



Housing Opportunities for Persons with AIDS (HOPWA)

2020-2021 Guidelines:

Short-Term Rent Mortgage & Utility Assistance (STRMU) & Permanent Housing Placement Assistance (PHP)



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I. INTRODUCTION

A. Housing Opportunities for Persons Living with AIDS (HOPWA)

The Housing Opportunities for Persons with AIDS (HOPWA) program is a federally funded housing assistance program designed to help persons living with the Human Immunodeficiency Virus (HIV)/Acquired Immunodeficiency Syndrome (AIDS) (HUD, 2006). The HOPWA Program was created by the United States Congress as part of the National Affordable Housing Act of 1992 and is administered by the United States Department of Housing and Urban Development (HUD) (ICF Consulting, 2000). Through a competitive grant process, local communities, states, and non-profit organizations are awarded HOPWA funds to provide services throughout the housing continuum to persons living with HIV/AIDS. These organizations are referred to as Grantees. HOPWA eligible services include short-term rent, mortgage, and utility payments; tenant-based rental assistance; housing information services; and supportive services such as permanent housing placement and case management services. The main goals of the program are 1) to increase clients' ability to live independently and achieve self-sufficiency; 2) improve quality of life for clients and their families; and 3) reduce homelessness among persons living with HIV/AIDS and their families. To be eligible for HOPWA assistance clients must be HIV+, earn less than 80% of the area's median income, and show a need for assistance. Beyond these requirements, grantees are given broad discretion in the implementation of their programs based on their unique needs (HUD, 2006).

B. HIV Housing Care Continuum

The HIV Housing Care Continuum represents a grantee's coordinated effort to implement The National HIV/AIDS Strategy. It identifies how HOPWA funded housing is being used as a structural intervention to identify individuals who are HIV+, link HIV+ individuals to care, retain

them in care, increase utilization of antiretroviral therapy, help individuals achieve and maintain viral load suppression, and decrease homelessness among person living with HIV. The following identifies the strategies and measures used to achieve the objectives of the HIV Housing Care Continuum.

1. Reduce HIV Infections

The 2015 National HIV/AIDS Strategy seeks to reduce the number of new diagnoses by at least 25 percent. To help support this goal, HOPWA funded housing providers are asked to place condoms and informational brochures on PrEP and PEP in their lobby or other place easily accessible to staff and clients.

2. HIV Unaware

It is estimated that 14% of individuals living with HIV do not know their status. The 2015 National HIV/AIDS Strategy seeks to increase the percentage of people living with HIV who know their status to 90%. To identify those who are HIV+ but unaware of their status, HOPWA funded agencies are expected to create holistic centered individual housing/service plans that engage their clients regarding partner notification services and offer testing services to individuals who have not identified as HIV+. HOPWA funded crisis providers are encouraged to offer individuals HIV testing as part of their standard intake process.

3. Linked to Care

The 2015 National HIV/AIDS Strategy seeks to increase the percentage of newly diagnosed person linked to HIV medical care within one month of their HIV diagnosis to at least 85%. To ensure individuals are linked to a medical provider, those who report being HIV+ will be provided with a warm referral to an HIV medical provider. To obtain HOPWA funded

services individuals will have to present a valid diagnosis form dated within 12 months from the date of intake.

4. Engaged In care

The 2015 National HIV/AIDS Strategy seeks to increase the percentage of persons with diagnosed HIV infection who are retained in HIV medical care to at least 90%. A key step in helping retain individuals in care is to make sure they are engaged in care. Individuals are considered to be engaged in care if they have had a viral load test dated within the 12 months of their intake.

5. Prescribed Antiretroviral Therapy

The 2015 National HIV/AIDS Strategy seeks to increase the percentage of persons diagnosed with HIV infection who are virally suppressed to at least 80%. A key strategy for achieving this goal is to increase the percentage of individuals who are on antiretroviral therapy. HS/CMs will refer clients to a medical provider for treatment if they are not in care or are not virally suppressed.

6. Reduce Homelessness

The 2015 National HIV/AIDS Strategy seeks to reduce the percentage of persons in HIV medical care who are homeless to no more than 5%. To accomplish this objection, HOPWA funded service providers will aggressively seek to help individuals address their barriers to obtaining/maintain safe, decent, and affordable permanent housing and place homeless clients into housing within 180 days of their intake.

C. Los Angeles City Housing and Community Investment Department (HCIDLA)

The City of Los Angeles Housing and Community Investment Department (HCIDLA) is the Grantee for Los Angeles County. It is responsible for administering HOPWA entitlement funds in Los Angeles County and contracts with local non-profit agencies and public housing authorities to provide direct HOPWA services.

D. Regional Offices (RO)

Regional Offices (RO) are community-based organizations that have signed contracts with HCIDLA to coordinate the provision of HOPWA funded services such as housing specialists services, crisis housing, food, and transportation services directly to clients.

E. Referral Agencies (RA)

Referral Agencies include Regional Offices, Regional Office sub-contractors, and other agencies that have signed agreements with the CCA to submit applications/referrals on behalf of clients for HOPWA funded Short-Term Rent, Mortgage, and Utility (STRMU) assistance, Permanent Housing Placement (PHP), and Tenant-Based Rental Assistance (TBRA) services.

The responsibilities of the Referral Agencies are as follows:

- Collecting all required information for requesting services;
- Ensuring that clients meet all the eligibility criteria.
- Verifying all statements, documents, and information.
- Keeping original eligibility documentation for at least five (5) years from the date of application/referral.
- Working with clients to obtain/maintain safe, decent, and affordable housing that is appropriate for the client's needs.

- Completing and submitting completed applications/referrals to the CCA for processing via Alliance "Online Portal" with all current required documentation for funding.
- Following-up and monitoring client's progress in obtaining/maintaining safe, decent, and affordable housing.
- Working with the CCA to resolve any discrepancies or obtain any missing or additional information required to expedite the processing of applications
- Collecting and reporting data on a client's progress in obtaining/maintaining safe, decent, and affordable housing that is appropriate for the client's needs.

F. Housing Specialists/Case Management (HS/CM)

HS/CM work for Referral Agencies and are the front-line staff providing services directly to clients. They are responsible for:

- Conducting intake, assessment, and follow-up for each HOPWA client/household.
- Developing and implementing Individual Housing Plans (IHP) that will enable the client to obtain/maintain safe, decent, and affordable housing.
- Assessing the appropriateness of the assistance in helping the client achieve their goals.
- Verifying that the client meets all of the eligibility criteria.
- Collecting documentation that will support the "need" for assistance requested in the application/referral.
- Ensuring clients use the assistance as intended by HOPWA; and
- Following-up with clients for a minimum of 12 months (STRMU/PHP) and monitoring their progress throughout the housing continuum (TBRA-12 months), pursuant to HOPWA regulations, HCIDLA contract provisions and HCIDLA policies and procedures.

G. Central Coordinating Agency (CCA)

HCIDLA contracts with Alliance for Housing and Healing (Alliance) to serve as the Central Coordinating Agency (CCA) for HOPWA's Short-Term Rent, Mortgage, and Utility (STRMU) Assistance, Permanent Housing Placement (PHP) Assistance, and Tenant-Based Rental Assistance (TBRA).

As the CCA, Alliance's responsibilities include:

- Coordinating and processing applications/referrals for assistance.
- Developing forms, guidelines and policies for requesting and obtaining assistance.
- Verifying property ownership and issuing checks to owners or their designee.
- Issuing checks in a timely manner to property owners, lenders, and utility companies.
- Training HS/CM on completing applications and ensuring that communication with potential referral agencies is taking place under sub-contract or Memorandum of Understanding (MOU). This will also apply to non-HOPWA funded referral agencies as long as there is an assurance that the client is being case-managed at a minimal level and will complete current CCA HOPWA training.
- Processing complete applications within (5) working days.
 - A complete application is one in which all necessary forms are complete and accurate, all supporting documentation has been submitted, the client's eligibility has been verified pursuant to HOPWA regulations, guidelines, and contract provisions.
- Reviewing applications/referrals for compliance with HCIDLA, local, state, and federal guidelines/regulations.
- Assessing client's previous use of the HOPWA programs and financial assistance provided.

- Assessing client's income level, rent, and utility cost burden to determine if the assistance is appropriate.
- Reporting client use of assistance on a monthly/yearly basis.
- Monitoring client files at Referral Agencies on a periodic basis.
- Conducting outreach in the community.
- Assisting in the coordination and planning of services with Ryan White and other programs.
- Training HS/CM and provide them with feedback on their applications.
- Processing appeals.
- Maintaining a separate database for tracking clients accessing HOPWA assistance.
- Adhering to HOPWA regulations, contract provisions, and HCIDLA's HOPWA policies and procedures.
- Maintaining a separate accounting of checks issued to landlords, property management companies, and utility vendors.
- Issuing 1099 forms as required by the Internal Revenue Service (IRS).

H. Client Satisfaction Survey

The Client Satisfaction Survey was designed by HUD through a collaboration effort between HUD, Grantees, and community based organizations across the United States. The goal of the survey is to give clients a mechanism through which they can provide feedback on HOPWA funded services. HS/CM are expected to notify clients of their ability to provide feedback on the services they receive. The survey can be completed online or clients may request a hard copy at time of intake that they can mail or fax to the CCA.

II. SHORT-TERM RENT, MORTGAGE, AND UTILITY (STRMU) ASSISTANCE & PERMANENT HOUSING

PLACEMENT (PHP) GUIDELINES AND POLICIES

A. Purpose of Short-Term Rent, Mortgage, and Utility (STRMU) Assistance

Short-Term Rent, Mortgage and Utility (STRMU) assistance is one of the services funded by HOPWA. The goal of STRMU assistance is to provide short-term interventions that help maintain stable living environments for households who are experiencing a financial crisis as a result of issues arising from their HIV/AIDS condition. STRMU assistance is a type of prevention that is intended to reduce the risk of homelessness and, along with other HOPWA efforts, to improve access to health care and other needed support (See Appendix F for definitions of homeless and at risk of homelessness). 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 housing and utility expenses due to unexpected situations, and assessed to be able to stabilize their housing once the STRMU assistance ends. **STRMU assistance is not an entitlement. Clients must demonstrate a “need” for assistance and work with HS/CMs to develop a plan to help them achieve self-sufficiency and future independence from the need for ongoing housing support.**

B. Purpose of Permanent Housing Placement (PHP) Assistance

Permanent Housing Placement (PHP) assistance is intended to help individuals obtain permanent safe, decent, and affordable housing that is appropriate for their needs. PHP provides assistance to cover security deposit, first month’s rent, and utility connection costs. **PHP assistance is not an entitlement. HS/CM must assess that clients have no other financial resources available to them to pay their move-in costs and without this**

assistance they would have a financial burden that would not allow them to move into affordable housing.

C. STRMU/PHP Administration Guidelines and Policies

The following are general guidelines and policies regarding the administration of both STRMU and PHP assistance:

- Individuals and households seeking to obtain STRMU/PHP assistance must apply through a HOPWA funded HS/CM or through a provider pre-approved by the CCA and HCIDLA.
- Individuals and households seeking to obtain STRMU/PHP assistance must agree to work with their HOPWA funded Housing Specialist or equivalent to address their barriers to obtaining/maintaining safe, decent, and affordable housing that is appropriate for their needs.
- The total amount of combined STRMU/PHP assistance a single person may receive is \$10,200 in a 12-month program year (July 1 - June 30). The total amount of combined STRMU/PHP assistance a family household may receive is \$12,600 in a funding period.
- All STRMU/PHP grants will be issued as third party checks for **deposit only** and made payable to a property owner, property management company, mortgage company, or utility vendor. Checks are never made payable to the client. Clients who attempt to cash or deposit checks into their accounts will be suspended from accessing HOPWA financial services. Alliance will issue checks directly to the payee. Checks will be sent to Referral Agency to be disbursed by HS/CM to payee.
- The HOPWA program **does not reimburse** expenses paid out of pocket by applicant, family member, friend, etc.
- All checks are issued from the "Housing Assistance" account that is maintained by the CCA. No other form of payment is available such as money orders, cashier checks or certified checks.

- An IRS W-9 form must be provided if any amount of assistance is paid to an individual owner/landlord in a calendar year. This requirement applies to all ownership structures (sole proprietors, partnerships, and limited liability structures), unless the owner(s) elect to be treated as a corporation with the IRS. Tax rules exempt W-9's to vendors that are corporations.
- All security deposit funds should be returned to the CCA. Failure by the client to account for their security deposit and return excess funds to the CCA may result in denial of future grants until funds are accounted for or there is documentation showing due diligence/good faith effort to collect the funds.
- Individuals/households who misrepresent themselves and their financial need will either be suspended or terminated from receiving STRMU/PHP assistance.
- HOPWA permits PHP and STRMU funding for shared-lease housing situations where people share a housing unit specifically for financial/economic purposes. Landlords must approve both households residing in one unit and the HOPWA assisted household's share of assistance will be pro-rated on the number of bedrooms/sleeping areas occupied by the HOPWA Household compared to the FMR (including a utility allowance for client-paid utilities) for the total unit size. Example: Client wants to share a 3-bedroom apartment and is eligible to occupy one bedroom. The client's rent would then be 1/3 of the FMR, including utilities for 3 bedroom house.
- HOPWA follows the Section 8/Housing Choice Voucher Policy and does not allow financial assistance if the client rents a room or separate residence from a family member who is the owner/landlord, parent, child, grandparent, grandchild, sister, or brother of any member of the applicant's family or household. The only exceptions to this are:

1. If the client lives with an adult family member, the entire household is assisted with HOPWA and total household income is taken into consideration to meet HOPWA low income eligibility guidelines 24 CFR 5.609 found at: <https://www.hud.gov/sites/documents/CALCULATINGATTACHMENT.PDF> ; or

2. If the client is renting a room or separate unit from an adult family member and doing so provides an accommodation for the client's particular disability. When considering reasonable accommodation requests HOPWA defers to the Housing Choice Voucher Guidebook 7420.10G (11-3). The Housing Choice Voucher Guidebook allows housing assistance to a unit if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family and 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 provides an accommodation for their particular disability. 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/PHP payment. Such payments are based on the pro-rated shared-lease housing policy above. Documentation requesting reasonable accommodation will be reviewed by the CCA on a case-by-case basis.

- If a child is the eligible HIV+ client, the application should be processed using the parents' or guardians' household income to establish eligibility. A court order and proof of guardianship will be requested if the child is in guardianship. In cases where legal documents are not

available, valid written verification statements may be taken from the child's school and/or medical provider.

- The surviving family member(s) of client may request the 21 weeks of assistance, or the locally established cap, up to six months after the death of the client –if they were part of the client's family unit while under the HOPWA Program at the time of their passing. They may request STRMU or PHP assistance but must still meet the eligibility requirements of the program before receiving assistance. There must be documentation in the client's file that the family members legally resided in the unit prior to the client's death for this assistance to occur. (**A copy of the death certificate must accompany the grant assistance request**).

1. Short-Term Rent, Mortgage, and Utility (STRMU) Assistance Specific Guidelines

The following guidelines and policies are specific to the administration of STRMU assistance:

STRMU assistance is a needs-based program intended to help those who are at risk of becoming homeless because of non-payment of rent, mortgage or the termination of utilities due to unexpected expenses related to their HIV/AIDS and/or loss of income.

Acknowledging the devastating impact HIV/AIDS can have on an individual's cognitive/social abilities, the complex coping mechanisms individuals use to deal with their status, and the inherent difficulty in teasing out the onset of an individual's challenges relative to date of infection, the terms "unexpected", "related to HIV/AIDS", "need", "temporary", and "short-term" are defined as follows:

- **Unexpected:** Expenses incurred by a person living with HIV/AIDS that are not anticipated or foreseen, which are based on unexpected circumstance. Expenses for non-essential personal items are not valid reasons for government assistance to be provided.

- **Related to HIV/AIDS:** Reasons for need are related to complications connected to HIV disease which may result in a loss of income.
- **Need:** Have one or more of the following situations:
 - Experience a loss of income attributed to clients HIV/AIDS status.
 - Have evidence of a financial or medical crisis that will prevent the client from paying the next month's rent AND have a rent and utility costs burden over 40% of gross income (using a three-month average gross income).
 - Lack the disposable assets to pay the housing costs. Disposable assets include cash-on-hand; amounts in checking, savings, and money market accounts; and un-cashed cashier checks, money orders, or personal checks.)
 - Not have access to other public or private resources to pay the housing costs.
 - Expenses for non-essential personal items are not valid reasons for "need" for government assistance to be provided.
- **Temporary:** Lasting for only a limited period of time. Temporary is defined as the time period between the date of initial intake and the establishment of a housing plan and the date the person living with HIV/AIDS stabilizes their living situation in more affordable housing

- **Short-Term:** Short-term for STRMU is defined by HOPWA as the maximum amount of assistance a household may receive. It is capped at 21 weeks in any 52-week period or a locally established combined STRMU/PHP of \$10,200 for a single person household and \$12,600 for a family household. HS/CM must document that clients will be able to afford the housing going forward and/or that clients will continue to work with HS/CM to obtain more affordable housing such as:
 - Housing Choice Voucher (Section 8),
 - HOPWA Tenant Based Rental Assistance (TBRA),
 - Permanent Supportive Housing (PSH),
 - Low Income Housing Tax Credit (LIHTC) unit ,
 - Non-subsidized housing that is more affordable, or
 - Other types of housing.

- **Note: Low Income Housing Tax Credit (LIHTC) units:** The LIHTC program is a housing development subsidy allowing owners to rent to households with a mix of area median incomes (AMI). *LIHTC sets the maximum unit rent amount based on a formula for Area Median Incomes (AMI) for which the UNIT was approved through the State Tax Credit agency, rather than the actual income of the household. Additionally, the formula includes a calculation for the number of occupants estimated per bedroom by the LIHTC program.* The formula is complicated and as a result, some households may be paying more than 30% of their income for rent. In such cases, the HS/CM and the CCA must determine if STRMU assistance will provide a means for housing stability after the STRMU period ends, or if the LIHTC rent will remain unaffordable for the client household to sustain. Therefore, the decision to provide assistance to clients living in LIHTC units will be determined on a case-by-case basis by the CCA.

- STRMU assistance should only be one part of an overall plan to help the client obtain/maintain safe, decent, and affordable housing that is appropriate for their needs. STRMU assistance should never encompass the entire plan (see language in CPD notice).
- Clients must be working with a HS/CM to decrease reliance on HOPWA assistance and obtain/maintain safe, decent, and affordable housing.
 - Clients who need ongoing assistance and refuse to apply, follow-up, and/or accept permanent affordable housing such as Section 8, Project Based Section 8, S+C, SRO, LIHTC, TBRA, PSH, public housing, or similar programs do not qualify for STRMU assistance.
 - It is the responsibility of Referral Agencies and their staff to draft policies and procedures for assisting clients who repeatedly seek to access STRMU assistance with three-day notices and past due balances and aid them in their effort to obtain more stable, affordable housing by increasing income/benefits and decreasing expenditures.
- A client may receive STRMU assistance for up to 21 weeks in any 52-week period, or the locally established cap, whichever comes first. The total amount of combined STRMU/PHP assistance a single person may receive is \$10,200 in a 12-month program year (July 1 - June 30). The total amount of combined STRMU/PHP assistance a family household may receive is \$12,600 in a funding period.
 - The start date for the 21 weeks period is the first date of the past-due debt that the STRMU assistance covers.
 - The client's "anniversary date" is the same as the start date for the 21 week period or cap for debt payment.
 - Generally, the amount of assistance provided will be the difference between client's share of rent and 30% of the client's gross monthly average income over three months. HS/CM

should work with their clients to implement a graduated payment system that increases the client's contribution towards their housing costs over time in order to spread out utilization of the 21 weeks of assistance and assist the client in attaining self-sufficiency. Exceptions to this policy may be made on a case-by-case exception depending on individual circumstances.

- STRMU checks may be used only for the payment of monthly housing expenses which include rent, mortgage, and utility assistance. **NOTE: Mobile Home space rent will be considered when determining monthly housing expenses if the client is responsible for payment. Home Owner Association (HOA) fees will only be considered if they are included in the total monthly rental amount or mortgage payment. Property taxes are not eligible for STRMU assistance unless part of the total monthly mortgage payment.**
- Clients must work with their HS/CMs to develop an Individual Housing Plan (IHP). The plan must fit the acronym S.M.A.R.T (Specific, Measurable, Attainable, Realistic, and Timed). It must outline the steps to be taken that will help the client obtain/maintain safe, decent, and affordable housing that is appropriate for their needs.
 - Clients who fail to follow through with the steps/goals outlined in their IHP plan, and/or request repeated STRMU assistance during the 52-week period, may not be eligible for future STRMU assistance.
 - Clients who fail to decrease their expenses as outlined in their IHP may be disqualified from receiving assistance.
 - Clients who fail to show progress in decreasing their rent and utility costs burden over time and whose IHP does not identify how they will be reasonably able to do so in the near future are not eligible for STRMU/PHP assistance.

- Clients who are assessed to need permanent subsidized housing such as Section 8, Project Based Section 8, S+C, SRO, LIHTC, TBRA, PSH, or public housing-and refuse to apply, follow-up, or accept it when its offered do not qualify for STRMU assistance.
- Clients currently living in subsidized housing (Section 8, Project Based Section 8, S+C, TBRA, PSH, emergency housing, transitional housing, sober living or other congregate living environments, etc.) do not qualify for STRMU assistance. Clients living in LIHTC units where the household pays less than 40% of their gross income for rent and utilities may qualify for STRMU on a case-by-case basis.
- To continue to qualify for STRMU assistance, clients without paystubs or other income documentation must have a mechanism for tracking and reporting their income by the third time they apply. Some acceptable ways to document income include (but are not limited to) copies of cancelled checks/money orders, pay stubs, employer statements, , bank statements, tax returns, receipts, and/or invoices. Self-certification forms will be accepted on a limited basis.

2. Permanent Housing Placement (PHP) Assistance Specific Guidelines

The following guidelines and policies are specific to the administration of PHP assistance:

PHP assistance is intended to help clients obtain permanent, safe, decent, and affordable housing that is appropriate for their needs by covering the first month's rent, security deposit, tenant screening costs (limit 3), and/or utility connection charges if they are unable to pay for the costs. Screening costs and utility connection charges are not counted as part of the 2-months of rental costs. Additional screening cost fees may be considered on a case-by-case approval by the CCA.

Acknowledging the devastating impact HIV/AIDS can have on a person's cognitive/social abilities, the complex coping mechanisms individuals use to deal with their status, and the inherent difficulty in teasing out the impact of HIV/AIDS across all aspects of a person's life, the terms "safe", "decent", "affordable", "no other financial resources" and "appropriate" are defined as follows:

- **Safe:** HUD considers housing as "safe" when it complies with all the elements of HOPWA's HQS Habitability Standards, is free of lead-based paint, poisons, and others hazards as identified in the Central Coordinating Agency Application. The client's providers must provide responses to the habitability question in the Central Coordinating Agency PHP Application or HOPWA HQS Habitability Standard Form.
- **Decent:** Decent means that the unit and the property are in satisfactory condition and adequately meet the needs of the client with respect to size, proximity to community resources, and accessibility.
- **Affordable:** HUD considers housing to be affordable if the tenant's rent payment (rent burden) is at or below 30-40% of the household's gross income. However, PHP assistance will be considered for households that have a rent and utility cost burden of less than 70% of their gross monthly income (based on three month average gross income) if it is determined that they will be able to sustain the unit on their income.
- **No Other Financial Resources:** HOPWA applicants have limited or no other options for private/public resources that can be used to pay the move-in costs. For PHP specifically, this means having less than the combined amount of the

screening costs, security deposit, first month's rent, and utility connection charges in disposable assets. Disposable assets include cash-on-hand; monies in checking, savings, and money market account; and un-deposited/un-cashed cashier checks, money orders, or personal checks.

- **Appropriate:** Housing is considered appropriate if it accommodates the needs of the household. It should be a primary part of an individual housing plan. It should be safe, decent, and affordable housing. It should have all the essential services/features that will help the client address their physical, mental, emotional, and social challenges in order to stabilize their housing. Clients may access PHP assistance if they are moving into housing in which the rent and utility costs burden (share of rent/three month average gross income) will be less than 70%.
- Clients must be moving into permanent housing that meets habitability standards as stated in the HOPWA regulations and has a rent level that is generally within the most recent Fair Market Rate (FMR) standard, as determined and published by HUD. The FMR should be used as a guide for affordability and will not automatically disqualify a client.
- Clients seeking PHP assistance may receive up to two times the contracted monthly rent for security deposit which may include first month's rent. The amount may be less depending on the client's previous utilization of STRMU/PHP assistance.
- Clients may receive help paying for up to three (3) credit checks when searching for housing (in addition to the 2-months of rental costs limit).
- In addition to screening costs, first month's rent, and security deposit assistance, clients may also obtain PHP assistance to pay for a one-time utility switch-on and processing costs,

and past due amounts from previous utilities that would **prevent** clients from establishing utilities.

- The HS/CM must obtain proof that the client is responsible for the utility payment. Proof of responsibility for utility payment must be verified by the HS/CM.
- An individual or household may access a PHP grant only ONCE in a three-year period.
- **Exceptions to this rule are (must be documented):**
 - a. The client is moving into subsidized housing (e.g. Section 8, Project Based Section 8, LIHTC, TBRA, PSH, S+ C , public housing, etc.) from a non-subsidized unit, transitional, or emergency housing;
 - b. The client is 1) homeless or at risk of homelessness, 2) moving into affordable permanent housing, 3) financially able to pay for their housing obligations (rent and utility costs burden < 70%), and 4) is addressing the issues that caused their housing instability. Additional exceptions may be granted on a case-by-case basis depending on the extenuating circumstances.
 - c. The client has a financial hardship resulting from a rent increase, loss of income, or job relocation;
 - d. The client needs a medical accommodation;
 - e. The client or client's family has safety issues; or
 - f. The client has an addition to the family that would result in the client living in overcrowded housing.
- Applicants moving into subsidized housing such as Section 8, Project Based Section 8, LIHTC, S+C, TBRA, PSH, and other permanent subsidized public housing are eligible for PHP assistance.

- Clients may not receive PHP assistance if they show a pattern of abusing the program.

Examples of abusive behavior include but are not limited to:

- Receiving 3 PHP grants in the past 5 years.
- Receiving more than 2 PHP grants with no security deposit being returned to the CCA.
- Authorizing property owners to use security deposit monies for the last month's rent.

III. CLIENT ELIGIBILITY REQUIREMENTS

A. Basic Requirements

The following is the eligibility criteria that clients must meet to obtain STRMU assistance:

1. Must be diagnosed HIV+. Documentation showing HIV+ status must be dated within the past 12 months, signed by a licensed medical provider, and include license number. If the diagnosis does not have updated viral load and CD4 count information, HS/CM should work with clients to get an updated diagnosis form with this information during their 12-month follow-up and monitoring of clients.
2. Must provide photo identification.
3. Must show a need as defined on Pg.16 of HOPWA Guidelines. The following documents can be used as evidence to support need:
 - Documentation showing medical or financial crisis that will prevent the client from paying the next month's rent **AND** have a rent-to-income ratio over 30%;
 - Delinquent or shut-off notice from the utility company; or
 - Three day notice or verbal confirmation from the property owner/manager/mortgage Company
4. Have limited or no access to private/public resources that can be used to pay the client's housing obligations.
5. Expenses must not have been paid by anyone else.
6. Must be living in Los Angeles County and provide proof of current residency.

7. Must provide a written rental agreement listing all the household occupants eligible to reside in the unit or a current mortgage statement in the client's name.
8. Have a gross income that is less than 80% of the area's gross median income as established by the Department of Housing and Urban Development (HUD) (See Appendix C for what is considered income and use the Income Eligibility Calculation Worksheet in Appendix E to calculate yearly income. Visit HUD's website at www.huduser.org for current Area Median Income limits). Gross Income is the amount of earnings before taxes and withholdings have been taken out by the employer. Net Income is the amount of earnings after taxes and withholdings have been taken out by the employer. To calculate the gross monthly income, take the average of the gross income from all sources for the three months prior to applying.
9. Ideally, the rent should be within the Fair Market Rent (FMR) guidelines established by HUD and the unit should meet federal habitability standards. The FMR should be used as a guide for affordability and will not automatically disqualify a client. Inspections are not required for STRMU. Visit HUD's website www.huduser.org for current Fair Market Rents and habitability standards.
10. The client and the HS/CM must prepare an Individual Housing Plan (IHP) indicating what steps will be taken to maintain safe, decent, and affordable housing.
 - Clients that have received STRMU assistance in the past must show progress in achieving the goal(s) in their previous IHP to qualify for another STRMU grant.
 - Clients that are over-housed (e.g. residing in a 2-bedroom apt. when living alone) will need to work with HS/CM to relocate or consider a roommate as part of their IHP.
11. HOPWA defines a family household as two or more related person or persons who are living in the household and are determined to be important to their care or wellbeing, financially, and

emotionally. All family members must be able to provide a copy of their current identification and declaration of relationship to the client.

12. For shared-leased housing: All roommates must be named on the rent or lease agreement. The client's portion of assistance will be pro-rated, based on the number of bedrooms they occupy and the FMR for the total unit size.
13. Individuals or families living in subsidized or supportive housing (e.g. Section 8, Project Based Section 8, TBRA, PSH, S+C, public housing, emergency housing, transitional housing, hospice, sober living, etc.) are NOT eligible for STRMU assistance. Clients living in LIHTC units where the household pays less than 40% of their gross income for rent and utilities may qualify for STRMU on a case-by-case basis.
14. Clients who received PHP assistance for a unit that they no longer live in must provide an accounting of the security deposit paid by HOPWA or show due diligence/good faith effort in collecting any remaining funds before receiving STRMU/PHP assistance in a different unit.
15. Assistance will not be provided for clients living in sublet housing unless the sublet has been approved by the landlord in writing and the client pays the rent directly to the landlord.
16. The CCA must be able to identify the legal owner of the property via LA County assessor's database.
17. The client must not be suspended, terminated, in the appeals process, or under investigation by the CCA or HCIDLA for misrepresentation/fraud.
18. Individual owners, Limited Liability Companies or Partnerships, unless they elect to be treated as a corporation with the IRS are required to provide a W-9 form as required by the IRS.

19. Owners residing with tenants and who have paid off their mortgage must provide Deed of Reconveyance showing they no longer owe monies on the property. Owners wanting to receive direct payment of rent from HOPWA will be required to submit W-9 form. If there is a mortgage on the property, HOPWA can pay allowable funds on behalf of the tenant to the mortgage company and will not require a W-9 form. All application forms and documentation must be complete, signed, and dated by the client. Applications must be processed within 30 business days of the date that the client signs the application or assistance will not be provided.

B. Permanent Housing Placement (PHP) Assistance

The following is the client eligibility criteria that clients must meet in order to obtain PHP assistance:

1. Must be diagnosed HIV+. Documentation showing HIV+ status must be dated within the past 12 months signed by a license medical provider, and include license number. If the diagnosis does not have updated viral load and CD4 count information, HC/CM should work with clients to get an updated diagnosis form with this information during their 12-month follow-up and monitoring of clients.
2. Must provide photo identification.
3. Must be moving into housing within Los Angeles County.
4. Have disposable assets less than the combined amount of the security deposit, first month's rent, and utility connect charges. Disposable assets include cash on hand; amounts in checking, savings, and money market accounts; and uncashed cashier checks, money orders, and personal checks, etc.
5. Limited or no access to private/public resources that could be used to pay the security deposit, first month's rent, screening fees, and/or utility connection charges.

6. Must provide a written rental agreement with proof of current residence within 30 days after receiving PHP assistance.
7. Must have a source of income and the gross income must be less than 80% of Area's Median Income as established by the Department of Housing and Urban Development (HUD)(See Appendix C for what is considered income. Use the Income Eligibility Calculation Worksheet in Appendix E to calculate yearly income. Visit HUD's website at www.huduser.org for current Area Median Income amounts.). Gross Income is the amount of earnings before taxes and withholdings have been taken out by the employer. Net Income is the amount of earnings after taxes and withholdings have been taken out by the employer. To calculate the gross monthly income, take the average of the gross income from all sources for the three months prior to applying.
8. Must demonstrate they will be able to pay the monthly rent for their new housing going forward. The new housing must result in a rent and utility cost burden that is less than 70% of the client's gross income and there must be an Individual Housing Plan (IHP) detailing how they will continue to stably maintain their housing.
9. Ideally, the rent should be within the Fair Market Rent (FMR) guidelines established by HUD and must meet federal habitability standards. Visit HUD's website www.huduser.org for current Fair Market Rents and habitability standards. The FMR should be used as a guide for affordability and will not automatically disqualify a client.

Clients who merely wish to move to a new location do not qualify for PHP assistance. The new unit must either increase the client's or their household's access to community resources (schools, parks, grocery stores, and/or transportation services, etc.), increase their access to

medical/social services, increase their level of safety, result in housing that is more habitable, decrease overcrowding, and/or be more affordable, adequate, and sustainable for the client.

- 10.** Clients cannot be moving into sublet housing unless the sublet was approved by the landlord in writing and the client pays the rent directly to the landlord.
- 11.** All family members must provide a photo identification and declaration of family status with the application.
- 12.** The client must provide a copy of the rental agreement and proof of residency within 30 days of moving into housing.
- 13.** For shared-lease housing: All roommates must be named on the rent/lease agreement. If the roommates are already living in the unit, the client must submit the rent/lease agreement for the unit that includes the names of the roommates and an approval from the landlord for the client to occupy the same unit. The client's portion of assistance will be pro-rated, based on the number of bedrooms they occupy and the FMR for the total unit size.
- 14.** The CCA must be able to identify the legal owner of the property in order to provide financial assistance.
- 15.** The client must not have received PHP assistance within the past 36 months (3 years).

Exceptions to this rule are:

- a. The client is moving into subsidized housing (Section 8, LIHTC, TBRA, PSH, S+C, SRO, public housing, etc.) from non-subsidized, transitional or emergency housing;
- b. The client is 1) homeless or at risk of homelessness, 2) moving into permanent housing, 3) financially able to pay for their housing obligations (rent and utility costs burden is < 70%) and 4) has addressed the issues that caused their housing instability.

- c. The client has a financial hardship resulting from a rent increase, loss of income, or job relocation;
 - d. The client needs a medical accommodation;
 - e. The client or client's family has safety issues; or
 - f. The client has an addition to the family that would result in the client living in overcrowded housing.
- 16.** The client must not be suspended, terminated, under investigation by HOPWA, or in the appeals process for misrepresentation/fraud.
- 17.** Clients who received PHP assistance for a unit in which they no longer reside must provide an accounting of the security deposit or show due diligence/good faith effort in collecting the funds before receiving PHP assistance again. (If they are moving from a unit for which they received PHP assistance they have 30 days from the date they move to provide an accounting of the security deposit). It is the responsibility of the HS/CM to follow-up with the client and make sure these documents are submitted to the CCA.
- 18.** All application forms and documentation must be complete, signed, and dated by the client. Applications must be processed within 30 business days of the date that the client signs the application or assistance will not be provided.
- 19.** All owners must provide a W-9 form if assistance is provided during calendar year as required by the IRS. This applies to all ownership types including:
sole proprietors, Limited Liability Companies, and Partnerships - unless they elect to be treated as a corporation.

C. Forms and Documentation

Unless otherwise noted, original documents must be kept in the client's file at the Referral Agency, made available for inspection by the CCA and/or HCIDLA, and submitted to the CCA when requesting assistance via Alliance "Online Portal".

The following identifies some of the documents that should be kept in the client's file and which should be submitted to the CCA via "Online Portal" to access STRMU assistance:

1. **STRMU Providers Checklist** *(Required, original kept in client's file, copy given to client)*
2. **Client Satisfaction Survey Notice** *(Required, original kept in client's file, copy given to client)*
3. **Notice of Right to Appeal and Procedures for Appealing** *(Required, original kept in client's file, copy given to client)*
4. **Central Coordinating Agency (CCA) Grievance Policy and Procedures** *(Required, original kept in client's file, copy given to client)*
5. **Bill of Rights and Responsibilities** *(Required, original kept in client's file, copy given to client)*
6. **HOPWA Short-Term Assistance Program Notice** *(Required, original kept in client's file, copy given to client)*
7. **Consent to Release Information** *(Required, original kept in client's file, copy given to client)*
8. **Central Coordinating Agency STRMU Application and Narrative** *(Required, original kept in client's file, submitted to CCA)*
9. **FORM A. STRMU Grant Request Form** *(Required, original kept in client's file, "Online Portal" to CCA)*
10. **FORM B. Owner and Property Verification Form** *(Required if applicable, original kept in client's file, "Online Portal" to CCA)*
11. **FORM C. Household Budget** *(Required, original kept in client's file, fax to CCA)*
12. **FORM D. Income Self-Certification/Verification Form** *(Required, original kept in client's file, "Online Portal" to CCA)*
13. **HOPWA Income Eligibility Calculation Worksheet** *(Required, original kept in client's file, "Online Portal" to CCA)*
14. **Zero Income Affidavit** *(Required if applicable, original kept in the client's file, "Online Portal" to CCA)*
15. **Affidavit of Assets Less Than \$5,000** *(Required if applicable, original kept in the client's file, "Online Portal" to CCA)*
16. **Affidavit of No Bank or Savings Account** *(Required if applicable, original kept in the client's file, "Online Portal" to CCA)*
17. **Income Supporting Documentation** *(Required- Supporting documentation includes but is not limited to:*
 - a. **Bills/Receipts:** *(Required)*
 - b. **Documentation of Income:** *(Required if applicable)*
 1. **For Public Benefits (SSI, SSDI, SDI, GR, UI, and Private Benefits):**

- a. An Award Letter indicating the amount of public financial assistance a client is receiving each month dated within the current calendar year; and
 - b. Bank statements or stubs showing their income for the three months prior to applying.
2. **For Employment Income with Paystubs:**
- a. Pay stubs showing the client's gross and net income covering the three months prior to applying for STRMU assistance; or
 - b. Letter from the employer on company stationery dated within the past month indicating the client's gross and net salary for the three months prior to applying; or
 - c. If a new hire, an employment offer letter stating the client's monthly and/or yearly salary. If employed hourly, it should include the client's gross hourly wage and the number of hours he/she is expected to work per week.
3. **Self-Employment Income:**
- a. Profit and Loss Statement for the three months prior to applying; and
 - b. Prior year's tax return; and
 - c. Bank statements for the three months prior to applying; and
 - d. Receipts for expenses (*merchandise/services purchased*) and sales receipts/income log.
4. **Cash Wages: (Cash income from which no federal and state taxes are paid & there are no operating expense/receipts):**
- a. Bank statements, cancelled checks, or copies of money orders or Letter from the employer
 - b. If this is the first time the client is accessing the program, the CCA will accept an income self-certified form from the client indicating their income. Going forward the client will need to implement a method of documenting their income such as bank statements showing deposits, copies of cancelled, checks, or other neutral third party verification means. The client will not be funded a third time unless they have neutral third party verification of their income
5. **Income Self-Certification:** The CCA will accept income self-certification documentation on a limited basis if all efforts to obtain third-party documentation have been exhausted. Going forward, the CCA will expect the HS/CM to work with the client to develop a system to document their income in order to received additional assistance.

18. Other Supporting Documentation (*If applicable-*

documentation for non-income claims in the application such as medical bills and utility bills)

- a. **Utility Statement** (*Required if applicable:* If the applicant is applying for assistance paying a utility bill, the entire utility bill (if available) must be faxed with the application and payment will be made directly to the utility company.

- i. If the utility bill is not in the name of the eligible STRMU client, proof of responsibility for utility costs will be required (copy of cancelled check or money order payment of previous bills).
 - ii. For PHP utility assistance submit *Form F. Utility Verification Form* if they don't have a utility bill.
- b. **Caregiver Documentation** (*Required if applicable*): If a client has a live-in caregiver, documentation from the medical provider must be submitted to verify the relationship and that the client needs to have a 24/7 caregiver. The client would then be eligible for a two-bedroom unit and the rent-to-income would be determined by the client's income only. A live-in aide is defined as person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:
 - 1. Is determined to be essential to the care and well-being of the persons;
 - 2. Is not obligated for the support of the persons; and
 - 3. Would not be living in the unit except to provide the necessary supportive services.
- c. If the caregiver is also the client's partner or family member, the income of the partner and/or family member would be included as part of the household income.

19. Rental Agreement or Mortgage Statement (*Required*): A copy of the rental agreement or mortgage payment must be faxed with the application. If there are rental increases or changes in terms of tenancy, a copy of the changes must be faxed to the CCA at the time of application. Clients requesting PHP assistance have 30-days from the date of their move-in to give their HS/HCM a copy of their lease. At least one of the following must be retained in the applicant's file:

- a. Copy of a valid rental agreement or mortgage statement. To be valid, the lease/rental agreement must have the following elements:
 - i. Be in writing
 - ii. Name the landlord/management company and all the tenants/roommates.
 - iii. Have the address of the unit on the lease/rental agreement.
 - iv. State the amount of monthly rent and the amount of the security deposit.
 - v. State to whom the rent should be payable and where it is to be paid.
 - vi. The term of the lease
 - vii. Be dated and signed by all necessary parties.
- b. If the client owns the residence, or co-owns with a partner or family member who resides in the unit as part of the household, a copy of the mortgage statement or payment coupon must be provided for payment to be made directly to the mortgage company. **IF RESIDENCE CO OWNED BY OTHERS WHO DO NOT LIVE IN THE UNIT AS PART OF THE FAMILY HOUSEHOLD THEY SHOULD BE RELIED ON TO ASSIST THE CLIENT WITH THE MORTGAGE PAYMENT – NOT RELY ON HOPWA. STATEMENTS SHOULD BE SECURED AS TO WHY THEY ARE NOT PAYING THE MORTGAGE.**
- c. Proof of payment of rent or mortgage may be requested by the CCA in the form of copies of cancelled checks or money orders. **No receipts of rent payment will be accepted.**
- d. Deed of Re-conveyance: If the property owner states that the property is paid in full you will need to provide a copy of the Deed of Re-conveyance and/or other document showing the property is paid-off and there is no mortgage payment.

- 20. Photo Identification (Required):** CA driver's license or CA identification, passport, disabled bus pass ID, school identification, INS registration card, etc.
- 21. Diagnosis Form (Required):** An original/copy of a diagnosis form signed by a licensed medical provider including license number dated with the past 12 months. Diagnosis forms faxed from a medical provider with electronic signature is acceptable, but must be from a medical clinic. The original/copy should be kept in the client's file at the referring agency.
- 22. Proof of Residence (Required):** All adults in household contributing to the rent must provide at least one of the following documents, which must be kept in the applicant's file:
 - e. Utility bill with address of residence in applicant's name or roommate (if applicable).
 - f. Bank statement with address of residence in applicant's name or roommate (if applicable).
 - g. Any government document with address of residence in applicant's name.
 - h. If the service provider has made a home visit, a note of this visit in the client's file may be used.
- 23. Family Status (Required if applicable):** If the household is applying as a family they must provide supporting documentation showing the relationship between the members.
 - a. Any document with the property address and the names of the client and household members listed. Examples include credit card statements with the both names and the address. Lease with all members listed.
- 20. W-9 (Required if applicable):** This form is required for all grant requests. All owners must provide a W-9 form if assistance is provided during the calendar year as required by the IRS. This applies to all ownership types including sole proprietors, Limited Liability Companies, and Partnerships - unless they elect to be treated as a corporation.
- 24. Proof of Return of Security Deposit (Required if applicable):** If the client has moved from a unit where PHP assistance was previously provided, documentation must be provided.

The following identifies some of the documents that should be kept in the client's file and which

should be submitted to the CCA via "Online Portal" to access PHP assistance:

- 1. PHP Provider Checklist (Required, original kept in client's file, copy given to client)**
- 2. Client Satisfaction Survey Notice (Required, original kept in client's file, copy given to client)**
- 3. Notice of Right to Appeal and Procedures for Appealing (Required, original kept in client's file, copy given to client)**
- 4. Central Coordinating Agency (CCA) Grievance Policy and Procedures (Required, original kept in client's file, copy given to client)**
- 5. Bill of Rights and Responsibilities (Required, original kept in client's file, copy given to client)**
- 6. HOPWA Short-Term Assistance Program Notice (Required, original kept in client's file, copy given to client)**
- 7. Consent to Release Information (Required, original kept in client's file, fax to CCA, copy given to client)**
- 8. Central Coordinating Agency PHP Application and Narrative (Required, original kept in client's file, "Online Portal" to CCA)**
- 9. Narrative (Required, original kept in client's file, "Online Portal" to CCA)**
- 10 FORM A. PHP Grant Request Form (Required, original kept in client's file, "Online Portal" to CCA)**
- 11. FORM B. Permanent Housing Placement Verification & Security Deposit Agreement Form (Required, original kept in client's file, "Online Portal" to CCA)**

11. **Housing Authority Worksheet or FORM C. Project Based Low Income Housing Form**
12. **FORM D. Utility Verification Form** (*Required, if applicable, "Online Portal" to CCA*)
13. **FORM E. Household Budget** (*Required, original kept in client's file, "Online Portal" to CCA*)
14. **FORM F. Income Self-Certification/Verification Form** (*Required, if applicable, keep original kept in client's file, "Online Portal" to CCA*)
15. **HOPWA Income Eligibility Calculation Worksheet** (*Required, original kept in client's file, "Online Portal" to CCA*)
16. **Zero Income Affidavit** (*Required if applicable, original kept in client's file, "Online Portal" to CCA*)
17. **Affidavit of Assets Less Than \$5,000** (*Required if applicable, original kept in client's file, "Online Portal" to CCA*)
18. **Affidavit of No Bank or Savings Account** (*Required if applicable, original kept in client's file, "Online Portal" to CCA*)
19. **Income Supporting Documentation** (*Required, originals kept in client's file, "Online Portal" to CCA*)

Supporting documentation includes but is not limited to:

- a. **Bills/Receipts:** (*Required*)
- b. **Documentation of Income:** (*Required is applicable*)
 1. **For Public Benefits (SSI, SSDI, SDI, GR, UI, and Private Benefits):**
 - a. An Award Letter indicating the amount of public financial assistance a client is receiving each month dated within the current calendar year; and
 - b. Bank statements or stubs showing their income for the three months prior to applying.
 2. **For Employment Income with Paystubs:**
 - a. Pay stubs showing the client's gross and net income covering the three months prior to applying for STRMU assistance; or
 - b. Letter from the employer on company stationery dated within the past month indicating the client's gross and net salary for the three months prior to applying; or
 - c. If a new hire, an employment offer letter stating the client's monthly and/or yearly salary. If employed hourly, it should include the client's gross hourly wage and the number of hours he/she is expected to work per week.
 3. **Self-Employment Income:**
 - a. Profit and Loss Statement for the three months prior to applying; and
 - b. Prior year's tax return; and
 - c. Bank statements for the three months prior to applying; and
 - d. Receipts for expenses (*merchandise/services purchased*) and sales receipts/income log.
 4. **Cash Wages: (Cash income from which no federal and state taxes are paid & there are no operating expense/receipts):**
 - a. Bank statements, cancelled checks, or copies of money orders or
 - b. Letter from the employer

c. If this is the first time the client is accessing the program, the CCA will allow an income self-certified statement from the client indicating their income. Going forward the client will need to implement a method of documenting their income such as bank statements showing deposits, copies of cancelled, checks, or other neutral third party verification means. The client will not be funded a third time unless they have neutral third party verification of their income.

5. **Income Self-Certification:** The CCA will accept income self-certification documentation on a limited basis if all efforts to obtain third-party documentation have been exhausted. Going forward, the CCA will expect the HS/CM to work with the client to develop a system to document their income in order to received additional assistance.

20. Other Supporting Documentation *(If applicable-*

documentation for non-income claims in the application such as medical bills and utility bills)

a. **Utility Statement** *(Required if applicable:* If the applicant is applying for assistance paying a utility bill, the entire utility bill (if available) must be faxed with the application and payment will be made directly to the utility company.

i. Use *Form D. Utility Verification Form* if they don't have a utility bill.

b. **Caregiver Documentation** *(Required if applicable):* If a client has a live-in caregiver, documentation from the medical provider must be submitted to verify the relationship and that the client needs to have a 24/7 caregiver. The client would then be eligible for a two-bedroom unit and the rent-to-income would be determined by the client's income only. A live-in aide is defined as person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

1. Is determined to be essential to the care and well-being of the persons;
2. Is not obligated for the support of the persons; and
3. Would not be living in the unit except to provide the necessary supportive services.

c. If the caregiver is also the client's partner or family member, the income of the partner and/or family member would be included as part of the household income.

21. Worksheet from Housing Authority *(If applicable and available).* The worksheet from the Housing Authority identifying the landlord, tenant portion of rent, security deposit, and total contacted rent should be faxed to the CCA if it is available.

22. Rental Agreement or Mortgage Statement *(Required):* A copy of the rental agreement or mortgage payment must be faxed with the application. If there are rental increases or changes in terms of tenancy, a copy of the changes must be faxed to the CCA at the time of application. Clients requesting PHP assistance have 30-days from the date of their move-in to give their HS/CM a copy of their lease. At least one of the following must be retained in the applicant's file:

- i. Copy of a valid rental agreement or mortgage statement. To be valid, the lease/rental agreement must have the following elements:
 - Be in writing
 - Name the landlord/management company and all the tenants/roommates.
 - Have the address of the unit on the lease/rental agreement.
 - State the amount of monthly rent and the amount of the security deposit.

- State to whom the rent should be payable and where it is to be paid.
 - The term of the lease
 - Be dated and signed by all necessary parties.
- j. If the client owns the residence, they must submit their mortgage statement or payment coupon. Payment will be made directly to the mortgage company. If the client co-owns the property with family members who live on the unit, they must apply as a family and submit the mortgage statement or payment coupon. Payment will be made to the mortgage company.
- k. Proof of payment of rent or mortgage may be requested by the CCA in the form of copies of cancelled checks or money orders. **No receipts of rent payment will be accepted.**
- l. Deed of Re-conveyance: If the property owner states that the property is paid in full you will need to provide a copy of the Deed of Re-conveyance and/or other document showing the property is paid-off and there is no mortgage payment.
- 23. Photo Identification (Required):** CA driver's license or CA identification, passport, disabled bus pass ID, school identification, INS registration card, etc.
- 24. Diagnosis Form (Required):** An original/copy of a diagnosis form signed by a licensed medical provider including license number dated with the past 12 months. Diagnosis forms faxed from a medical provider with electronic signature is acceptable, but must be from a medical clinic. The original/copy should be kept in the client's file at the referring agency.
- 25. Proof of Residence (Required):** All adults in household contributing to the rent must provide at least one of the following documents, which must be kept in the applicant's file:
- m. Utility bill with address of residence in applicant's name or roommate (if applicable).
 - n. Bank statement with address of residence in applicant's name or roommate (if applicable).
 - o. Any government document with address of residence in applicant's name.
 - p. If the service provider has made a home visit, a note of this visit in the client's file may be used.
- 26. Family Status (Required if applicable):** If the household is applying as a family they must provide supporting documentation showing the relationship between the members.
- a. Any document with the property address and the names of the client and household members listed. Examples include credit card statements with the both names and the address. Lease with all members listed.
- 27. W-9 (Required if applicable):** This form is required for all grant requests. All owners must provide a W-9 form as required by the IRS.
This applies to all ownership types including sole proprietors, Limited Liability Companies, and Partnerships - unless they elect to be treated as a corporation.
- 28. Proof of Return of Security Deposit (Required if applicable):** If the client has moved from a unit where PHP assistance was previously provided, documentation must be provided.

IV. SUBMISSION & PROCESSING PROCEDURES

A. Program Hours

- The CCA accepts calls from referral agencies for general program questions, Monday-Friday between 9:00 AM-5:00 PM
- The CCA accepts applications 24 hours a day via "Online Portal". Applications received after 2:00 PM are deemed to be received the following business day.
- **CCA Observes the following holidays and is closed:** New Year's Day, Martin Luther King's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Day and day after Thanksgiving, Christmas Day, and company designated holidays (days off).

* NOTE– HOPWA Reg. 24 CFR §574.40 addresses requirements for confidentiality. HOPWA project sponsors are required to ensure the confidentiality of any individuals assisted with HOPWA assistance. Therefore, the utmost care must be taken when faxing information to the CCA confidential fax line or sharing information with other service providers. For more HOPWA information about confidentiality go to: <https://www.hudexchange.info/resources/hopwadocuments-confidentiality-user-guide.pdf>

B. Submission & Processing

The following is the process of submitting and processing applications:

1. Client meets with HS/CM for the first time;
2. The HS/CM conducts an intake and assessment of the client's needs;
3. The HS/CM assesses the appropriateness for STRMU/PHP assistance;
4. The HS/CM and the client develop an Individual Housing Plan (IHP) to address the client's needs;
5. The HS/CM provides the client with the Client Satisfaction Survey Notice.

6. The HS/CM gathers all necessary information to support the claims in the application and verifies it before submitting the application;
7. The HS/CM faxes the following **completed** documents to the CCA (Must be dated within 30 days of being signed by client) at initial application during the contract year.
 - a. HS/CMs using a shared database with the CCA such as HMIS or Salesforce may submit an application by completing a referral to the program assuming all the information has been uploaded and is available to the CCA.
8. The CCA will confirm receipt of the application within 24 business hours of receipt of application. If the HS/CM does not receive a confirmation they should call the CCA to confirm receipt.
9. Once the application is received the CCA will review all the documents and verify the ownership of the property.
10. The CCA will process the application and submit for funding.
11. The CCA will make arrangements with referral agencies to mail or have HS/CM pickup check at CCA office.
12. **Incomplete applications will be denied.** Incomplete applications are those that are missing forms, CCA specific documents, three months of income or whose diagnosis, proof of income, rental agreement or identification appear to have been altered or fraudulent. The CCA will fax an Update Sheet to the HS/CM informing them of the reasons for the denial.
13. CCA monitors will NOT process applications with missing documents (e.g. client's HIV status, income, identification, or altered/fraudulent documents). CCA monitors will identify the errors and fax the housing specialist an Update Sheet identifying the errors. It will be up to

the housing specialists to correct them. CCA staff will work with Regional Lead Agencies to address challenges in having agencies submit complete and accurate applications.

14. Applications that are denied may be resubmitted with the Update Sheet, once ALL issues have been addressed. When the application is resubmitted it is considered a new application and new processing times apply. Applications and supporting documentation need to be updated and re-signed by the client and the HS/CM if they are more than 30 days old or if the client's circumstances changes so that the information on the application is no longer valid such as if the income has changed.
15. The CCA will issue checks directly to vendors, including the landlord, utility company, mortgage companies, etc. Once checks are issued the CCA will mail them to the agency along with a log of all the checks issued and Form C for any PHP checks,
16. The HS/CM is expected to review the checks and the log to make sure they received all the checks and that the information on the checks is correct. They need to sign and date the log and fax it back to the CCA to confirm that they have received them and confirmed the information. HS/CM should give the client the checks, Form B and have the client sign that they have received the checks. Clients are expected to give the property owner/manager Form B and the checks.
17. Checks will be made payable only to vendors (property owners, mortgage holders, utility companies, etc.). Checks are stamped "Deposit to Payee Bank Account Only". Cashing checks at check cashing establishments, or endorsing them as payable to a third party is prohibited and may be viewed as improper usage of Federal Funds. **Improper usage of HOPWA funds is a Federal Offence and may be subject to an investigation by the CCA and/or HCIDLA for**

questionable activity. Individuals found guilty of questionable activities may be barred from HOPWA funds and/or may be prosecuted if HCIDLA chooses to proceed with legal action.

18. The CCA will not accept direct contact from any applicant. The CCA office will assist referral agencies and HS/HCMs in resolving difficult situations, however, only the HS/CM from the Referral Agency should contact the CCA staff to determine the best way to resolve a situation.

C. Returned or Cancelled Check Policy

1. The CCA will mail checks to the appropriate Referral Agency as the checks are issued. It is the responsibility of the Referral Agency to confirm that the owner/property management has received the checks from the client. If seven working days (starting on the day the checks were mailed) have elapsed and the check (s) has not been received, the HS/CM must fax the Check Void/Stop Payment Form to the CCA and follow-up with a phone call to request the check (s) be voided and a new check(s) be issued and mailed to the Referral Agency.
2. If a grant must be canceled or voided for any reason the HS/CM must complete a Check Void/Stop Payment Form immediately and fax it to the CCA. Once the CCA receives the Check Void/Stop Payment Form and the original check (if available) it will void/stop payment as requested on the form.
3. If a checks needs to be reissued, the HS/CM is responsible to submitting the Check Void/Stop Payment Form and the original check(s). The CCA will not process a new check until it has received both. It is the responsibility of the HS/CM to get the check and the Check Void/Stop Payment Form to the CCA as soon as possible.
4. Once CCA receives the Check Void/Stop Payment Form and the original check it will proceed to issue the new check as requested on the form. A new check will not be issued if the applicant has moved to a location other than the one indicated on the original application, or if the payee

is anyone other than the legal owner or their designee as listed in the original application. If the location or the payee has changed from the original application, the HS/CM must complete and fax a new application.

5. Once checks have been issued on the amount reflected on Form A, the CCA will not reissue checks for a greater amount than was indicated in the application. Form A would need to be revised and the needs of the client reassessed.

V. MONITORING BY THE CCA

- A representative of the CCA will conduct on-site monitoring of client files on a periodic basis for each referral agency. Monitoring is performed as part of the contract agreement with HCIDLA and each referral agency. The CCA will monitor a random selection of 10% of the client files/applications submitted by each referral agency to make sure that the original files are in compliance with the current HUD regulations and HCIDLA current guidelines.
- Files will be reviewed to:
 - Ensure required all original documentation is in the file;
 - Ensure client's appropriateness for STRMU/PHP assistance;
 - Verify that the need for assistance is adequately demonstrated;
 - Clients are receiving appropriate follow-up;
 - Clients are showing progress in achieving their goals on the IHP and there is proper documentation;
 - Outcomes are being documented and tracked.
- Referral agencies must keep client records for a minimum of five years.

VI. DENIALS

1. If an application is denied, the HS/CM and client may submit another application that addresses the reason(s) for the denial of the previous application along with any supporting documentation for consideration.
2. If they are unable to remedy the reasons decision, they may request to have the CCA Program Manager review the application and make a determination.
3. Clients may appeal the Program Manager's decision by submitting a Request for Review of Decision (RRD) and following Alliance's Appeal Process.
 - Alliance's Appeals Process consists of a review of the application/referral by three staff members who have not previously reviewed the application within a week of Program Manager receiving the Request for Review of Decision (RRD) of their decision.

VII. SUSPENSION OR TERMINATION POLICY

1. The CCA reserves the right to deny access to this program to any applicant under investigation for, suspected of, or who has committed questionable activities or is non-compliant with program guidelines. Questionable activities include, but are not limited to, falsification of required documentation, discrepancies in reporting information, cashing checks made out to a third party, fraudulent use of funds, attempting to access STRMU/PHP through multiple applications at different Referral Agencies, and failure to disclose a material fact.
2. HS/CMs must immediately report all HOPWA applicant activities that appear questionable to the CCA in writing accompanied by any supporting documentation or evidence the HS/CM has acquired.

3. The CCA will deny any application with questionable activity, suspend the client, inform the HS/CM, and launch an investigation. The HS/CM & client are expected to work with the CCA to resolve the issues and close the investigation.
4. No checks can be issued during the investigation of questionable activities until a determination of eligibility is made by the CCA.
5. It is the responsibility of the referral agency to notify the client that their file is under investigation, the reason for the investigation, and to work with the client and the CCA to resolve the issues and close the investigation.
6. The CCA will make a determination of whether the alleged questionable activity warrants suspension or termination from the program. In determining whether suspension or termination is warranted, the CCA shall consider the severity of the activity, any pattern or history of similar activity, and/or any indications that the applicant has intentionally attempted to deceive or defraud the program. In the case of inaccuracies or discrepancies in the information provided by the applicant, the CCA may also consider whether the applicant would otherwise be eligible but for the questionable activity. Clients who are suspended may reapply after a year from the date of their application. Clients who are terminated may appeal the termination via the grievance policy provided at the time of intake directly to HCIDLA. HCIDLA will provide the final termination in collaboration with the CCA.
 - a. Activities that may warrant **suspension** include but are not limited to attempting to access the program under false pretense, withholding information, and/or the misrepresenting a material fact.
 - b. Activities that may warrant **termination** include but are not limited to blatant attempts to defraud the program, lying, falsifying forms, altering forms, fraudulent activity,

cashing checks, altering checks, keeping security deposits, and the misrepresentation of a material fact.

7. If the CCA determines that a suspension or termination is warranted, an Update Sheet will be faxed to the HS/CM with the decision. The Referral Agency must provide the applicant a copy of Update Sheet in person, if provided in person HS/CM must have client sign and date showing proof or receipt, or send it certified return receipt mail within ten working days of the determination.
8. If the client is suspended or terminated the HS/CM must inform the applicant of their right to appeal the suspension or termination and give them a dated "Request for Review of Decision" (RRD) with instructions on how to submit it.

A. Appeal of Suspension or Termination

1. A client may appeal a suspension or termination by submitting the "Request for Review of Decision" (RRD) to the CCA within 10 working days of receiving the Update Sheet from the Referral Agency. Late appeals will not be considered. The Referral Agency will be required to provide a copy of the client's file/application to the CCA as part of the appeal process.
2. The RRD will be reviewed by CCA staff and the Program Manager to see if the suspension or termination was justified. The Program Manager may request to interview the client and the Referral Agency staff as part of their review. If there is an indication of criminal behavior the CCA may refer the case to the proper authorities for criminal investigation. The Program Manager will render a decision within two business days of receiving the RRD. If an interview needs to be conducted, the Program Manager will issue a decision within two business days after the interview. The Program Manager will notify the parties involved via an Update Sheet. It is the responsibility of the HS/CM to notify the client of the decision.

3. A client may appeal the CCA's decision to the Grantee (HCIDLA) via the Grievance Policy and Procedure provided to the client at time of intake into the HOPWA Program directly to HCIDLA. HCIDLA will provide the final termination in collaboration with the CCA.

VIII. RETURNING FEDERAL FUNDS

1. In the case of an eviction or residential relocation of a PHP-recipient(s), federal funds used for the deposit must be returned to the CCA, NEVER to a client. If a landlord gives the security deposit to the client, it is the client's responsibility to make sure he/she returns it to the HOPWA Program via the Referral Agency that assisted them in securing the HOPWA PHP grant. Clients may not be able to access STRMU/PHP assistance again until they submit an accounting of the deposit to the Referral Agency, and supporting documentation. The Referral Agency must then submit this to the CAA.
2. The Referral Agency is responsible for instructing clients on what documentation is necessary to evidence a refund of all or part of the PHP security deposit. Such documentation may include an itemized invoice from the landlord showing how the security deposit was used. Clients that show a pattern of abuse of federal funds may not be eligible for additional assistance from the HOPWA Program. An example of a pattern of abuse is having received 3 PHP grants in a five year period without valid reason, having received 3 PHP grants in any period with no security deposit being returned to the CCA and/or documentation, or having used a security deposit to pay for last month's rent.
3. If the client does not return the security deposit, the Referral Agency should attempt to contact the property owner or management company in an effort to retrieve the deposit or obtain an accounting of how it was used. The Referral Agency may state that they are under contract with the Los Angeles Housing and Community Investment Department (HCIDLA) and are required to

reclaim these federal funds. The Referral Agency should not disclose any information regarding the client's diagnosis, association with any AIDS service organization or HIV/AIDS service program. If the deposit is not returned, then the Referral Agency must document their efforts and notify the CCA in writing. Returned funds are to be submitted to the CCA, payable to "Housing Assistance" and mailed to the following address:

**Housing Assistance
P.O. Box #109-171
1049 Havenhurst Drive
West Hollywood, CA 90046**

IX. APPENDIX –A – HOW TO CALCULATE AND TRACK 21 WEEKS OF SERVICE

Examples:

- The client may receive STRMU assistance for a maximum of 21 “weeks of service”. For the purpose of this program, each month will be rounded off to four weeks of service.
- Monthly utility service periods generally do not coincide with rent or mortgage periods. Below are examples of how to calculate the weeks of service when both a housing bill and utility bill are paid under STRMU, but the dates of service do not coincide:
 - A rental period of May 1-31 and a utility service period of May 7– June 6 would be considered 4 weeks of service because 25 days of utility service coincide with the rental period.
 - If the rental and utility service periods coincide for less than 14 days, the time that the utility period did not coincide with the rental period would be calculated as additional weeks of service.
 - Rent period is May 1 – 31. Equivalent to 4 weeks of service
 - Utility service period is May 20 – June 19. Only 12 days of the rent and utility period coincide. The 19 days in June of utility service is equivalent to 3 additional weeks of service (rounded up).
 - Total weeks of service: 7

Monthly Period Paid By STRMU	Amount of STRMU Rent Payment & Time Attributed	Amount of STRMU Utility Payment Time Attributed	Total # of Rounded Weeks Used
May	\$800.00 = 4 weeks	\$67.00 = 4 weeks	4 weeks
June	\$800.00 = 4 weeks		4 weeks
July			
August		\$67.00 = 4 weeks	4 weeks
September		\$33.50 = 2 weeks	2 weeks
October	\$400.00 = 2 weeks		2 weeks
November			
December	\$600.00 = 3 weeks	\$67.00 = 4 weeks	4 weeks
January	\$200.00 = 1 week		1 week
February			
Total	\$2800.00 +	\$234.50 = \$ 3034.50	21 weeks

X. APPENDIX B-ELIGIBLE HOPWA ACTIVITIES & TYPE OF BENEFITS

This chart is intended to help clarify how HOPWA eligible housing activities can be used to help households achieve more stable housing arrangements. Rows 1-7 are eligible housing activities under HOPWA-funded programs. Short-term Rent, Mortgage and Utility Payments to prevent homelessness of eligible persons is listed in column A, and other related HOPWA eligible activities in columns B-E, as found at 24 CFR 574.300(b).

Eligible HOPWA Activity (right) and Type of Benefit	A. Short-term Rent, Mortgage and Utility Payments (STRMU)	B. Tenant-based Rental Assistance (TBRA)	C. Housing Information Services	D. Permanent Housing (PH) Placement as a Supportive Service	E. Housing Case Management as a Supportive Service
1. Rent payments (for Eligible households With a lease)	Yes, if within 21 week limit	Yes, if done with Inspections for Housing Quality Standards and with Resident rent payments	No	No	No
2. Mortgage payments (but not down-payment for support for new units)	Yes, if within 21 week Limit (for costs within the mortgage Agreement)	No	No, but can be related support through information on homeownership program	No	No
3. First months rent and security deposits; credit checks	No	No	No	Yes, for reasonable costs to move persons to permanent housing, not to exceed 2 months of rent costs, including security deposits and fees for credit checks	No
4. Utility payments (gas, electric, water and sewer etc.)	Yes, if within 21 week limit	Yes, if part of the Rental assistance fees	No	Yes, but only for one-time utility hookup and processing costs	No
5. Information and/or support to locate and apply for housing assistance	No	No	Yes, for cost of providing information and materials that inform clients of available housing	Yes, as support and help to complete PH applications, and eligibility screenings for tenancy or utilities for these units	Yes, such as counseling and help to develop a housing service plan to establish stable permanent housing
6. Move-in support, such as supplies, furnishings, incidental costs, and minor repairs of housing units	No	No	No	No, however programs may coordinate with leveraged resources and donations for these purposes	No
7. Other elements*	No	No	No	Life skills and housing counseling on unit cleaning, maintenance and household budgeting	Help to access other benefits, such as health-care and other supportive service

NOTES: STRMU projects should consider how to access other housing, including permanent housing programs, to access ongoing needs and to establish a housing and service plan for the assisted household. *STRMU costs are housing costs and do NOT include personal items such as grooming, clothing, furnishings, supplies, care for pets, financial assistance, consumer credit payments, entertainment activities, vehicle maintenance and repairs, and other non-housing-related costs. See additional HOPWA standards at 24 CFR Part 574. (edit of 5/3/06)*

XI. APPENDIX C-WHAT INCOME TO INCLUDE & WHAT TO EXCLUDE

ANNUAL INCOME-WHAT TO INCLUDE AND WHAT TO EXCLUDE		
	INCLUDE	EXCLUDE
1. WAGES AND SALARIES		
The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services.	X	
Seasonal income is counted just like other wages and salaries earned by family members older than 18 years of age. Examples of seasonal income include holiday employment, summer employment and seasonal farm work.		
Income from employment of children (including foster children) under the age of 18 years.		X
Income of a live-in aide (Live-in aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) Is determined to be essential to the care and well-being of the persons; (2) Is not obligated for the support of the persons; and (3) Would not be living in the unit except to provide the necessary supportive services).		X
Earnings in excess of \$480 for each full time student 18 years old or older (excluding the head of household and spouse)		X
Earnings up to \$480 for each full time student 18 year or older (excluding the head of household and spouse).	X	
EARNED INCOME TAX CREDIT (ETIC) REFUND PAYMENTS		
Earned Income Tax Credit refund payments received from the Internal Revenue Service on or after January 1, 1991. Payments may be received in a resident’s regular pay or as a single sum payment.		X
The amount of income excluded in the residents’ pay that is attributed to an earned income tax credit will be listed separately on their pay stubs. It will be the same amount in each check.		
TEMPORARY NON-RECURRING INCOME, INCLUDING GIFTS		
Temporary, non-recurring or sporadic income (including gifts).		X
For example, income that is not expected to be regularly available in the future such as that earned by census workers who helped take the 2000 census.		
STIPENDS, INCOME FROM TRAINING PROGRAMS; AMERICORP LIVING ALLOWANCE: VISTA		
Amounts received under training programs funded by HUD.		X
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 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. No resident may receive more than one such stipend during the same period of time.		X
Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552 (b)).		X
Payments received from programs funded under Title V of the Older Americans Act of 1965 (U.S.C. 3056 (f)).		X
	INCLUDE	EXCLUDE
Payments received as AmeriCorps Living Allowances (29 U.S.C. Sec. 1552).		X
Compensation from state or local employment training programs and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training		X

programs with clearly defined goals and objectives, and are excluded only for a limited period as determined in advance.		
Employment-related activities are considered to be training rather than employment if the work activity is of a time-limited nature and there is a curriculum of activities with discrete goals related to a participant's skill development and employability. Examples of such activities may include on-the-job training for maintenance work, data entry, or food preparation.		
2. PERIODIC PAYMENTS-SOCIAL SECURITY, ANNUITIES, INSURANCE, SETTLEMENTS, ETC.		
The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including lump sum payments for delayed start of a periodic payment (but see below regarding lump sum worker's compensation payments) - ANNUALIZE THIS AMOUNT TO CALCULATE RENT GOING FORWARD.	X	
Deferred periodic payments of SSI income and social security benefits		X
AMOUNTS RECEIVED FOR MEDICAL EXPENSES		
Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.		X
EDUCATIONAL ASSISTANCE TO STUDENTS		
The full amount of student assistance paid directly to the student or to the educational institution.		X
Scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs that are made available to cover the costs of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of a student at an educational institution (20 U.S.C. 1087uu).		X
LUMP SUM PAYMENTS SUCH AS INHERITANCE, INSURANCE PAYMENTS, CAPITAL GAINS, SETTLEMENTS		
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.		X
Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Public Law 94-540, 90 Statute 2503-2504).		X
The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 U.S.C. 1407-1408) or from funds held in trust for an Indian tribe by the Secretary of Interior (25 U.S.C. 117).		X
Per capita shares received in excess of the first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims (25 U.S.C. 1407-1408) or from funds held in trust for an Indian tribe by the Secretary of Interior (25 U.S.C. 117)	X	
	INCLUDE	EXCLUDE
Payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.).		X
Payments received under Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-420, 94, Statute 1785).		X
Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626).		X
Reparation payments paid by a foreign government pursuant to claims filed under the laws of the government by persons who were persecuted during the Nazi era.		X

3. PAYMENTS IN LIEU OF EARNINGS		
Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see above regarding lump sum worker's compensation payments).	X	
4. PUBLIC ASSISTANCE, WELFARE, INCLUDING SSI		
Welfare assistance. Welfares or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments (e.g. Temporary Aid to Needy Families, Supplemental Security Income (SSI) and general assistance available through state welfare programs).	X	
Amounts received by a disabled person that are disregarded for a limited time for purposes of SSI income eligibility and benefits because they are set aside for use under Plan for Achieving Self-Support (PASS).		X
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.		X
The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (7 U.S.C. 2017 (b)).		X
Payments received under WIC-Supplemental Food Program for Women, Infants, and children.		X
Payments received under the National School Lunch Program (42 U.S.C. 175-176).		X
Payments received under the Child Nutrition Act (42 U.S.C. 1771-1778).		X
Payments received under the Child Care Block Grant Act of 1990.		X
5. PERIODIC ALLOWANCES SUCH AS ALIMONY AND CHILD CARE REGULAR CONTRIBUTIONS OR GIFTS		
Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in that dwelling.	X	

	INCLUDE	EXCLUDE
PAYMENTS FOR CARE OF A FOSTER OR DEVELOPMENTALLY DISABLED CHILD OR ADULT		
Payments received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the tenant family, who are unable to live alone).		X
Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.		X
ADOPTION ASSISTANCE PAYMENTS		
Adoption assistance payments in excess of \$480 per adopted child.		X
Adoption assistance payments up to \$480 per adopted child.	X	
ENERGY ASSISTANCE PAYMENTS		
Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program.		X
6. INCOME FROM A BUSINESS		
Net income from operation of a business or profession.	X	
7. INTEREST, DIVIDENDS OR OTHER NET INCOME FROM REAL OR PERSONAL PROPERTY		
Interest, dividends, and other net income of any kind from real and personal property.	X	
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.		X
Income derived from certain sub-marginal land of the United States that is held in trust for certain Indian tribes (25 U.S.C. 459e).		X
8. ARMED FORCES PAY		
All regular pay, special pay and allowances of a member of the Armed Forces, except special hostile fire pay.	X	
Special Hostile Fire category pay to a member of the Armed Forces.		X

XII. APPENDIX D-INCOME EXCLUSIONS

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS For complete regulations, refer to 24CFR5.609(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 24CFR5.609(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.
17. EARNED INCOME DISREGARD/SELF-SUFFICIENCY INCENTIVES FOR PERSONS WITH DISABILITIES. In addition to deductions mandated in 24 CFR 5.611(a), HUD requires disregard for income to previously unemployed persons with disabilities who have earned income as described in 24 CFR 5.617(a) (b) (c) (d).

XIII. APPENDIX E- INCOME ELIGIBILITY CALCULATION WORKSHEET

INCOME ELIGIBILITY CALCULATION WORKSHEET
HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

This worksheet will determine income eligibility for the HOPWA program.
Note income exclusions on see pages 2 and 3.

HOPWA Regulation 24CFR574.3 Definitions states that a person is eligible for HOPWA housing and services if they are
"low income" as defined in the AIDS Housing Opportunity Act Section 853(3) which reads: "The term low income
individual means any individual or family whose incomes do not exceed 80 percent of the median income for the area
(AMI), as determined by the Secretary of HUD." Local jurisdictions may impose an eligibility threshold of 50% or 30%
AMI with HUD Field Office approval.

HUD Regulation 24CFR5.609 requires counting the total income of the household (Annual Gross Income) from all
sources anticipated to be received in the 12-month period following the effective date of the income certification.
Therefore, income must be ANNUALIZED, e.g. payment amount X number of payment periods/yr. for all household
income sources as required by law below:

- 1. The full amount, before payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, other compensation for personal services prior to payroll deductions. (Applies to client and all household members 18 and older. For full-time students 18 and over, only \$480 of annual earned income should be included here.) \$ _____
2. Periodic payments from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, excluding lump sum payments for the delayed start of a periodic payment (Except as provided in (c)(14)). \$ _____
3. Payments in lieu of earnings, such as unemployment, disability, worker's compensation, and severance pay (Except as provided in (c) (3)). \$ _____
4. WELFARE ASSISTANCE, including payments made under other programs funded, separately or jointly, by federal, state, or local governments which are not excluded by Federal Statutes (see Income Exclusions). \$ _____
5. Periodic allowances including alimony and child support payments, and regular contributions or gifts received from organizations or persons not residing in the residence. \$ _____
6. Net income from operation of a business or profession. \$ _____
7. Interest, dividends, and other net income of any kind from real or personal property. Where net family assets are less than \$5000, include the actual income from asset; where net family assets are in excess of \$5,000, annual income shall include the greater of actual income derived from net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD. \$ _____
8. All regular pay, special pay and allowances of a member of the Armed Forces (Except Hostile Fire Pay). \$ _____
9. ANNUAL GROSS INCOME* TOTAL OF LINES 1-8 \$ _____

Note: Annual income must be reassessed at least annually; however, if there is substantial change in the household income during the year, a reassessment must be made to determine if a change in tenant rent payment portion is required. \$ _____

3. Select Area Median Income used for this HOPWA jurisdiction's eligibility threshold:

- 80% AREA MEDIAN INCOME FOR THIS HOUSEHOLD SIZE \$ _____
50% AREA MEDIAN INCOME FOR THIS HOUSEHOLD SIZE \$ _____
30% AREA MEDIAN INCOME FOR THIS HOUSEHOLD SIZE \$ _____

Note: If # 9 is above applicable Area Median Income (AMI) the applicant is not eligible for HOPWA assistance.

Is applicant eligible for the HOPWA program YES _____ NO _____

XIV. APPENDIX F- DEFINITIONS OF HOMELESS AND AT RISK OF HOMELESSNESS

Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act (24 CFR Part 91, 582 and 583 (Final Rule))

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low income individuals); or
 - (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, *e.g.*, family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
 - (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)) or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
 - (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or
- (4) Any individual or family who:
 - (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
 - (ii) Has no other residence; and

(iii) Lacks the resources of support networks, *e.g.*, family, friends, faith-based or other social networks, to obtain other permanent housing.

Emergency Solutions Grant (ESG) program, 24CFR, Part 576.2 § 576.2 Definitions.

At risk of homelessness means:

(1) An individual or family who:

(i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;

(ii) Does not have sufficient resources or support networks, *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “homeless” definition in this section; and

(iii) Meets one of the following conditions:

(A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;

(B) Is living in the home of another because of economic hardship;

(C) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;

(D) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low income individuals;

(E) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;

(F) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or

(G) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan;

(2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act ([42 U.S.C. 5732a\(3\)](#)), section 637(11) of the Head Start Act ([42 U.S.C. 9832\(11\)](#)), section 41403(6) of the Violence Against Women Act of 1994 ([42 U.S.C. 14043e-2\(6\)](#)), section 330(h)(5)(A) of the Public Health Service Act ([42 U.S.C. 254b\(h\)\(5\)\(A\)](#)), section 3(m) of the Food and Nutrition Act of 2008 ([7 U.S.C. 2012\(m\)](#)), or section 17(b)(15) of the Child Nutrition Act of 1966 ([42 U.S.C. 1786\(b\)\(15\)](#)); or

(3) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act ([42 U.S.C. 11434a\(2\)](#)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Emergency shelter means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. Any project funded as an emergency shelter under a Fiscal Year 2010 Emergency Solutions grant may continue to be funded under ESG.