



**City of Worcester
City Manager's
Executive Office of Economic Development
Housing Development Division**

**HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS
(HOPWA)**

PROGRAM MANUAL

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INTRODUCTION

Since 2004, the City of Worcester has been allocated funds through the U.S. Department of Housing and Urban Development's Housing Opportunities for Persons with AIDS (HOPWA) program. This funding has been used to provide housing assistance and housing-related services for people with HIV/AIDS across the City of Worcester's Eligible Metropolitan Statistical Area (EMSA). The HOPWA program is specifically oriented towards achieving the following positive outcomes for people living with HIV and AIDS: 1) increased housing stability; 2) reduced risks of homelessness, and; 3) improved access to care, including medical care and social support.

The City of Worcester makes informed decisions for its HOPWA funding allocation with local input by a HOPWA Advisory Committee comprised of community experts in the field of serving People Living with HIV/AIDS. Applicants who apply for HOPWA grant funding are then scored based on their capacity to meet local community needs. In 2011, the Technical Assistance Program at Victory Programs, Inc. (VPI) conducted a needs assessment in an effort to ensure the effectiveness of the City's HOPWA program in achieving positive outcomes and addressing the needs of the community. The needs analysis identified the following recommendations for the City of Worcester's HOPWA program: 1) Increase Affordable Housing options for Persons Living with HIV/ AIDS; 2) Maintain and Expand Access to Supportive Services; 3) Encourage Collaboration and Linkages. The complete recommendations for the City of Worcester 2011 HOPWA Needs Analysis can be located on the City of Worcester's online document center at : <http://www.worcesterma.gov/uploads/07/0c/070ca4eb51d99782e81a4911512c1214/hopwa-report-2011.pdf>.

The City of Worcester HOPWA Program Manual is established in response to HUD's preference that Grantees set written policies for their EMSA, in order to ensure that local priorities are addressed, that HOPWA programs are in compliance with HUD regulations, and that policies are applied consistently across project sponsors. Funded agencies are active partners in using HOPWA resources to collaboratively address the housing needs of People Living with AIDS in Worcester County and beyond.

SECTION 1. PURPOSE AND USE OF MANUAL

1-1 PURPOSE AND USE OF MANUAL

The purpose of the City of Worcester HOPWA Program Manual is to:

- Provide guidance to project sponsors for the administration of the HOPWA Program
- Support City of Worcester staff in program reviews and technical assistance, and therefore provide the basis for compliance with HUD and other federal regulations
- Articulate and implement local priorities
- Allow for consistent program administration and quality assurance
- Support accurate reporting and outcome tracking
- Institutionalize grantee knowledge, for continuity beyond grantee and sponsor staff turn-over

SECTION 2. PROGRAM RULES

2-1 PROGRAM RULES

The HOPWA program rules in 24 Code of Federal Regulation (CFR) Part 574 provide general standards for eligible housing activities such as client eligibility, housing quality standards, and standards regarding resident rent payments as provided under the United States Housing Act of 1937. Other applicable CFRs are:

- *Lead-based paint poisoning* notification requirements, 24 CFR Part 35, Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846) and 24 CFR Part 574 Subpart G Section 574.635;
- *Smoke alarm* requirements, Section 31 of the Federal Fire Prevention and Control Act of 1974; and
- *Record keeping* requirements, 24 CFR Part 574 Subpart F Section 574.530.
- *HOPWA Other federal requirements*, 24 CFR Part 574.600-655, Subpart G
- 2 CFR Part 200.00

SECTION 3. PROGRAM DEFINITIONS & ACRONYMS

3-1 PROGRAM DEFINITIONS:

- ***Acquired Immunodeficiency Syndrome (AIDS):*** a medical diagnosis requiring a positive HIV test (Western Blot confirmed), and a CD4+ cell count below 200 cells per microliter OR CD4+ cells account for fewer than 14 percent of all lymphocytes OR a diagnosis of one or more of the AIDS-defining illnesses.
- ***Administrative Costs:*** Non-service-related operating costs of administering the HOPWA program (may include salary, fringe, benefits, etc.) Project sponsor administrative costs are limited to 7% of the total project sponsor grant award. Grantee administrative costs are limited to 3% of the total grant amount allocated by HUD.
- ***Beneficiary:*** The HOPWA Client and family members (see definition for Family) receiving HOPWA assistance. Any individual(s) residing with the HOPWA Client whose income is not considered in the HOPWA Client's income eligibility criteria is not considered a beneficiary, i.e. roommates, paid caregivers, and live-in aides.
- ***Chronically Homeless Person:*** "An unaccompanied homeless individual who has experienced homelessness for a year or longer, or who has experienced at least four episodes of homelessness in the last three years and has a disability." For this purpose, the term "homeless" means "a person sleeping in a place not meant for

human habitation (e.g., living on the streets) or in an emergency homeless shelter.” This does not include persons temporarily staying or living in someone else’s residence.

- ***Disabling Condition:*** “A diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness or disability, including the co-occurrence of two or more of these conditions.” In addition, a disabling condition may limit an individual’s ability to work or perform one or more activities of daily living. *An HIV/AIDS diagnosis is considered a disabling condition.*
- ***Domestic Violence Survivor:*** A self-reported current or past victim of domestic violence.
- ***Duplicated Count:*** A household/client that received more than one HOPWA service in the same project year, e.g. a client received both STRMU and TBRA or a client received both STRMU and Supportive Services.
- ***Eligible Individual:*** A person with HIV or AIDS who meets the income eligibility criteria as defined by the Income-eligible definition.
- ***Emergency:*** A situation that is short-term in nature and one that the case manager has reason to believe will put the client at risk of becoming homeless.
- ***Eligible Metropolitan Statistical Area (EMSA):*** In the United States, a metropolitan statistical area (MSA) is a geographical region with a relatively high population density at its core and close economic ties throughout the area. Such regions are neither legally incorporated as a city or town would be, nor are they legal administrative divisions like counties and states. The HOPWA EMSA is determined by the Office of Management and Budget (OMB) and affects the City of Worcester’s HOPWA formula grant geographical jurisdiction.
- ***Family:*** A family may be composed of two or more related persons. A person who is not a relative by blood or marriage can also be considered a family member if they are important to the care or well-being of a person with HIV. This is not the same as a live-in aide who is compensated for providing care to the person with HIV. The status of a roommate or a live-in aide cannot change to that of being a family member after the death of a HOPWA client in order to receive survivor benefits.
- ***Family Unit:*** A household composed of a HOPWA Client and 1 or more other beneficiaries.
- ***Grassroots Organization:*** An organization that is headquartered in the local community to which it provides services; and, (i) has a social services budget of \$300,000 or less, or (ii) has six or fewer full-time equivalent employees. Local affiliates of national organizations are not considered “grassroots.”

- **HOPWA Client:** A person with HIV/AIDS who qualifies for and receives HOPWA assistance.
- **HOPWA Project Sponsor:** An agency that contracts with the City of Worcester to directly provide HOPWA services.
- **Household:** Refers to a client and all other beneficiaries residing with that client. In situations where no other beneficiaries reside with the client, the client constitutes a household unto him/herself. Non-beneficiaries who reside in the shared unit are not part of the household.
- **Human Immunodeficiency Virus (HIV) Infection:** an infection caused by a virus that infects the body and destroys portions of the immune system and is documented by a positive serologic test (Western Blot confirmed).
- **Income-eligible:** Any individual or family whose income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. Project Sponsors MUST use the current HUD Income Limits Table (see Section 17 HUD Tables) to determine HOPWA program eligibility. The Project Sponsor in consultation with the City of Worcester may establish more restrictive income criteria for client eligibility.
- **Non-HOPWA leveraged sources:** Refers to cash resources separate from the state HOPWA grant award, and may include: CDBG, HOME, ESG, CoC, Housing Choice Vouchers (Section 8), PHA units, Supportive Housing for Persons with Disabilities/Elderly (Section 811/202), Low Income Housing Tax Credits (LIHTC), Historic Tax Credits, USDA Rural Housing Service, Ryan White programs, other federal programs at HHS, VA, DOL, etc., state funds, local government funds, and private philanthropy. While other HOPWA funds may be used in conjunction with this grant, the amounts are not counted as leveraged sources and performance is reported under the applicable HOPWA grant.
- **Non-HOPWA supportive services:** All other supportive services the HOPWA client receives related to HIV/AIDS and the client's well-being, including medical care, transportation, food, drug treatment, social services, etc., that are not supported by HOPWA funds.
- **Outcome Assessed:** The HOPWA assisted households who have been enabled to establish or better maintain a stable living environment in housing that is safe, decent, and sanitary (per the regulations at 24 CFR Part 574.310(b)), to reduce the risks of homelessness, and improve access to HIV treatment and other health care and support.
- **Permanent Housing Placement (PHP):** Assistance for reasonable security deposits, not to exceed the amount equal to 2 months of rent, and related application fees and credit checks. First month's rent for someone moving into subsidized housing

(housing choice voucher, public housing, etc) would not be eligible because assistance that is of the same cost type is not allowable.

- **Project year:** The City of Worcester HOPWA project year runs July 1st – June 30th.
- **Roommate:** a roommate relationship is established for the purposes of sharing rent and utility bills in return for receiving a share of the space available. The applicant must identify those living in his or her home as either family or roommates at the time of application and at any subsequent renewals.
- **Short-term Rent, Mortgage, and Utility Assistance (STRMU):** A housing subsidy for short-term rent, mortgage, and utility payments to prevent homelessness of the tenant or mortgagor of a dwelling. This program provides assistance for a period not to exceed 21 weeks (147 days) worth of assistance in any 52-week period. These payments are for eligible individuals and their household beneficiaries who are already in housing and who are at risk of becoming homeless.
- **Supportive Services:** Assistance for case management, basic telephone service, and provision of smoke detectors. Supportive Services may be provided in conjunction with HOPWA housing assistance or as a standalone service (Supportive Services Only).
- **Tenant-based Rental Assistance (TBRA):** A housing subsidy for tenant-based rental assistance, including assistance for shared housing arrangements. It assists Income-eligible clients and their beneficiaries with rent and utilities until they are able to secure affordable, stable housing. TBRA is at times referred to as Rental Assistance by the City of Worcester.
- **Veteran:** Anyone who served or is currently serving in the military forces.
- **Year-to-date (YTD):** Cumulative information starting from the beginning of the project year up to the current reporting quarter.

3-2 ACRONYMS IN THE HOPWA MANUAL

AIDS	Acquired Immunodeficiency Syndrome
CFR	Code of Federal Regulation
CoC	Continuum of Care Program
COS	Contract Oversight and Support Unit
COW	CITY OF WORCESTER
EID	Earned Income Disregard
FMR	Fair Market Rent
HIV	Human Immunodeficiency Virus
HOME	HOME Investment Partnership Program
HOPWA	Housing Opportunities for Persons with AIDS
HQS	Housing Quality Standards
HSDA	HIV Service Delivery Area

HUD	Housing and Urban Development (U.S. Department of)
PBRA	Project-Based Rental Assistance
PHA	Public Housing Authority
PHP	Permanent Housing Placement
SHP	Supportive Housing Program
SSI	Supplementary Security Income
STRMU	Short Term Rent, Mortgage, and Utilities, formally known as Emergency Assistance
TANF	Temporary Assistance for Needy Families
TBRA	Tenant-Based Rental Assistance
WTW	Welfare-to-Work program

SECTION 4. PROGRAM PURPOSE, ADMINISTRATION AND OVERVIEW

4-1 PROGRAM PURPOSE

The goal of the program is to provide housing assistance and supportive services for income-eligible individuals living with HIV/AIDS and their families to establish or better maintain a stable living environment in housing that is decent, safe, and sanitary, to reduce the risk of homelessness, and to improve access to health care and supportive services.

4-2 PROGRAM ADMINISTRATION

The HOPWA program is administered by City of Worcester, which receives annual formula grants from the U.S. Department of Housing and Urban Development (HUD). The City of Worcester serves as the grantee administrative agency and contracts with Project Sponsor(s) for delivery of services in the Worcester EMSA service delivery area.

4-3 OVERVIEW – City of Worcester HOPWA PROGRAMS

City of Worcester provides HUD-approved activities through the following programs:

- (a) **STRMU** (also known as Emergency Assistance): Provides short-term rent, mortgage, and utility payments to prevent homelessness of the tenant or mortgagor of a dwelling. This program enables income-eligible individuals living with HIV/AIDS at risk of becoming homeless to receive short-term assistance for a period not to exceed 21 weeks' worth of assistance in any 52-week period. These payments are for eligible individuals and their household beneficiaries who are already in housing and who are at risk of becoming homeless.
- (b) **Rental Assistance:** Provides tenant-based and project-based rental assistance, including assistance for shared housing arrangements, for income-eligible clients living with HIV/AIDS and their beneficiaries until they are able to secure affordable stable housing.

- (c) **Supportive Services:** Provides financial assistance for HOPWA case management. Supportive Services may be provided in conjunction with HOPWA housing assistance or as a stand-alone service (Supportive Services Only).
- (d) **Permanent Housing Placement:** Provides assistance for permanent housing placement costs that include reasonable security deposits not to exceed the amount equal to 2 months of rent, and costs related to application fees and credit checks.

Refer to **Appendix B** for a comparison of the HOPWA Programs.

SECTION 5. ADMINISTRATIVE AGENCY AND PROJECT SPONSOR ROLES AND RESPONSIBILITIES

5-1 ADMINISTRATIVE AGENCY (City of Worcester) ROLES & RESPONSIBILITIES REGARDING PROJECT SPONSORS

- The City of Worcester must comply with all applicable state and federal policies, standards, and guidelines as specified in the grant agreement between HUD and the City, and the contract between the City and Sub-Recipients; and is responsible for ensuring efficient, effective, and proper implementation of the HOPWA program in its geographic area of responsibility.
- The City of Worcester will ensure that Project Sponsors properly manage HOPWA funds in compliance with the City of Worcester’s policies and procedures and HUD regulations. The City of Worcester must assure that Project Sponsors develop local HOPWA policies as needed. These local policies:
 - should not conflict with guidance provided by the City of Worcester or the HOPWA regulations (24 CFR Part 574) as developed and amended by HUD.
 - may address, but are not limited to, issues surrounding moving clients into the Housing Choice Voucher Program (Section 8) or other affordable housing programs, setting financial caps for STRMU, and setting stricter eligibility requirements beyond standard guidelines. Local housing experts may be consulted as needed. However, consulting fees are not allowed.
- The City of Worcester will assure that the Project Sponsors’ administrative costs shall not exceed seven (7) percent of the amount of funds received by the Project Sponsor. Administrative costs include all non-service program activity costs. For more information on HOPWA Administrative costs, see HOPWA FAQs released in 2011: https://www.onecpd.info/resources/documents/HOPWA_NewFAQS_7.22.11.pdf
- As the Responsible Entity for the jurisdiction served under HOPWA Grant funds, the City of Worcester is responsible for completing Environmental Reviews to assure compliance with the National Environmental Policies Act (NEPA) under 24 CFR Part 58.

5-2 HOPWA PROJECT SPONSOR ROLES/RESPONSIBILITIES

The Project Sponsor must manage HOPWA funds for delivery of HOPWA program services by establishing policies and procedures as required by federal regulations including:

- Management and budgeting of grant funds: Attention must be given to assuring that HOPWA funds are available throughout the project year and are not expended prematurely. Having knowledge of current caseloads and expenditures by client, waiting lists, and past program experience can be used to effectively plan services. No more than 7 percent of the Project Sponsor grant may be expended for administrative costs.

5-3 ESTABLISHING ANNUAL STRMU CAPS

City of Worcester and Project Sponsors may choose to implement Annual STRMU Caps per client as needed based on availability of HOPWA funds, clients' needs, and waitlists. City of Worcester is required to establish a written policy to ensure that Project Sponsors apply the Annual STRMU Cap in a uniform, consistent, and non-discriminatory manner. If caps are established, they must be in concurrence or approval with the City of Worcester and comply with the established City of Worcester Annual STRMU Cap formula (no less than 1 month of the FMR for the appropriate unit size and no more than the Project Sponsor's budgeted STRMU funds per client per year).

In FY16, the City will not implement an Annual STRMU cap per client, however all costs incurred by the Project Sponsor are subject to partial reimbursement based on whether costs are deemed reasonable, allocable, and allowable by the Project Monitor and Grants Compliance Officer.

5-4 CITY OF WORCESTER STAFF

The HOPWA Program Coordinator for the City of Worcester's Executive Office of Economic Development is responsible for coordinating all HOPWA sub-recipient activities including but not limited to: the execution of grant agreements; intake and processing of reimbursement requests; desk and on-site monitoring; and general technical assistance.

The HOPWA Program Coordinator may be reached by phone or e-mail to answer questions relating to program oversight:

Katherine J. Calano
455 Main Street, 4th Floor
Worcester MA 01608

Direct Tel: 508-799-1400 x 238
E-mail: calanok@worcesterma.gov

SECTION 6. ENSURING ACCESS TO THE HOPWA PROGRAM

6-1 LOCATION OF APPLICATION OFFICE

Project Sponsors should have an easily accessible location(s) where individuals/families can apply for assistance.

6-2 PROVIDING INFORMATION ABOUT HOUSING ASSISTANCE

Ryan White/State Services applicants should be informed of the housing assistance available during intake and existing clients should be informed during routine medical/psychosocial appointments. Applications can be completed during intake and/or routine appointments. Appointments made specifically for a HOPWA application can also be scheduled. All HIV-infected clients should be assessed for housing needs.

6-3 METHODS OF TAKING APPLICATIONS

To accommodate the needs of various individuals/families and assure proper use of staff resources, the Project Sponsor should offer the following options of taking applications:

- **REGULAR OFFICE INTERVIEWS.** The majority of interested individuals/families should be able to apply for the program at the Project Sponsor's office(s) during regular business hours.
- **SPECIAL OFFICE INTERVIEWS.** The Project Sponsor should arrange for interviews to be conducted during off-hours for those unable to apply during regular business hours.
- **HOME VISIT INTERVIEWS.** Some applicants may need to have the interview in their homes for health or other reasons.

6-4 INFORMATION SHARING

HOPWA program information and eligibility criteria should be shared routinely with other HIV/STD prevention and service agencies and local housing authorities within the EMSA to ensure local coordination of services and appropriate referrals. Information sharing is the responsibility of the City of Worcester, as well as Project Sponsors, and can be accomplished by the distribution of informative pamphlets and fliers, and also by networking with local agencies. Project sponsors are expected to uphold their agency's own marketing procedures to ensure fair access to services for eligible households.

6-5 CITY OF WORCESTER HOPWA ELIGIBLE METROPOLITAN STATISTICAL AREA (EMSA)

Section 3, Program Definitions and Acronyms, explains the definition of an EMSA. In HOPWA terms, the EMSA is the geographic jurisdiction of communities in which residents are eligible to receive HOPWA assistance under the City of Worcester HOPWA

formula grant. Below is a list of communities by Zip Code that fall within the OMB-designated EMSA for the City of Worcester HOPWA grant.

Worcester County, MA

<u>Community</u>	<u>Zip Code</u>	<u>Community</u>	<u>Zip Code</u>	<u>Community</u>	<u>Zip Code</u>
Ashburnham	01430	Lunenburg	01462	Templeton	01468
Athol	01331	Manchaug	01526	Upton	01590
Auburn	01501	Mendon	01756	Uxbridge	01569
Baldwinville	01436	Milford	01757	Warren	01083
Barre	01005	Millbury	01527	Webster	01570
Berlin	01503	Millbury	01586	West Boylston	01583
Blackstone	01504	Millville	01529	West Brookfield	01585
Bolton	01740	New Braintree	01531	West Millbury	01586
Boylston	01505	North Brookfield	01535	West Warren	01092
Brookfield	01506	North Grafton	01536	Westborough	01580
Charlton	01507	North Oxford	01537	Westborough	01581
Charlton Depot	01508	North Uxbridge	01538	Westminster	01441
Cherry Valley	01611	Northborough	01532	Westminster	01473
Clinton	01510	Oakham	01068	Wheelwright	01094
Douglas	01516	Oxford	01540	Whitinsville	01588
Dudley	01571	Paxton	01612	Wilkinsonville	01590
Dudley Hill	01570	Petersham	01366	Winchendon	01475
East Brookfield	01515	Phillipston	01331	Winchendon Springs	01477
East Princeton	01517	Princeton	01541	Wilkinsonville	01590
East Templeton	01438	Rochdale	01542	Worcester	01601
Fayville	01745	Royalston	01368	Worcester	01602
Fiskdale	01518	Rutland	01543	Worcester	01603
Fitchburg	01420	Shrewsbury	01545	Worcester	01604
Gardner	01440	Shrewsbury	01546	Worcester	01605
Gilbertville	01031	South Barre	01074	Worcester	01606
Grafton	01519	South Grafton	01560	Worcester	01607
Hardwick	01037	South Lancaster	01561	Worcester	01608
Harvard	01451	South Royalston	01368	Worcester	01609
Holden	01520	Southborough	01745	Worcester	01610
Hopedale	01747	Southborough	01772	Worcester	01612
Hubbardston	01452	Spencer	01562	Worcester	01613
Jefferson	01522	Sterling	01564	Worcester	01614
Lancaster	01523	Still River	01467	Worcester	01615
Leicester	01524	Sturbridge	01518	Worcester	01653
Leominster	01453	Sturbridge	01566	Worcester	01654
Linwood	01525	Sutton	01590	Worcester	01655

Windham County, CT

<u>Community</u>	<u>Zip Code</u>	<u>Community</u>	<u>Zip Code</u>	<u>Community</u>	<u>Zip Code</u>
Abington	06230	Grosvenor Dale	06246	Rogers	06263
Ashford	06278	Hampton	06247	Scotland	06264
Ballouville	06233	Killingly	06239	South Killingly	06265
Brooklyn	06234	Killingly	06241	South Windham	06266
Canterbury	06331	Killingly	06243	South Woodstock	06267
Chaplin	06235	Moosup	06354	Staffordville	06077
Danielson	06239	North Grosvenor Dale	06255	Sterling	06377
Dayville	06241	Oneco	06373	Thompson	06277
East Brooklyn	06234	Plainfield	06374	Wauregan	06387
East Killingly	06243	Pomfret	06258	Willimantic	06226
East Punam	06260	Putnam	06260	Windham	06226
Eastford	06242	Putnam Heights	06260	Woodstock	06281
Fabayan	06245	Quinebaug	06262		

SECTION 7. LINKAGE WITH HUD HOUSING CHOICE VOUCHER (SECTION 8) HOUSING AND OTHER AFFORDABLE HOUSING RESOURCES

7-1 COLLABORATION WITH HUD HOUSING CHOICE VOUCHER (SECTION 8) HOUSING PROGRAM

The Housing Choice Voucher (Section 8) program can also be a vital resource for the housing needs of HOPWA clients. Project Sponsors must establish linkages and collaborative relationships with local Housing Choice Voucher program staff. Project Sponsors must have written documentation on file indicating how the linkages and collaborative relationships are being accomplished (e.g., written cooperative agreements, protocols, etc.).

7-2 POLICY TO APPLY AND TRACK APPLICATIONS FOR HOUSING CHOICE VOUCHER (SECTION 8) HOUSING

HOPWA Project Sponsors must develop a local policy that requires TBRA clients to apply for the Housing Choice Voucher (Section 8) program and other affordable housing programs and to renew this application every 90 days or as required by the other housing programs. Project Sponsors must develop a system to track compliance with this requirement.

7-3 FAILURE TO ACCEPT HOUSING CHOICE VOUCHER (SECTION 8) HOUSING

Local policy must clearly state that failure to accept the Housing Choice Voucher (Section 8) or other affordable housing programs when offered may result in termination of HOPWA assistance. This will reduce the HOPWA wait list and provide timely housing assistance to other eligible individuals. The case manager must work closely with the client and the local housing authority to assure that the client's needs/requests are met. In special circumstances where accepting Housing Choice Voucher (Section 8) or other housing would place an undue burden on the client, Project Sponsors may request a waiver to the policy which must be approved by the City of Worcester on a case-by-case basis. Special circumstances may include but are not limited to:

- (1) client would have to move away from family who are necessary for the client's care and well-being,
- (2) client would have to move but is too sick at the time to do so,
- (3) client cannot find a suitable residence that will accept Housing Choice Vouchers (Section 8).

Project Sponsors must establish a written policy for the waiver request to ensure the waiver is implemented in a uniform, consistent, and non-discriminatory manner. Termination of assistance to clients must follow the procedures as set forth in Section 14 Termination of Assistance.

SECTION 8. CONFIDENTIALITY

8-1 ENSURE CONFIDENTIALITY

Confidentiality of all records is required. Project Sponsors are required to have a written confidentiality policy and assure confidentiality of client name, information, and records. All information obtained in connection with the examination, care, or services provided to any client shall not be disclosed without the client's signed consent. Confidentiality requirements are set forth under the HUD regulations, 24 CFR Part 574.440.

Additional guidance and a discussion of best practices related to confidentiality can be found in the HUD issued HOPWA Confidentiality User Guide, available at:

<https://www.onecpd.info/resource/3296/hopwa-confidentiality-user-guide/>

8-2 CONSENT TO RELEASE AND OBTAIN CONFIDENTIAL INFORMATION

Prior to exchanging information with any other agency or entity, HOPWA Project Sponsors must first secure a release of information from the client. Sample Form E, **Consent to Release and/or Obtain Confidential Information** is recommended as a template that agencies have completed and signed by the client identifying specific individuals or organizations to which confidential information may be disclosed and must be resigned annually. In the absence of specific written authorization, no information identifying an individual's HIV status may be disclosed by the HOPWA Project Sponsor to ANY individual or organization.

SECTION 9. DETERMINING ELIGIBILITY OF APPLICANTS

9-1 DETERMINING ELIGIBILITY OF APPLICANTS

The Project Sponsor is responsible for determining the eligibility of applicants who seek HOPWA assistance. The minimum eligibility requirements are:

(a) **STRMU PROGRAM:**

The client is:

- HIV positive
- income-eligible
- in housing and has a short-term emergency situation which may put the client at risk of becoming homeless (See Section 9-2 (g) for verification of emergency need)
- A valid tenant, owner, or resident of the premises/utilities for which assistance is being provided

- (b) RENTAL ASSISTANCE PROGRAM:
The client is:
 - HIV positive
 - income-eligible
- (c) SUPPORTIVE SERVICES:
The client is:
 - HIV positive
 - income-eligible
- (d) PERMANENT HOUSING PLACEMENT
The client is:
 - HIV positive
 - income-eligible

9-2 ELIGIBILITY VERIFICATION AND DOCUMENTATION REQUIREMENTS

The Project Sponsor must obtain complete information from applicants, thoroughly document the methods by which the information was verified, and maintain all pertinent information in the client's file. Project Sponsor staff must ensure that client confidentiality is maintained when verifying client information (see Section 8. Confidentiality). The following must be verified and documented:

(a) HIV/AIDS STATUS

Verification may be accomplished by one of the following ways:

- laboratory report indicating a positive serologic test
- signed statement from a physician, physician's assistant, or advanced nurse practitioner attesting to the HIV positive status
- hospital discharge summary that documents the HIV positive status
- laboratory test result with a detectable viral load

(b) INCOME

Income must be verified upon application to the program and re-verified annually, or as needed if income status changes. Adequate verification of income is very important since it not only affects eligibility but also the amount of assistance that will be provided on behalf of the client.

HOPWA requires that household income is determined based on the requirements set forth in 24 CFR Part 5.609. All income that is anticipated to be received by the client/family over the 12-month period must be verified and included in determining income eligibility. The **City of Worcester HOPWA Income Eligibility forms are suggested** for determining the applicant's income eligibility. These forms include

- Income Eligibility Calculation Worksheet (Form A)

- Suggested Forms of Income Verification and Documentation of Expenses (Appendix F) will assist in determining client's income and allowable deductions from gross income.
- Verification of No Income (Form C) in the event that a client claims to have no source of income, the **Form C** must be completed by the client verifying the statement of no income.

HUD's Office of Community Planning and Development (CPD) launched the CPD Income Eligibility Calculator in 2012. The calculator is an interactive web-based tool for determining income eligibility and assistance amounts for beneficiaries of CPD programs, including HOPWA. The calculator is designed for use by grantees and subrecipients of CPD programs. The tool asks a series of questions depending on the program, activities, and other factors. The user inputs data about each household and its members, and the calculator works to generate a summary of results for each beneficiary. For more information on and access to the calculator, visit: www.onecpd.info/incomecalculator/.

(c) ALLOWABLE DEDUCTIONS

The HOPWA Program allows certain allowances and deductions to the applicant's gross income in accordance with 24 CFR Part 5.611 (Adjusted Income) and 24 CFR Part 5.617 (Earned Income Disregard). If a deduction is given, then verification and documentation must be on file.

(d) OTHER FACTORS

Project Sponsor staff must document in the applicant's case file appropriate case management and supportive services that are provided or offered. The Project Sponsor must obtain and keep on file copies of utility bills, mortgage payment coupons or invoices, and/or rental leases for which HOPWA assistance is provided.

(e) SHARED HOUSING

HUD permits HOPWA to assist individuals who share housing with unrelated individuals (roommates). HUD regulation (24 CFR Part 574.320(b) requires that any HOPWA assistance provided in shared housing arrangements must be prorated to assure that HOPWA is only supporting the rent for that portion of the living unit that is occupied by the HOPWA eligible individual and associated beneficiaries. A Shared Housing Rent Calculation Worksheet can be found in the HOPWA Administration Toolkit (see Appendix A: HOPWA Technical Assistance).

(f) REASONABLE ACCOMMODATION

HUD regulation 24 CFR 82.306 (d) does not allow housing assistance to a unit if the owner is the client's parent, grandparent, grandchild, sister, brother or any member of the family **unless** it is determined that approving the unit would

provide 'reasonable accommodation' for a family member who is a person with disabilities. A reasonable accommodation would permit a 'person with disabilities' including persons with HIV/AIDS to receive benefits when housed with a family member who owns or rents the housing unit if it is determined by a physician that living with the family member is important to the client's overall health and well-being. In such situations, the family's income is not to be counted in determining the eligibility of the low-income person with disabilities for a STRMU or TBRA payment. Such payments are based on the number of bedrooms that the person with disabilities occupies in the home and must be reasonable for the type and nature of the housing arrangement, and similar to the reasonable rental fees available in comparable unassisted units.

(g) VERIFICATION OF EMERGENCY NEED

Program staff are responsible for verifying and documenting a client's inability to make required payments. The housing service provider should use the documentation listed in Section 10-4 to assess that the household's needs are (i) for actual costs, (ii) that other resources, such as household income, are not reasonably available to address the unmet housing need, (iii) that the STRMU payment will alleviate the payment delinquency so as to avoid the eviction and result in, at least, temporary stability for that household, and (iv) that the household's on-going housing needs are assessed in connection with the development of an individual housing service plan for the household.

SECTION 10. SHORT-TERM RENT, MORTGAGE, AND UTILITIES (STRMU) PROGRAM

10-1 STRMU PROGRAM

The goal of the STRMU program is to provide short-term interventions that help maintain stable living environments for households who are temporarily unable to meet their monthly housing and utility expenses as a result of emergency situations arising from their HIV/AIDS condition. It is intended to prevent homelessness, reduce the risks of homelessness, and improve access to health care and other supportive services. The STRMU program enables income-eligible individuals or families living with HIV/AIDS and who are at risk of becoming homeless to receive short-term rent, mortgage, and/or utility assistance for a period not to exceed 21 weeks (147 days) worth of assistance in any 52-week period. STRMU funds can be used to pay rent, mortgage, and utilities (up to the monthly allowable amount as established by the local housing authority). Late and/or reconnect fees are allowable. Utility and rent security deposits and telephone service costs are not allowable under STRMU. However, assistance for security deposits are allowable under Permanent Housing Placement and assistance for basic telephone service may be allowable as a Supportive Service (see Section 12. Supportive Services and Permanent Housing Placement).

The Project Sponsor must make payments directly to the landlord, mortgage holder, or utility provider and maintain client confidentiality. No payments may be made to the

client. STRMU payments cannot be made on behalf of a client and his/her beneficiaries for a particular period of time or housing cost if assistance is also being provided for that same period of time/cost through another HOPWA or federal, state, or local housing subsidy program.

The City of Worcester HOPWA Income Eligibility Form or OneCPD Income Eligibility Calculator and Client Enrollment Packet must be completed for each time an individual applies for STRMU assistance. Where the applicant's information has not changed, forms may be photocopied but must be resigned and dated by the client and case manager. All required documentation must be updated and verified. Recertification of emergency need is still required in cases where the emergency situation remains the same, and the case manager must focus on goals/action steps to address the recurrence of the emergency situation and establish housing stability.

10-2 CLIENT ELIGIBILITY

To qualify for the STRMU program, the applicant must be:

- HIV positive
- Income-eligible
- Experiencing a short-term emergency situation which may put the client at risk of becoming homeless (Section 9-2 (g) describes documentation of emergency need)
- A valid tenant, owner, or resident of the premises/utilities for which assistance is being provided

In order to receive STRMU assistance, the applicant must provide evidence of tenancy or ownership and residency under a valid lease, or documentation that he/she is a legal resident of the premises. Satisfactory evidence of tenancy includes the lease naming them as leaseholder or eligible household occupant, or a default/late payment notice that identifies the eligible person or a resident member of the family as a named tenant under the lease. If an STRMU applicant is listed as an occupant on a lease agreement and can prove through paid receipts in their name, money orders, or cancelled checks that they pay rent or utility bills, even if the accounts are in the name of another household member, it is permissible to assist the applicant.

To receive assistance for a mortgage payment, the eligible person must demonstrate that he is the resident owner of mortgaged real property.

To receive utility assistance, the eligible person must have an account in his or her name with a utility company **or** proof of responsibility to make utility payments, such as cancelled checks or receipts in their name from a utility company. If a client is prohibited or unable to establish an account with a utility company (attributed to circumstances such as outstanding arrearages, STRMU assistance may be provided (within the 21-week or benefit cap limit) if it enables the client to establish an account with a utility company.

10-3 RESTRICTIVE STRMU ELIGIBILITY CRITERIA

The Project Sponsor may establish more restrictive criteria for STRMU client eligibility.

In addition to the required criteria in Section 10-2 above, a Project Sponsor may establish priorities for:

- types of emergencies to be considered
- establishing an Annual STRMU Cap for the amount of assistance per client
- serving priority clients (e.g., individuals who are unemployed, who are being discharged from the hospital, who are disabled by their HIV illness, Special Needs clients, waitlist, family situation, etc.)

The Project Sponsor must establish a written policy describing the more restrictive eligibility criteria and priorities for serving clients to ensure eligibility criteria are applied in a uniform, consistent, and non-discriminatory manner.

10-4 VERIFICATION AND DOCUMENTATION OF EMERGENCY NEED

As STRMU assistance is not intended for perpetual need and is meant to address emergency need, case managers must document the emergency in the Comprehensive Housing Plan (Form K) (See section 10-5) and continuously assess the housing needs of the client. After verification of initial eligibility (income and HIV status), the case manager must verify the applicant's emergency need (See Section 9-2 (g) for the definition and verification of emergency need.

To qualify for STRMU assistance, the client must have an emergency need that puts him or her at risk of becoming homeless due to the inability to pay rent, mortgage, and/or utilities. The Case Manager should have reason to believe that the situation has a good probability of being resolved within the 21- week period of assistance. (Clients whose needs are unlikely to be resolved within the 21-week period of assistance would, in most instances, be more appropriately served through a rental assistance program, if eligible.)

A variety of documentation may be deemed acceptable by the case manager to determine emergency housing need, or the client's inability to make a monthly payment, depending on the nature of the emergency situation. It is highly encouraged for program staff to contact the third-party involved to verify the emergency situation at hand (without revealing confidential information about the client's medical status).

Examples of documentation may include:

- Current checking/savings account balance statement
- Default/late payment notice
- Employment termination letter
- Current medical bills
- Current utility bills
- Current income documentation
- Delinquent payment notices from the mortgagor, landlord, and/or the utility company/companies
- Current documentation for unexpected expenses that would constitute a household emergency

- Signed Affidavit by client verifying the emergency need may be acceptable if no other documentation is available; the affidavit must explain the reasons why no other documentation is provided.

10-5 COMPREHENSIVE HOUSING PLAN

The case manager must create a housing needs assessment for each eligible client to be served. During this process, the case manager must assure the following:

- That the household's needs are for actual costs (See examples in Section 10-4)
- That other resources, such as household income, are not reasonably available to address the unmet housing need
- That the STRMU payment will alleviate the payment delinquency so as to avoid eviction and result in at least temporary stability for that household
- That the household's on-going housing needs will be assessed in connection with the development of a Comprehensive Housing Plan for the household.

10-6 COMPLIANCE WITH COMPREHENSIVE HOUSING PLAN

All HOPWA clients must have a Comprehensive Housing Plan, including STRMU clients. STRMU assistance must be provided in a manner that has a sufficient or clear beneficial effect on addressing the client's assessed emergency or short-term housing needs and only be provided in connection with the client's demonstrated compliance with the plan. Plans should establish the on-going housing stability goals for clients in connection with their need to access medical treatment and supportive services associated with HIV/AIDS issues.

The Case Manager should work with the client collaboratively to develop a Comprehensive Housing Plan to set short-term and long-term goals for alleviating risks of homelessness, establishing affordable permanent housing stability, and improving access to health care and supportive services. The Comprehensive Housing Plan should identify the household's on-going housing stability needs, along with the reasons or causes of the housing need, short-term and long-term action steps to address housing needs, and identify available housing resources and supportive services for the client even after STRMU assistance expires. Case Managers must follow up with clients to monitor their progress and needs and also monitor and track utilization of referral services as established in the Comprehensive Housing Plan throughout the period of STRMU assistance. The plan should address budget and money management issues if the cause for housing debt is related to the household's poor money management practices, such as the use of credit cards or cash for non-essential items or entertainment activities. The Plan should help determine how to best use STRMU in preventing homelessness, and in the process connecting the client to supportive services.

If a client refuses to comply with the Comprehensive Housing Plan, it should be reworked in a manner that still ensures stability and is satisfactory to client choice. If the case manager has reason to believe the client is committing fraud or inappropriately using STRMU assistance, the Project Sponsor may terminate the client's STRMU assistance, given the HOPWA and Project Sponsor termination policies and procedures are followed (Section 10-17: Termination of STRMU Clients).

10-7 CONNECTION TO PERMANENT HOUSING

As a short-term intervention tool, STRMU assistance is not intended to provide continuous or perpetual assistance. STRMU assistance is “needs-based” and intended to benefit clients who are temporarily unable to meet their monthly housing and utility expenses due to unexpected situations. STRMU assistance should be consistent with an assessment of the family’s housing or utility needs and connected to the establishment of a related Comprehensive Housing Plan to address those on-going needs. Other types of HOPWA assistance, such as Permanent Housing Placement (PHP) and Tenant-Based Rental Assistance (TBRA) (see HUD Regulation 24 CFR Part 574.300(b)(5)), or assistance providing access to other housing programs should be employed when housing assessments indicate that the “conditions” that caused this financial burden show little or no likelihood of improvement during or after the 21-week benefit period.

10-8 HOUSING QUALITY STANDARDS

A HUD Housing Quality Standard *inspection* is not required for the use of STRMU payments if the payments are needed to prevent the homelessness of the household, but client *certification* of safe, decent, and sanitary housing (Form G) is required. All HOPWA-assisted housing must be in compliance with all applicable State and local housing codes. Project Sponsors are responsible for discussing with their clients whether the housing is safe, decent, and sanitary as part of their required on-going assessment of the client’s housing needs. In the event that the unit is substandard, the Case Manager must document deficiencies in the Comprehensive Housing Plan and assist the client to address unit deficiencies or to obtain safe, decent, and sanitary housing that is, at a minimum, consistent with all applicable State and local housing codes.

10-9 RENT REASONABLENESS

Rent reasonableness is another important aspect of the housing needs assessment. Although rent reasonableness is not directly required for STRMU households, an assessment of the client’s current housing situation is required. If it is clearly shown that the household needing assistance is dwelling in a unit beyond their means and will be perpetually dependent upon STRMU assistance for 21 weeks out of every year, then the client must have a goal within the Comprehensive Housing Plan that leads to increased income, more appropriate housing, or apply for HOPWA TBRA or other appropriate housing assistance.

Although STRMU assistance does not require the client to pay a portion of the rent or utility bill, STRMU payments must not be used to relieve the household of its responsibility for rent, mortgage, or utility payments in the absence of inability to pay. If a client is capable of paying some of his/her required payments, program staff may negotiate an appropriate amount for the household’s contribution to ensure that partial payments are made by the client, thereby limiting STRMU payments to the difference between the amounts due and the amount the client is able to pay. If clients know that they could save some weeks of assistance for future emergencies by paying at least a portion of the debt, it fosters more incentive and accountability for the client.

For example, case managers might determine through the assessment process that the client is able to pay \$100 of their \$400 rent (equal to ¼ of the total). For the purposes of tracking, the amount of days of assistance used would be only for the part of the monthly housing costs paid by STRMU, which in this case is ¾ of the month or three weeks of assistance. In providing STRMU assistance, case managers must document that the client has no other means to cover the payment(s) during the 21-week period and that the Project Sponsor is making efforts to develop a permanent solution in the client's Comprehensive Housing Plan.

10-10 STEPS IN ESTABLISHING AND DOCUMENTING APPLICANT ELIGIBILITY

Refer to the following table for a description of the steps in establishing and documenting client eligibility for the STRMU Program. Note that the sequence of steps in the process may vary and steps may occur simultaneously. The Project Sponsor must ensure that the appropriate procedures are utilized to establish applicant eligibility and documentation.

STEPS TO DETERMINE CLIENT ELIGIBILITY AND ENROLL CLIENTS FOR THE STRMU PROGRAM		
1.	Initial contact with applicant	<p>When an individual requests housing assistance, the case manager must inform the individual verbally and in writing about the HOPWA Program. This should include information about:</p> <ul style="list-style-type: none"> • HOPWA housing assistance available • the application process • documentation that will be needed from the applicant to determine eligibility (income, HIV Status, tenancy) for the first meeting/interview. • the emergency situation to determine if the emergency qualifies for HOPWA assistance and determine documentation required for first meeting. • existing program waiting lists and priority populations, if applicable • interview dates/times
2.	Initial meeting/interview with applicant	<ul style="list-style-type: none"> • The case manager must explore other housing assistance and resources that may be available to the applicant before utilizing HOPWA assistance. Document efforts to access other resources and list referrals. • Verify all documentation required for determining income eligibility, HIV status, residency, STRMU emergency, etc.
3.	Explain client rights and release of confidential information	<ul style="list-style-type: none"> • Explain Form D the Client Rights and Responsibilities Statement to the client. • Explain to the client the confidentiality policy and Form E, the Consent to Release and/or Obtain Confidential Information (also in Spanish) • Form D and E must be signed and dated by the client and case manager.

4.	Verify and document applicant's HIV status and income	<ul style="list-style-type: none"> • The case manager should complete the City of Worcester HOPWA Income Eligibility forms or utilize the OneCPD online Income Eligibility Calculator (Section 9-2 (b)) with the client present. • The case manager must document in the case file what was used to determine eligibility and include backup documentation. • The Income Eligibility forms or OneCPD eligibility determination must be signed and dated by both the case manager and client.
5.	Verify applicant's tenancy	<ul style="list-style-type: none"> • The case manager must document the evidence of applicant's tenancy and maintain in client file. • Applicant must be a tenant/named occupant on a valid lease/rental agreement and/or provide evidence of paying rent/utilities if not a named occupant on lease/rental agreement.
6.	Verify and document the applicant's emergency situation	<ul style="list-style-type: none"> • The applicant must provide evidence of the emergency situation (Section 10-4) • If the case manager determines that the situation is not an emergency, the applicant is not eligible for STRMU.
7.	Notify client about his/her eligibility	<ul style="list-style-type: none"> • The client must be notified in writing about his/her eligibility.
If the applicant is eligible, continue to STEPS 8-13 and complete the City of Worcester HOPWA CLIENT ENROLLMENT PACKET.		
8.	Collect client Demographic/ Statistical information	<ul style="list-style-type: none"> • Complete Form F Demographic/Statistical Information to collect all required information on client and beneficiaries.
9.	Develop a Comprehensive Housing Plan	<ul style="list-style-type: none"> • The case manager and client must develop a Comprehensive Housing Plan (Form K) to assess housing needs, set short and long-term goals of developing housing stability, and monitor and track use of referrals. • Document the emergency situation in the Comprehensive Housing Plan. • The case manager and client must sign and date the Comprehensive Housing Plan. • Housing needs assessment must be on-going and the Comprehensive Housing Plan must be reviewed and updated to reflect client's current needs.
10.	Provide case management and referrals to medical care and supportive services	<ul style="list-style-type: none"> • The case manager must assist the client in accessing supportive services, as established in the housing plan. • The case manager must document which services were offered and used by the client in the Comprehensive Housing Plan (Form K).
11.	Provide Lead-Based Paint and Fair	<ul style="list-style-type: none"> • Provide and explain the HUD Fair Housing pamphlet and Protect Your Family from Lead in Your Home

	Housing Pamphlets and Complete HQS Certification	<p>pamphlet (also in Spanish). See Section 10-13 Lead-Based Paint.</p> <ul style="list-style-type: none"> • HOPWA HQS Habitability Standards Form G to be completed and kept in client file
12.	Determine amount of STRMU assistance	<ul style="list-style-type: none"> • Use the STRMU Worksheet (Form L) to assess client's income resources, expenses (rent, utilities, etc.) and emergency situation to determine amount of assistance needed. Also determine the portion client is able to contribute, if any. • All payments must be made to appropriate third parties. No payments can be made directly to the client.
13.	Calculate and track the number of days of STRMU assistance	<ul style="list-style-type: none"> • Use the STRMU 21-week tracking worksheet (Form M) to track client's period of STRMU assistance in actual number of days (maximum 147 days). • Contact City of Worcester Program Monitor if you do not have a copy of the STRMU Tracking Sheet • Apply Annual STRMU Cap, if established by Project Sponsor (Section 10-12).
14.	Follow-up with client's emergency situation, housing needs, and referrals	<ul style="list-style-type: none"> • Follow-up with the client on the progress made on goals/action steps established in the Comprehensive Housing Plan. • Assess status of client's emergency situation and current housing needs and discuss further goals/action steps as needed. • Update housing needs and goals/action steps in the Comprehensive Housing Plan. • Follow-up with the client and/or provider on use of referral services offered and document in the Comprehensive Housing Plan.
15.	Complete Termination Form	<ul style="list-style-type: none"> • Complete the HOPWA Termination Form (Form N) at the end of the period of assistance or at termination of the client (Section 10-17). • A termination form is not required monthly for STRMU clients. • Document client's current (or most recently available) housing situation at the end of the last month of assistance.
If an applicant has received STRMU assistance in the past 52-weeks, and is returning to be recertified for additional of STRMU assistance:		
16.	Verify client eligibility and Recertify	<ul style="list-style-type: none"> • Repeat Steps 1-15 to determine client's eligibility for STRMU. • The client must be recertified to receive STRMU for each verified emergency situation. • If client has already received 21 weeks of STRMU assistance within the past 52 weeks, he/she is automatically ineligible.

		<ul style="list-style-type: none"> • Where the client's information did not change, forms may be photocopied for client's file, but must be resigned and dated by the client and case manager. • All documentation for income, tenancy, and emergency situation must be updated and verified.
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10-11 TRACKING 21 WEEKS OF STRMU ASSISTANCE

Case Managers must complete Form L STRMU Worksheet to determine the amount of STRMU assistance the client is eligible for and the portion the client has the ability to pay, if any.

The statute (42 USC12907) and regulations (24 CFR Part 574.330) place limitations on the length of time clients may receive STRMU assistance. Assistance may not be provided for costs accruing over a period of more than 147 days' worth of assistance in any 52-week period. The 147 days of assistance do not have to be consecutive. Program staff is required to use the calendar day method to ensure that STRMU payments are not made in excess of amounts incurring over 148 days' worth of assistance. The calendar day method utilizes the actual number of days for which housing and/or utility payments are made on behalf of the client/household. Hence, 21 weeks is equated to 147 days of assistance in the year. **Form M STRMU 21-week Tracking Worksheet** must be used to calculate and monitor the number of actual days of assistance. The Excel spreadsheet of Form M can be provided by the City's program monitor. Please contact the City's program monitor to gain access to Form M.

- Example 1: If a total utility bill was paid and the service period was April 17-May 16, 14 days would be attributed to April and 16 days to May for a total of 30 days.
- Example 2: If a portion of the utility bill was paid, the days would be counted based on the amount that was paid by STRMU. Total bill for April 17-May 16 (30 days) is \$148.00. Agency agrees to pay \$100. Divide \$148 by 30 days, which equals \$4.93 per day. The \$100 payment divided by \$4.93 per day equals 20.3 days (rounded to 20 days) assisted by STRMU.

10-12 ANNUAL STRMU CAPS PER CLIENT

Project Sponsors may place a restriction on the amount of STRMU assistance a client can receive by establishing an Annual STRMU Cap. The goal is to restrict the 21-weeks of assistance that clients are eligible for but still provide sufficient support to avoid any continuing housing crisis. In setting an Annual STRMU Cap, the Project Sponsor must use the City of Worcester formula and seek concurrence or approval from the City of Worcester. City of Worcester must ensure Project Sponsors comply with the established written policy to apply the STRMU cap in a consistent, uniform, and non-discriminatory manner. The common formula is: the Annual STRMU Cap per client must be no less than 1 month of the FMR for the appropriate unit size and no more than the Project Sponsor's budgeted STRMU funds per client per year. STRMU Caps include rent and utility assistance. **In accordance with HUD instructions, and in Section 5-3 and Section 10-12 of this manual, the City of Worcester will not enforce a STRMU cap in FY16. All costs incurred by the Project Sponsor are subject to partial**

reimbursement based on whether costs are deemed reasonable, allocable, and allowable by the Project Monitor and Grants Compliance Officer.

If an Annual STRMU Cap is not utilized, the maximum amount of STRMU assistance (including rent and utilities) cannot exceed 21-weeks (147 days) worth of assistance.

In the case that a client receives the maximum Annual STRMU cap, the assistance is considered to have been attributable to the entire 21-weeks (147 days) worth of assistance allowed. A client cannot, in any case, receive more than the allowed 21-weeks (147 days) worth of assistance, even if the accrued assistance has not exceeded the established STRMU cap. STRMU assistance is “needs-based” and is NOT intended to provide continuous or perpetual assistance.

10-13 LEAD-BASED PAINT

Many houses and apartments built before 1978 have paint that contains lead (called lead-based paint). The relevant regulations are found under 24 CFR Part 574.635. Lead from paint, chips and dust can pose serious health hazards. HUD requires Project Sponsors to give all HOPWA clients the lead-based paint pamphlet entitled *Protect Your Family from Lead in Your Home*. The client's case file should include documentation that a copy of the pamphlet was given to the client. Verification of receipt of the pamphlet is included within the Housing Quality Standards (HQS) Certification (Form G). The pamphlet was developed by the Environmental Protection Agency in response to concern about lead-based paint hazards in the home. Copies of the pamphlet are available at the following website address:

English version: <http://www.epa.gov/lead/pubs/leadpdfc.pdf>

Spanish version: <http://www.epa.gov/lead/pubs/pyfcameraspan.pdf>

10-14 FAIR HOUSING ACT

The Fair Housing Act prohibits housing discrimination on the basis of race, color, religion, sex, disability, familial status, and national origin. Its coverage includes private housing, housing that receives Federal financial assistance, and State and local government housing. It is unlawful to discriminate in any aspect of selling or renting housing or to deny a dwelling to a buyer or renter because of the disability of that individual, an individual associated with the buyer or renter, or an individual who intends to live in the residence. Other covered activities include, for example, financing, zoning practices, new construction design, and advertising.

The Fair Housing Act requires owners of housing facilities to make reasonable exceptions in their policies and operations to afford people with disabilities equal housing opportunities. For example, a landlord with a "no pets" policy may be required to grant an exception to this rule and allow an individual who is blind to keep a guide dog in the residence. The Fair Housing Act also requires landlords to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces. The Act further requires that new multifamily housing with four or more units be designed and built to allow access for persons with disabilities. This includes accessible common use areas, doors that are wide enough for wheelchairs,

kitchens and bathrooms that allow a person using a wheelchair to maneuver, and other adaptable features within the units. For more information and resources about the Fair Housing Act: <http://www.hud.gov/offices/fheo/index.cfm>.

The Fair Housing Equal Opportunity for All Pamphlet can be downloaded at:

English version: http://www.hudclips.org/sub_nonhud/html/pdfforms/1686.pdf

Spanish version: http://www.hudclips.org/sub_nonhud/html/pdfforms/1686-1-FHEO-Spa.pdf

10-15 SMOKE DETECTORS and CARBON MONOXIDE DETECTORS

Project Sponsors are required to ensure that an operable hard-wired or battery-operated smoke detector and carbon monoxide detectors is installed in all HOPWA-assisted units. This applies to STRMU with one exception: if the utilities are the only service being subsidized, the requirement for smoke detectors does not apply.

10-16 GRACE PERIOD

A grace period must be established to continue STRMU assistance for surviving family members who were living in a household with the HIV/AIDS client at the time of his or her death. A grace period must also be established for clients and beneficiaries entering incarceration facilities, hospice/long term health care or drug treatment programs. Within the limits allowed by HUD, the Project Sponsor must determine the length of the grace period by developing a written policy and/or procedure. (Refer to Section 13 for Provision of Assistance to Survivors). The grace period cannot exceed 21-weeks (147 days) in a 52-week period for STRMU.

10-17 TERMINATION OF STRMU CLIENTS

A client's STRMU assistance may be terminated if the client violates program requirements or conditions of occupancy. Project Sponsors must ensure that supportive services are provided to the client, so that a client's assistance is terminated only in the most severe cases. Section 14 for procedures for Termination of Assistance due to client violation of program requirements and termination policies and procedures established by the Project Sponsor must be followed. A HOPWA Termination form (Form N) must be completed at termination (at the end of the 21-weeks or when the client leaves the program).

SECTION 11. RENTAL ASSISTANCE PROGRAM

BACKGROUND

As stated in Section 9-1, in order to receive HOPWA rental assistance, the client must meet two basic program requirements: HIV/AIDS Diagnosis and Income Eligibility. Depending on the needs of a population or client, HOPWA rental assistance programs

may be designed as transitional or permanent housing. The City and Project Sponsors will work together to define the length of time clients may continue receiving rental assistance at a program-level and in client participation agreements.

Whether the housing is designed as transitional or permanent, scattered site or in a housing facility, HOPWA rental assistance programs should include an emphasis on moving clients toward other, non-HOPWA-funded permanent housing as much as is practical.

City of Worcester HOPWA project sponsors may administer rental assistance as Tenant-Based Rental Assistance (TBRA), Project-Based Rental Assistance (PBRA), and Master Leasing. The types of programs are described in Section 11-1. One fundamental program design decision involves the type(s) of HOPWA rental assistance the program will offer based on the target population to be served and the needs of clientele and the community. Additionally, property management and supportive service delivery are important considerations. These program design decisions can be made in consultation with the City of Worcester's 5- Year Consolidated Plan (ConPlan), the 2011 City of Worcester HOPWA Needs Assessment, or an individual agency's needs and gaps analysis.

HUD's HOPWA Rental Assistance (RA) Guidebook provides information regarding the administration of Rental Assistance. It details the advantages and disadvantages of all types of HOPWA Rental Assistance. The online link to the guidebook is found in Appendix A: HOPWA Technical Assistance Resources.

11-1 TYPES OF HOPWA RENTAL ASSISTANCE PROGRAMS

(A) Tenant-Based Rental Assistance (TBRA):

Funding is provided to an eligible client and the client selects a housing unit of his or her choice. If the client moves out of the unit, the contract with the owner ends and the client can move with continued assistance to another unit. TBRA is portable and moves with the client. Utility and rent security deposits are not allowable as a TBRA payment. Reasonable security deposits can be provided as a Permanent Housing Placement service (Section 12. Supportive Services and Permanent Housing Placement). Late and reconnect fees are not allowable under TBRA.

The purpose of TBRA is to assist income-eligible individuals or families living with HIV/AIDS with their rent and utilities, including shared housing arrangements, until they are able to secure Housing Choice Voucher (Section 8) housing or other affordable stable housing. Failure to accept an offer of the Housing Choice Voucher program (Section 8) or other affordable stable housing may result in termination of HOPWA assistance. A Project Sponsor may apply for a waiver of this requirement if they are able to demonstrate appropriate justification as to why acceptance of the housing would be detrimental to the client's health and well-being (Section 7-3 Failure to Accept Housing Choice Voucher (Section 8) Housing/Other Affordable Housing). In most cases, eligible individuals can receive TBRA for up to 12 months, and must be recertified annually or as client's income changes.

(B) Project-Based Rental Assistance (PBRA):

TBRA follows the tenant regardless of the unit; PBRA is tied to the unit. HOPWA funds provide subsidy to the unit specifically reserved for HOPWA clients by paying for the operating costs of the unit. Because assistance is tied to the unit, clients may receive assistance only so long as they are eligible and reside in the project-based unit. The assistance does not go with the client when they move, although clients may be eligible for TBRA after leaving a project-based unit. PBRA is often, but not always, better for serving the needs of clients with complex needs given access to supportive services and/or clients with similar needs being housed together.

(C) Master Leasing:

Master Leasing is a model in which an organization directly leases individual units, blocks of units, or an entire structure from a private owner. The lease is between the private owner and the leasing organization. The organization pays the total monthly rent for all units, fills the units with subleases or occupancy agreements with HOPWA-eligible households, and collects subtenant (HOPWA client) rental payments.

The Master Leasing model allows access to housing for clients who may not otherwise be able to afford housing or qualify as a tenant due to credit history, rental history, or other issues related to rental application acceptance.

11-2 ELECTIVELY RESTRICTED ELIGIBILITY CRITERIA

By statute, a HOPWA client must be HIV positive and income-eligible. The Project Sponsor may elect to apply more restrictive eligibility criteria for rental assistance. The Project Sponsor may elect to provide a more restricted eligibility criteria, provided it has developed a written policy. A written policy must be established by the Project Sponsor to apply wait list priorities in a uniform, consistent, and non-discriminatory manner for all eligible individuals. Eligibility criteria must be approved by the City of Worcester. A Project Sponsor may also establish priorities for serving clients who are homeless, unemployed, being discharged from the hospital, Special Needs clients, clients on the waitlist, or family situation.

11-3 HOPWA HABITABILITY STANDARDS

All HOPWA-assisted housing must meet both state and local housing standards and HOPWA habitability standards as outlined in 24 CFR Part 574.310(b). Case Managers must certify that all assisted households are safe, decent, and sanitary by completing Form G Housing Quality Standards (HQS) Certification. The inspection can be performed by the case manager without a requirement for specialized training. The case manager or other designee must make a home visit to determine the overall suitability of the rental property and certify that it meets the standards listed on the HQS form. The household must be re-inspected and re-certified annually when the client is re-certified or when the client moves to a new residence, in the case of TBRA. The quality standards listed should be interpreted in the best judgment of the case manager.

For additional guidance, review pages 130-133 of the HOPWA Rental Assistance Guidebook issued by HUD's Office of HIV/AIDS Housing, which was released January 2013.

11-4 RENT STANDARD AND RENT REASONABLENESS

The rental assistance program must have a rent standard that sets the limit for housing costs for each unit size—from one-bedroom (efficiency) to six-bedroom units. This rent standard helps ensure that selected units are modest rather than luxury housing. The total amount of grant funds that may be used to subsidize rent is the difference between the rent standard or reasonable rent for a unit, whichever is lower, and the client’s calculated resident rent calculation.

As the HOPWA Grantee, the City of Worcester adopts HUD’s annually updated and published FMR as the rent standard. The annually updated standard is documented within the agreement between the Project Sponsor and the City. The HUD FMR used is based on the counties eligible within the Worcester eligible Metropolitan Statistical Area (MSA), which includes Worcester County, MA and Windham County, CT.

HUD regulation 24 CFR Part 574.320(a)(3) requires that “rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rent currently being charged by the owner for comparable unassisted units.” In order to meet HUD’s Rent Reasonableness requirement, Project Sponsors must determine that the rent requested by the landlord is reasonable, applying rent reasonableness tests on every unit receiving rental assistance before assistance is provided and documenting that testing on the Rental Assistance Worksheet (Form I).

Reasonableness of the rent is determined by comparing the proposed unit with other similar, but unassisted units in the private market, taking into account the location, size, type, age of the units and the amenities and utilities provided by the owners.

Size	Units will be compared based on similar number of bedrooms, bathrooms and square footage.
Type	Units will be compared to similar units. (ex. House to house, duplex to duplex, etc...)
Amenities	The amenities must be similar. (ex. Garage, appliances, decks, patios, yard, etc...)
Location	The location of the comparable units used is determined by looking at units within the same general area (ex. within the same complex, street, subdivision or zip code). This is done in order to find the most comparable unit closest to the subject unit.

There are two ways in which Project Sponsors can determine rent reasonableness.

1. Complete the Rent Reasonableness Checklist and Certification (Form H) for each assisted unit. This form needs to be completed and signed by a staff member and filed in the client’s folder.
2. Create a local housing spreadsheet comparing a variety of units across the service area. Proposed units will be compared with similar units on the chart that are located

within the same area (by neighborhood or zip code). This spreadsheet would contain information regarding the unit size, number of bedrooms, type of construction, amenities, approximate age of building and utilities provided. This information can be obtained from units listed in the MLS, newspapers, apartment locating agencies, the local housing authority, as well as lease information submitted by landlords. This database must be updated at least annually to ensure the most current information is utilized to compare rent reasonableness.

To qualify as reasonable, the proposed unit's gross rent (including rent and utilities) cannot be more than 10% above the average gross rent of a minimum of 2 comparable units (or the average of the units by area if using the local housing spreadsheet).

Documentation of rent reasonableness must be included in the client files to ensure that efforts have been made to comply with this requirement. Compliance will be evidenced by completed Rent Reasonableness Checklist and Certification forms in client files or review of the housing spreadsheet (including verification of rent reasonableness on client's Rental Assistance Worksheets).

11-5 RENT PAYMENT

Project Sponsors should consult the Rental Assistance Guidebook, page 90, for examples of calculating resident rent contribution.

By regulation (24 CFR Part 574.310(d)), residents receiving HOPWA rental assistance must pay as rent, including utilities, the amount which is higher of:

- 30 percent of the family's monthly-adjusted income (adjustment factors include the age of the individual, medical expenses, size of family and child care expenses etc.)
- 10 percent of the family's monthly annual income (annual income before adjustments, divided by 12)
- Welfare payments specifically designated to meet housing costs

The HOPWA Project Sponsor must pay the balance of the rent up to the lesser of the lease amount or the most current Fair Market Rent (FMR) value or reasonable rent for comparable units in the area. Any documentation used to determine rental assistance must be documented in the client's file. HOPWA funds must not be given directly to a client. Link to current Fair Market Rent table <http://www.huduser.org/datasets/fmr.html> (also found in Section 17).

11-6 UTILITY ALLOWANCE

When utilities are not included in the rent and the client is billed directly for utilities, an allowance for reasonable utility consumption must be subtracted from the client's rent portion. This allowance – known as a “utility allowance” - is established locally by the Public Housing Authority (PHA). The Project Sponsor must contact the PHA in their areas to obtain the current local utility allowance schedule for use in the computation of the client's rent payment. The regulations at 24 CFR Part 982.514(b) state that, if paid directly to the utility, the Project

Sponsor must notify the family in writing of the amount paid to the utility on their behalf. The client, however, is responsible for paying any utility costs in excess of the established local utility allowance. Use the Rental Assistance Worksheet (Form I) to calculate the rental subsidy and the client rent portion. The Project Sponsor must keep on file utility receipts or invoices.

11-7 DETERMINATION OF APPLICANT'S UNIT SIZE

The amount of subsidy the Project Sponsor pays the landlord on behalf of the applicant is based on the number of sleeping/bedrooms for which the individual/family is eligible and the actual number of bedrooms (not sleeping rooms) in the unit. An individual/family may rent a larger than authorized unit if the rent is at or below the FMR for the authorized unit size. To be counted as a bedroom, the room must meet HOPWA Housing Quality Standards, and the room must provide a private area where family members may sleep. If the only method to enter one area is to pass through another room, that space may be counted as a living/sleeping area but will not be counted as a bedroom. The kitchen and bathroom may not be counted as sleeping rooms. The living room may be counted as a sleeping room. Units must have the minimum number of bedrooms/sleeping rooms required for that family's size and composition.

The Project Sponsor must determine the appropriate unit size using the following standards:

A. PROGRAM OCCUPANCY STANDARDS

The unit size designated should be determined in accordance with the following criteria:

- (1) the bedroom size assigned should not require more than two persons to occupy the same bedroom, except that a very small child (less than 2 years of age) may share a one-bedroom unit with a single parent
- (2) the bedroom size assigned should not require persons of opposite sex other than husband and wife to occupy the same bedroom with the exception of infants and very young children
- (3) a two-bedroom unit may be used by a two member family which consists of a single parent and child or by a couple who, due to medical reasons, must have separate bedrooms, as approved by the Project Sponsor

These principles result in the following standards:

NUMBER OF BEDROOMS		
Number of Bedrooms	Minimum Number of Persons in Household	Maximum Number of Persons in Household
0	1	1
1	1	2
2	2	4
3	3	6
4	6	8
5	8	10
6	10	12

B. OCCUPANCY STANDARDS FLEXIBILITY

The criteria and standards prescribed for the determination of an applicant's unit should apply to the vast majority of individuals/families. In some cases, however, the relationship, age, sex, health, or handicap of the individual/family members warrant the assignment of a larger unit size than that which would result from strict application of the criteria. Any determinations that do not strictly apply to the criteria must be fully documented in the applicant's case file.

Rental Assistance Programs may offer additional options in the form of shared housing. Shared housing standards and requirements are detailed on Page 94 of the HOPWA Rental Assistance Guidebook found in Appendix A.

11-8 STEPS IN ESTABLISHING AND DOCUMENTING APPLICANT ELIGIBILITY

Refer to the following table for a description of the steps in establishing and documenting client eligibility for the Rental Assistance Program. Note that the sequence of steps in the process may vary and steps may occur simultaneously. The Project Sponsor must ensure that the appropriate procedures in establishing applicant eligibility and documentation are completed.

STEPS TO DETERMINE CLIENT ELIGIBILITY AND ENROLL CLIENTS FOR THE RENTAL ASSISTANCE PROGRAM		
1.	Initial contact with applicant	When an individual requests housing assistance, the case manager must inform the individual verbally and in writing about the HOPWA Program. This should include information about: <ul style="list-style-type: none"> • HOPWA housing assistance available • the application process • Documentation that will be needed from the applicant to determine eligibility (income and HIV

		<p>Status) for the first meeting/interview.</p> <ul style="list-style-type: none"> existing program waiting lists and priority populations, if applicable interview dates/times
2.	Initial meeting/interview with applicant	<ul style="list-style-type: none"> Verify all documentation required for determining income eligibility and HIV status
3.	Explain client rights and release of confidential information	<ul style="list-style-type: none"> Explain to the client, Form D the Client Rights and Responsibilities Statement (also in Spanish). Explain to the client the confidentiality policy and Form E the Consent to Release and/or obtain Confidential Information (also in Spanish) Forms D and E must be signed and dated by the client and case manager.
4.	Verify and document applicant's HIV status and income	<ul style="list-style-type: none"> The case manager should complete the City of Worcester HOPWA Income Eligibility Packet with the client present. The case manager must document in the case file what was used to determine eligibility and include backup documentation. The Income Eligibility Packet must be signed and dated by both the case manager and client.
5.	Notify client about his/her eligibility	<ul style="list-style-type: none"> The client must be notified in writing about his/her eligibility using the Rental Assistance Worksheet (Form I) or a comparable document. A copy must be given to the client.
If the applicant is eligible, continue to STEPS 6-14 and complete the CITY OF WORCESTER HOPWA CLIENT ENROLLMENT PACKET.		
6.	Collect client Demographic/ Statistical information	<ul style="list-style-type: none"> Complete Form F Demographic/Statistical Information to collect all required information on client and beneficiaries.
7.	Provide Lead Based Paint and Fair Housing Pamphlet	<ul style="list-style-type: none"> Provide and explain the HUD Fair Housing pamphlet and Protect Your Family from Lead in Your Home pamphlet (also in Spanish) Section 11-10 Lead-Based Paint.
8.	Inspect property and Complete HQS Certification	<ul style="list-style-type: none"> An inspection of the property must be performed to ensure the unit meets both state and local housing quality standards and the HUD HQS. The Housing Quality Standards (HQS) Certification (Form G) must be completed and signed by the client and case manager. If the unit is substandard, the case manager must assist in correcting the deficiencies or in locating housing that meets the standards. An inspection must also be done at recertification (at least annually).
9.	Verify Rent Standard and	<ul style="list-style-type: none"> Complete Form H Rent Reasonable Checklist

	Rent Reasonableness	<p>and Certification to compare rent reasonableness with other comparable units</p> <ul style="list-style-type: none"> The case manager may also certify rent reasonableness with an established local housing spreadsheet and include in client's file the relevant section for the proposed unit.
10.	Develop a Comprehensive Housing Plan	<ul style="list-style-type: none"> The case manager and applicant must develop a Comprehensive Housing Plan (Form K) to assess housing needs, set short and long-term goals of developing housing stability, and monitor and track use of referrals. The case manager and client must sign and date the Comprehensive Housing Plan. Housing needs assessment must be on-going and the Comprehensive Housing Plan must be updated.
11.	Determine amount of Rental Assistance	<ul style="list-style-type: none"> Complete the Rental Assistance Worksheet (Form I) to determine the amount of subsidy and certify the applicant for an appropriate period of assistance (maximum 12 months at a time) All payments and communication must maintain client confidentiality.
12.	Provide case management and referrals to medical care and supportive services, as needed	<ul style="list-style-type: none"> The case manager must ensure that the client is offered case management and supportive services as needed. The case manager is responsible for ensuring that the client applies for Housing Choice Voucher (Section 8) housing and renews his/her application (Section 7 Linkage to Housing Choice Voucher (Section 8) Housing). The case manager must document which services were offered and used by the client in the Comprehensive Housing Plan (Form K).
13.	Follow up with the client's housing needs and referrals	<ul style="list-style-type: none"> Make minimum quarterly contact with the client to follow up with client's progress on goals/action steps as established in the client's Comprehensive Housing Plan, re-assess the client's current housing needs, and track the client's use of referrals offered. Document status/changes of client's situation in the Comprehensive Housing Plan.
14.	Complete Termination Form	<ul style="list-style-type: none"> Complete the HOPWA Termination Form (Form N) at termination of the client (Section 14). Document client's current (or most recently available) housing situation at the end of the period of assistance.

If an applicant has received assistance in the past 52-weeks, and is returning to be recertified for rental assistance:		
15.	Determine client eligibility and recertify client	<ul style="list-style-type: none"> • The case manager must begin the recertification process at least a month before the anniversary date of the initial certification date to ensure that by the completion date it has not been longer than 12 months between certifications. • The client must also be recertified if significant changes occur, e.g. change in income or housing composition. This recertification can take place as often as significant changes occur. • In either of the above situations, repeat Steps 1-14 to determine client eligibility for rental assistance. • Where the client’s information did not change, forms may be photocopied for client’s file, but must be resigned and dated by the client and case manager. • All documentation for income, tenancy, and emergency situation must be updated and verified.

11-9 SUPPORTIVE SERVICE PLANNING & DELIVERY

Integrating housing with supportive services can significantly reduce the incidence of crises in clients’ lives and improve their ability to remain stable in housing. This is crucial regardless of the level of type of rental assistance program being implemented. Whatever the structure of the rental assistance program, the City and Project Sponsors need to develop a Supportive Service Plan to ensure that clients have access to needed services. Such a plan also satisfies HUD’s requirement to link supportive services with the provision of rental assistance by showing that there is an explicit program strategy for the delivery of services to recipients of HOPWA Rental Assistance.

All HOPWA clients must have a Comprehensive Housing Plan. Plans should establish the on-going housing stability goals for clients in connection with their need to access medical treatment and supportive services associated with HIV/AIDS issues. The purpose of the Comprehensive Housing Plan is to provide a tool for the case manager and client to achieve housing stability without long-term dependency for HOPWA housing assistance.

The Case Manager should work with the client to develop a Comprehensive Housing Plan to set short-term and long-term goals for alleviating risks of homelessness, establishing affordable permanent housing stability, and to improve access to health care and supportive services. The Comprehensive Housing Plan should identify the household’s on-going housing stability needs, along with the reasons or causes of the housing need, short-term and long-term action steps to address housing needs, and identify available housing resources and supportive services for the client.

A listing of supportive services should be an integral part of the plan, including the program's core services that are provided to all clients and additional social services designed to meet a variety of needs. The plan should spell out who will provide each of these services, either the rental assistance provider or other community providers through mutual agreement.

Case Managers must follow up with clients to monitor the progress and needs of the clients and also monitor and track utilization of referral services as established in the Comprehensive Housing Plan. The plan should address budget and money management issues, if the cause for housing debt is related to the household's poor money management practices, such as the use of credit cards or cash for non-essential items, or entertainment activities. The Plan should help determine how to best use STRMU in connecting the client to permanent housing and supportive services. The HOPWA Rental Assistance Guidebook offers extensive guidance on Services in Support of Housing Stability from pages 33-44.

If a client refuses to comply with the Comprehensive Housing Plan action steps or if the case manager has reason to believe the client is committing fraud or inappropriately using rental assistance, the Project Sponsor may terminate the client's assistance, given the HOPWA and Project Sponsor termination policies and procedures are followed (Section 14. Termination of Assistance).

11-10 LEAD-BASED PAINT

Many houses and apartments built before 1978 have paint that contains lead (called lead-based paint). The relevant regulations are found under 24 CFR Part 574.635. Lead from paint, chips and dust can pose serious health hazards. HUD requires Project Sponsors to give all HOPWA clients the lead-based paint pamphlet entitled *Protect Your Family from Lead in Your Home*. The client's case file must include documentation that a copy of the pamphlet was given to the client, as part of the review of HOPWA Housing Quality Standards (**Form G**). The pamphlet was developed by the Environmental Protection Agency in response to concern about lead-based paint hazards in the home. Copies of the pamphlet are available at the following website address:

English version: <http://www.epa.gov/lead/pubs/leadpdf.pdf>

Spanish version: <http://www.epa.gov/lead/pubs/pyfcameraspan.pdf>

11-11 FAIR HOUSING ACT

The Fair Housing Act prohibits housing discrimination on the basis of race, color, religion, sex, disability, familial status, and national origin. Its coverage includes private housing, housing that receives Federal financial assistance, and State and local government housing. It is unlawful to discriminate in any aspect of selling or renting housing or to deny a dwelling to a buyer or renter because of the disability of that individual, an individual associated with the buyer or renter, or an individual who intends to live in the residence. Other covered activities include, for example, financing, zoning practices, new construction design, and advertising.

The Fair Housing Act requires owners of housing facilities to make reasonable exceptions in their policies and operations to afford people with disabilities equal housing opportunities. For example, a landlord with a "no pets" policy may be required to grant an exception to this rule and allow an individual who is blind to keep a guide dog in the residence. The Fair Housing Act also requires landlords to allow tenants with disabilities to make reasonable access-related modifications to their private living space, as well as to common use spaces. The Act further requires that new multifamily housing with four or more units be designed and built to allow access for persons with disabilities. This includes accessible common use areas, doors that are wide enough for wheelchairs, kitchens and bathrooms that allow a person using a wheelchair to maneuver, and other adaptable features within the units. For more information and resources about the Fair Housing Act: <http://www.hud.gov/offices/fheo/index.cfm>.

The *Fair Housing Equal Opportunity for All* Pamphlet can be downloaded at:

English: http://www.hudclips.org/sub_nonhud/html/pdfforms/1686.pdf

Spanish: http://www.hudclips.org/sub_nonhud/html/pdfforms/1686-1-FHEO-Spa.pdf

11-12 SMOKE DETECTORS and CARBON MONOXIDE DETECTORS

All assisted households must meet both state and local housing standards and HOPWA's habitability standards as outlined in 24 CFR Part 574.310(b)(2), which also requires a functioning smoke detector. Smoke detectors and carbon monoxide detectors for households must be provided by the landlord, local fire department, or some other source other than HOPWA. **Form G HQS Certification** must be completed before rental assistance is authorized and re-certified annually, which includes verification of a functioning smoke detector(s).

11-13 GRACE PERIOD

A grace period must be established to continue assistance for surviving family members who were living in a household with the HIV/AIDS client at the time of his or her death. Within the limits allowed by HUD, as described in 24 CFR Part 574.310(e)(1), the Project Sponsor must determine the length of the grace period by developing a written policy and/or procedure. (Refer to Section 13 Provision of Assistance to Survivors). The grace period cannot exceed 12 months for TBRA. A grace period must also be established for clients entering incarceration facilities, hospice/long term health care or drug treatment programs. A local written policy must state an acceptable absence from the housing unit must not exceed 90 days.

11-14 ENVIRONMENTAL CONSIDERATIONS

Environmental factors need to be considered as part of the planning process in rental assistance programs. While planning costs incurred in developing a HOPWA rental assistance program do not require environmental review (such costs are "exempt"), it is essential to complete required environmental review procedures before spending funds

for leasing or program implementation costs. Failure to do so may result in costs having to be repaid because of non-compliance with environmental requirements.

The nature and scope of environmental review vary with the type of rental assistance program that is developed. While all rental assistance programs require and environmental review by the City of Worcester as the Responsible Entity, the National Environmental Policies Act (NEPA) and HUD review procedures establish the following categories, which are applicable to City of Worcester HOPWA activities:

Tenant-Based Rental Assistance Programs- considered “categorically excluded” and NOT subject to related environmental laws and authorities.

Activities are still subject to the 58.6 checklist, which includes the Airport Runway Clear Zones & Accident Potential Zones, Coastal Barrier Resources, and Flood Insurance. At the program level it has been determined and documented that the activities have cleared the following Statutes, Executive Orders, And Regulations Listed at 24 CFR Part 58.6:

- Airport Runway Clear Zones & Accident Potential Zones; and
- Coastal Barrier Resources

At the **project level** the following items have to be reviewed and documented according to the program level guidance completed:

- Flood Insurance
- Documentation in the file should reference the completed program level review or place a copy in the file, as well as the project level review.

Project-Based Rental Assistance and Master Leasing programs- considered “categorically excluded” but IS subject to evaluation under related environmental laws and authorities (24 CFR Part 58). At the program level it has been determined and documented that the activities have cleared the following Statutes, Executive Orders, And Regulations Listed at 24 CFR Part 58.6, 50.4 & 58.5: Airport Hazards; Coastal Barrier Resources; Clean Air; Coastal Zone Management; Endangered Species; Explosive and Flammable Hazards; Farmlands Protection; Historic Preservation; Noise Abatement and Control; Sole Source Aquifers; Wetlands Protection; Wild and Scenic Rivers; and Environmental Justice.

At the **project level** the following items have to be reviewed and documented according to the program level guidance completed:

- Flood Insurance;
- Contamination and Toxic Substances; and
- Floodplain Management.

Documentation in the file should reference the completed program level review or place a copy in the file, as well as the project level review.

SECTION 12. SUPPORTIVE SERVICES AND PERMANENT HOUSING PLACEMENT

12-1 SUPPORTIVE SERVICES

Supportive Services may be provided either in conjunction with HOPWA housing assistance or as a stand-alone service (Supportive Services Only). All income-eligible,

HIV positive individuals are eligible to receive case management and basic telephone service. Smoke detectors may only be provided to clients with a mortgage. All rental units are required to have a functioning smoke detector that must be provided by the landlord, local fire department, or leveraged source. To the extent possible, case management for HOPWA clients should be funded by some other source (e.g. Ryan White Part A or B, State Services, or local funds). Services and referrals must be documented and tracked in the client's Comprehensive Housing Plan.

The Project Sponsors shall make available appropriate supportive services to eligible individuals, either directly or through referral. The following are City of Worcester - approved HOPWA supportive services:

- Case Management and assistance in gaining local, State and Federal government benefits and services
- Health, Mental Health Services
- Substance Abuse Treatment and Counseling
- Permanent Housing Placement
- Day Care
- Personal Assistance
- Nutritional Services
- Intensive Care, when required
- Education, Employment, Legal, and Life Skills Management & Assistance
- Transportation

Given the flexibility around the use of HOPWA to design supportive services in connection with HOPWA, it is important that the project sponsor carefully track details of these activities. Tracking Supportive Services should be done in connection with Comprehensive Housing and Service Planning, and can be further tracked using Attachment D, Quarterly IDIS Report for Supportive Services. Detailing the types of services provided and outcomes achieved gives the City and HUD a better picture of the needs for persons with HIV and AIDS. Adequate documentation of supportive service activities can be found in the HOPWA Oversight Guide, page 136-137.

12-2 CASE MANAGEMENT

HOPWA Supportive Services funds can be used to pay for appropriate portions of time for a HOPWA case manager or case worker. All income-eligible, HIV positive individuals are eligible to receive case management. If a HOPWA client is not in medical care, the case manager must include medical care as part of the Comprehensive Housing Plan, locate a care provider and make a referral to obtain appropriate medical care. Project Sponsors must document and track in the client's Comprehensive Housing Plan which services are utilized and the amount of services received.

Key case management activities include:

- initial comprehensive assessment of the client's needs and personal support systems

- development of a Comprehensive Housing Plan for TBRA and STRMU clients, including affordable stable housing, supportive services, and medical care
- coordination of the services required to implement the Comprehensive Housing plan
- client monitoring to assess the progress and efficacy of the Comprehensive Housing Plan
- periodic re-evaluation and revision of the Comprehensive Housing Plan as necessary
- client-specific advocacy

12-3 PERMANENT HOUSING PLACEMENT (PHP)

Permanent Housing Placement (PHP) enables Project Sponsors to assist eligible individuals to secure new and permanent housing, where residence is expected to continue, through the assistance of reasonable security deposits (not to exceed the amount equal to 2 months of rent) and related application fees and credit checks. Security deposits must be returned to the Project Sponsor to be considered program income and must be tracked and reported on the annual CAPER (see Section 16 Reporting Requirements). With approval of the City of Worcester, Project Sponsors must establish a written policy to ensure deposits are returned to the program and client confidentiality is maintained.

Ineligible costs under HOPWA PHP include housing supplies, smoke alarms, standard furnishings, minor repairs to the unit associated with the move-in, and other incidental costs for occupancy of the housing unit. Additional guidance is provided in the CPD Notice 06-07.

Agencies that wish to offer PHP to eligible clients should make this decision based upon:

- Funds available for the HOPWA program
- Clients' needs
- Fiscal capacity to maintain accounting records

SECTION 13. PROVISION OF ASSISTANCE TO SURVIVORS

A local written policy must be developed and approved by the City of Worcester to address the following issues.

13-1 SURVIVING AND REMAINING FAMILY MEMBERS

With respect to the surviving member or members of a family who were living in a unit assisted under the HOPWA program with the person with HIV/AIDS at the time of his/her death, housing assistance under the HOPWA program shall continue for a grace period following the death of the person with HIV/AIDS. See 24 CFR Part 574.310(e). The Project Sponsor must establish a reasonable grace period for continued participation by a surviving family member.

13-2 TBRA

The grace period for the TBRA Program must be a minimum of one month from the end of the month in which the family member with HIV/AIDS died. The maximum grace period must not exceed 12 months from the time of death of the client. The regulations also allow programs to assist the family with housing information and moving expenses (i.e. expenses such as those provided under permanent housing placement). The Project Sponsor must notify the family in writing of the duration of their grace period and should assist the family with information about other available housing programs and supportive services. Appropriate initial support could focus on bereavement support, followed by counseling on available assistance to facilitate a reasonable transition well within the maximum of one year period.

13-3 STRMU

The grace period for the STRMU Program must be a minimum of one month from the end of the month in which the family member with HIV/AIDS died. The maximum grace period cannot exceed 21-weeks (147 days) in a 52-week period for STRMU from the time of death of the client. The Project Sponsor must notify the family in writing of the duration of their grace period and should assist the family with information about other available housing programs and supportive services.

13-4 ROOMMATES

If a participant resides in a roommate situation, where the roommate is not a beneficiary, then survivor benefits would not apply.

13-5 CASE MANAGEMENT REQUIRED FOR SURVIVORS

Case Management must be offered to assist the survivor(s) to resolve their housing related needs or to secure alternate housing solutions to the extent possible. Families who are continued on assistance for any period must receive case management monthly to assess the status of the need for continued assistance and this must be documented.

13-6 AMOUNT OF ASSISTANCE

When a client dies or other circumstances change (see Section 13-7 Other Circumstances), the case manager must reassess and recertify to determine the amount of assistance the family will receive.

13-7 OTHER CIRCUMSTANCES

The grace period also applies to remaining household members of clients entering incarceration, drug treatment and hospice/long term health care. A local written policy must be developed that states an acceptable absence from the housing unit must not exceed 90 days.

SECTION 14. TERMINATION OF ASSISTANCE

14-1 VIOLATION OF REQUIREMENTS

Assistance to participants who reside in HOPWA assisted housing programs may be terminated if the client violates City of Worcester HOPWA program requirements or conditions of occupancy. See HOPWA regulations, 24 CFR Part 574.310(e)(2). Project Sponsors must establish a written policy of termination policies and procedures. It is important that sponsors have written termination procedures in place in order to protect the rights of the recipients of all HOPWA services. This includes long-term rental assistance and community residences. The sponsor should describe such procedures to participants at intake. Project Sponsors must ensure that supportive services are provided, so that a participant's assistance is terminated only in the most severe cases. The Project Sponsor must document in the client's case file the supportive services that were offered and provided to the client. Project Sponsors must also ensure that the **Client's Right and Responsibilities Statement (Form D)** is adhered to and the **HOPWA Termination Form (Form N)** is completed and a copy is given to the client.

In terminating assistance to any client for violation of HOPWA program requirements, which include but not limited to:

- Non-compliance with conditions of occupancy
- Income-eligibility
- Fraud

Project Sponsors must establish a formal written policy and procedure that recognizes the rights of individuals receiving assistance to due process of law as described in 24 CFR Part 574.310(e)(2)(ii). This policy at a minimum must consist of:

- Providing the client with a written notice containing a clear statement of the reasons for termination;
- Permitting the client to have a review of the decision, in which the client is given the opportunity to confront opposing witnesses, present written objections, and be represented by their own counsel, before a person other than the person (or a subordinate of that person) who made or approved the termination decision; and
- Providing prompt written notification of the final decision to the client.

SECTION 15. HOPWA PROGRAM FORMS

15-1 HOPWA PROGRAM FORMS

City of Worcester has provided forms and instructions to assist Project Sponsors to determine client eligibility for HOPWA assistance and if eligible, to enroll eligible individuals for HOPWA assistance. Project Sponsors are advised to use the City of Worcester forms in administering the HOPWA program. Unless otherwise stated, the

CITY will accept agencies' respective forms as long as they document the required information for each program. All client forms must be maintained in the client's case file. The HOPWA program staff must ensure that all required forms are completed accurately for purposes of monitoring and evaluation.

HOPWA Project Sponsors should refer to their contract with the City of Worcester to determine which of these forms are required to verify program cost reimbursement. All forms are available upon request to the City of Worcester HOPWA Program Monitor.

To determine client eligibility and enroll in the HOPWA program, Project Sponsors may opt to use the **CITY OF WORCESTER HOPWA Eligibility and Enrollment Forms**:

- **HOPWA Income Eligibility Form (Form A)**: is used to assess the client's income. Client must have less than 80% of Area Median Income to be considered eligible
- **Earned Income Disregard (EID) Worksheet and Instructions (Form B)**: is used to determine eligibility and amount of deduction for a disabled individual/family receiving HOPWA assistance.
- **Verification of No Income / Zero Income Affidavit (Form C)**: is used by the HOPWA applicant to certify that he/she has no income.
- **Client Rights and Responsibilities Statement (Form D)** : is used to verify that the client acknowledges his/her rights and responsibilities in the HOPWA program.
- **Consent to Release and/or Obtain Confidential Information (Form E)**: is used to ensure that all information obtained or released in connection with the services provided to any HOPWA client is disclosed only with the client's signed consent.
- **Demographic/Statistical Information (Form F)**: is used to gather the client and beneficiary demographic and statistical information for federal reporting purposes.
- **Housing Quality Standards (HQS) Certification (Form G)**: is used to document housing quality standard inspections for households receiving rental assistance, self-certification for STRMU households, and certify receipt of the Lead-Based Paint and Fair Housing Pamphlets.
- **Rent Reasonableness Checklist and Certification (Form H)**: is used to verify rent reasonableness of households receiving rental subsidy assistance (RA, STRMU, PHP).
- **Rental Assistance Worksheet (Form I)**: is used to compute the client's amount of rental assistance and client rent portion.
- **STRMU Calculation Worksheet (Form L)**: is used to compute the client's STRMU assistance.
- **STRMU 21-week Tracking Worksheet (Form M)**: is used to track the amount of STRMU assistance provided within a one year period to ensure it does not exceed 21 weeks (147 days) or the established Annual STRMU Cap. (This form is required)
- **HOPWA Termination Form (Form N, also in Spanish)**: should be completed for all clients either at the end of the period of assistance or at termination.
- **Failure to Accept the Housing Choice Voucher (Section 8)/Other Housing Waiver (Form O)**: is used to apply for a waiver to require the client to accept Housing Choice Voucher (Section 8)/other affordable housing on behalf of the client.

SECTION 16. PROGRAM REPORTING REQUIREMENTS

16-1 REPORTS

Project Sponsors are required to submit annual progress reports to the City of Worcester. The HOPWA Annual Progress Report Measuring Performance Outcomes submitted by each Project Sponsor is used to produce the required annual progress reports from the CITY to the U.S. Department of Housing and Urban Development (HUD). The project-reporting period each year begins on July 1st and ends June 30th of the next fiscal calendar year. Reports submitted by Project Sponsors to the CITY are due within 30 days after the end of the project reporting period.

The reporting form that is required is found on HUD's website for the Consolidated Annual Performance Evaluation Report (CAPER): <https://www.hudexchange.info/resource/1011/hopwa-caper-form-hud-40110-d/>

16-2 QUARTERLY IDIS REPORT FOR SUPPORTIVE SERVICES

The City of Worcester Quarterly IDIS Report for Supportive Services (Appendix D) is used to establish and monitor City of Worcester HOPWA program activities in HUD's Integrated Disbursement and Information System (IDIS) database. Data Sheets are due within 30 days of the end of each quarter (September 30, December 31, March 30, and June 30). Reports must be submitted to City of Worcester.

SECTION 17. HUD TABLES

17-1 All Project Sponsors must use the current HUD table when assessing income and rent calculations. The City of Worcester provides these tables in each Sponsor's contract. For the most up-to-date data tables, refer to HUD resources below.

- a. *Fair Market Rent (FMR) Table*: sets maximum amounts to be used in computing TBRA/STRMU <http://www.huduser.org/datasets/fmr.html>
- b. *Income Limits Table*: shows income limits according to family size and is used to assess income eligibility for HOPWA assistance. <http://www.huduser.org/datasets/il.html>

APPENDICES

- APPENDIX A: HOPWA Technical Assistance Resources
- APPENDIX B: Comparison of City of Worcester HOPWA Programs
- APPENDIX C: FAQ
- APPENDIX D: Quarterly IDIS Report for Supportive Services
(Project Sponsor to be provided .xls format document)
- APPENDIX E: HOPWA Client Tracking for Activity Reimbursement
(Project Sponsor to be provided .xls format document)
- APPENDIX F: Suggested Forms of Income Verification and Income Exclusions

APPENDIX A. PROGRAM TECHNICAL ASSISTANCE

Project Sponsors who have program questions or need program technical assistance may contact the City of Worcester, and are encouraged to make use of the following resources:

- HOPWA Program Regulations – 24 CFR Part 574
- Other Federal Regulations – Including but not limited to OMB Circulars, 2 CFR Part 200.00, HUD Notices and HUD CPD- Notice 06-07
- HUD’s CPD Income Eligibility Calculator--An interactive web-based tool for determining income eligibility and assistance amounts for beneficiaries of CPD programs, including HOPWA. The user inputs data about each household and its members, and the calculator works to generate a summary of results for each beneficiary. For more information on and access to the calculator, visit: www.onecpd.info/incomecalculator/.
- HUD Memos and Annual Operating Instructions
<https://www.hudexchange.info/resources/documents/2014-HOPWA-Operating-Instructions-for-Formula-Grants.pdf>
- OneCPD Ask-A-Question Help Desk:
<https://www.onecpd.info/ask-a-question/my-question/>
- HOPWA Rental Assistance Guidebook
<https://www.onecpd.info/resource/2818/hopwa-rental-assistance-guidebook/>
- HOPWA Confidentiality User Guide
<https://www.onecpd.info/resource/3296/hopwa-confidentiality-user-guide/>
- HOPWA Financial Management Manual and Online Training
<https://www.hudexchange.info/resources/documents/HOPWAFinancialManagementTrainingManual.pdf>
- HOPWA Grantee Oversight Resource Guide
<https://www.onecpd.info/resource/1003/hopwa-grantee-oversight-resource-guide/>
- HOPWA Program Administration Toolkit:
<https://www.onecpd.info/resource/1025/hopwa-program-administration-toolkit/>

APPENDIX B. COMPARISON OF CITY OF WORCESTER HOPWA PROGRAMS

STRMU Program	TBRA Program
Short-term rent, mortgage, and utility payments to prevent homelessness of the tenant or mortgagor of a dwelling. This program enables income-eligible individuals at risk of becoming homeless to receive short-term assistance for a period not to exceed 21 weeks (147 days) in any 52 week period.	Tenant-based rental assistance, including assistance for shared housing arrangements. It assists income-eligible clients living with HIV/AIDS and have on-going housing needs with their rent and utilities until they are able to secure Housing Choice Voucher (Section 8) housing or other affordable stable housing.
Minimum Eligibility- low income, HIV-positive, already be housed and have an emergency situation.	Minimum Eligibility- low income, HIV-positive.
Limited to 21 weeks worth of assistance in any 52-week period. May place a restrictive Annual STRMU Cap per client.	Maximum 12 months of assistance at certification, with income recertification every year.
Must have a Comprehensive Housing Plan	Must have a Comprehensive Housing Plan
Can pay rent, mortgage and/or utility payments.	Rental assistance only. Cannot pay more than the FMR, including utilities.
Utilities assessed separately, if applicable.	Utilities included.
Client contributes a portion, if applicable.	Client contributes the highest of 10% of gross or 30% of adjusted income, or the amount of welfare or other assistance designated for rent.
Project Sponsor pays rent, mortgage and/or utilities up to maximum of 21-weeks (147 days) or Annual STRMU Cap per client per year, if applicable.	An individual/family may rent a larger than authorized unit if: (1) the rent is at or below the Fair Market Rent (FMR) for the authorized unit size; or (2) the individual/family decides to pay the rental amount above the FMR. Property must be inspected and meet HUD Housing Quality Standards.
Project Sponsor can set maximum Annual STRMU Cap on amount of assistance per client per year (no less than 1 month of FMR and no more than STRMU budget per client per year.	Project Sponsor must pay difference between actual rent or Fair Market Rent or reasonable rent (whichever is lower) and tenant rent. Document evidence of rent reasonableness. Cannot pay more than the FMR, including utilities.
Client pays his/her portion of rent directly to landlord and Project Sponsor pays balance directly to landlord. No payments can be made directly to the client.	Client pays his/her portion of rent directly to landlord and Project Sponsor pays balance directly to landlord. No payments can be made directly to the client.

If more than one unrelated client in a household, each client may receive assistance based on their share of the rent.	If more than one unrelated client in a household, each client may receive assistance based on their share of the rent. Families receive benefits as a unit.
Does not include telephone.	Does not include telephone.
Utility or rent deposits are not allowable.	Utility or rent deposits are not allowable.
HUD Housing Quality Standards inspection is not required but clients must self-certify on Form D that the unit is safe, decent, and sanitary. STRMU households cannot continue to receive HOPWA assistance in substandard housing.	Inspection and certification of property must be conducted in compliance with state and local housing standards and HOPWA Habitability Standards.
Client must be offered appropriate supportive services through case management.	Client must be offered appropriate supportive services through case management.
Late and/or reconnect fees allowed.	No late and/or reconnect fees allowed.

Supportive Services (may be provided either in conjunction or not in conjunction with HOPWA housing assistance)	Permanent Housing Placement
May be used to provide case management, smoke detectors, and basic telephone services, as needed to access supportive services and medical care. Assistance may also be extended for reasonable costs of long-distance services, if needed, for connecting clients in rural or small population areas.	May be used to provide reasonable security deposits (not to exceed the amount equal to 2 months of rent), costs for related application fees and credit checks. Includes all types of security deposits for rent, utilities, etc.
Case Management may be used to assist all income-eligible, HIV positive individuals. Smoke detectors may only be provided to clients with a mortgage.	May be used to assist all income-eligible and HIV positive individuals.

<END APPENDIX B>

APPENDIX C. FREQUENTLY ASKED QUESTIONS

I. QUESTIONS RELATED TO ELIGIBILITY

1. What is income eligibility?

Anyone whose income is at or below 80% of the median income for the area is eligible for the program. A Project Sponsor may set a percentage below the 80% for income eligibility if a written policy is established, approved by the City of Worcester, and applied in a uniform, consistent, and non-discriminatory manner.

2. Does HOPWA allow for conditional eligibility?

No. A client is either eligible or not eligible. There is no flexibility in applying program eligibility requirements.

3. Can an individual who is HIV-positive receive assistance under this program or must the disease be more advanced?

HUD has determined that persons who are HIV+, without having a diagnosis of AIDS, are eligible for assistance as long as they meet the income criteria. The Project Sponsor may establish more restrictive eligibility criteria as needed.

4. How can eligibility for STRMU be defined if the client's name is not on the lease agreement?

With regard to eligibility for STRMU, the 06-07 STRMU Notice states: "In order to receive STRMU assistance, there must be evidence of client tenancy or ownership and residency. To receive rental payments, the eligible person or a member of the resident household must present evidence that he is a named tenant under a valid lease or that he is a legal resident of the premises." Possible sources of evidence of this include:

- Documentation that the individual has been responsible for rental payments. Rental receipts, a cancelled check or a copy of a money order from the tenant to the landlord would satisfy this condition.
- A late payment notice or any other written communication from the landlord to the tenant that provides evidence of tenancy would also be satisfactory.
- If not named on the lease, any written documentation from the landlord that the individual is a legal resident of the property.

5. Can a person simultaneously receive TBRA and STRMU assistance?

No. However, an eligible individual may receive multiple HOPWA services in the 52-week client eligibility period.

6. Can a person be on the Housing Choice Voucher (Section 8) and also receive HOPWA housing assistance?

No. If a client is receiving the Housing Choice Voucher (Section 8) housing assistance payments, he/she is not eligible to receive HOPWA housing assistance including TBRA

and STRMU. However, clients may also receive Supportive Services and Permanent Housing Placement as these are eligible expenditures (CFR Part 574.300(b)(7)).

7. Can a person receive HOME Tenant-Based Rental Assistance and HOPWA housing assistance at the same time?

No. As with the Housing Choice Voucher program (Section 8), a client is not eligible to receive HOPWA housing assistance at the same time with other federal housing assistance programs. This would be “double dipping.” However, clients may also receive Supportive Services and Permanent Housing Placement as these are eligible expenditures (24 CFR Part 574.300(b)(7)).

8. How is zero income verified?

There are three acceptable methods of verifying any type of income. In order of preference, they are: (a) third party written or oral verification (e.g., pay stubs, letters); (b) review of documents (e.g., income tax returns, award letters); and (c) self-certification. The last method is the least preferred method of verifying. If the client cannot verify income with the first two methods, he or she may sign a statement certifying income status. A sample form has been included in Appendix G.

9. Can a client have zero income and receive TBRA?

Yes. Clients with zero income must have their situation documented and routinely reassessed.

10. Are property taxes an eligible HOPWA cost?

No. When providing STRMU assistance, payment of property is eligible only if the payment of those taxes are required to be paid as part of a mortgage payment.

11. Can HOPWA assistance be denied to clients who are active substance abusers?

HOPWA assistance should not be denied simply because a client uses or is alleged to use or abuse illegal drugs in their place of residence, or because he or she refuses to enter drug treatment services. Client eligibility must be based on the criteria specified in the eligibility sections of this manual. The Case Manager should make referrals to assist the client in receiving the appropriate treatment and supportive services. The owner of the rental property certainly has the right to prohibit illegal acts on his or her property, and has the right to notify law enforcement officials when needed or to initiate eviction proceedings when a client has violated lease provisions.

II. QUESTIONS RELATED TO A FAMILY OR ROOMMATE

12. What is the difference between roommates and family?

An applicant must identify those living in his/her home as either family or roommates when applying for assistance, or at renewal. A roommate relationship is established for the purposes of sharing rent and utility bills in return for receiving a share of the space available. A family relationship is based on responsibility for the care and well-being of others and may be a dependent relationship. A person who is not a relative by blood or marriage can be considered a "family" member if they are important to the "care or well-

being" of a person with HIV. (This is not the same as a live-in aide who is a person compensated for providing care to the person with HIV.) NOTE: A roommate or live-in aide cannot change status to a "family" member after the death of a HOPWA client in order to receive survivor benefits.

13. Are an elderly parent and adult child a family?

Yes. Income of both persons must be included to establish eligibility. There is an income deduction for persons age 62 or over. See Form A.

14. Can a client rent a room from his own family?

No. The shared housing regulations at 24 CFR Part 882.315 state that "an assisted person may not be related to a resident owner." This means that a client may not rent a room from a relative and then request rental assistance. The family, however, may be eligible to receive HOPWA assistance if they are low income. HUD regulation 24 CFR Part 82.306 (d) does not allow housing assistance to a unit if the owner is the parent, grandparent, grandchild, sister, brother or any member of the family **unless** it is determined that approving the unit would provide 'reasonable accommodation' for a family member who is a person with disabilities. A reasonable accommodation would permit a 'person with disabilities' including persons with HIV/AIDS to receive benefits when housed with a family member who owns or rents the housing unit if it is determined by a physician that living with the family member is important to the client's overall health and well-being. In such situations because of this reasonable accommodation determination, the family's income is not to be counted in determining the eligibility of the low-income person with disabilities for a STRMU or TBRA payment. Such payments are based on the number of bedrooms that the person with disabilities occupies in the home and must be reasonable for the type and nature of the housing arrangement, and similar to the reasonable rental fees available in comparable unassisted units.

15. Can a client rent property from a family member?

No, a client cannot rent from a family member. An exception to this requirement can be made as a reasonable accommodation.

16. If someone is married and both people receive Social Security or other income, with one spouse being the sole care giver for the other, do we have to include the caregiver's income in the computation?

Yes. A married partner cannot be considered as a live-in aide. Regulations at 24 CFR Part 813.102 define a live-in aide as a person who resides with an elderly, disabled, or handicapped person or persons and who (a) is determined to be essential to the care and well-being of the person(s); (b) is not obligated to support the person(s); and (c) would not be living in the unit except to provide necessary supportive services.

17. Can a HOPWA applicant with a child who does not live with him/her, include the child as part of the household?

No, the dependent child **must** live in the household at least 51% of the time.

18. Can a HOPWA applicant reduce his gross income if he pays \$300 per month for child support? Can he deduct the amount from his gross income?

No, the applicant's child support is not included in the Gross Income Exclusions Form

19. Does income earned by a child count as household income?

Earned income for family members under the age of 18 is not counted as income to the Household.

20. A male/male or male/female live together as a family unit, one is HIV+, the other is not. The HIV+ individual receives HOPWA STRMU (emergency assistance) as a family unit. If the other person then becomes positive and applies for services, is that person eligible for up to 21 weeks of emergency assistance even though he/she receives assistance directly as a family member?

No, the 21 weeks of assistance are based on the family and cannot be doubled or otherwise increased.

21. If two clients live together and receive HOPWA rental assistance and claim their relationship to be that of “roommates” but then decide to get married, what type of documentation is needed to change their status on the HOPWA application?

Reapplication is required with client signatures certifying the information is accurate.

22. What happens to the family of a client who was receiving TBRA at the time of his/her death?

The Project Sponsor needs to have a policy that establishes a reasonable grace period for surviving beneficiaries of TBRA clients. The grace period must be a minimum of one month at the time of death and must not exceed 12 months from the time of death. It is advisable to limit this benefit to 2- 4 months of assistance.

III. QUESTIONS RELATED TO STRMU

23. Under the STRMU Program, can we pay rent, mortgage and/or utility bills for clients that predate their enrollment in HOPWA? For example, if a client began HOPWA in January, can we pay December bills?

Yes, previous, verifiable balances can be paid for months that predate a client’s certification and enrollment into the STRMU Program. This also applies if the bills predate the start date of the contract period. For example, if the client is certified for assistance in February and has incurred verifiable, outstanding bills from January of the prior contract year, this client may be assisted with the prior bills in order to prevent homelessness. Thus, from the point of view of the eligible client’s period of need, there is meant to be a “seamless” housing assistance service even though a contract timeframe is crossed. From an accounting perspective, the predating bills would be charged on the current project year’s budget. As required, Form M the 21-week tracking worksheet must be used to ensure that the 21 weeks of assistance is not exceeded and the 52- week client eligibility period is defined as the date the first payment was made. In this example, the 52- week client eligibility period would start from the first day the payment was made in February until February of the following year, even the payments were made for January bills.

- 24. When a client begins receiving STRMU, an agency can pay utilities for the previous month(s). What if a client starts the program in June and receives utility reimbursement for that month plus the previous months of April and May that were past due? Does this count as one month of assistance or three months?**

The 21-week time limitation under the STRMU program is based on the date the first payment was made. Therefore, if the unpaid utility bills cover a period of 12 weeks of assistance then that will constitute 12 out of the 21 weeks for which assistance can be provided.

- 25. In regard to the 21-week rule for STRMU, what happens when the 21st week is in the middle of a month?**

You cannot exceed the 21-weeks worth of assistance for STRMU. The client will need to pay the balance of what is due.

- 26. What constitutes an emergency?**

An emergency is a situation that is short-term in nature and one that the case manager has reason to believe will put the client at risk of becoming homeless. To receive STRMU assistance a client must provide verifiable evidence of the outstanding obligation and evidence of his/her inability to make the monthly payments. See Section 9-2(g).

- 27. To document STRMU need, is a default notice or eviction action required, as these can add late fees to our costs?**

Documentation in the form of a default/late payment notice is not required to demonstrate emergency housing need for STRMU. A late payment notice is only one of the methods that can be used to verify the debt; there may be a variety of other ways to verify amounts owed, including calling the utility company, landlord, or mortgage company directly prior to a late payment notice being issued, and thereby avoiding adding late fees as additional costs. This could involve a record of actual monthly bills for reoccurring cost, and evidence of the limited nature of household income along with limited available financial resources (i.e. balance on bank accounts). This could involve a case manager's assessment of "need" which includes a variety of elements such as current, previous and future month's financial situation/forecast, employment/benefits circumstances, and HIV/AIDS health-related conditions. A household budget review of these costs, and assessment of inability to meet such costs, could be done by a housing case manager as part of this documentation of this record.

- 28. What are examples of circumstances an applicant may experience that may result in the need for emergency assistance in spite of having ongoing income sources?**

The applicant may be unable to pay rent, mortgage, utilities because (a) the applicant is unable to work due to recent hospitalization and, therefore, received significantly less pay and unable to cover expenses; (b) the applicant had to recently purchase unexpected costly HIV medications or pay for unexpected medical expenses out of pocket; (c) the applicant was not hospitalized but too ill to work in the recent past according to a physician's statement, and the client did not have a position where sick and annual leave was accrued; (d) the applicant left employment, has been declared presumptively eligible for disability benefits in writing, and is pending commencement of benefits; (e) the applicant has attempted, but been unsuccessful in collecting child support legally owed the applicant.

29. If an agency provides one month of STRMU assistance in March, then another month in September, then another month in December, do they need to fill out a termination form each time?

No. A Termination form (Form N) only has to be completed at the end of the period of assistance or at termination. The Termination form is a tool to assist Project Sponsors in tracking information that must be reported to HUD.

30. Can the Project Sponsor develop their own system to track the number of weeks a client is in the STRMU program within a 52-week period?

No. The Project Sponsor must use the City of Worcester calendar day method using the client's first payment date to determine the 52-week period. The calendar day method is used because it is the most accurate method with minimal rounding and HUD requires all Project Sponsors to use the same method of tracking and must be applied uniformly and consistently for all Project Sponsors.

31. Does HUD permit a waiver of the 21-week time limitation for STRMU?

HUD regulations permit a waiver to be granted through the HUD Headquarters office on a case-by-case basis and approval can only be granted by the HUD Assistant Secretary for Community Planning and Development. HUD approval is rare and extraordinary and should not be expected by anyone assisted under this program.

32. Is a Project Sponsor required to set an Annual STRMU Cap?

No. The Project Sponsor may choose to set an Annual STRMU Cap based on available funds and clients' needs. If an Annual STRMU Cap is established, it must be in approval with the City of Worcester, applied in a uniform, consistent, and non-discriminatory manner, and follow City of Worcester' Annual STRMU Cap formula. The Annual STRMU Cap can be used to calculate a monthly cap amount for clients and is also useful if the Project Sponsor wants to restrict eligibility for STRMU assistance to less than the 21-week period. See Section 10-12.

33. If a STRMU payment is made for previous months, how is that tracked?

A client's 52-week eligibility period starts the first day a STRMU payment is made. If a STRMU payment is made on November 1 for the previous 2 months, the client's eligibility period remains the same and runs 52 weeks from the first day the payment was made. In terms of tracking the amount of assistance, the amounts paid for September and October should be tracked as assistance for September and October in the STRMU 21-week tracking worksheet. The client period should start the first day of the STRMU payment and the client cannot receive more than 21-weeks worth of assistance.

34. Is it the responsibility of the Project Sponsor to inspect a client's housing for STRMU?

No. An inspection is not required for STRMU but the client must assure the Project Sponsor that the property is safe and decent and sign Form D to self-certify. The case manager needs to ask some questions to confirm this statement as the Project Sponsor is ultimately responsible to ensure that this is true.

35. Why do STRMU clients need a Comprehensive Housing Plan?

All HOPWA clients are required to have a Comprehensive Housing Plan. Goals must be established for on-going housing stability for clients with referrals for access to medical treatment and supportive services. The purpose of the Comprehensive Housing Plan is to provide a tool for the client and case manager to achieve housing stability without long-term dependency on the HOPWA program.

36. What happens to the client's family members if the client passes away after having received 20 weeks worth of STRMU assistance?

The Project Sponsor needs to have a policy that establishes a reasonable grace period for surviving beneficiaries of STRMU clients. STRMU assistance must still be certified month to month and should not be understood as an automatic 21-weeks of assistance. The grace period must be a minimum of one month at the time of death and must not exceed 21 weeks from the time of death. It is advisable to limit this benefit to 2-4 months of assistance.

V. OTHER QUESTIONS

37. Can we prorate bills or rent when someone moves into a place or is approved for HOPWA after the first of the month, or do we wait until the next full month to start?

Yes. You can pay for a partial month.

38. When someone is renting a room/bathroom with kitchen privileges, do we treat it the same as sharing an apartment with someone?

Yes. However, in the event the client is renting a room in a Single Room Occupancy (SRO) facility, the rent standard is based on 75% of the rent standard for a 0-BR (studio) unit.

39. Due to limited funds and with the approval of the City of Worcester, can a program elect to fund only STRMU and not TBRA?

Project Sponsors must justify to the City of Worcester the reason for providing only STRMU. For example, an acceptable justification may be that another community organization is meeting the need for TBRA. Project Sponsors should not decide to provide only one service based on administrative purposes. The decision should be based on the needs of the community.

40. Is a Termination form required at the end of the year for TBRA clients continuing to the following year?

No. Only TBRA clients that have been terminated require a Termination form. However, TBRA clients continuing to the following year must be re-certified annually for eligibility.

41. Does HOPWA allow the use of funds for late and reconnect fees?

Yes. Late and reconnect fees are allowable under STRMU only and not under TBRA.

42. Can a Project Sponsor choose not to pay late and/or reconnect fees?

Yes, if the Project Sponsor has a policy stating that it will not pay late and/or reconnect fees in the HOPWA program and the policy must be approved by the City of Worcester.

43. Is it necessary to obtain rental receipts?

No. It is not necessary that Project Sponsors obtain rental receipts from the landlords. However, rental receipts are necessary as evidence of tenancy if the client's name is not on the lease or a lease is not available. Leases must be maintained in each client file. Also, accounting records must be maintained which document monthly payments made to landlords on behalf of the client. If TBRA payments are made to individuals/partnership who are landlords (as opposed to corporations), the HOPWA Project Sponsor is required to file 1099 statements at the end of the tax year.

44. When a formal lease agreement is not available, what type of documentation is needed for HOPWA STRMU assistance?

A letter signed and dated by the landlord and the client is acceptable if it contains the following information: address of unit, amount of rent, due date of rent, period covered by the lease, whether utilities are included in the rent and the address and phone number of the landlord or other individual to whom payment is to be made.

45. Does the FAIR Market Rents table (FMRs) used to compute HOPWA assistance include utilities?

Yes, FMRs includes rent and utilities. Phone, internet and cable are not considered utilities for the purpose of determining FMR, rent payments, and/or utility allowance amounts.

46. What are the penalties for clients receiving HOPWA who violate their lease?

The client may be terminated if the client violates the terms of their lease/rental agreement. All termination policies and procedures must be followed. If the client is evicted, the client may apply for Permanent Housing Placement assistance.

47. What is the liability of the Project Sponsor under the housing quality standards?

None. The inspection is not a declaration to the client that his home is a safe environment and should not be represented that way. The HQS is a qualifying criteria for receiving the service, just as is low income. In addition, the HQS form states that the person doing the inspection has inspected the property to the best of his/her ability only. This does not imply any professional liability. Only STRMU clients must self-certify on the form that the housing is safe, decent, and sanitary.

48. How does the contractor ensure compliance with the smoke detector without inspections?

TBRA requires a smoke detector inspection prior to the client residing on the premises. A signed statement from the client or a third party verification from the landlord that there is an operational smoke detector is acceptable when providing STRMU assistance.

49. Is the HOPWA Program able to pay long distance phone charges?

Yes, but only at the program's discretion and if needed. Under Supportive Services, reasonable costs for long-distance services, if needed, may be extended for clients in rural or small population areas to connect clients to supportive services and/or medical care. Basic telephone services must be paid as a Supportive Services expense.

50. Is a Project Sponsor required to allow assistance for security deposits?

No. The Project Sponsor may choose to allow Permanent Housing Placement Services based on available funds, clients' needs, and fiscal capacity to maintain accounting records. See Section 12-3.

51. Can a Project Sponsor pay utility deposits as a Permanent Housing Placement service?

Yes. All types of security deposits are eligible as a PHP service, including rent, utilities, etc.

52. What if accepting the Housing Choice Voucher (Section 8) would place an undue burden on the client? For example:

- a) **Client would have to move away from family members who are necessary for client's care and support.**
- b) **Client would have to move but is too sick at the time to move.**
- c) **Client cannot find a suitable residence that will accept the Housing Choice Vouchers (Section 8).**

Yes. A waiver (Form N) is required if the client cannot accept the Housing Choice Voucher (Section 8) at the time offered. A justification must detail the reasons for declining the housing and must be approved by the City of Worcester.

53. Does a client who has been terminated have the right to reapply for HOPWA for the following month?

Yes. The Project Sponsor must have a policy that determines the length of time that a client will have to wait to reapply for HOPWA after termination.

54. Can you pay for the first month's rent out of TBRA if a client pays for the security deposit?

Yes. The first month's rent is not a security deposit, so TBRA can be used to pay for the first month of rent. Permanent Housing Placement can also be used to assist clients to pay for the security deposit and, if eligible, TBRA can then be used to assist the client with the first month's rent.

**Appendix D
QUARTERLY IDIS REPORT
HOPWA FUNDED SUPPORTIVE SERVICES**

Organization Name:	
Project Name:	
Activity Name:	
Contact Name:	
Contact Phone Number:	
Contract Dates (From/To):	
Reporting Period (m/y):	
Date Report Submitted:	

Unduplicated Number of Jobs Resulting from Supportive Services	
--	--

	This Quarter:	Year to Date Unduplicated Count:
Total Number of Households Served:		

	Of Clients Exiting this Quarter:		Of Clients Continuing from Previous Quarter:	
	Number of Households Receiving HOPWA Assistance that:	Number of Jobs that Included Health Benefits:	Number of Households Receiving HOPWA Assistance that:	Number of Jobs that Included Health Benefits:
Obtained an Income-Producing Job Created by the Project Sponsor During the Project Year				
Obtained an Income-Producing Job Outside the Agency During the Project Year				

Site Expenditures:	Households This Quarter:		Year to Date Unduplicated Households :	
	Total Served:	Amount (in dollars):	Total Served:	Amount (in dollars):
Outreach				
Case Management/Client Advocacy/Access to Benefits and Services				
Life Skills Management (Outside of Case Management)				
Meals/Nutritional Services				
Adult Day Care and Personal Assistance				
Child Care and Other Child Services				
Education				
Employment Assistance and Training				
Alcohol and Drug Abuse Services				
Mental Health Services				
Health/Medical/Intensive Care Services, if Approved				
Other (Only if HUD-Approved)				
Legal Services				
Transportation				
Total:	0	0	0	0

Number of Persons Receiving HOPWA Assistance:	Households This Quarter:	Year to Date Unduplicated Households:
Number of Persons with HIV/AIDS Assisted		
Other Family Members Assisted		
Total:	0	0

NOTES (Please explain any discrepancies in the above numbers or provide any other pertinent information about your programs accomplishments this quarter):

For office use only:

Project File Number:	
IDIS Number:	
Leap Account Number:	
Funding Source:	HOPWA
National Objective (if applicable):	
Objective:	
Outcome:	
Matrix Code (if applicable):	31E Supportive Services

APPENDIX F. SUGGESTED FORMS OF INCOME VERIFICATION AND INCOME EXCLUSIONS

Suggested Forms of Income Verification and Documentation of Expenses

Below are listed different ways in which to verify income and document expenses. This can be done by reviewing documentation (bills, statements, receipts etc.), or through oral communication with an appropriate third party (ex. Social Security Office staff, medical providers etc.). If using oral communication as a form of verification, the contact must be documented, signed and dated by Project Sponsor staff.

	A. Types of income and expenses	B. Third party written	C. Third party oral
1.	Wages and salaries including statement indicating base and overtime rates, bonuses contact with employer and incentive payments by phone or in person specifying amount to be earned per pay period.	Pay stubs, earnings statement or W-2 form identifying employee and showing amount earned and period of time covered by employment.	Oral verification from employer specifying amount to be earned per pay period and length of pay period, documented by Project Sponsor staff.
		Signed and dated form or letter from employer specifying amount to be earned per pay period and length of pay period.	
2.	Tips/gratuities and self-employment	Notarized statement from applicant or form 1040/1040A showing amount earned and employment period.	None.
3.	Income maintenance, TANF, Social Security including statement indicating <u>dates and amount</u> received	One copy of check issued by agency.	Oral verification from the income provider, <u>showing amount and period</u> received and documented by Project Sponsor staff
		Award letter signed by agency.	
4.	Unemployment/Worker's Compensation statement.	Same as 3B.	Same as 3C.
5.	Child Support Payments received.	Copy of payment records furnished by court, signed and dated, showing amount received.	Oral verification from paying parent, documented by Project Sponsor staff.
		Copy of divorce decree showing amount of support	
		Copy of uncashed check.	
		Written and signed statement from paying parent.	
6.	Interest/dividends	Passbook showing interest received and period covered.	Oral verification from savings institution, documented by Project Sponsor staff showing amount and period received.
		Income tax return.	
		Dividend statement from bondholder or stock company.	

7.	Income-generating assets such as rental property, etc.	Tax records, rental checks, lease agreement	None.
		Statement signed by applicant specifying assets.	
8.	Child care expenses	Receipts, canceled checks.	Oral verification from childcare provider, documented by Project Sponsor staff.
		Letter from childcare agency, babysitter, or person providing care showing amounts received or expected and period of service.	
		Itemized list signed by applicant.	
9.	Medical expenses	Receipts, canceled checks	Oral verification from hospital or physician payment, documented by Project Sponsor staff.
		Records of insurance	
		Itemized list signed by applicant.	
10.	Rent, mortgage, and utilities	Bills statements, receipts, canceled checks.	Oral verification from landlord, etc. documented by Project Sponsor staff.
		Letter received from landlord showing amount of rent paid.	

Other Information that May Require Verification

	A. Review of documents	B. Third party written	C. Third party oral
1.	Dependent children --Age --Relationship	Income tax returns; Support payment records; Marriage certificates; Social Security records; Birth certificates; VA records; Divorce records	None.
2.	Disability Same as 2B but with telephone or in-person contact.	Doctor's statement furnished by applicant. Social Security Administration records indicating nature of disability.	
3.	Full-time student status Same as 3B but with telephone or in-person contact.	School identification card or school records specifying period of time attended and indicating full-time status. Written statement, dated and signed, from school specifying that applicant is enrolled full-time and the dates attending.	

(APPENDIX F continued)
Income Exclusions

(For complete regulations, refer to 24 CFR Part 5.609(c))

Annual Gross Income Does Not Include:

1. Income from employment of children (including foster children) under the age of 18 years;
2. Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the tenant family, who are unable to live alone);
3. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains and settlement for personal or property losses;
4. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
5. Income of a live-in aide;
6. The full amount of student financial assistance paid directly to the student or to the educational institution;
7. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
8.
 - (a) Amounts received under training programs funded by HUD;
 - (b) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income (SSI) eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
 - (c) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
 - (d) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the Public Housing Authority (PHA) or owner, on a part-time basis, that enhances the quality of life in the development. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, resident initiatives coordination, and serving as a member of the PHA's governing board. No resident may receive more than one such stipend during the same period of time;
 - (e) Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training

- programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment-training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment-training program;
9. Temporary, nonrecurring or sporadic income (including gifts);
 10. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
 11. Earnings in excess of \$480 for each full-time student 18 years or older (excluding the head of household and spouse);
 12. Adoption assistance payments in excess of \$480 per adopted child;
 13. Deferred periodic amounts from Supplemental Security Income (SSI) and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts;
 14. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
 15. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home; or
 16. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR Part 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. The value of an allotment provided to an eligible household under the Food Stamp Act of 1977 is excluded;
 17. EARNED INCOME DISREGARD/SELF-SUFFICIENCY INCENTIVES FOR PERSONS WITH DISABILITIES. In addition to deductions mandated in 24 CFR Part 5.611(a), HUD requires disregard for income to previously unemployed persons with disabilities who have earned income as described in 24 CFR Part 5.617(a)(b)(c)(d).