

SUBSTANTIAL AMENDMENT TO THE CONSOLIDATED PLAN 2011
ACTION PLAN:
EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM

Grantee Name	City of Racine, Wisconsin
Administering Department	Department of City Development
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City, State, ZIP Code	Racine, WI, 53403
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1. Introduction

This Substantial Amendment (SA) to Racine’s 2011 Consolidated Housing and Community Development Plan (ConPlan) was prepared in order to comply with revised ConPlan regulations issued by the U.S. Department of Housing and Urban Development (HUD) after adoption of the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act).

The HEARTH Act revised the Emergency Shelter Grant program, broadening its scope to include assistance to people to regain their housing stability after experiencing a housing crisis and/or homelessness. To emphasize this broader scope the Emergency Shelter Grant program was renamed the Emergency Solutions Grant program.

The HEARTH Act also revised the ConPlan process to incorporate many of the elements of the federal Continuum of Care (CoC) homeless grant planning process, including consultation with the local CoC in the ConPlan process. This SA reflects the results of the city of Racine’s consultation with the Racine City and County CoC, whose members provide housing and supportive services to the homeless throughout Racine County.

Racine received its allocation of 2011 ESG funds in two stages: the first (\$86,263) was released to the city in June, 2011; the second (\$48,523) was announced in January, 2012. In order to secure the second stage of 2011 ESG funding, an SA must be submitted to HUD no later than May 15, 2012.

2. SF424

A signed, revised copy of the SF 424 is attached.

3. Summary of the Consultation Process

This Substantial Amendment (SA) was developed in consultation with the Racine City and County Continuum of Care (CoC) whose 50 member organizations provide housing and supportive services needed in each stage of the homeless process including preventing homelessness, outreach/assessment, emergency shelters and services,

transitional housing, and assistance to homeless persons (especially any persons that are chronically homeless) to make the transition to permanent housing and independent living. The Racine City and County CoC is responsible for co-ordination and final approval of annual CoC, ESG, and other collaborative grant applications. Racine City and County CoC members and the CoC's Grant Planning/Evaluation Committee provided valuable information and input into developing the ESG funding priorities, standards for provision of ESG assistance, performance standards, and standards for emergency shelter and outreach activities contained in this SA.

4. Summary of the Citizen Participation Process

Public comment on the SA was solicited through a notice published in the Racine Journal Times on March 16, 2012; the Insider News on March XX, 2012; and the Racine Mirror on April 1, 2012. The notice was also sent via e-mail to over 140 interested individuals and organizations.

[A public hearing on the SA was held by the Racine Community Development Committee on April 19, 2012. It was approved by the Common Council on May 1, 2012.]

5. Match

Organizations funded through the ESG program receive funding from a variety of sources including United Way of Racine County; Wisconsin Department of Administration; Wisconsin Department of Children and Families; Legal Services Corporation; U.S. Department of Health and Human Services; U.S. Department of Housing and Urban Development; Racine County Human Services Department; private charities and foundations; individual donations; and organizational fund-raising campaigns and events. In total, nearly \$4.7 million in operating and services funds are derived from these sources. Funds are used for emergency shelter and support services, transitional and permanent housing, counseling, case management, legal assistance, and rental housing subsidies.

6. Proposed Activities and Overall Budget

a. Proposed Activities

The following emergency shelter activities will be funded:

- Bethany Apartments: transitional housing and support services for families;
- Homeless Assistance Leadership Organization (HALO): emergency shelter, transitional and permanent supportive housing, and support services for homeless families and individuals;
- SAFE Haven of Racine: emergency shelter and support services for runaways;
- Women's Resource Center: emergency shelter and support services for domestic violence victims and their families.

The following homelessness prevention activities will be funded:

- HOPES Center: counseling, case management, and services for the chronically homeless;

- Legal Action of Wisconsin (LAW): legal advice and representation for households facing eviction;
- Racine/Kenosha Community Action Agency (R/KCAA): counseling for households at risk of homelessness and administration of a tenant-based rent assistance (TBRA) program for the homeless and those at risk of homelessness;
- Racine Vocational Ministry: job counseling; case management, employment readiness, and placement services for the homeless.

In addition, general administration of the ESG program by the Department of City Development will be funded.

All activities described above began on June 8, 2011 following Common Council approval of the first stage of ESG funding. All are expected to end no later than December 31, 2012. All have the objective of making decent housing available and affordable (HUD Outcome/Objective Category DH-1).

Table One shows the amount of funding for each activity, the expected number of beneficiaries, and the amount of activity funding available from non-ESG sources.

Agency	ESG Funding	# Beneficiaries	Other Funding (non-ESG)
Bethany Apartments	\$ 15,418.00	62 Persons (23 Households)	\$ 329,700.00
HALO	\$ 27,533.00	1,000 Persons	\$ 1,461,245.00
SAFE Haven	\$ 11,013.00	120 Persons	\$ 622,844.00
Women's Resource Center	\$ 29,735.00	300 Persons	\$ 237,668.00
Shelter Subtotal	\$ 83,699.00		\$ 2,651,457.00
HOPES Center	\$ 10,993.00	250 Persons	\$ 323,660.00
Legal Action of Wisconsin	\$ 8,000.00	200 Persons (80 Households)	\$ -
Racine/Kenosha Community Action Agency	\$ 13,150.00	50 Persons	\$ 131,954.00
Racine Vocational	\$ 8,836.00	70 Persons	\$ 449,670.00

Ministry			
Prevention Subtotal	\$ 40,979.00		\$ 905,284.00
Program Administration	\$ 10,108.00	N/A	\$ -
ESG Grand Total	\$ 134,786.00		\$ 3,556,741.00

b. Discussion of Funding Priorities

Funding priorities were developed in consultation with the Racine City and County CoC and reflect the CoC's long-term planning objectives to increase the number and percentage of homeless persons in permanent housing and to increase the number and percentage of homeless persons who are employed. The priorities also reflect the CoC's experience with the Homelessness Prevention and Rapid Re-housing Program (HPRP), which has included significant case management and support service components.

c. Detailed Budget

A detailed budget showing the first, second, and total allocations of 2011 ESG funding is attached.

7. Written Standards for Provision of ESG Assistance

In 2009, the Racine City and County CoC developed standards for the provision of HPRP assistance. These standards will be employed initially for the provision of ESG assistance, but are expected to evolve as the CoC gains more experience with the program.

Applying for Assistance

Persons and households applying for ESG assistance may do so through either the Racine/Kenosha Community Action Agency (R/KCAA) or Legal Action of Wisconsin (LAW) and must complete an eligibility pre-screening. Pre-screening may be completed either in person or by telephone during specified office hours.

Persons and households who meet the basic eligibility requirements then meet with a case worker to complete a needs assessment and further eligibility verification. Other resources are also explored to ensure that ESG assistance is being provided to those who are the most needy and likely to be homeless. ESG will not be used to supplant pre-existing local resources.

The following minimum eligibility requirements apply:

- A household may consist of either a single individual or a family.
- A household must be resident(s) of the City of Racine.
- The household must be at or below 50% of County Median Income (CMI), as determined by the U.S. Department of Housing and Urban Development.
- The household must be either homeless or at risk of losing its housing and meet both of the following circumstances: No appropriate subsequent housing options have been identified; and the household lacks the financial resources and support networks to obtain immediate housing or remain in its existing housing.

Households at “imminent risk” of becoming homeless must be able to provide the following documentation:

- Documentation or verification of all household income.
- Documentation or verification of the pending eviction and
- Have a lease in the applying household member’s name or sufficient documentation to demonstrate that a lease exists if the lease is oral and financial assistance is being requested. A lease is not required for legal services per HUD guidelines.

Households that are experiencing homelessness must be able to provide documentation of income and of homelessness.

At the time of the intake appointment, income and other required documentation is verified, information is recorded on a Preliminary Eligibility Screen form and a Support form. The applicant is asked to sign a Disclosure/Informed Request form. The applicant is asked to sign the Wisconsin Service Point (WISP) Release of Information (ROI) form. WISP is the State of Wisconsin Homeless Management Information System (HMIS).

Eligibility for Assistance.

Following a needs assessment, the applicant and Case Manager develop a Housing Stability Plan (creation of goals) and a Family Spending Planner is completed. All participants receive a thirty (30) day case management follow up. After the amount of financial assistance is determined, a voucher is created based on the agreed upon ESG assistance.

Both LAW and R/KCAA require staff making the eligibility determination to complete and sign Staff Certification that verifies eligibility criteria for ESG are met. The individual’s supervisor also reviews the documentation and signs the Staff Certification if eligibility is met. Other forms that may be completed if 3rd party verification is not provided are the Verification of Income, Self-Declaration of Income, Homeless Certification, Self Declaration of and Housing Status. LAW and R/KCAA staff keeps up-to-date case management notes in writing or on WISP to document the progress of applicants.

If applicant is not eligible for assistance, he will be notified in person and through a Denial Notice mailed to the applicant within 5 business days.

Termination for Non-compliance

Persons who are terminated from the program for non-compliance receive at least a thirty (30) day notice of non-compliance and termination. The notices provide for the right to appeal the decision. If an appeal is timely, a meeting is held with the case manager to try to resolve the matter. If it cannot be resolved, a meeting is held with the case manager's supervisor. If the matter is still not resolved, the applicant/recipient has the opportunity to have a hearing with members of the CoC. A panel of 3 persons is selected from the CoC by the CoC President.

8. Process for Making Subawards

The ESG subawards detailed in Section 6. above were developed through a grant allocation process in which funding applications were solicited by the Department of City Development, ranked by Department staff, then reviewed by the city's Community Development Committee, which has oversight over the city's federal housing and community development grants. Final review and approval was done by the Racine City Council. Members of the Racine City and County CoC co-operated during both stages of the application process, to prepare a collaborative application and funding plan.

9. Homeless Participation Requirement

The Racine City and County CoC has homeless persons among its 50 members and member organizations.

10. Performance Standards

The Racine City and County CoC has performance standards for Supportive Housing Program (SHP) grantees and the CoC has extended those standards to ESG grantees where applicable. The current standards are: 1.) A minimum of 22% of the participants shall have employment at time of exit from the program, 2.) A minimum of 50% of the participants shall have some source of income/mainstream benefit at time of exit from the program, 3.) Eighty-five percent of participants exiting transitional housing will exit to permanent housing, 4.) Seventy-seven percent of participants in SHP shall remain for 6 months or more, and 5.) One additional Permanent Housing (PH) bed will be developed for chronically homeless persons in the next 12 months.

The CoC is analyzing and evaluating Wisconsin Service Point (WISP) data, as well as current practices within the CoC to develop standards and base line data. The State of Wisconsin administers the WISP system, which is the Homeless Management Information System (HMIS) statewide. All primary homeless providers in the CoC use WISP. The HMIS data elements that are required to be collected for ESG have been incorporated into the WISP assessment used by homeless agencies in the CoC. The CoC president is a member of the statewide WISP Data Standards Workgroup that develops and implements statewide standards for data collection.

Members of the CoC have participated in performance standard webinars presented by HUD, National Alliance to End Homelessness and United States Interagency Council on Homelessness. Members of the CoC also participate in statewide discussion groups that focus on specific areas of the HEARTH performance standards. Resources, such as the National Alliance to End Homelessness “Homeless System Evaluator Tool” and “What Gets Measured Gets Done” toolkit will be utilized in developing performance measures.

During the first year of implementation of the Emergency Solutions Grant the CoC will develop baseline data for specific performance standards and measures. Currently, the CoC has an ESG performance standard for rental assistance and legal services that the CoC is beginning to measure in WISP: the number of households becoming literally homeless within 6 months after receiving rental assistance or legal services must be 20% or less, and 30% or less after 12 months. This performance standard was developed based on HPRP data collected over the last 2 years. In year two of the Emergency Solutions Grant the CoC will develop additional performance standards and will evaluate the standards currently in place.

Additional performance standards will be developed by the Racine City and County CoC over the next few years as the ESG Interim Rule and other HEARTH legislation is implemented. Performance standards and measures will focus on: 1) reducing the number of people entering homelessness; 2) reducing the length of time that people are homeless; 3) reducing homeless recidivism; 4) increasing jobs; and 5) increasing income. The needs of specific sub-populations will be considered when developing standards, as well as strategies for targeting those with greatest need or risk of becoming homeless and reducing housing barriers.

11. Written Standards for Emergency Shelter & Street Outreach Activities

The Homeless Assistance Leadership Organization (HALO), which houses over 1,000 homeless persons annually, has adopted a operating procedures manual for shelter services, which includes standards for admission, diversion, referral, discharge, and length of stay. The manual also includes safeguards for safety and shelter needs of special populations, and persons with the highest barriers to housing.

12. Certifications

A signed copy of required ESG Certifications is attached



SF 424

The SF 424 is part of the CPMP Annual Action Plan. SF 424 form fields are included in this document. Grantee information is linked from the 1CPMP.xls document of the CPMP tool.

SF 424

Complete the fillable fields (blue cells) in the table below. The other items are pre-filled with values from the Grantee Information Worksheet.

Date Submitted 5/2/2012		Applicant Identifier		Type of Submission	
Date Received by state		State Identifier		Application	
Date Received by HUD 5/3/2012		Federal Identifier		Pre-application	
				<input type="checkbox"/> Construction	
				<input type="checkbox"/> Construction	
				<input checked="" type="checkbox"/> Non Construction	
				<input type="checkbox"/> Non Construction	
Applicant Information					
Jurisdiction City of Racine, Wisconsin			UOG Code WI555424 RACINE		
Street Address Line 730 Washington Avenue			Organizational DUNS 02-047-2601		
			Organizational Unit		
City Racine		Wisconsin		Department of City Development	
ZIP 53403		U.S.A.		Division	
Employer Identification Number (EIN):			County Racine, Wisconsin		
39-6005581			Program Year Start Date (MM/DD) 01/01/2011		
Applicant Type:			Specify Other Type if necessary:		
Local Government: City			Specify Other Type		
Program Funding			U.S. Department of Housing and Urban Development		
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding					
Community Development Block Grant			14.218 Entitlement Grant		
CDBG Project Titles 2011 Comprehensive Housing and Community Development Program			Description of Areas Affected by CDBG Project(s) City of Racine, Wisconsin		
\$CDBG Grant Amount \$1,786,014.00		\$Additional HUD Grant(s) Leveraged		Describe	
\$Additional Federal Funds Leveraged			\$Additional State Funds Leveraged		
\$Locally Leveraged Funds \$500,000.00			\$Grantee Funds Leveraged		
\$Anticipated Program Income \$609,200.00			Other (Describe) \$1,200,000.00 (Private and Foundation Funding)		
Total Funds Leveraged for CDBG-based Project(s) \$1,700,000.00					
Home Investment Partnerships Program			14.239 HOME		
HOME Project Titles 2011 Comprehensive Housing and Community Development Program			Description of Areas Affected by HOME Project(s) City of Racine, Wisconsin		
\$HOME Grant Amount \$560,196.00		\$Additional HUD Grant(s) Leveraged		Describe	
\$Additional Federal Funds Leveraged			\$Additional State Funds Leveraged		
\$Locally Leveraged Funds			\$Grantee Funds Leveraged		

\$Anticipated Program Income \$51,150.00		Other (Describe) \$350,000.00 (Private Investment)	
Total Funds Leveraged for HOME-based Project(s) \$350,000.00			
Housing Opportunities for People with AIDS		14.241 HOPWA	
HOPWA Project Titles N/A		Description of Areas Affected by HOPWA Project(s)	
\$HOPWA Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for HOPWA-based Project(s)			
Emergency Solutions Grants Program		14.231 ESG	
ESG Project Titles 2011 Emergency Solutions Program		Description of Areas Affected by ESG Project(s) City of Racine, Wisconsin	
\$ESG Grant Amount \$134,786.00	\$Additional HUD Grant(s) Leveraged \$1,072,400.00	Describe Continuum of Care Funding	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for ESG-based Project(s) \$1,072,400.00			
Congressional Districts of:		Is application subject to review by state Executive Order 12372 Process?	
Applicant Districts 1 st Wisconsin	Project Districts 1 st Wisconsin		
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		<input type="checkbox"/> Yes	This application was made available to the state EO 12372 process for review on DATE
		<input checked="" type="checkbox"/> No	Program is not covered by EO 12372
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	Program has not been selected by the state for review
Person to be contacted regarding this application			
First Name Joseph	Middle Initial G.	Last Name Heck	
Title Assistant Director of City Development	Phone 262-636-9151	Fax 262-635-5347	
eMail joe.heck@cityofracine.org	Grantee Website www.cityofracine.org	Other Contact	
Signature of Authorized Representative		Date Signed 5/2/2012	

FY 2011 Detailed Budget Table

First Allocation		\$86,263.00	FY 2011		
Second Allocation		\$48,523.00	<u>Emergency Shelter Grants/Emergency Solutions Grants</u>		
Grant Amount		\$134,786.00	<u>Program Allocations</u>		
Total Administration		\$10,108.95			
		First Allocation		Second Allocation	Total Fiscal Year 2011
Eligible Activities		Activity Amount	Reprogrammed Amount	Activity Amount	Activity Amount
Emergency Shelter Grants Program	Homeless Assistance		\$0.00		\$0.00
	<i>Rehab/Conversion</i>	\$0.00	\$0.00		\$0.00
	<i>Operations</i>	\$74,800.00	\$0.00		\$74,800.00
	<i>Essential Services</i>	\$1,200.00	\$0.00		\$1,200.00
	Homelessness Prevention	\$5,949.85	\$0.00		\$5,949.85
	Administration	\$4,313.15	\$0.00		\$4,313.15
Emergency Shelter Grants Subtotal		\$86,263.00	\$0.00		\$86,263.00
Emergency Solutions Grants Program	Emergency Shelter**			\$7,698.00	\$7,698.00
	<i>Renovation**</i>			\$0.00	\$0.00
	<i>Operation**</i>			\$7,698.00	\$7,698.00
	<i>Essential Service**</i>			\$0.00	\$0.00
	<i>URA Assistance**</i>			\$0.00	\$0.00
	Street Outreach - Essential Services**			\$0.00	\$0.00
	HMIS		\$0.00	\$0.00	\$0.00
	Rapid Re-housing		\$0.00	\$0.00	\$0.00
	<i>Housing Relocation and Stabilization Services</i>		\$0.00	\$0.00	\$0.00
	<i>Tenant-Based Rental Assistance</i>		\$0.00	\$0.00	\$0.00
	<i>Project-Based Rental Assistance</i>		\$0.00	\$0.00	\$0.00
	Homelessness Prevention		\$0.00	\$35,029.20	\$35,029.20
	<i>Housing Relocation and Stabilization Services</i>		\$0.00	\$35,029.20	\$35,029.20
	<i>Tenant-Based Rental Assistance</i>		\$0.00	\$0.00	\$0
	<i>Project-Based Rental Assistance</i>		\$0.00	\$0.00	\$0.00
	Administration			\$5,795.80	\$5,795.80
	Emergency Solutions Grants Subtotal		\$0.00	\$48,523.00	\$48,523.00
			Total Grant Amount:		\$134,786.00

**Allowable only if the amount obligated for homeless assistance activities using funds from the first allocation is less than the expenditure limit for emergency shelter and street outreach activities (see Section III.B. of this Notice).

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing -- The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential antidisplacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace -- It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying -- To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction -- The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan -- The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Signature/Authorized Official

Date

Title

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan -- It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) _____, _____ (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its

jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K and R;

Compliance with Laws -- It will comply with applicable laws.

Signature/Authorized Official

Date

Title

**OPTIONAL CERTIFICATION
CDBG**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature/Authorized Official

Date

Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs -- it is using and will use HOME funds for eligible activities and costs, as described in 24 CFR § 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in § 92.214.

Appropriate Financial Assistance -- before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Signature/Authorized Official

Date

Title

ESG Certifications

The Emergency Solutions Grants Program Recipient certifies that:

Major rehabilitation/conversion – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the jurisdiction will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the jurisdiction serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The jurisdiction will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for such individuals.

Matching Funds – The jurisdiction will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The jurisdiction has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the jurisdiction will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the jurisdiction undertakes with assistance under ESG are consistent with the jurisdiction’s consolidated plan.

Discharge Policy – The jurisdiction will establish and implement, to the maximum extent practicable and where appropriate policies and protocols for the discharge of persons from

publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Signature/Authorized Official

Date

Title

HOPWA Certifications

The HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under that program shall be operated for the purpose specified in the plan:

1. For at least 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

Signature/Authorized Official

Date

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

This information with regard to the drug-free workplace is required by 24 CFR part 21.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).