

ADDENDUM TO ESG PROGRAM OPERATIONS MANUAL

OVERVIEW -

The City of Roanoke was awarded supplemental Emergency Solutions Grant (ESG) funds, as authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. These supplemental funds, known as ESG-CV, are to be used to prepare for, prevent, and respond to the coronavirus pandemic among individuals and families who are homeless or receiving homeless assistance. The funds also support additional homeless assistance and homelessness prevention activities to mitigate the impacts of coronavirus.

This Addendum explains the use of available waivers of certain regulatory requirements associated with the annual ESG and ESG-CV funds. The waivers and flexibilities identified in this Addendum reflect the most recent guidance provided by HUD through CPD Notice 22-06 as well as the CPD Memorandum released 12/30/21.

Requirements identified in 24 CFR Part 576 will apply to the use of these funds, unless otherwise provided by the alternative requirements and flexibilities established under the CARES Act, or subsequent waivers, amendments, or replacements to CPD Notice 22-06, or other communications released by HUD.

FY 2021 ESG WAIVERS -

The following waivers are made available to FY 2021 ESG funds, but do not apply to ESG grants funded under the CARES Act (ESG-CV) or FY 2020 or earlier fiscal year grants (see Memorandum dated December 30, 2021, Attachment A).

Homeless Definition – Temporary Stays in Institutions of 90 days or less

Applicability: An individual may qualify as homeless under paragraph (1)(iii) of the homeless definition in 24 CFR 576.2 so long as they are exiting an institution where they resided 120 days or less and resided in emergency shelter or place not mentation for human habitation before entering the institution.

Applicability period: 12/30/21 – 3/31/22

Housing Relocation & Stabilization Services

Applicability: The 24-month limits on housing relocation and stabilization services under 24 CFR 576.105(a)(5), (b)(2) and (c) are waived for program participants receiving rapid re-housing and homelessness prevention assistance who have reached these 24-month limits between 12/31/21 and 3/31/22, and is limited to program participants who will not be able to obtain or maintain housing without the benefit of this waiver.

Applicability period: 12/30/21 – 3/31/22

Rental Assistance

Applicability: The 24-month in a 3-year period restriction on rental assistance is waived for program participants receiving rapid re-housing and homelessness prevention assistance who will have reached their 24-month limit between 12/31/21 and 3/31/22 and is limited to program participants who will not be able to obtain or maintain housing without the benefit of this waiver.

Applicability period: 12/30/21 – 3/31/22

Restriction of Rental Assistance of Units with Rent at or Below FMR

Applicability: The FMR restriction is waived for any individual or family receiving rapid re-housing or homelessness prevention assistance who executes a lease for a unit during the period of 12/31/21 and ending on 3/31/22. The Subrecipient must ensure that rent reasonableness standards are still met.

Applicability period: Leases entered into between 12/31/21 – 3/31/22. Unless HUD notifies otherwise, the Subrecipient may use its FY21 ESG grant funds to assist program participants housed under this waiver through the end of their otherwise allowable term of assistance.

ESG-CV & FY 2020 WAIVERS -

HUD has released seven set of waivers of regulatory authority to prevent and mitigate the spread of COVID-19 (see the most recent Notice CPD- 22-06, Attachment B). In accordance with the authority provided by the CARES Act, the same flexibilities (including statutory exemptions, waivers, and additional eligible activities) established for ESG-CV funds in the CARES Act and this Notice apply to FY2020 and prior fiscal year ESG funds (“annual ESG funds”) a recipient uses to prevent, prepare for, and respond to coronavirus until September 30, 2022, so long as conditions outlined in Notice CPD-22-06 are met.

The City of Roanoke will implement the regulatory waivers and flexibilities provided, but is prioritizing for use the those that are highlighted below. The applicability period for the following is January 21, 2020 – September 30, 2023, unless indicated otherwise.

Street Outreach Activities

New Activities

New eligible activities outlined in Section III.E of the Notice will be considered for reimbursement. These activities include, but are not limited to, staff training on infectious disease, hazard pay, personal protective equipment, vaccine incentives, providing cell phones and internet to program participants, centralized or coordinated assessment, and laundry services. Refer to provisions outlined in Notice CPD-21-08 for further guidance on implementing these activities.

Emergency Shelter Activities

Time limit on emergency shelter and temporary emergency shelter

The previous limitation in Notice CPD-20-08 that ESG-CV funds may only be used for the costs of providing emergency shelter until January 31, 2021 has been lifted. ESG-CV funds will be used to support emergency shelter and temporary emergency shelter until 9/30/22.

Emergency Shelter & Street Outreach Cap

The cap established for street outreach and emergency shelter activities will in Section 576.100(b) will not be applied to ESG-CV allocations.

New Activities

New eligible activities outlined in Section III.E of the Notice will be considered for reimbursement. These activities include, but are not limited to, staff training on infectious disease, hazard pay, personal protective equipment, and vaccine incentives. Refer to provisions outlined in Notice CPD-21-08 for further guidance on implementing these activities.

Homelessness Prevention & Rapid Re-Housing Activities

Aligning Eligibility & Re-evaluation of Income limits

The income limit of 30% of median family income, as determined by HUD, to be eligible for homelessness prevention and to continue to receive homelessness prevention or rapid re-housing assistance has been raised to Very Low Income as described in Section III.E.4. and Section III.F.13. in Notice CPD-21-08.

Helping Current ESG Program Participants Maintain Housing

The limitation that a program participant may only receive services or rental assistance for up to 24 months in a 3-year period is waived for all program participants while receiving ESG-CV assistance. Further, if a program participant moves into a unit in the middle of the month the Notice provides that the initial payment of a half-month's rent does not count towards to the total rental assistance (see Section III.E.4.g).

Providing Rental Assistance in Units with Rents Above FMR

The requirement that prohibits rental assistance where the rent for the unit exceeds the FMR established by HUD, is waived so long as the rent complies with HUD's standards or rent reasonableness. The waiver may be used as needed throughout the period that the Subrecipient is providing rental assistance to prevent, prepare for, and respond to coronavirus.

New Activities

New eligible activities outlined in Section III.E of the Notice will be considered for reimbursement. These activities include, but are not limited to, staff training on infectious disease, hazard pay, personal protective equipment, vaccine incentives, landlord incentives, renters insurance, and essential services (as outlined in 24 CFR 576.102(a)(1)). Refer to provisions outlined in Notice CPD-21-08 for further guidance on implementing these activities.

UPDATE: Per CPD Notice 220-06, Waiver of Limits on Housing Stability Case Management

In order to ensure current program participants receiving homelessness prevention and rapid re-housing assistance do not lost their housing during the coronavirus public health crisis and subsequent economic impacts caused by the crisis, HUD is also waiving the 24-month limit on housing stability case management established in 24 CFR 576.105(b)(2) for ESG-CV funds and

FY2020 and earlier fiscal year ESF grant funds used to prevent, prepare for, and response to coronavirus. See Appendix B for full notice.

DOCUMENTATION -

For waivers applied to FY2021 ESG funds, written notice to the City of Roanoke's HUD Field Office has been provided. The requirement to use ESG-CV and FY2020 ESG funds as a way to prevent, prepare for, or respond to coronavirus will be documented by the City of Roanoke. In IDIS, each program component using funds as a COVID response will have the PPR tie-back identified. In accordance with 24 CFR 91.505, use of these waivers do not require amendments to the consolidated plan as there is no change to allocation or distribution of funds. Additionally, there is no change to the purpose, location, or beneficiaries to these activities. ESG-CV funds have expanded the current annual ESG programs. Because of the ESG-CV funds are expanding existing programs, and in following the guidance attached to this Addendum, no amendments to the Consolidated Plan or Annual Plan is needed.