering Committee Member Responsibilities

Lowell CoC Steering members are expected to:

1. Attend meetings and contribute to informed dialogue on actions the group undertakes
2. Serve on a committee of the Lowell CoC
3. Participate in the activities of the Lowell CCAB/Steering Committee, including the Point-in-Time count, HMIS oversight, strategic planning, advocacy and public education and engagement efforts, project and system performance reviews, and the application processes for CoC Program Homeless Assistance Grants and other funding proposals
4. Seek input from and report back to the constituency they represent on key issues and strategies and otherwise keep abreast of needs and gaps in the CoC. (*For additional information, see Lowell By-Laws, Article VI)*

H. CCAB/Steering Committee Member Selection

1. The CCAB/Steering Committee is comprised of representatives of state government agencies (including ESG recipients), nonprofit intermediaries, up to two consumers (homeless/formerly

homeless persons), and homeless provider organizations representing sub-regions (or sub-CoC's) of the BOS. New members may be added by a majority vote of the existing CCAB/Steering Committee.

2. Government representatives are appointed by their respective agencies and include the representatives from the Massachusetts Departments of Housing and Community Development, Mental Health, Transitional Assistance, Youth Services, Veteran Affairs, and the U.S. Department of Veterans Affairs.
3. Consumer representatives (homeless and formerly) submit applications to join the CCAB/Steering Committee. The CoC encourages consumers who have utilized homeless housing or services to apply. Consumers may not be employed by any agency receiving CoC funds and no sub-CoC can have more than one consumer representing its region.

I. CCAB/Steering Committee Member Termination

Members may be dismissed from the Lowell CCAB/Steering Committee for violating the Lowell CoC Code of Conduct. If a board member wishes to resign, the board member shall promptly submit a letter of resignation to a CCAB/Steering Co-Committee chairperson. (*For additional information, see Lowell CoC By-Laws, Article VI, Section 5)*

J. CCAB/Steering Committee Decision Making

The Lowell CCAB/Steering Committee shall conduct business and make decisions in accordance with Article VI, Section 6 and Section 7 of the Lowell CoC By-Laws.

K. CoC Governance Charter Amendment and Review

The Lowell CoC will review, update, and approve this governance charter at least annually. Amendment of the charter requires a majority vote of the members present at a Lowell CCAB/Steering Committee meeting.

L. Relationship between the Lowell CCAB/Steering Committee and Full CoC Membership

Lowell CCAB/Steering Committee meetings will be open to the full membership and the public. Lowell CCAB/Steering Committee will post minutes of the Lowell CCAB/Steering Committee meetings on the City of Lowell's website/CoC webpage. Between Lowell CCAB/Steering Committee meetings, CCAB/Steering Committee members will keep the full membership involved by involving CoC members in workgroups and committees and sharing information (including meeting minutes, resources for homeless services providers, plans and implementation progress, data about homelessness in the region and funding availability) via email list and/or via the City's CoC webpage.

M. Full Membership Meetings

The Lowell CoC will hold meetings of the full membership at least annually. The Lowell CCAB/Steering Committee will announce the date, time and location of these meetings at least one month in advance and will publish the meeting agenda at least 24 hours before the meeting. Meeting agendas will be distributed via email and posted online on the City's CoC webpage for review prior to the meeting.

N. Recruitment of and Outreach to CoC Members

1. The Lowell CCAB/Steering Committee (*or its designee)* will publish and appropriately disseminate an open invitation at least annually for persons within the Lowell CoC area to join as new CoC members. Recruitment efforts will be documented by the CCAB/Steering Committee.
2. The Lowell CoC identifies and addresses membership gaps in essential sectors, from key providers or

other vital stakeholders. The CoC recruits members to ensure that it meets all membership requirements set forth in its governance charter, including representation of certain populations and certain organizations.

3. Specifically, outreach will be conducted to obtain membership from the following groups as they exist within the Lowell jurisdiction:
    a. Nonprofit homeless assistance providers
    b. Victim service providers
    c. Faith---based organizations
    d. Ethnically-based organization
    e. Governments
    f. Businesses
    g. Advocates
    h. Public housing agencies
    i. School districts
    j. Social service providers
    k. Mental health agencies
    l. Hospitals
    m. Universities
    n. Affordable housing developers
    o. Law enforcement
    p. Organizations that serve veterans
    q. Homeless and formerly homeless individuals
    r. Other relevant organizations within the CoC's jurisdiction

SECTION V: OTHER GOVERNANCE ISSUES

A. Reallocation

1. CCAB/DPD Offers Provider Education & Technical Assistance Regarding Reallocation
    a. Information on reallocation opportunities is shared at CCAB/Steering Committee and Workgroup meetings and disseminated to the CoC membership.
    b. Lowell's Department of Planning and Development can provide technical assistance to providers interested in reallocation.
2. Providers Are Assisted To Voluntarily Reallocate
    a. CCAB/DPD discusses reallocation options with TH providers and encourages projects to consider reallocation.
    b. Each year the HUD CoC competition provides the LOWELL CoC with opportunities for projects to reallocate.
    c. Providers submit Reallocation Plans for their TH programs and work with Lowell's Department of Planning and Development/HUD Collaborative Applicant (DPD) to:
        a. Create the best program design to meet the needs of the community when reallocating funds to PSH or RRH.
        b. CCAB/DPD reviews projects against HUD and CoC performance criteria and funding priorities to determine the extent, to which:
            i. Each project is necessary,
            ii. Aligned to funding priorities and proposing to achieve desired HUD outcomes.
            iii. Project review also includes determining if applicants demonstrate

sufficient capacity to successfully carry out the project,

iv. Plans meet project eligibility and quality threshold,

v. Program design is aligned with best practices, and that

vi. A sufficient plan is in place to secure permanent housing for current project participants.

3. See reallocation plan Appendix V.

B. MA-HMIS Statewide Administrator Meeting Representation

1. DPD/Collaborative Applicant/HMIS Lead represents the CoC at monthly statewide MA-HMIS Administrators meetings. (See Appendix VIII-a and VIII-b for State agreement and Data Quality Plan)

SECTION VI: PROGRAM OPERATING STANDARDS

A. Lowell CoC Housing First Principles

1. ***Housing First*** is a programmatic and systems approach that centers on providing homeless people with housing quickly and *then* providing services as needed using a low barrier approach that emphasizes community integration, stable tenancy, recovery and individual choice.
2. ***Low barrier approach to entry***: Housing First offers individuals and families experiencing homelessness immediate access to permanent supportive housing without unnecessary prerequisites. For example:
    a. Admission/tenant screening and selection practices do not require abstinence from substances, completion of or compliance with treatment, or participation in services.
    b. Applicants are not rejected on the basis of poor or lack of credit or income, poor or lack of rental history, minor criminal convictions, or other factors that might indicate a lack of "housing readiness."
    c. Blanket exclusionary criteria based on more serious criminal convictions are not applied, though programs may consider such convictions on a case by case basis as necessary to ensure the safety of other residents and staff.
    d. Generally, only those admission criteria that are required by funders are applied, though programs may also consider additional criteria on a case by case basis as necessary to ensure the safety of tenants and staff. Application of such additional criteria should be rare, and may include, for example, denial of an applicant who is a high risk registered sex offender by a project serving children, or denial of an applicant who has a history of domestic violence involving a current participant.
3. ***Community integration and recovery***: Housing is integrated into the community and tenants have ample opportunity and are supported to form connections outside of the project.
    a. Housing is located in neighborhoods that are accessible to community resources and services such as schools, libraries, houses of worship, grocery stores, laundromats, doctors, dentists, parks, and other recreation facilities.
    b. Efforts are made to make the housing look and feel similar to other types of housing in the community and to avoid distinguishing the housing as a program that serves people with special needs.
    c. Services are designed to help tenants build supportive relationships, engage in personally meaningful activities, and regain or develop new roles in their families and communities.
    d. Services are recovery-based and designed to help tenants gain control of their own lives,

define their personal values, preferences, and visions for the future, establish meaningful individual short and long-term goals, and build hope that the things they want out of life are attainable.

e. Services are focused on helping tenants achieve the things that are important to them and goals are not driven by staff priorities or selected from a pre-determined menu of options.

4. ***Lease compliance and housing retention:*** Tenants are expected to comply with a standard lease agreement and are provided with services and supports to help maintain housing and prevent eviction. Visitors are expected to comply with requirements in the lease agreement.
   a. Leases do not include stipulations beyond those that are customary, legal, and enforceable under Massachusetts law.
   b. No program rules beyond those that are customary, legal, and enforceable through a lease are applied (e.g., visitor policies should be equivalent to those in other types of permanent, lease-based housing in the community). Housing providers may ask for identification from visitors.
   c. Services are designed to identify and reduce risks to stable tenancy and to overall health and well-being.
   d. Retention in housing is contingent only on lease compliance and is not contingent on abstinence from substances or compliance with services, treatment or other clinical requirements. For example:
      i. Tenants are not terminated involuntarily from housing for refusal to participate in services or for violating program rules that are not stipulated in the lease.
      ii. Transitional housing programs offer participants due process to resolve issues that may result in involuntary discharge (unless immediate risk to health and safety)
      iii. PH providers only terminate occupancy of housing in cases of noncompliance with the lease or failure of a tenant to carry out obligations under Massachusetts' Landlord and Tenant Law http://www.mass.gov/ago/consumer-resources/consumer-information/home-and-housing/landlord-and-tenant-law/
      iv. In order to terminate housing, PH providers are required to use the legal court eviction process.
      v.

5. ***Separation of housing and services:*** Projects are designed in such a manner that the roles of property management (e.g., housing application, rent collection, repairs, and eviction) and supportive services staff are clearly defined and distinct.
   a. Property management and support service functions are provided either by separate legal entities or by staff members whose roles do not overlap.
   b. There are defined processes for communication and coordination across the two functions to support stable tenancy.
   c. Those processes are designed to protect client confidentiality and share confidential information on a need to know basis only.

6. ***Tenant Choice:*** Efforts are made to maximize tenant choice, including type, frequency, timing, location and intensity of services and whenever possible choice of neighborhoods, apartments, furniture, and décor.
   a. Staff accepts tenant choices as a matter of fact without judgment and provides services that are non-coercive to help people achieve their personal goals.
   b. Staff accepts that risk is part of the human experience and helps tenants to understand risks and reduce harm caused to themselves and others by risky behavior.
   c. Staff understands the clinical and legal limits to choice and intervenes as necessary when someone presents a danger to self or others.

d. Staff helps tenants to understand the legal obligations of tenancy and to reduce risk of eviction.
e. Projects provide meaningful opportunities for tenant input and involvement when designing programs, planning activities and determining policies.

B. Housing First Requirements

All Lowell CoC projects (Permanent Supportive Housing Rapid Re-Housing, and Transitional Housing) are required to adopt the Lowell CoC Housing First Principles listed above or penalties apply. Applicable penalties are established by the CCAB/Steering Committee.

C. Non-discrimination

1. Providers shall have non-discrimination policies in place and assertively outreach to people least likely to engage in the homeless system.
2. Providers shall comply with all federal statutes including, the Fair Housing Act and the Americans with Disabilities Act.
3. Providers shall comply with the following requirements as set forth by section 4a-60 of the Massachusetts General Laws https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXXI/Chapter151B

D. Rapid Rehousing Standards

In accordance with HUD regulations (24 CFR Part 578), the Lowell CoC has developed, in consultation with ESG recipients, the following written standards for the provision of rapid re-housing (RRH) assistance. The standards contained herein apply to Rapid Re-housing projects funded by the U.S. Department of Housing and Urban Development (HUD) Continuum of Care (CoC) Program and located in the Lowell CoC's jurisdiction. In addition to compliance with the standards contained herein, Lowell CoC RRH programs must comply with 24 CFR Part 578 (HEARTH Interim Rule) and the applicable CoC Program NOFA.

1. ***Participant Eligibility***
   a. To be eligible for Lowell CoC RRH assistance, at initial evaluation, households must:
      i. Demonstrate literal homelessness (i.e., HUD Category One); and
      ii. Have household annual income of less than or equal to 50% of Area Median Income (AMI); and
      iii. Have completed a VI-SPDAT during their current episode of homelessness.
   b. Subrecipients must conduct regular re-evaluations, at least every 90 days, of program participants receiving RRH assistance.
      i. To continue to receive rental assistance, the program participant household's annual income must be less than or equal to 30% of Area Median Income (AMI) at re-evaluation.
   c. Households with no income at initial evaluation and/or re-evaluation are eligible.
   d. As indicated by HUD, households who are eligible for PSH and awaiting PSH placement may receive RRH assistance and will retain their homeless and, if applicable, chronically homeless status.
2. ***Participant Prioritization***
   a. For sheltered households, those whose current episode of literal homelessness has been at least seven days in duration shall be prioritized for RRH assistance.
   b. RRH grant recipients and subrecipients shall determine whether households meet this

prioritization criterion at the point of initial evaluation using HMIS data and, as necessary, permissible written documentation of unsheltered homelessness as defined by the HEARTH Homeless Definition Final Rule.

c. Unsheltered households shall be prioritized for RRH assistance regardless of the length of their current episode of homelessness.

3. **Determining the type of assistance & amount or percentage of rent each program participant must pay**
   a. RRH programs are required to use a progressive engagement model, i.e., starting with a small amount of assistance for the shortest period of time possible to help resolve homelessness then adding more assistance, only as necessary, if the less intensive intervention is unsuccessful.
   b. RRH participants may receive eligible supportive services alone or a combination of eligible supportive services and rental assistance. At a minimum, all participants must attend monthly case management meetings in accordance with HUD regulations 24 CFR Part 578.
   c. All participants receiving rental assistance subsidies must contribute a minimum of 30% of their monthly adjusted household income towards their monthly rent. This tenant rent contribution may be adjusted at any time based on changes to household income, including, but not limited to at each 90 day reassessment.
   d. There is no minimum rent requirement and tenant rent contribution may be zero, for households with no income.
   e. In addition to rental assistance, eligible program costs are defined in 24 CFR Part 578 and include:
      i. Financial assistance (eligible under rental assistance): security deposits (up to 2 months), first and last month's rent, property damage; CoC RRH assistance may not be used for payment of rent in arrears.
         1)Total property damage payments during a single enrollment in the RRH program may not exceed an amount equal to one month of the participant household's rent.
      ii. Supportive services: Case management, child care, education services, employment assistance and job training, food, housing search and counseling services, including mediation, credit repair, and payment of rental application fee, legal services, life skills training, mental health services, moving costs, outpatient health services, outreach services, substance abuse treatment services, transportation, utility deposits.
4. **Limitations on amount, frequency and duration of assistance**
   a. In accordance with HUD regulations 24 CFR Part 578, participants may receive eligible supportive services for no longer than 6 months after rental assistance stops.
   b. HUD regulations 24 CFR Part 578 also indicate:
      i. Services may be provided to current residents of permanent housing who were homeless in the prior 6 months, for no more than 6 months after leaving homelessness to assist their adjustment to independent living; and
      ii. Rapid rehousing projects must require the program participant to meet with a case manager not less than once per month to assist the program participant in maintaining long-term housing stability.
         1) As such, participants may receive eligible supportive services alone (i.e. without receiving rental assistance) for up to 6 months after leaving homelessness.
         2) Participants may also receive short-term (up to 3 months) and/or medium-

term (for 3 to 12 months) tenant-based rental assistance alone or in combination with eligible supportive services.

iii. Participants must be re-evaluated at least every 90 days to determine the need for continued assistance. This requirement applies to both supportive services and rental assistance. Through each re-evaluation the recipient or subrecipient must determine that the continuation of assistance is necessary to avoid literal homelessness.

iv. Participants may receive no more than $2500 in total rental assistance for the initial 3 month period, no more than $2000 in total rental assistance for months 4 to 6, no more than $1500 in total rental assistance for months 7 to 9, and no more than $1000 in total rental assistance for months 10 to 12.

1)Security deposits are excluded from these limits.

v. If through the re-evaluation it is determined that a higher amount of assistance than the levels defined above for any period or the continuation of assistance is necessary to avoid literal homelessness, the recipient or subrecipient must submit an exemption request to the relevant agency for approval. Under no circumstances may assistance be provided for more than the maximum period authorized by HUD regulations 24 CFR Part 578.

vi. Participants may be eligible for rapid re-housing assistance for multiple episodes of literal homelessness based on their need. To ensure the efficient use of resources, recipients may establish a maximum amount or number of times that a program participant may receive rapid re-housing assistance.

E. Educational Services for Children

Federal law ensures educational rights and protections for children and young adults 18-24 experiencing homelessness. Every school district in Massachusetts is required to designate a homeless liaison that is responsible for ensuring the identification, school enrollment, attendance and opportunities for academic success of students in homeless situations. In addition, HUD establishes requirements for CoCs and project applicants through the annual CoC competition and the Lowell Continuum of Care (CoC) has established related requirements. This document summarizes basic information about the responsibilities of sub-recipients of CoC and ESG funds. Information is also available at the National Center for Homeless Education: http://center.serve.org/nche/briefs.php

1. **Educational Services Responsibilities:** Lowell CoC members are responsible for coordinating with local school district in the following ways:
    a. Helping to identify children and young adults who are eligible for educational services. If a child or young adult does not have a fixed, regular, adequate place to sleep at night, he or she is eligible. This includes those living in places not meant for human habitation, emergency shelters, transitional housing, motels/hotels, campgrounds, or in doubled---up situations.
    b. Helping to ensure that all families with children and young adults who qualify are informed about their educational rights and their eligibility for educational services and they receive those services.
    c. Attending relevant meetings and planning events held by the local school district.
    d. Ensuring that the local school district's homeless liaison is aware of processes for connecting homeless families and young adults to ESG and CoC resources and helping to resolve any issues that might arise in linking eligible households to those resources.
    e. Helping to ensure that when placing families in emergency or transitional housing,

consideration is given to the educational needs of children, including placing children as close as possible to schools of origin and early childhood care and education programs.

2. **Policy:**
    a. All housing, whether temporary or permanent, provided by the CoC project shall be located in neighborhoods that are accessible to community resources and services, including schools, libraries, and other educational services.
    b. The Program Director and/or his/her designee is responsible for:
        i. Ensuring that all families with children and young adults participating in this project are informed about their educational rights and their eligibility for educational services at intake and as necessary thereafter.
        ii. Ensuring that no matter where they live, how long they have lived there, or how long they plan to stay, all children and young adults participating in the project are enrolled in school immediately, even if they lack the paperwork normally required.
        iii. Enrollment shall occur as quickly as possible and within no more than 48 hours of project entry.
        iv. Children and young adults who are not required by State law to enroll in school, shall be encouraged but not required to enroll.
        v. Advocating as necessary to ensure that homeless students are able to choose to continue to attend their school of origin (i.e., where they went before becoming homeless or the school in which they were last enrolled), or the local school where they live currently.
            1) Students have the right, if feasible, to attend their school of origin the entire time they are homeless and until the end of the academic year during which they find permanent housing.
        vi. Advocating on behalf of homeless students as necessary to ensure that they receive the services for which they are eligible, including assistance from the local school district's homeless liaison, early childhood education programs, Head Start, services for disabled students, free school meals, services for English language learners, gifted and talented services, before and after school care, and referrals to health, mental health, dental and other services.
        vii. Helping homeless students to succeed in school and to get help from the local homeless education liaison, as necessary.
        viii. Developing relationships with colleges to access higher education services specifically for homeless young adults.
        ix. Designating a staff person who is responsible for:
            1) Helping participants to understand their educational rights
            2) Ensuring that children and young adults are enrolled in school & connected to services
            3) Ensuring that children and young adults receive the transportation services to which they are entitled (i.e., school districts must provide transportation to and from schools of origin, as necessary).
            4) Ensuring that the designated person is involved in the development of participants' service plans where there are extensive or significant unmet educational needs.
            5) Ensuring that no policies, procedures, or practices that are inconsistent or interfere with the educational rights established under federal law are adopted by the project.

F. Assistance with Connecting to Mainstream Resources, including Benefits, Health Insurance, Employments Services, and Affordable Housing.

1. Case managers shall systematically assist clients in completing applications for mainstream benefits
2. Homeless assistance providers shall supply transportation assistance to clients to attend mainstream benefit appointments, employment training, or jobs
3. Homeless assistance providers shall have staff systematically follow---up to ensure mainstream benefits are received.
4. CoC funded providers are required to provide support and assist eligible households to take advantage of new healthcare options available through the Affordable Care Act/MassHealth.
5. All CoC funded projects are required to make best faith efforts to connect participants to mainstream employment resources and document those attempts even if efforts are not successful.
6. PSH projects are required to assess stable participants' interest in moving on to independent affordable housing and offer assistance as indicated to help tenants who would like to move on to explore independent housing options and apply for mainstream affordable housing opportunities.

G. Special Requirements for Leasing and Rental Assistance Projects

1. If agencies chose the leasing option, they are required to master lease and provide a sublease to tenants (not occupancy agreement); there also must be a functional separation of roles between services and property management.
2. For rental assistance, there needs to be an agreement with the administrator including customary terms and conditions.

H. Participant/Applicant Bill of Rights

Emergency shelter, transitional housing, rapid re-housing, and permanent supportive housing projects operating within the Lowell CoC must review with and provide a written copy of the CoC *Participant/Applicant Bill of Rights* to all participants and applicants. (See Appendices II-a, II-b, II-c)

SECTION VII: PERFORMANCE EVALUATION

A. Renewal Evaluations

1. Each year, the CCAB/Steering Committee establishes performance targets, and evaluation criteria for renewing projects. (See Appendix IV Evaluation Form)
2. Providers are asked to submit data such as consumer surveys and APRs to enable project evaluation before the NOFA is released.

B. Corrective Actions

1. Each year the CCAB/Steering Committee establishes a minimum scoring threshold.
2. Projects scoring below the threshold must do a corrective action plan.
3. Agencies in corrective action process are not eligible to apply for funding for new projects.
4. Programs in corrective action status for 2 consecutive years may be at risk of losing their funding.

SECTION VIII: GRIEVANCES

A. Purpose

The purpose of the Lowell CoC Grievance Policy is to ensure that there is a fair and accessible process for providers and CCAB/Steering Committee members to file a grievance with the CoC. For example, a provider might have a grievance with how their renewal evaluation results are scored or rejection of a project application for funding.

B. Composition of Grievance Committee

The Grievance Committee shall be made up of a minimum of three members of the CCAB/Steering Committee. Members shall be appointed by the CCAB/Steering Committee Co-Chairs.

C. Filing a Grievance

Grievances shall be submitted in writing to the Grievance Committee via e-mail (csamaras@lowellma.gov).

D. Resolution of a Grievance

Written grievances will be reviewed within 30 days of receipt. The committee will issue a written decision that specifies the resolution of the grievance and any actions that need to be taken. The decision may be appealed to the CCAB/Steering Committee Co-Chairs within 10 days of the written decision. The decision of the Co-Chairs is final. In all instances when a conflict of interest is present, parties shall recuse themselves from voting on and otherwise influencing the outcome of matters referred to the Grievance Committee.

SECTION IX: MONITORING

A. Purpose

HUD requires CoCs to monitor and evaluate CoC programs. The Lowell CoC provides on-site monitoring for a subset of funded providers every other year in order to help grantees prepare for HUD visits, reduce recapture risk, and identify areas of need for technical assistance.

B. Procedures and Monitoring Tool

See Appendix III-a and III-b for a the monitoring guidance and procedures and monitoring tool used during Lowell CoC HUD Program Monitoring visits, is also available on the City of Lowell's website on the Lowell CoC webpage. (In process)

SECTION X: Environmental Review (In process this section to be revised)

A. § 578.31 HUD CoC Programs Environmental review.

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

Environmental Impact Statement.

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

B. Procedures and Environmental Review Tool and Forms (In process)

See Appendix V for a copy of the Environmental Review Checklist Tool and Forms used during Lowell CoC HUD Program Environmental Review, is also available on the City of Lowell's website on the Lowell CoC webpage. (In process)

SECTION XI: COORDINATED ACCESS SYSTEM (CAS) (Under review, to be completed)

A. Introduction

The coordinated access policies contained herein apply to Permanent Supportive Housing (PSH), Emergency Shelter (ES), Transitional Housing (TH), Rapid Rehousing (RRH) funded with CoC and ESG Funds in the Lowell CoC. The aim is to set some CoC wide standards but allow customization and tailoring to local circumstances. Once established all access will be reported to/provided by the **Coordinated Access System Project Manager (CAS-PM)** (See Section X, O. for related definitions)

B. Guiding Principles: The CoC has defined the following coordinated access guiding principles:

1. Promotes collaboration among providers
2. Honors client choice re: geography and services needed
3. Incorporates provider choice in enrollment decisions
4. Establishes standard, consistent eligibility criteria and priorities
5. Eligibility requirements limited to those required by funding sources (and no additional requirements that are not required by funders) in order to accommodate as many people as possible
6. Ensures quality housing and services are provided
7. Ensures clear and easy access for consumers
8. Improves efficiency, communication, and knowledge of resources
9. Is cost effective and focuses on cost effective solutions to homelessness
10. Uses systemic "Rapid Exit to Housing" approach
11. Streamlines processing
12. Accountability ---The process must be transparent and consistent
13. Leverage MA-HMIS and the use of "real time" data whenever possible
14. Prioritizes Enrollment Based on Need
15. Goal: a system that is clear and creates ease of access for clients
16. All data collected is relevant to the process
17. Staff are trained and competent in assessment

C. Intake

1. ***Accepting People from Other Public Systems of Care*:** The McKinney-Vento Act, as amended by the HEARTH Act, stipulates that state and local governments have policies and protocols in place to ensure that publicly-funded institutions do not routinely discharge individuals into homelessness. Before accepting participants into CoC programs from the Mental Health, Foster Care, Correctional or

Public Health Systems, providers will work to ensure that all other discharge options have been exhausted. Accepting a person directly from publicly-funded institutions should only be considered if there are no other viable housing options and the person meets the eligibility criteria for the bed or unit.

2. ***Ensuring families with children are not denied admission or separated:*** To maintain family unity homeless shelters or housing funded by the CoC or ESG to serve families may not deny admission to any family based on age or gender (e.g. admissions policies disallowing entry for adult males or boys over 15 are not permissible).
3. ***Assessment Forms:*** All Permanent Supportive Housing (PSH), Emergency Shelter (ES), Transitional Housing (TH), and Rapid Rehousing (RR) programs funded with CoC and ESG Funds in the jurisdiction are required to use common assessment forms as directed by their local **CAS-PM**. The Lowell CoC will use the MA Department of Housing and Community Development's version of the Vulnerability Index-Service Prioritization Decision Assistance Tool (VI SPDAT) (See Appendix XIII) as its common assessment form at least initially.

D. Core Referral Policies

1. ***Educational Considerations for Children:*** When placing families in emergency or transitional shelter, CoC must consider the educational needs of children, including placing children as close as possible to schools of origin and early childhood care and education programs.
2. ***Determination of Eligibility and Priority for the Service***
    a. Eligibility- Programs may not establish additional eligibility requirements beyond those specified below and those required by other funders
    b. Veterans ineligible for VA Services – Veterans who are ineligible for U.S. Department of Veterans Affairs housing and services shall be prioritized in CoC funded projects. (See Section X. N. below for more detail)
    c. Emergency Shelter – Applicants must be screened for diversion and admitted to shelter only if no other options (such as staying safely with friends or family) are available. Applicants must be, literally homeless, and able to be safely maintained in the shelter (e.g., behavior is not an obstacle to safety). For family homeless shelters, registered sex offenders are not eligible.
3. ***Transitional Housing*** – Transitional Housing – Applicants must be screened for diversion and admitted only if no other options are available.
    a. Projects may serve only participants coming from emergency shelter and unsheltered locations, including those who have been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days; AND
    b. Who were residing in an emergency shelter or unsheltered location immediately before entering that facility.
    c. Projects may serve only participants with income below 30% of AMI. Applicants must be able to be safely maintained in the program, including not posing any danger to other participants.
4. ***Rapid Rehousing*** – Applicants must be homeless and have income below 30% of AMI.
5. ***Permanent Supportive Housing*** – Must meet HUD definition of literally homeless and include at least one family member with disabilities.
6. ***Priority for Service***
    a. Emergency Shelter – There are no priorities for ES defined.
    b. Transitional Housing
        i. Not able to be diverted or slated for PSH AND
        ii. At least one prior episode of homelessness (except for young adults) AND

iii. In one of the following life stage transitions:
    1) Young adults 18-24,
    2) Family with children under age 5,
    3) Interested in recovery
    4) Fleeing DV and DV cause of recent homeless episode.

7. ***Priorities for PSH***
    a. As adopted by the CCAB/Steering Committee, all PSH beds shall use the order of priority established in HUD Notice CPD-14-012: *Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons*, which defines which chronically homeless people get priority access to PSH beds, (Full notice available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwjk4tLlxJbNAhVJ8j4KHeSID3QQFggcMAA&url=https%3A%2F%2Fwww.hudexchange.info%2Fresources%2Fdocuments%2FNotice-CPD-14-012-Prioritizing-Persons-Experiencing-Chronic-Homelessness-in-PSH-and-Recordkeeping-Requirements.pdf&usg=AFQjCNHBSLX_Inclnjrn61029FAzJPs-1w&bvm=bv.123664746,bs.1,d.dmo (See excerpts below)
    b. Existing PSH participants being transferred from a different CoC PSH project are exempt from the order of priority established in HUD Notice CPD-14-012. Such transfers should be considered both within and across sub-CoCs to best serve the needs of PSH participants and/or ensure efficient use of PSH resources.
    c. All PSH transfers must be coordinated through and approved by the **(CAS-PM)** to ensure consistency with local priorities and that any resulting PSH vacancy is filled using the order of priority established in HUD Notice CPD-14-012, except in cases where existing participant households exchange units.
    d. In all cases, PSH units must be prioritized for eligible applicants residing in the CoC over eligible applicants residing in another CoC.
8. ***Projects that serve 100% CH Veterans***, and are unable to locate a CH Veteran to fill a vacancy, will follow the prioritization process detailed in the Policies and Procedures which are based on *Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons* to house a NON-CHRONIC homeless Veteran. For projects that have dedicated units for Veterans, but do not serve 100% Veterans, and are unable to locate a chronically homeless Veteran to fill a vacancy, the project will follow the prioritization process noted above to house a chronically homeless non-veteran." (See Section X, N. below, for more Veteran related detail)
9. ***Prioritization and Fair Housing*:** The Fair Housing Act prohibits discrimination in housing on the basis of race, color, religion, sex, family status, national origin or disability. Other than prohibiting the seven bases of discrimination listed above, the Act does not limit the considerations that may be taken into account in making a housing decision, or prevent the adoption of preferences as long as those preferences do not violate the rights of one of those seven classes. The Act permits preferences for persons who are disabled.

10. ***Notification of Vacancies/ALL PROGRAMS:*** All Emergency Shelter, Transitional Housing, Rapid Re-housing, and Permanent Supportive Housing Programs are required to report vacancies to the **CAS-PM** within 12 hours of unit/bed availability. If providers know of an impending vacancy, they are required to report the anticipated availability date within 72 hours of being made aware of such availability. Programs must update vacancy information in HMIS within one business day of a unit/bed being filled.
11. ***Time frames and expectations for Responses to Referrals by Providers***
    a. Emergency Shelter: Provider must make a determination within two hours of a referred client

presenting at the shelter regarding whether the client can be accommodated that night and must notify the **CAS-PM** and enter that decision in MA-HMIS within one business day. If at 7pm the referred individual or family does not arrive at the shelter to claim a bed, the ES program may offer that bed to another eligible client.

b. ***Transitional Housing and Rapid Rehousing:*** For RRH, within two business days of intake interview and receipt of a complete intake packet, and for TH, within three business days of the intake interview and receipt of a complete intake packet, staff will determine eligibility and acceptance or rejection into the program.

c. ***Permanent Supportive Housing:*** Within three days of intake interview and receipt of a complete intake packet, staff will determine eligibility and acceptance or rejection into the program.

12. **Centralized Priority Lists**

a. Emergency Shelter: When issuing a referral for Emergency Shelter that cannot be immediately accommodated because no vacancy exists, the **CAS-PM** may assign the singles and families seeking services to a priority list.

b. Permanent Supportive Housing: The CoC has a centralized priority list for PSH. When a provider has a vacancy, the next eligible person on the list will be referred to the program with the vacancy within 2 business days. To ensure that vacancies are promptly filled, the **CAS-PM may issue up to 3 referrals per vacancy.**

a. Transitional Housing and Rapid Rehousing:

i. When issuing a referral to Transitional Housing or Rapid-Re-housing when there are no vacancies, the **CAS-PM** *will* assign the person/household seeking services to the priority list for TH or RR using the prioritization criteria described above.

ii. When a vacancy becomes available, the **CAS-PM** will, within one business day of receiving the vacancy notification, based on the prioritization criteria, determine the next single/family on the applicable priority list and refer them to the program. To ensure that vacancies are promptly filled, the **CAS-PM** may, at its discretion, issue up to 3 referrals per vacancy.

13. ***Client/Consumer Choice – Preferences and Decline Policy:***

a. Consumers may decline a referral because of program requirements that are inconsistent with their needs or preferences. There is no limitation on this decline. For example, consumers may decline participation in programs requiring sobriety.

b. The *Receiving Program* must document the reason for client rejections.

c. The **CAS-PM** will, at their discretion, require a case conference to review and resolve rejection decisions by consumers.

d. The purpose of the case conference will be to resolve barriers to the client receiving the indicated and desired level of service.

14. ***Provider Decline Policy – Information to be provided, rules regarding rates of acceptance***

a. **Emergency Shelter:** Emergency Shelters may only decline individuals and families found eligible under limited circumstances, such as

i. There is no actual vacancy available,

ii. The household presents with more people than referred by the **CAS-PM,** or

iii. Based on their individual program policies and procedures the Emergency Shelter has determined that the individual or family cannot be safely accommodated.

iv. The Emergency Shelter must report the reason for any decisions to reject a client.

v. If the rejected client has not otherwise been accommodated for the night, the Emergency Shelter must refer the client back to the **CAN-PM**, and document that outcome in MA-HMIS.

Excerpts from HUD Notice CPD-14-012: Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons: *Order of Priority in CoC Program-funded PSH Beds Dedicated to Persons Experiencing Chronic Homelessness and PSH Beds Prioritized for Occupancy by Persons Experiencing Chronic Homelessness*

(a) First Priority–Chronically Homeless Individuals and Families with the Longest History of Homelessness and with the Most Severe Service Needs

i. The chronically homeless individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter **for at least 12 months** either continuously or on at least four separate occasions in the last 3 years, where the cumulative total length of the four occasions equals **at least 12 months; AND**

ii. has severe service needs (see Section I.D.3. of this Notice for definition of severe service needs).

(b) Second Priority–Chronically Homeless Individuals and Families with the Longest History of Homelessness.

i. The CH individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter **for at least 12 months** either continuously or on at least four separate occasions in the last 3 years, **where the cumulative total length of the four occasions equals at least 12 months; AND**

ii. does not have severe service needs.

(c) Third Priority–Chronically Homeless Individuals and Families with the Most Severe Service Needs.

i. The CH individual or head of household of a family has been homeless and living or residing in a place not meant for human habitation, a safe haven, or in an emergency shelter on **at least four separate occasions in the last 3 years**, where the total length of those separate occasions equals **less than one year; AND**

ii. has severe service needs.

(d) Fourth Priority–All Other Chronically Homeless Individuals and Families.

i. The CH individual or head of household of a family has been homeless and living in a place not meant for human habitation, a safe haven, or in an emergency shelter **for at least 12 months either continuously or on at least four separate occasions in the last 3 years**, where the cumulative total length the
four occasions is **less than 12 months; AND**

ii. does not have severe service needs.

Severity of Service Needs.

(a) For the purposes of this Notice, an individual who has the most severe service needs is one for whom **at least one of the following is true**:

i. History of high utilization of crisis services, including but not limited to, ER's, jails, & psychiatric facilities; **OR**

ii. Significant health or behavioral health challenges or functional impairments which require a significant level of support in order to maintain permanent housing. Severe service needs as defined in paragraphs i. and ii. above should be identified and verified through data-driven methods such as an administrative data match or through the use of a standardized assessment tool that can identify the severity of needs such as the Vulnerability Index (VI), the Service Prioritization Decision Assistance Tool (SPDAT), or the Frequent Users Service Enhancement (FUSE). The determination must not be based on a specific diagnosis or disability type, but only on the severity of needs of the individual.

(b) In states where there is an alternate criteria used by state Medicaid departments to identify high-need, high cost beneficiaries, CoCs may use similar criteria to determine if a household has severe service needs instead of the criteria defined paragraphs i. and ii. above. However, such determination must not be based on a specific diagnosis or disability type.

b. ***Transitional Housing, Rapid Rehousing*** *and* ***Permanent Supportive Housing*** *Receiving Programs* may only decline individuals and families found eligible for and referred by the Coordinated Access Network under limited circumstances, such as:
   i. There is no actual vacancy available,
   ii. The individual or family missed two intake appointments,
   iii. The household presents with more people than referred by the **CAS-PM** or
   iv. Based on their individual program policies and procedures the *Receiving Program* has determined that the individual or family cannot be safely accommodated or cannot meet tenancy obligations with the supports provided by the program.
   v. Programs may not decline persons with psychiatric disabilities for refusal to participate in mental health services except as required by a funder. Providers must accept at least 2 of 3 referrals.

15. An intake decision notification will include at a minimum:

a. First available move---in date, if applicable
b. If applicable, reason the client cannot enter the program, Including reason for rejection by client or program,
c. If applicable, alternative recommendation regarding indicated housing model/exit option for the client with justification,
d. If applicable, Instructions for appealing the decision, including the contact information for the person to whom and time frame under which the appeal should be submitted.
e. If the homeless individual or family is accepted,
   i. The *Receiving Program* must document that acceptance and notify applicant of acceptance within one business day.
   ii. In all cases, best faith effort for prompt unit turnover should be made and,
   iii. On average, units should be tuned over within 5 business days.
f. If the homeless family or individual referred by the **CAS-PM** has not presented at the *Receiving Program* within 3 business days from the intake appointment the *Receiving Program* must:
   i. Notify the *Coordinated Access System* and document the no show.
   ii. Should the client present at or call the *Receiving Program* after more than 3 days from the appointment, the *Receiving Program* must refer the client back to the *Coordinated Access System*.

16. **Clients declined by all referrals:**
   a. The **CAS-PM** may convene a case conference in the event that a client is declined by 3 programs.
   b. The purpose of the case conference will be to resolve barriers to the client receiving the indicated level of service.
   c. The **CAS-PM** will determine, which parties will attend the case conference, including but not limited to the *Assessment Entity*, the *Receiving Programs*, the Funding Agency, the Client, and other Collateral Contacts as determined necessary.

17. ***Returns to Shelter or the Streets:***
   a. If a household can no longer be served by a housing program, the **CAS-PM** should be notified at the earliest possible point to see if an intervention can help to preserve the placement.
   b. In the event that the household will need to return to shelter, the **CAS-PM** must be notified prior to the household leaving the program, whenever possible.
   c. The **CAS-PM** may convene a case conference to evaluate the situation and plan for the best possible outcome and try to prevent a return to shelter of the streets.

18. ***Holding Beds/Units to Locate People***
    a. Emergency Shelter: Once a referral is made to emergency shelter, the provider is required to hold a bed until 7pm (or the latest time possible given staffing limitations).
    b. Transitional Housing, Rapid Rehousing and Permanent Supportive Housing: Once referral/s have been made by the **CAS-PM,** the *Receiving Program* is required to hold the unit vacant for 5 days in order to locate and inform the individual/household of the availability of housing and arrange the intake.
19. ***Grievance and Appeal Policies*:**
    a. All households shall have the right to appeal eligibility determinations and individual program acceptance decisions.
    b. Appeals of program acceptance decisions should be first made to the receiving agency using their grievance process.
    c. The entity receiving the appeal must respond in writing to all appeals within 14 days.
    d. All appeals of eligibility decisions made by the **CAS-PM** and appeals of receiving program acceptance decisions that could not be resolved to the satisfaction of the applicant through the receiving agency's grievance process shall be managed in accordance with the Lowell CCAB/Steering Committee Appeals Process.
    e. That process entails these steps:
        i. Informal conference with the CCAB/Steering Committee or an equivalent body **post full CAS implementation**
        ii. Hearing with the CCAB/DPD Appeal Panel
        iii. Final review with the Director of Community Development.
        iv. Each step is available to the applicant if the previous step did not result in satisfactory resolution.

E. Process for Referrals to Domestic Violence/non-HMIS programs including paper referrals
See policy See Section P. If the household does not wish to seek DV specific services, the household will have full access to the **Coordinated Access System** programs and services.

F. Process for Veteran Referrals to VA and Non-VA Veteran Housing and Services Programs
On September 17, 2015 the city of Lowell announced an amendment to the City's 10 Year Plan to End Homelessness that describes a multi-agency housing and service delivery system that places each homeless veteran, and those at risk of homelessness, on a path to stable housing. To ensure the direct, comprehensive and timely service, the Veterans Northeast Outreach Center was selected as an intermediary for the Lowell CoC. (See Ending Veterans Homeless Amendment Appendix IX)

The responsibilities of the Intermediary include, but are not limited to:

1. The VNOC's Rapid Response Team, acting as a single point of contact for all veteran referrals 24 hours per day, 7 days per week.
2. Providing immediate access for Veterans (and/or those representing Veterans) to services accessed through the VNOC's 800 number (1-844-VET-VNOC or 1-844-8662).
3. Co-locate VNOC at least two days per week at the U.S. Department of Veterans Affairs Crescent House program and at Lowell Transitional Living Center as needed.
4. Assess Veterans' housing and service needs.
5. Act as liaison and coordinate all services, assessments and referrals for Veterans among and between, but not limited to the following:

a. Streets and other areas not meant for human habitation;
b. Homeless shelter and transitional housing programs;
c. Services programs such as:
    i. VA and non-VA medical,
    ii. Mental health and criminal justice institutions,
    iii. Lowell Police Department, and other first responders, and
    iv. Lowell CoC Veterans Subcommittee network partners;
d. Employment, job training and Job opportunities;
e. Permanent and Permanent Supportive Housing;
f. Access to Veterans Assistance Supportive Housing (VASH) and Massachusetts Rental Voucher Program (MRVP) funding;
g. Monitoring and tracking progress on a regular basis and submitting and reporting data for the Lowell CoC in the MA-HMIS;
h. Ensure that veterans who are experiencing a housing crisis are connected to stable housing as quickly as possible; and

6. The VNOC will coordinate all housing efforts with the CoC's

G. Permanent Supportive and Permanent Housing Ineligibility for Admissions Appeals Process

1. ***Introduction***
    a. If the **Coordinated Access System Screening Committee (Screening Committee)** finds that the applicant is not eligible, the applicant has the right to appeal the ineligibility decision. There are several levels of appeal set out below.
    b. At all stages of the appeal process, factual findings relating to the individual circumstances of the applicant shall be based on a preponderance of the evidence presented.
    c. At all stages of the appeal process, any deadlines for the applicant will be liberally construed.
2. ***Informal Conference with the Screening Committee***
    a. If the Screening Committee finds that the applicant is not eligible, it will notify the applicant in writing, clearly stating the specific reasons for the ineligibility determination and informing the applicant that he/she has the right to appeal the ineligibility decision.
    b. The appeal process may begin with an informal conference with the Screening Committee.
    c. The Screening Committee shall provide the applicant with a conference request form and a list of available advocates when it notifies the applicant of the ineligibility determination.
    d. The ineligibility determination letter must be mailed to the applicant by first class mail.
    e. When an applicant requests an informal conference with the Screening Committee, the informal conference shall be held within thirty (30) working days of the receipt of the request.
    f. The Housing Program's Coordinator shall mail a notice of the informal conference to the applicant.
    g. The notice of the informal conference with the Screening Committee shall include the date; time and place for the conference and a clear and specific statement of the issues presented and shall include a list of available advocates. The notice of the conference shall be mailed to the applicant by first class mail.
3. ***The notice of informal conference with the Screening Committee shall contain the following advisements:***
    a. The applicant has a right to review and receive (free of charge before the informal conference) photocopies of the documents in the Housing Program's file upon which access the program based its determination.

b. The applicant has the right to have a representative or advocate present at the informal conference with the Screening Committee. A list of available advocates shall be provided to the applicant with the notice of the informal conference.
c. The applicant will be given the opportunity to present written or oral objections at the informal conference.
d. The applicant has the right to question any witnesses who may be present at the informal conference and to be informed in advance who those witnesses will be.
e. The applicant has the right to bring his/her own witnesses and/or advocates to the informal conference.
f. If the applicant has any special needs or accommodations or transportation problems which may affect his/her ability to attend the informal conference, he/she should contact the Housing Program's Coordinator and/or his/her case manager.

4. ***The Screening Committee shall conduct an informal conference with the applicant.***
   a. At the conference, the applicant and the committee may make an agreement.
   b. If the Screening Committee and the applicant do not reach an agreement, the Screening Committee will inform the applicant, in writing (mailed first class) the specific reason(s) for the ineligibility determination, the applicant's rights to a formal conference with the CCAB/DPD Appeal Panel, along with a list of advocates.
   c. The Screening Committee shall make its determination and mail the notice of the determination to the applicant within fifteen (15) working days following the informal conference.
   d. 10. The Screening Committee shall provide the applicant with a hearing request form which contains the name and address of the CCAB/DPD Appeals Panel contact.
5. ***Hearing with CCAB/DPD Appeal Panel***
   a. This panel will have three members, one representing the CCAB, one representing DPD, and one representing the Housing Program's Coordinator.
   b. When an applicant requests a hearing with the CCAB/DPD Appeal Panel, the hearing shall be held within thirty (30) working days of the receipt of the request.
   c. The notice of hearing shall include the date, time, and place of the hearing and a clear statement of the issues presented.
   d. The notice of the hearing shall be mailed to the applicant by first class mail not less than 10 days before the scheduled hearing.
   e. The notice of hearing with the CCAB/DPD Appeal Panel shall contain the same advisements as described in above section. (Section X, 3. a.)
   f. At the hearing, evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings. However, a decision to deny or terminate eligibility cannot be based on hearsay evidence alone. Applicants or participants must have the opportunity to confront and cross examine adverse witnesses.
   g. The CCAB/DPD Appeal Panel staff shall keep a sign-in sheet of those who attended the hearing and a list of the documents discussed and witnesses present.
   h. Within ten (10) working days of the hearing, the CCAB/DPD Appeal Panel shall issue a written decision specifying the reasons for the decision and informing the applicant that he/she can request a final review by the Review Panel.
   i. The decision shall be mailed to the applicant by first class mail.
   j. CCAB/DPD staff shall provide the applicant with a request form for the final review with the Review Panel which contains the name and address of the Review Panel contact.

6. ***Final Review by Director of Housing and Homeless Services***
    a. When an applicant requests a final review from the Director of Community Development, the final hearing shall be held within fifteen (15) working days of the receipt of the request.
    b. The final review will be conducted by the Director of Community Development.
    c. The notice of the final review shall include the date, time and place for the hearing and a clear and detailed statement of the issues. The notice of the hearing shall be mailed to the applicant by first class mail not less than ten (10) days before the scheduled hearing. The notice shall contain the same advisements as stated above (Section X, 3. a.)
    d. The Director of Community Development's staff shall keep a sign-in sheet of those who attended the final review and a list of documents discussed and witnesses present.
    e. The final review shall be governed by the process described above including Section X, 5.
    f. The Director of Housing and Homeless Services shall issue a written decision within (15) working days of the final review, giving a short statement of the facts on which the decision is based.
    g. A copy of the Director of Community Development's decision shall be mailed to the applicant or participant by first class mail.

H. Domestic Violence Protocol

An effective Coordinated Access System:

1. Includes domestic violence service providers;
2. Domestic violence providers are engaged in all phases of the Coordinated Access process from planning through implementation and evaluation.
3. Domestic violence providers are included in the day to day operations of the Coordinated Access system, including daily identification and coordination of services for domestic violence survivors.
4. Has safety assessment options for survivors of domestic violence and offers immediate referral to domestic violence services if needed;
5. Specialists, trained in working with survivors of domestic violence, will continue to serve as a front door for screening of domestic violence survivors and will make immediate referral to domestic violence services when needed.
6. Provides an option for survivors to access the statewide network of domestic violence providers;
7. Takes a trauma-informed approach;
8. Recognizes the prevalence of trauma and how it impacts people and responds by fully integrating knowledge about trauma into policies, procedures, practices, and settings.
9. Takes a thoughtful perspective on how assessment is completed and how many times survivors may be asked to tell their stories, the impact of these questions and the potential for re-traumatizing survivors in this process
10. Screens for domestic violence in the initial steps of the coordinated access process;
11. Lowell CoC member Alternative House can provide training on how to best screen for DV issues.
12. Screening questions for DV will be included in the HMIS Intake, that will indicate when referral to DV services may be needed
13. Allows self-certification of homelessness for survivors of domestic violence (in accordance with federal law around eligibility for services that indicate that domestic violence survivors are considered homeless if they are actively fleeing)
14. Provides for training of coordinated access staff in the confidentiality and privacy rights of domestic violence survivors, included in the federal Violence Against Women Act (VAWA) and CT state law;
15. To be provided by the CCAB/Steering Committee to member agencies
16. Permits survivors and others to decline having their personal information entered into HMIS, and

maintains confidentiality, without limiting their access to programs and services, in accordance with the Violence Against Women Act;

17. Allows for anonymous entry of domestic violence survivors into HMIS in order to meet funder data entry requirements with a protocol to be determined.
18. Encourages referrals for domestic violence survivors that are made based on knowledge of the programs and program types that are most appropriate for survivors of domestic violence;
19. Provides for training of coordinated access staff on issues related to domestic violence survivors, including risk assessment and delivery of trauma-informed services;
20. Training can be provided by Alternative House;
21. Recognizes that survivors connect to housing services most successfully when domestic violence service providers work in conjunction with homeless services providers.
22. Rapid rehousing, transitional housing and permanent supportive housing resources are critical for all homeless households entering the services system including survivors of domestic violence.

SECTION XII: RECORDKEEPING

Recipients and subrecipients are required to:

1. Establish and maintain standard operating procedures to make sure that program funds are used in accordance with regulatory and CoC Program NOFA requirements; and
2. Maintain sufficient records to enable HUD to determine whether recipients and subrecipients are adhering to regulatory requirements. (See Appendix IX)

A. CoC-level Recordkeeping Requirements

The Lowell CoC and its collaborative applicant must maintain records documenting compliance with the CoC Program interim rule 24 CFR 578 (See Appendix XI) requirements related to establishing and operating the CoC. Additional recordkeeping requirements apply if the Collaborative Applicant is a UFA.

B. Continuum of Care Records

1. The City of Lowell Department of Planning and Development (DPD-CA) as collaborative applicant for the CoC is the eligible applicant designated by the CoC to apply for CoC planning funds on behalf of the CoC.
2. DPD-CA must retain records documenting the process and activities undertaken to establish and operate their respective CoCs. Specifically, the collaborative applicant must maintain evidence that:
    a. The Continuum of Care Advisory Board (CCAB) selected by the CoC is composed of representatives from organizations whose projects serve homeless subpopulations within the CoC's geographic area and of at least one homeless or formerly homeless individual per 24 CFR part 578.5(b).
    b. The CoC has been established and operates in compliance with the requirements in Subpart B of the CoC Program interim rule, including:
    c. Published agendas and minutes from regular CoC meetings;
    d. A CoC-approved governance charter that is reviewed and updated annually;
    e. A written process for selecting a board that is reviewed and updated at least once every five years;
    f. Documentation designating a single HMIS for the CoC; and
    g. Monitoring reports of recipients and subrecipients.

D. Recipient Grant-Specific Recordkeeping Requirements

For each CoC Program grant, recipients and subrecipients must maintain separate records to document that the project is in compliance with the service provision, match, and housing quality standards (HQS) requirements in the CoC Program interim rule. The recipient must also maintain well-documented and accurate project records related to subrecipient or other contractor activities.

1. ***Services Provided***
   Recipients or subrecipients must document the types of supportive services provided to individuals and families and the amounts spent on those services. They must also document that such information undergoes review at least annually and that the service package offered to program participants was adjusted accordingly.
2. ***Housing Quality Standards***
   Recipients or subrecipients must retain documentation to demonstrate compliance with the housing standards at 24 CFR part 578.75(b). These standards require the recipient or subrecipient to inspect housing units leased with CoC Program funds and units for which rental assistance payments are made with CoC Program funds to ensure the assisted units meet the applicable housing standards.
3. ***Match***
   The recipient must keep records of the source and use of cash and in-kind contributions used to satisfy the 25 percent match requirement as described at 24 CFR part 578.73.
   Match records must indicate the grant and fiscal year for which each matching contribution is counted. If the subrecipient is responsible for some or all of the match commitment, the recipient should collect appropriate documentation from the subrecipient in order to comply with the match recordkeeping requirements.

E. Recordkeeping Program Participant Requirements

See Appendix VII for CoC Program Recordkeeping requirements. Information on recordkeeping is also available on the City of Lowell's website on the Lowell CoC webpage.

C. Unified Funding Agency Records (Future reference upon approval)

In addition to the records above, a collaborative applicant that has been designated as a UFA is also responsible for requesting grant amendments from HUD, consistent with the requirements at 24 CFR part 578.105. A UFA is responsible for maintaining evidence documenting the CoC's approval of any grant amendments. Evidence may include meeting minutes where a grant amendment was discussed, voted on, and approved.