



North Dakota-500 Statewide Continuum of Care

Written Standards for Emergency Solutions Grant and Continuum of Care Programs

CoC Board Approval: April 18, 2022
CoC Membership Approval: May 4, 2022
Dept. Of Commerce Approval: April 20, 2022

Next Review: April 2023

I. Introduction

- A. The North Dakota Housing Finance Agency (NDHFA) is the Collaborative Applicant (CA) for the North Dakota Continuum of Care (ND CoC). A CoC works to coordinate a community-based process of identifying needs relating to the experience of homelessness and of building a system of housing and services to address those needs. The ND CoC works to establish local priorities for system planning and to evaluate system-wide performance with the goal of making homelessness rare, brief, and non-recurring.
- B. The Department of Housing and Urban Development (HUD) requires that a CoC establish and follow written standards for recipients and subrecipients aiding with CoC and Emergency Solutions Grant (ESG) Program funds.
- C. The North Dakota Department of Commerce Division of Community Services (DCS) is the statewide recipient of ESG funds for the state of North Dakota.

II. Mandate Overview

The CoC Program interim rule requires that these standards be developed in consultation with the ESG recipient(s) also funding projects within the CoC's geographic area.

- A. The written standards for providing CoC assistance must include policies and procedures that address the following:
 - 1. Evaluating individuals' and families' eligibility for assistance through the CoC Program;
 - 2. Determining and prioritizing eligible individuals and families for transitional housing, rapid re-housing, and permanent supportive housing assistance;
 - 3. Determining the percentage and amount of rent program participants must pay while receiving rapid re-housing assistance; and
 - 4. For designated high-performing CoCs, determining and prioritizing individuals and families for homelessness prevention and rapid re-housing assistance, including the percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention and rapid re-housing assistance and the amount and duration of rental assistance; and the type, amount, and duration of housing stabilization and/or relocation services.
NOTE: The ND CoC is not considered a high-performing CoC.
- B. ESG recipients are also required to develop several similar policies and procedures for subrecipients to use when providing ESG assistance (state recipients may allow subrecipients to develop their own written standards) (see 24 CFR 576.400(d)). Although ESG recipients are not explicitly required to consult with CoCs on the development of written standards for providing ESG assistance, many of the ESG standards for prioritizing assistance will influence the development and implementation of the local plan to prevent and end homelessness, the implementation of a coordinated entry system, as well as the development of the CoC's written standards.
- C. Ideally, CoCs and ESG recipient(s) should collaborate to coordinate and/or align their written standards to ensure all populations eligible for assistance within the geographic area are assessed and prioritized for available assistance as consistently as possible.
- D. The written standards for providing ESG assistance must include policies and procedures that address the following:

1. Evaluating eligibility for ESG assistance;
 2. Targeting and providing essential services related to street outreach activities;
 3. Admission to, diversion from, referral to, and discharge from emergency shelters, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations;
 4. Assessing, prioritizing, and re-assessing the need for essential services related to emergency shelter;
 5. Coordination among other emergency shelters, essential services, homelessness prevention, and rapid re-housing providers as well as with other homeless assistance providers and mainstream housing and service providers;
 6. Determining and prioritizing individuals and families for homelessness prevention and rapid re-housing assistance;
 7. Determining the percentage and amount of rental assistance and utilities each program participant must pay while receiving homelessness prevention or rapid rehousing assistance;
 8. Determining the amount and duration of rental assistance, including how the amount will be adjusted over time, as appropriate; and
 9. Determining the type, amount, and duration of housing stabilization and/or relocation services.
- E. Under the purview of HUD regulations and guidelines, DCS, as the recipient of ESG funds, has the discretion to set local standards regarding rental assistance amounts, length of assistance available for participants, and other project components as necessary and has agreed to partner with the CoC to issue joint guidance to ESG subrecipients. All projects receiving ESG Program funds must comply in full with the applicable standards described below.

III. Definitions

- A. The ESG Interim Rule broadened existing emergency shelter and homelessness prevention activities, placing greater emphasis on helping people quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness by expanding prevention as an eligible use and adding a rapid rehousing component. ESG funds are authorized and intended for rapid rehousing, homelessness prevention, and emergency shelter. The interim rule updated the annual action plan requirements to include written standards for the provision of ESG assistance and performance standards for evaluating ESG activities.

ESG funds can be used for a variety of services, including, but not limited to: Emergency Shelter, short- or medium-term Rental Assistance, Housing Search and Placement, Utility Arrears, and Housing Stability Case Management. The Homelessness Prevention component includes various housing relocation and stabilization services and short- and medium-term rental assistance. DCS is the recipient of HUD ESG Program funds and administers this award via eligible organizations referred to as subrecipients.

ESG Program Eligible Components				
Street Outreach	Homelessness Prevention	Emergency Shelter	Rapid Rehousing	HMIS

- B. CoC program funds provide housing and supportive services to households with and without children experiencing homelessness. Projects funded under the CoC

program seek to assist households with attaining and sustaining permanent housing as quickly as possible.

CoC Program Eligible Components				
Transitional Housing	Rapid Rehousing	Coordinated Entry	Permanent Supportive Housing	HMIS

- C. The CoC CA is the eligible applicant (state, unit of local government, private, nonprofit organization, or public housing agency) designated by the ND CoC to collect and submit the required HUD CoC application information for all projects the ND CoC has selected for funding and apply for HUD CoC planning funds on behalf of the ND CoC.
- D. Homeless Management Information System (HMIS) is a local information technology system used to collect client-level data and data on the provision of housing and services to individuals and families who are homeless or at risk of homelessness.
- E. HUD Homeless Categories: There are four federally defined categories under which persons are defined as homeless:
 1. Literally Homeless: Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - a. Has a primary nighttime residence that is a public or private place not meant for human habitation;
 - b. Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or
 - c. Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.
 2. Imminent Risk of Homelessness: Individual or family who will imminently lose their primary nighttime residence, provided that:
 - a. Residence will be lost within 14 days of the date of application for homeless assistance;
 - b. No subsequent residence has been identified; and
 - c. The individual or family lacks the resources or support networks needed to obtain other permanent housing.
 3. Homeless Under other Federal statutes: 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:
 - a. Are defined as homeless under the other listed federal statutes;
 - b. Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;
 - c. Have experienced persistent instability as measured by two moves or more during the preceding 60 days; and

- d. Can be expected to continue in such status for an extended period of time due to special needs or barriers.
4. Fleeing/Attempting to flee domestic violence: Any individual or family who:
 - a. Is fleeing, or is attempting to flee, domestic violence;
 - b. Has no other residence; and
 - c. Lacks the resources or support networks to obtain other permanent housing.
- F. HUD At Risk of Homelessness Categories: There are three federally defined categories under which persons are defined as At Risk of Homelessness:
 1. An individual or family who:
 - a. Has an annual income below 30 percent of median family income for the area; AND
 - b. Does not have sufficient resources or support networks immediately available to prevent them from moving to an emergency shelter or another place defined in Category 1 of the “homeless” definition; AND
 - c. Meets one of the following conditions:
 - Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance; OR
 - Is living in the home of another because of economic hardship; OR
 - Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance; OR
 - Lives in a hotel or motel and the cost is not paid for by charitable organizations or by federal, state, or local government programs for low-income individuals; OR
 - 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 resides more than one and a half persons per room; OR
 - Is exiting a publicly funded institution or system of care; OR
 - 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. Unaccompanied Children and Youth: A child or youth who does not qualify as homeless under the homeless definition but qualifies as homeless under another federal statute.
 3. Families with Children and Youth: An unaccompanied youth who does not qualify as homeless under the homeless definition but qualifies as homeless under section 725(2) of the McKinney-Vento Homeless Assistance Act, and the parent(s) or guardian(s) of that child or youth is living with him or her.

IV. CoC and ESG Written Standards

All projects funded under the ND CoC and ESG programs shall apply the following standards consistently for the benefit of all program participants. The ND CoC strongly encourages organizations and projects that do not receive the abovementioned funds to accept and utilize these standards.

- A. General Standards *Training on each of the general standards can be found on the ND CoC online training site. If your agency needs access to the site, please contact the CoC Coordinator.*
1. Housing First Orientation. The ND CoC practices a Housing First model of care that follows five core principals of practice.
 - a. Low Barrier Access: Immediate access to permanent housing with no housing readiness requirements.
 - b. Client Choice: Client centered approach that emphasizes client choice of housing options and level and time of supports currently available to them.
 - c. Recovery Orientation: Assures clients have access to a wide range of supports that help stabilize and thrive in housing. Ensures that care be provided with a harm reduction orientation aimed at reducing the risks and harmful effects associated with addictive and other harmful behaviors versus expecting zero tolerance for these behaviors unless they threaten the rights or safety of others.
 - d. Individualized Client-Driven Supports: Supports are offered based on each client's unique needs and desires and are presented in a creative, ongoing, and culturally appropriate manner.
 - e. Social and community integration: Providers assist clients to integrate into their community and connect with natural supports that are healthy, to avoid isolation, and support long-term stability.
 2. Fair Housing and Equal Opportunity. All recipients and subrecipients of ND CoC and ESG program funding must comply with the non-discrimination and equal opportunity provisions of federal civil rights laws as specified at 24 CFR 5.105(a), including, but not limited to the following:
 - a. Fair Housing Act
 - b. Section 504 of the Rehabilitation Act
 - c. Title VI of the Civil Rights Act
 - d. Title II of the Americans with Disabilities Act
 - e. HUD's Equal Access Rule
 - f. Affirmatively Furthering Fair Housing. Providers must have non-discrimination policies in place and conduct assertive outreach to people least likely to engage in the homeless system. Organizations receiving ND CoC and ESG program funding shall market housing and supportive services to eligible persons regardless of race, color, national origin, religion, sex, age, familial status, or disability; and shall provide program applicants and participants with information, in writing, on their rights and remedies under applicable federal, state, and local fair housing and civil rights laws.
 - g. Integration and Accessibility (Fair Housing and Equal Opportunity). Housing and supportive services must be offered in an integrated manner, such that persons with disabilities may enjoy a meaningful life within the community. Organizations shall offer housing and supportive services to enable individuals with disabilities to interact with nondisabled persons to the fullest extent possible.
 - h. Reasonable Accommodations and Modifications for Persons with Disabilities. Organizations are required to provide reasonable accommodations and

modifications for persons with disabilities. For federally funded housing, the recipient is responsible for paying for the modification. Organizations must inform applicants during the intake process of their right to request a reasonable accommodation or modification. A reasonable modification is a structural change (e.g., installing a grab bar in the bathroom of a person with a disability). A reasonable accommodation is a change to rules, policies, or services so that a person with a disability has equal opportunity to use and enjoy a dwelling unit or common space (e.g., permitting a person with a disability to have a service animal).

- i. **Discrimination Based on Actual or Perceived Gender.** [HUD's Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity](#). Final Rule (Equal Access Rule) requires that HUD's housing projects be made available to individuals and families without regard to actual or perceived sexual orientation, gender identity, or marital status. The rule defines "gender identity" to mean "actual or perceived gender-related characteristics." The final rule also prohibits owners and administrators of HUD-assisted or HUD-insured housing, approved lenders in a Federal Housing Administration (FHA) mortgage insurance program, and any other recipients or subrecipients of HUD funds from inquiring about sexual orientation or gender identity to determine eligibility for HUD-assisted or HUD-insured housing.
 - There is a limited exception to this rule. Temporary, emergency shelters, and other buildings and facilities that are not covered by the Fair Housing Act because they provide short-term, temporary accommodations may provide sex-segregated accommodations, which they sometimes do to protect the privacy and security of individuals when the buildings and facilities have physical limitations or configurations that require shared sleeping quarters or shared bathing facilities. For purposes of this rule, shared sleeping quarters or shared bathing facilities are those that are designed for simultaneous accommodation of multiple individuals in the same space. For example, a single-user bathing facility with a lock on the door is not designated for simultaneous occupancy by multiple individuals, so it is not a "shared bathing facility" for purposes of the Equal Access Rule or this rule.
 - Organizations should ensure that its services do not isolate or segregate victims of domestic violence based upon actual or perceived gender identity.
- j. **Discrimination Based on Household Composition.** Organizations cannot discriminate against a group of persons presenting as a family based on the composition of the family, the age of any member of the family, the disability status of any member of the family, marital status, actual or perceived sexual orientation, or gender identity. The people who present together for assistance, regardless of age or relationship, are considered a household and are eligible for assistance as a household. Projects that serve families with children must serve all types of families with children; if a project targets a specific population, (e.g., homeless veterans), these projects must serve all families with children that are otherwise eligible for assistance, including families with children that are headed by a single adult or consist of multiple adults who reside together.
- k. **Preventing Family Separation.** In an effort to maintain family unity, for housing projects serving households with children, the age and gender of a

child under age 18 shall not be used as a basis for denying any family's admission, nor may a recipient deny admission to any member of the family (e.g., 15-year-old son). Projects will make every attempt possible to avoid family separation, unless absolutely necessary for the safety and well-being of the family.

- I. Guidance for Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities. Organizations operating ESG-single-sex emergency shelters (or other ESG- and/or CoC facilities) may not make a determination about services for one participant based on the complaints of another participant when those complaints are based on a participant's gender identity or non-conformity with gender stereotypes. For the purpose of assigning a participant to sex-segregated or sex-specific services, it is a requirement that intake staff and emergency housing providers ask a transgender participant which group or service the participant wishes to join. The organization must take reasonable steps to address safety and privacy concerns; the organization should provide for privacy in bathrooms and dressing areas. For instance, organizations may install privacy curtains or partitions. When deciding how to house a victim of domestic violence, an organization that provides sex-segregated housing may consider on a case-by-case basis whether a particular housing assignment would ensure the victim's health and safety. A victim's own views with respect to personal safety deserves serious consideration. The organization should ensure that its services do not isolate or segregate victims of domestic violence based upon actual or perceived gender identity.
- m. Prioritized Subpopulations and Fair Housing Implications. Organizations shall comply with applicable civil rights laws, including the Fair Housing Act. Within this framework, these standards establish subpopulations to be prioritized for housing and services that align with the identified needs of the local community and the goals of the Federal Strategic Plan to End Homelessness. Subpopulations may be prioritized as long as doing so does not discriminate against any protected class under federal nondiscrimination laws (e.g., the housing may be limited to homeless veterans, victims of domestic violence and their children, or chronically homeless households); subpopulations may also be prioritized according to who needs the specialized supportive services that are offered by the project (e.g., substance use disorder treatment, domestic violence services, or a high intensity package of services designed to meet the needs of hard-to-reach homeless persons).
 - Dedicated versus prioritized projects and/or beds that are dedicated to serving a specific subpopulation must continue serving only this subpopulation (e.g., a permanent supportive housing project that is dedicated to serving households experiencing chronic homelessness must continue serving those households). This means that if two otherwise eligible households are seeking admission into the program, one who falls within the designated prioritized subpopulation and one who does not, the household who is in the designated prioritized subpopulation must be given priority for admission. If there are no persons on a waiting list or applying for entrance to the program who fall within the dedicated or first priority subpopulation, organizations should not hold the unit vacant, but instead should serve the next prioritized subpopulation who may benefit from the services being provided.
 - Fair Housing Implications. CoC coordinated entry may establish priorities for subpopulations by project type (i.e., permanent supportive housing or

transitional housing), but organizations may not set more restrictive priorities. For instance, while a permanent supportive housing project may prioritize households experiencing chronic homelessness with a qualifying disability per coordinated entry policies, beds may not be reserved to persons with a specific disability (i.e., physical disability). If an individual, who is otherwise qualified, but who does not have a physical disability, seeks admission and would benefit from the services offered, this person may not be excluded from the project. Organizations may reserve beds for persons with HIV/AIDS if the housing also receives funding from the Housing Opportunities for People with AIDS program (HOPWA).

3. **Coordinated Entry:** North Dakota's coordinated entry system is called Coordinated Access, Referral, Entry, and Stabilization (CARES) System. All ESG and CoC funded projects are required to participate in CARES and abide by CARES policies and procedures. CARES policies and the Written Standards are therefore intended to be in alignment. All CARES documents can be found on the [CARES website](#).
4. **Participation in HMIS:** HUD requires that CoC and ESG recipients and subrecipients use the CoC designated HMIS of the ND CoC and abide by all HMIS and CoC policies related to the use of HMIS. HMIS policies can be found on the [ND ICA website](#).
5. **[CoC Membership](#):** Each CoC or ESG funded agency is required to be a member of the ND CoC. The ND CoC is a member organization driven by the collaborative efforts of its members. Member participation is needed to assure that the collective ND CoC goals and plans are representative of the diverse needs of our state.
6. **Participant Inclusion:** Each CoC funded project is expected to engage participants in ongoing program evaluation and quality improvement processes. Toward that end, at a minimum, each project is required to survey or interview participants at least annually to obtain feedback on program service quality, the housing and service environment, and opportunities for improvement. Each ND CoC or ESG funded organization must utilize participant feedback to improve program design and implementation.
7. **Access to Mainstream Services:** The ND CoC and ESG expects that every organization that is funded through the ND CoC or ESG programs will coordinate with and access mainstream and other targeted homeless resources. Organizations should assess and assist participants with obtaining any mainstream resource for which they may be eligible for including Temporary Assistance for Needy Families (TANF), Veterans Health Care, Supplemental Nutrition Assistance Program (SNAP), Medicaid, Federally Qualified Health Plan (Affordable Care Act), Children's Health Insurance Program (CHIP), Supplemental Security Income/Social Security Disability Insurance (SSI/SSDI), Workforce Investment funds, and Welfare-to-Work. Where possible, organizations should streamline processes for applying for mainstream benefits such as the use of a singular form to apply for benefits or collecting necessary information in one step.
8. **Collaboration with Educational Entities:** For projects that serve households with children, program policies must be in place to ensure children are enrolled in school and connected to appropriate services in the community, including early childhood projects such as Head Start, Part C of the Individuals with Disabilities Education Act, and McKinney Vento education services. The ND CoC encourages projects to utilize the CoC Educational Agreement as a standard for

engagement and collaboration (contact the ND CoC coordinator for the agreement).

9. Violence Against Women Act (VAWA): VAWA requires that CoC and ESG programs:
 - a. Provide participants with the HUD Notice of VAWA Occupancy Rights (form HUD-5380) and Self-Certification (form HUD-5383);
 - b. Add a lease addendum that includes VAWA protections; and
 - c. Allow participants to make emergency transfers (form HUD-5381) when safety is a concern.
10. Transition and Move-On Strategy Principles:
 - a. Transition should be a voluntary process that participants choose.
 - b. Collaboration of mainstream housing and services must be fostered.
 - c. Connections to community-based supports are necessary for housing stability.
11. Termination and Grievance Procedures: Organizations must have a written grievance procedure, including a formal process for participants to provide feedback.
 - a. Organizations must have a written termination policy outlining project rules and termination processes, including a formal due process.
 - b. Terminations may only occur in the most severe circumstances, which includes, but are not limited to, consistent failure to make rental payments or adhere to a repayment schedule, consistent violation of the lease, or destruction of property.
 - c. Termination from a project should not prohibit the household from being readmitted into the program at a future date.
 - d. The termination process, at a minimum, must consist of:
 - Providing the participant with a written copy of the rules and the termination process before the participant begins to receive assistance;
 - Written notice to the program participant containing a clear statement of the reasons for termination (e.g., lease obligations, tenant payments, damage to the property).
 - A review of the decision, in which the program participant is given the opportunity to present written or oral objections/appeal before a person other than the person (or a subordinate of that person) who made or approved the termination decision;
 - Prompt written notice of the final decision to the program participant; and
 - Providing Notice of VAWA Occupancy Rights.
12. Policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG:
 - a. Admission: Providers of emergency shelter services shall admit individuals and families who meet the HUD definition of “homeless” and agency’s eligibility criteria.

- b. **Assessment:** Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered emergency shelter services, as needed, available, and appropriate.
 - c. **Prioritization/Diversion/Referral:** When appropriate, based on the individual's needs and wishes, the provision of or referral to homeless prevention or rapid rehousing services, or other available housing programs offered through the ND CoC that can quickly assist individuals to maintain or obtain safe, permanent housing, shall be prioritized over the provision of emergency shelter services.
 - d. **Reassessment:** Program participants will be reassessed as case management progresses.
 - e. **Discharge/Length of Stay:** Subrecipients shall make every effort to ensure program participants are discharged from emergency shelter services only when they choose to leave or when they have successfully obtained safe, permanent housing.
 - f. **Safety and Shelter Safeguards for Special Populations:** Safety and Shelter Safeguards shall be determined by the individual special population service provider's policies and clearly communicated to program participants.
13. **Participant contribution:** Minimum standards for determining what percentage or amount of rent and utilities costs each program participant shall pay while receiving homelessness prevention or rapid rehousing assistance are:
- a. Participant's income shall be verified prior to approval for initial and additional financial assistance. Documentation of the participant's income and expenses, including how the participant is contributing to housing costs, if at all, shall be maintained in participant's file. This file shall also contain a plan to sustain housing following the assistance, including either a plan to increase income or decrease expenses or both.
14. **Rental assistance duration and adjustment:** Minimum standards for determining how long a particular program participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time are:
- a. Participants received approval for the minimum amount of financial assistance necessary to prevent homelessness. Documentation of financial need shall be kept in the participant's file for each month of financial assistance received. Participants shall not be approved for more rental assistance than can be justified given their income and expenses at a given time.
 - b. Agencies cannot set organizational maximums or minimums but must rely on the ESG Interim Rules and Regulations to determine household eligibility:
 - Program participant's total rental assistance cannot exceed 24 months during any 3-year period.
 - Payment of rental arrears may be made for up to six months of rent in arrears, including any late fees.
 - ESG funds may pay for a security deposit that is equal to no more than two months' rent.

- Last month’s rent must not exceed one month’s rent and must be included in calculating the program participant’s total rental assistance, which cannot exceed 24 months during any 3-year period.

B. Standards for the Allocation of Funds

Housing Type	Funding	HUD Homeless Category	Core Services	Eligibility	Prioritization (aligned with CARES Prioritization policy)	*Level of Assistance
Street Outreach	ESG	Category 1	<ul style="list-style-type: none"> • Engagement • Case management • Emergency health services • Emergency mental health services • Transportation • Services to special populations • 	Unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility.	N/A	N/A
Homeless Prevention	ESG	Category 2 Category 4 At Risk of Homelessness	<p>Housing Relocation and Stabilization Services – annual income below 30 percent median family income:</p> <ul style="list-style-type: none"> • Financial assistance costs <ul style="list-style-type: none"> ○ Rental application fees ○ Security deposits ○ Last month’s rent ○ Utility deposits ○ Utility payments ○ Moving costs • Service costs <ul style="list-style-type: none"> ○ Housing search and placement ○ Housing stability case management ○ Mediation ○ Legal services ○ Credit repair • Short-term rental assistance up to 3 months of rent • Medium-term rental assistance for more than 3 months but not more than 24 months • Payment of rental arrears for up to 6 months of rent in arrears, including any late fees • Rental assistance may be tenant- or project-based 	Assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the “homeless” definition	Persons should be prioritized based on highest vulnerability defined as those most likely to enter homelessness without assistance.	<ul style="list-style-type: none"> • Short-term rental assistance up to 3 months of rent • Medium-term rental assistance for more than 3 months but not more than 24 months • Payment of rental arrears for up to 6 months of rent in arrears, including any late fees • Security deposits. ESG funds may pay for a security deposit that is equal to no more than 2 months’ rent. • Last month’s rent. Must not exceed one month’s rent and must be included in calculating the program participant’s total rental assistance,

						<p>which cannot exceed 24 months during any 3-year period.</p> <ul style="list-style-type: none"> • Housing stability case management. Cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing.
Emergency Shelter	ESG	Category 1 Category 2 Category 4	<p>Essential Services</p> <ul style="list-style-type: none"> • Case Management • Child Care • Education services • Employment assistance and job training • Outpatient health services • Legal services • Life skills training • Substance abuse treatment services • Transportation • Services for special populations <p>Shelter Operations</p> <ul style="list-style-type: none"> • Eligible costs are the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, food, furnishings, and supplies necessary for the operation of the emergency shelter. • Where no appropriate emergency shelter is available for a homeless 	Homeless families and individuals in emergency shelters.	The CARES Housing Crisis Triage should be used to prioritize limited shelter beds and vouchers to those who are the most vulnerable.	N/A

			family or individual, eligible costs may also include a hotel or motel voucher for that family or individual.			
Transitional Housing	CoC	Category 1 Category 4	Rental Assistance for up to 24 months Case management with weekly contact including in-home visits Linkage to mainstream services Utility assistance Housing Stability Plan	Persons with low to moderate barriers exiting homelessness and entering transitional housing services. Homeless exiting shelter. Persons who will be successful w/ short-term help. Capacity to increase income (earned or other cash income). Persons who can't afford housing w/ income until access public housing assistance. Youth w/ or working towards GED or HS diploma. Youth exiting foster care. Persons fleeing DV.	Category 1: Unsheltered Category 1: Other Category 4 Category 3: Youth programs ONLY Category 2 Unsafely or unstably doubled up (MN OEO only)	Up to 24 months of rental assistance with 3-month assessment of need.
Rapid Rehousing	CoC ESG	Category 1 Category 4	CoC Short to medium term rental assistance or utility subsidies Security deposits Voluntary case management with weekly contact and in-home visits Linkage to mainstream services Housing Stability Plan ESG Housing Relocation and Stabilization Services <ul style="list-style-type: none"> • Financial assistance costs <ul style="list-style-type: none"> ○ Rental application fees ○ Security deposits ○ Last month's rent ○ Utility deposits ○ Utility payments ○ Moving costs • Service costs <ul style="list-style-type: none"> ○ Housing search and placement ○ Housing stability case management 	CoC Individuals who are literally homeless (HUD) or imminently homeless (ESG) and have a strong chance to increase their income and stabilize their housing with short (up to-6 months) to medium (7-12 months) length support. ESG Assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing.	Category 1: Unsheltered Category 1: other Category 4 Category 2 Unsafely or unstably doubled up (MN OEO only)	CoC <ul style="list-style-type: none"> • Short term (up to 3 months) • Medium term (up to 24 months) • No income requirement at entry ESG <ul style="list-style-type: none"> • Short-term rental assistance up to 3 months of rent • Medium-term rental assistance for more than 3 months but not more than 24 months • Payment of rental arrears for up to 6 months of rent in arrears,

			<ul style="list-style-type: none"> ○ Mediation ○ Legal services ○ Credit repair ○ Short-term and Medium-term Rental Assistance ● Short-term rental assistance up to 3 months of rent ● Medium-term rental assistance for more than 3 months but not more than 24 months ● Payment of rental arrears for up to 6 months of rent in arrears, including any late fees ● Rental assistance may be tenant-based or project-based 			<p>including any late fees</p> <ul style="list-style-type: none"> ● Security deposits. ESG funds may pay for a security deposit that is equal to no more than 2 months' rent. ● Last month's rent. Must not exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed 24 months during any 3-year period. ● Housing stability case management Cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing.
Permanent Supportive Housing	CoC	Category 1 Category 4	Rental assistance for length of eligibility Other direct support services (childcare, transportation, utility) Voluntary case management with initial weekly contact up to monthly and regular in-home visits Linkage to mainstream services Housing Stability Plan	Persons who are literally homeless or exiting TH or RRH AND has at least one household member with a documented disability in the family. CH must have an adult member with a disability and have at least one year of	Category 1: Unsheltered & Disabled Category 1: Emergency Shelter & Disabled Exiting TH: entered as homeless with a disability	N/A

				homelessness or 4+ episodes in the past three years.	Highest priority homeless	
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*Note that all grantees are responsible for understanding and abiding by the allowable costs for their respective programs as listed in their annual grant agreement or amended grant agreement. Grantees should also refer to the eligible program components listed in the CoC and ESG Interim Rules and Regulations.

ESG: To be eligible for assistance for homelessness prevention, gross household income must be below 30 percent area median income (AMI) for the county in which the household is residing. There is no income requirement at program entry for rapid rehousing, however, the household must be below 30 percent AMI at the annual recertification.

Re-evaluations for homelessness prevention and rapid rehousing assistance: The subrecipient must re-evaluate the program participant’s eligibility and the types and amounts of assistance the program participant needs not less than once every three months for program participants receiving homelessness prevention assistance, and not less than once annually for program participants receiving rapid rehousing assistance. At a minimum, each re-evaluation of eligibility must establish that:

1. The program participant does not have an annual income that exceeds 30 percent of median family income for the area, as determined by HUD; and
2. The program participant lacks sufficient resources and support networks necessary to retain housing without ESG assistance.

The subrecipient may require each program participant receiving homelessness prevention or rapid re-housing assistance to notify the recipient or subrecipient regarding changes in the program participant’s income or other circumstances (e.g., changes in household composition) that affect the program participant’s need for assistance under ESG. When notified of a relevant change, the subrecipient must re-evaluate the program participant’s eligibility and the amount and types of assistance the program participant needs.

C. Performance Standards

1. The project must target those in most need of assistance by following the [CARES Prioritization Policy](#).
2. Projects should strive to reduce the length of time persons are homeless by:
 - a. Assuring data is current (entered in a timely manner per HMIS and CARES policies) and accurate when entering and exiting households in HMIS or alternative databases;
 - b. Support clients in housing search to secure housing more rapidly; and
 - c. Utilize the Housing First approach providing permanent housing to people experiencing homelessness quickly without preconditions or service participation requirements, thus ending their homelessness and serving as a platform for which they can pursue personal goals and improve their quality of life.
3. Projects should assure all staff participate in all trainings required by the ND CoC, DCS, or other funders.
4. Programs must abide by Fair Housing and Equal Access Rules.
5. Programs design must support housing stability by:
 - a. Facilitating connections to mainstream and community supports;

- b. CoC: Having contact with households at least weekly during the first year if services are provided and have regular in-home contact;

ESG: Housing stability case management. While providing homelessness prevention or rapid rehousing assistance to a program participant, the subrecipient must:

- Require the program participant to meet with a case manager not less than once per month to assist the program participant in ensuring long-term housing stability; and
- Develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends, considering all relevant considerations, such as the program participant's current or expected income and expenses; other public or private assistance for which the program participant will be eligible and likely to receive; and the relative affordability of available housing in the area.

The recipient or subrecipient is exempt from the requirement if the Violence Against Women Act of 1994 (42 U.S.C. 13701 et seq.) or the Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) prohibits that recipient or subrecipient from making its shelter or housing conditional on the participant's acceptance of services.

This assistance cannot exceed 30 days during the period the program participant is seeking permanent housing and cannot exceed 24 months during the period the program participant is living in permanent housing.

- c. Focusing on increasing household income, both earned and unearned;
 - d. Using creative engagement strategies; and
 - e. Integrating transition strategies to support smooth exit from program assistance.
- 6. Program funded activities effectiveness at fulfilling the needs they were intended to meet.
 - 7. Program's compliance with these Written Standards.
 - 8. Projects have a plan to review and use of performance outcomes to improve performance.
- D. Documentation Requirements: All programs must verify and retain in each household's file proof of program eligibility. This may include one or more of the following depending on funding source:
- 1. At-Risk of Homelessness Certification: ESG programs must complete the form and provide appropriate document as indicated on the form.
 - 2. Homeless Definition Certification: Must be completed for each household receiving ESG or CoC housing program.
 - 3. Disability Verification: CoC PSH will need to document disability status according to HUD requirements. A sample form is available on the [HUD Exchange website](#).
 - 4. Income Documentation: All sources of household income must be verified and documented at intake and updated every three months (ESG and CoC TH and RRH) or yearly (CoC PSH).
 - a. ESG: To be eligible for assistance, gross household income must be below 30 percent area median income (AMI) for the county in which the household

is residing for homelessness prevention. There is no income requirement at program entry for rapid rehousing, however, the household must be below 30 percent AMI at the annual recertification.

5. Prevention Screen: All ESG funded prevention programs will complete the CARES Housing Crisis Triage to determine level of assistance.
 6. CARES Housing Prioritization Tool: All ESG and CoC funded housing programs will complete the CARES Housing Prioritization Tool (formerly known as the VI-SPDAT + Supplement) prior to entry into TH, RRH, or PSH.
 7. Self-Certification: Must be completed if required verifications/other documentation cannot be secured and self-certification is the only way to verify information to determine program eligibility.
 8. Lease Agreement: Tenants of CoC scattered site housing programs hold their own lease agreement.

ESG: A lease is required for households receiving financial assistance such as rental assistance, security deposits, rental arrearages, and utility payments/deposits.
 9. VAWA Forms: All ESG and CoC housing programs must provide recipients with VAWA forms HUD-5380 Notice of Occupancy Rights and HUD-91067 Lease Addendum.
 10. Housing Plan: A Housing Plan must be completed for all individuals that receive a housing assessment and are determined eligible for services.
 11. Rent Reasonableness: ESG and CoC programs must complete and file a Rent Reasonableness form for rental assistance above Fair Market Rent (FMR).
 12. Habitability Standards Inspection Form: All units must meet Habitability Standards before financial assistance can be provided for rent, security deposits, rental arrears, and utility payments.
 13. Lead-Based Paint Inspection: Lead-Based Paint Inspection is required for housing for properties if built before 1978 and if a child aged 6 or younger or a pregnant woman will be residing in the unit.
 14. Annual Reports: Consolidated Annual Performance and Evaluation Report or HUD Annual Performance Reports are due for all funded programs on or before the annual deadline.
 15. Universal Data Elements: All projects are required to collect and report upon the required Universal Data Elements for their program. Data is to be current and accurate when reporting.
 16. Identification Documentation: There must be identification documentation for all household members whether receiving case management and/or financial assistance. Documentation must be a copy of one of the following: driver's license, social security card, Medicaid card, birth certificate, or passport
- E. Release of Information Form: A Release of Information form must be signed by each household member aged 18 or older with a copy in file. Data Security and Privacy: All programs must assure they are following HMIS data security and privacy requirements including but not limited to completing the CARES and ESG Release of Information. A full list of data security and privacy requirements can be found on the ND HMIS website in the HMIS Policy Manual. ROI's must be signed for each adult member over age 18.

F. Performance Evaluation

Outcome Measures. The ND CoC has established the following targets for ND CoC and ESG programs related to performance outcomes:

Measurements	Outreach	Shelters	TH	RRH	PSH
Returns to Homelessness	25% or less will return to homelessness	25% or less will return to homelessness	10% or less will return to homelessness	10% or less will return to homelessness	5% or less will return to homelessness
Housing Retention	N/A	N/A	80% or more of all participants will exit to permanent housing destinations	80% or more of all participants will exit to permanent housing destinations	90% or more of all participants will remain stable in PSH or exit to other permanent housing destinations
Job & Income Growth	N/A	N/A	25% or more of adult participants will increase income from employment or other sources	25% or more of adult participants will increase income from employment or other sources	25% or more of adult participants will increase income from employment or other sources

The ND-500 CoC Written Standards for ESG and CoC Programs were approved by the ND Department of Commerce on April 20, 2022, the ND CoC Board on April 18, 2022 and the full CoC membership on May 4, 2022.



 CoC Coordinator, ND Continuum of Care
Maria Effertz Hanson

July 5, 2022

 Date

ND Department of Commerce



 Chair, ND CoC Board

07/06/2022

 Date

07/06/2022

 Date