



Emergency Solutions Grant Program

Written Policies and Procedures

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Written Policies & Procedures

1. Introduction

Milwaukee County Housing Services has developed the following standards for providing assistance with Emergency Solutions Grant funds as required by 24 CFR 576.400 (e). These are initial standards that have been created in coordination with the Continuum of Care Council within Milwaukee County. These standards represent goals for providing services for the community and the entire continuum. Milwaukee County along with all sub-recipients expect that the standards will become more expansive as the County gains more experience with and collects more data from services provided with the ESG program. These standards are in accordance with the ESG final rule released by the U.S. Department of Housing and Urban Development on December 4, 2011.

2. Process for evaluating eligibility for ESG assistance

Sub-recipients of Milwaukee County's Emergency Solution Grant should encourage applicants to complete an application to request assistance. The request for assistance will allow Milwaukee County Program Staff to review the need and prepare in advance. Should an applicant require assistance due to limited English or hearing proficiency, all attempts should be made to accommodate the request. An appointment should be made for the client including instructions of specific documents that must be brought for verification of eligibility. These *may* include:

- social security card
- picture ID
- copies of household bills including utility
- gross household income
- lease agreements
- rental receipts
- eviction notice or proof of homelessness

All forms requiring applicant signature will be maintained in individual case files, and may include a release of information, confidentiality, client goals, and financial assistance received (if any), eviction notices, referral sources, court letters etc. as applicable.

Each individual agency may use its own software system for general agency intakes. The HMIS system required by the Continuum of Care.

3. Eligibility Criteria

Clients must meet and agree with the following:

- reside within ESG service area
- meet individual program criteria for services per funding sources or service type
- be homeless, or at imminent risk for homelessness
- income must be below 50% of AMI
- All clients seeking additional ESG services following the closing of cases must recertify for eligibility
- Agree to a home inspection to determine the following:
 - Habitability
 - Households with children under 6 years old must be lead safe compliant
 - Rent reasonableness

4. Non-discrimination & Equal Opportunity

The agency shall provide its employees and general applicants equal access to services, benefits and assistance without regard to race, color, religion, creed, sex, national origin, age, disability (physical or mental), veteran status, pregnancy, citizenship, marital status or any other status protected under Federal and Wisconsin law. Agency staff shall not inquire as to the sexual orientation or gender identity during the intake process. Agency staff will work to ensure equal access to HUD-assisted, or insured housing as an option regardless of sexual orientation, gender, identity or marital status. In addition, agency staff will provide families with information in reference to their tenant rights and responsibilities along with the proper procedure to report any complaints.

5. Each Agency Must Follow the Federal Definition of Household

To be considered a member of household, a person must be at least one of the following:

- Lineal descendant (child, grandchild, great-grandchild; step-lineal descendants such as stepchildren are included)
- Brother or sister (includes stepbrothers/stepsisters and half-brothers/half-sisters) Lineal ancestor (parent, grandparent, great-grandparent; step-lineal ancestors are included)
- Niece, nephew, aunt or uncle (not including relations by marriage)
- In-law (father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law and sister-in-law)
- Anyone else who is neither related nor married to you, but who lives in your home for the entire year

6. Safety mechanisms and conflicts of interest

The sub-recipients of ESG must conduct business ethically and avoid conflicts of interest including the appearance of such conflicts. All persons involved in the operations of ESG have an equal obligation to avoid conflicts of interest. If any employee has any influence on a transaction involving purchases, contracts or leases, or would receive a benefit from such transaction, either directly or indirectly, then he or she must disclose that influence or potential benefit to the Housing Administrator, and Milwaukee County as soon as the influence or benefit is known to the employee.

Staff members of the second tier sub-recipient agencies who serve on the Board of Directors of another non-profit agency cannot be involved with any fund development activities, or events for that organization. All staff, staff family members, contractors, and board members, who meet the income, and additional criteria for agency services, will be eligible to receive services. Staff is required to seek services outside their normal paid working hours. Services must be completed prior to, following working hours, or during unpaid lunch break. All agency staff or agency contractors receiving agency assistance must have the signature of the Executive Director, or his/her designee on service vouchers. Family, friends, board members, staff, and others must make appointments, or request assistance, in the same manner as the general public. When appointments are made involving the above mentioned, appointments should be scheduled with agency staff not associated with the family or friends. In cases where this would cause a hardship on the client the staff person may notify the Executive Director, or his/her designee for approval to assist with the need. The Executive Director or his /her designee will sign any voucher forms after reviewing the proper documentation for compliance.

7. Coordination with Local Homelessness Prevention and Rapid Re-Housing Providers

Following the client assessment made by the sub-recipient agency, counselors will discuss the various options with the client to prevent homelessness. Recommendations will be made based on the facts gathered during the intake process. Referrals will be made to emergency shelter providers or other service providers as appropriate and with coordination that depending upon the individual family type, and personal circumstances. Referrals may consist of a referral letter, or a personal phone call depending on the situation, and referral preferences. Agency staff routinely attends Continuum of Care meetings where emergency shelter providers, as well as essential service providers, meet to share information. Partners include Salvation Army, the local public housing authority, as well as faith-based and other social service providers.

8. Determining Homeless Prevention Participant Share

Homeless prevention and rapid re-housing assistance will be determined based upon the type of funds received by the sub grantees. The agencies will use their own intake processes for initial screening and from that prioritize the individual or families need based on each situation and the current availability of resources in the area. If at the time of the request the sub grantee is unable to meet the need, assistance will be requested from local partners to assist with alternate solutions until the need can be fulfilled. In all cases priority will be given to those individuals or families who lack a fixed, regular, and adequate nighttime residence, meaning: has a primary nighttime residence that is a public or private place not meant for human habitation; is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Program participant shall only be responsible for the following expenses: late fees of more than one month, pet deposits, storage fee arrears, and any work order/maintenance fees that the participant may have accrued. In the cases of utility assistance participants will be responsible for any tampering or illegal usage fees.

9. Standards for Determining the Type/Amount/Duration of Housing Stabilization and Street Outreach

ESG assistance will be provided when clients meet the eligibility criteria. One-time assistance will not exceed 6 months of *delinquent* rent; in the case of utility or homeless placement the amount will not exceed the necessary amount needed to alleviate the crisis to maintain or restore shelter needs. Assistance is limited to once every 36 months however rental assistance shall not exceed 24 months of uninterrupted services.

10. Drug-Free Workplace

The Agency ensures the health and safety of others in accordance with the **Drug Free Workplace Act** of 1988. Accordingly, the unlawful manufacture, distribution, dispensing, possessing, use thereof or being under the influence of a controlled substance, including cannabis and alcohol are prohibited on the Agency premises.

11. Affirmatively Furthering Fair Housing

Under section 808(e)(5) of the Fair Housing Act, HUD has a statutory duty to affirmatively further fair housing. HUD requires the same of its funding recipients. Sub-grantees will have a duty to affirmatively further fair housing opportunities for classes protected under the Fair Housing Act. Protected classes include race, color, national origin, religion, sex, disability, and familial status.

12. Program Participant Termination

Second Tier Sub-Recipients terminating a program participants' ESG assistance for violating program requirements must provide a formal termination process that recognizes the rights of individual(s) to due process of law. ***The formal process is only required after a participant has received assistance and is then terminated from receiving continued assistance.*** This process, at a minimum, must consist of the following:

- Written notice to the program participant containing a clear statement of the reasons for termination;
- A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination; and,
- Prompt written notice of the final decision to the program participant.

If a participant is deemed ineligible to receive ESG assistance, Grantees must document the reasons for denial and inform the applicant(s) in writing of the denial. Assistance to a program participant who has been terminated from the program may resume at a later date. ESG assistance will be determined on a case-by-case basis for individual(s) who have lost their Section 8, TBRA, or Shelter Plus Care vouchers due to program violations, eviction, or misconduct eligibility. Case managers/housing resource specialists may contact Milwaukee County for guidance.

13. Policies and Procedures for Agency's Providing Street Outreach

Milwaukee County's Outreach funds are intended to provide assistance to persons unable or unwilling to seek shelter due to various circumstances. The full regulations can be found at 24 CFR 576.101. Eligible reimbursements include the costs of engaging with the homeless such as providing non-perishable meal kits, blankets, backpacks, simple toiletries, and vouchers for clothing. Sub-recipient agencies are required to submit documentation of all provisions given to program participants including literature for referrals to services, supplies, and vouchers. Agencies are expected to collaborate with local non-profits to provide the necessities listed above and only purchase items when necessary. All purchases must be procured as required by Federal Standards. Case management for program participants may be eligible for reimbursement when provided in compliance with 24 CFR 576.101 (2). Employee time sheets and payroll stubs are required as part of the submittal for each reimbursement. Outreach employees may charge no more than 25% of their overall monthly cell phone costs to the Homeless Outreach program. Mileage may be eligible for reimbursement for caseworkers required to use a personal vehicle for Street Outreach. Mileage rates are paid based on the federal mileage rate as determined by the Internal Revenue Service (<https://www.irs.gov/>). Proof of valid driver's license, current automobile registration, and current liability insurance is required as part of the submittal for each reimbursement. Emergency Health and Mental Health Services may be eligible for reimbursement when limited to treatment of medical conditions diagnosed by licensed medical professionals and prescription medication prescribed by licensed medical

professionals. Documentation must be submitted from medical professional and match case notes. Transportation services may be eligible under a program providing a voucher to individuals who are street homeless, but in need of transportation. Milwaukee County requires a travel log for all vouchers disbursed to clients. Documentation such as location, gender, sex, race, contact time; purpose; mode; beginning and ending points of travel for each trip; beginning and ending mileage for each trip; and the expenses charged to ESG funds should be included in case notes. Activities submitted for reimbursement from ESG require detailed case notes for each participant. Further, each participant and all services provided must be entered into the designated homeless management information system (HMIS). Case notes entered in HMIS should specifically state the persons to whom items were distributed as part of engaging with unsheltered homeless persons. Coordination with other local agencies is required to successfully manage an ESG Street Outreach program. Annual participation certification from the Continuum of Care will be required. Agencies are required to have all file documents as directed by the Homeless Outreach Program.

14. De Minimis Costs

In 2014, the United State Office of Management and Budget (OMB) released regulations on indirect costs under the Uniform Administrative Requirements, Costs Principles, and Audit Requirements for Federal Awards, also referred to as the Uniform Administrative Guidance {2 CFR 200}. Indirect costs are referred to as incurred costs for a common or joint purpose benefitting more than one cost objective, and not readily assignable to costs objectives specifically benefitted. These costs are shared by more than one program. Under the Uniform Administrative Guidance, all indirect costs are either facilities costs or administrative costs. Milwaukee County's ESG program allows the utilization of 10% de Minimis rate from the sub recipients award allocation. The sub recipient may only utilize this rate if they have never received a negotiated indirect cost rate, must utilize this rate indefinitely and consistently for all federal awards and must comply with 2 CFR 200.403. Allowance of costs is covered under 2 CFR 200, Subpart E {2 CFR 200 E (a-g)}. Costs not allowed are covered under 2 CFR, Part 200. Once a costs has been determined as allowable, it must be allocable to federal awards consistent with 2 CFR 200.405(a); that is, it must be a costs allowed under the ESG implementing regulations 24 CFR 576. Finally, costs must be eligible in the grant award and agreement under which the sub recipient operates. A costs may not be charged to a federal award with the purpose of overcoming shortages or avoiding restrictions imposed by federal statutes, regulations, terms, and conditions of the federal awards.