

# State of Wyoming

2020 Annual  
Action Plan

Draft for Public Review

November 23, 2020



**STATE OF WYOMING**

**2020 ANNUAL ACTION PLAN**

Prepared for:  
Wyoming Community Development Authority  
Wyoming Business Council  
Wyoming Department of Family Services  
Wyoming Department of Health

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# 2020 Annual Action Plan

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## AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

### 1. Introduction

In 1994, the U.S. Department of Housing and Urban Development (HUD) issued new rules consolidating the planning, application, reporting and citizen participation processes for four formula grant programs: Community Development Block Grants (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). The new single-planning process was intended to more comprehensively fulfill three basic goals: to provide decent housing, to provide a suitable living environment and to expand economic opportunities. It was termed the *Consolidated Plan for Housing and Community Development*.

According to HUD, the Consolidated Plan is designed to be a collaborative process whereby a community establishes a unified vision for housing and community development actions. It offers entitlements the opportunity to shape these housing and community development programs into effective, coordinated neighborhood and community development strategies. It also allows for strategic planning and citizen participation to occur in a comprehensive context, thereby reducing duplication of effort.

As the lead agency for the Consolidated Plan and this Action Plan, the State of Wyoming, and the Wyoming Business Council (WBC) as lead agency, hereby follows HUD's guidelines for citizen and community involvement. Furthermore, it is responsible for overseeing these citizen participation requirements, those that accompany the Consolidated Plan.

### 2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The goals of the programs administered by the State of Wyoming are to provide decent housing, a suitable living environment for the state's low- and moderate-income residents, and economic opportunities for low-moderate income residents. The State of Wyoming strives to accomplish these goals by maximizing and effectively utilizing all available funding resources to conduct housing and community development activities that will serve the economically disadvantaged residents of the state. By addressing need and creating opportunity at the individual and neighborhood levels, the State of Wyoming hopes to improve the quality of life for all residents of the state.

These national objectives are met through these goals:

1. Promote Development of Affordable Housing Units in the State

2. Enhance access to public services
3. Invest in infrastructure and Public Facilities
4. Support efforts to combat homelessness
5. HOPWA TBRA

Some of these activities include the funding homeless service providers, funding HOPWA rental assistance, funding infrastructure investments for communities across the state that benefit LMI households, and funding housing development and rehabilitation that benefits LMI households in the State. These efforts are outlined in the AP-20 Annual Goals and Objectives.

### **3. Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

As outlined in the State's Performance and Evaluation Report (PER):

**CDBG:** 2018 Projects were not established because projects were not identified until December, 2018. In 2018, Three (3) of the projects selected in 2017 were underway. The construction process for the Laramie County meal on Wheels Kitchen Project began in the fourth quarter of 2018. 2016 Projects managed in the 2018 program year include: Fort Laramie Water Line Replacement and Sewer Lagoon Update, which is in the process of finalizing funding with USDA; Washakie County Library Ten Sleep Branch Expansion, which completed construction in February and is awaiting final drawdown to close-out; Rawlins Adaptive Reuse of the Historic Guards' Quarters has selected contractors in September; Evansville Sidewalk Installation has been completed and closeout visit has been completed; Rock Springs Bunning Park Rehabilitation Project has completed asbestos testing and mitigation and obtained demolition/renovation permits; Deaver Potable Water Distribution System & Fire Hydrant Fire Flow was ahead of schedule during the second quarter of 2018, including the completion of distribution lines down Central Avenue, 1st Avenue West and 2nd Avenue West; Albany County GWBBBS Community Mentoring is continuing the initial process to start construction for Phase II.

**HOPWA:** In FY 2018, HOPWA-C funds were used to provide 33 persons with STRMU benefits, 19 persons with TBRA, and 5 with transitional short-term housing facilities, or emergency shelter.

**ESG:** In 2018, some 1,628 persons were assisted with ESG funds. Of these, some 842 were in households with adults only. Another 712 were in a household with both adults and children, and 36 were in households with only children. Another 38 were in an unknown household type. Additional information is included in the Sage Reporting System.

**HOME:** In 2018, the HOME program completed 40 units, including 29 rentals, 10 first time homebuyers, and 1 existing homeowner household.

Additional information can be found at <http://www.wyomingbusiness.org/cdbg>

As the State evaluates its past performance, ESG will fund a higher percentage of homeless prevention and rehousing than in previous years in order to keep individuals and families housed to combat homelessness.

#### **4. Summary of Citizen Participation Process and consultation process**

Two public outreach opportunities were utilized in the development of this plan. A public meeting will be held prior to the release of the draft plan to garner feedback on preliminary findings. Once the Plan was released for public review, a public hearing was held to offer residents and stakeholders the opportunity to comment on the plan.

#### **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

No public comments were received.

#### **6. Summary of comments or views not accepted and the reasons for not accepting them**

No public comments were received.

#### **7. Summary**

The State's efforts in the development of this Action Plan are represented by the efforts to establish annual goals and objectives. The Goals outlined in the Action Plan are reflective the needs in the State of Wyoming, particularly low to moderate income households. The State will undertake these efforts in accordance with HUD's guidelines and requirements.

## PR-05 Lead & Responsible Agencies - 91.300(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	WYOMING	Wyoming Business Council
HOPWA Administrator	WYOMING	Wyoming Department of Health
HOME Administrator	Wyoming Community Development Authority, WY	WCDA - Affordable Hsg Devl Department (HOME, NHTF)
ESG Administrator	WYOMING	Wyoming Department of Family Services
HFT Administrator	Wyoming Community Development Authority, WY	WCDA - Affordable Hsg Devl Department (HOME, NHTF)

**Table 1 – Responsible Agencies**

### Narrative

The Wyoming Community Development Authority (WCDA) serves as lead agency for the development of the Consolidated Plan, as well as administering the HOME and National Housing Trust Fund (NHTF) programs. Three additional state agencies are responsible for the other funding programs in the State. The Wyoming Department of Family Services administers the ESG program. The HOPWA-C Administrator is the Wyoming Department of Health.

### Consolidated Plan Public Contact Information

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 Director of Affordable Housing Development  
 Wyoming Community Development Authority  
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## AP-10 Consultation - 91.110, 91.300(b); 91.315(l)

### 1. Introduction

In addition to the public outreach initiated by the State of Wyoming, the State also reached out to additional public agencies, non-profits, and service organizations.

All state agencies receiving HUD awards meet monthly. All share a common goal: to get more citizen participation and more public comment each year. The coalition of agencies is identifying funding gaps in the state and partner with these groups to address them.

#### **Provide a concise summary of the state's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies**

The state of Wyoming developed the Action Plan as a coordinated effort between the WBC, WCDA, WDFS, and WDOH. This collaboration provided an opportunity to interact and enhance coordination among public and assisted housing providers, private and government health, mental health and service agencies throughout the year.

#### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness**

Chief Executive Officer of the Wyoming Business Council had a seat on the Continuum of Care group in an effort to integrate the WBC and its role as the lead for the planning for the State of Wyoming with meeting the needs of the homeless. The WBC offered board training to the continuum of care but it was never scheduled. The WBC has also established a good relationship with the current chair of the CoC and hopes that will lead to more fruitful interaction. The CEO has since had to resign that seat on the CoC. WBC will be establishing periodic meetings with representatives of relevant agencies, CoC, etc to keep the lines of communication open.

At this time, the CDBG program isn't directing resources towards youth existing foster care and becoming homeless.

WBC Staff are working with the Wyoming Department of Health to conduct a statewide assessment of health. This effort confirmed or validated that the programs offered by the state CDBG program and the relationships established with the CoC and agencies who participated in the development of the community toolbox are all working towards the same goals and continued interaction will be the foundation for the Con Plan and the 2020 AAP.

**Describe consultation with the Continuum(s) of Care that serves the State in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

ESG grantee, The Department of Family Services (DFS), attends all Wyoming Homeless Collaborative (WHC) Board of Directors and membership meetings. DFS presented training to educate WHC board members of ESG’s program basics, structure and Hud requirements with the goal of the WHC board assisting with allocation strategies. Through this collaboration the WHC board agreed with DFS’s recommendation to increase the percentage of ESG dollars toward Homeless Prevention and Rapid Rehousing for 2020. A committee of WHC members that included ESG subrecipients, CoC grantees, HMIS Lead Agency, Veteran Administration, Dept of Health and DFS, worked with a Hud sponsored T/A firm to develop ESG and CoC Standards for the Wyoming Homeless Collaborative to use. The standards allow consistent evaluation of projects across Wyoming.

Additionally, ESG funding is distributed by a competitive process that includes a scoring committee of persons from several agencies and businesses that do not apply for and have no interest in HUD funding to make final funding decisions. Outcomes are evaluated based on the information required in application for funding and HMIS data.

HMIS lead agency maintains a CoC grant for the operation, administration, training and education of HMIS users in Wyoming. The HMIS lead is responsible for maintaining HUD required policies and day to day operation of HMIS.

**2. Agencies, groups, organizations and others who participated in the process and consultations**

Table 2 – Agencies, groups, organizations who participated

1	<b>Agency/Group/Organization</b>	Wyoming Department of Health
	<b>Agency/Group/Organization Type</b>	Other government - State
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Invited to comment on draft plan.
2	<b>Agency/Group/Organization</b>	Wyoming Department of Family Services
	<b>Agency/Group/Organization Type</b>	Other government - State
	<b>What section of the Plan was addressed by Consultation?</b>	Homelessness Strategy

<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Invited to comment on draft plan.
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**Identify any Agency Types not consulted and provide rationale for not consulting**

The State of Wyoming made every attempt to be inclusive in its consultation efforts throughout the planning process.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Wyoming Department of Family Services	CoC and WDFS Goals develop a coordinated homeless crisis response system and identify all shelters and transitional living facilities; programs that provide temporary and long-term resources to reduce financial vulnerability to homelessness, strengthen services for homeless children and youth and identify agencies that work with youth populations who may be at risk of homelessness; increase community outreach to these populations, Identify and develop additional resources for homeless veterans.

**Table 3 - Other local / regional / federal planning efforts**

**Narrative**

Over the years the state has tried varying means of public outreach from compressed video at all community college sites to public meetings, presentations at conferences and webinars. There is little public interest or input regardless of outreach efforts. However, the state will continue to pursue social media, surveys and other means that may engage the public.

## AP-12 Participation - 91.115, 91.300(c)

### 1. Summary of citizen participation process/Efforts made to broaden citizen participation

#### Summarize citizen participation process and how it impacted goal-setting

The 2020 Action Plan citizen participation outreach included two public meetings and public notification at least seven (7) days prior to meetings, as outlined by the State's Citizen Participation Plan (CPP). The public input meeting was held on November 20, 2020 at 2:00pm MST via webinar. The public review meeting will be held on December 11, 2020 at 2:00 pm MST via webinar. Public notifications were sent out via social media and email notifications.

#### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Public Meeting	Non-targeted/broad community	There were four (4) attendees at the public input meeting on November 20, 2020 via webinar.	No comments received.		
2	Public Meeting	Non-targeted/broad community				

Table 4 – Citizen Participation Outreach

## AP-15 Expected Resources – 91.320(c)(1,2)

### Introduction

The following shows the 2020 Action Plan expected resources. HOPWA funds for the 3-year cycle include \$572,938. One-third of this allocation is shown below.

### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$3,216,677	0	0	\$3,216,677	\$6,433,354	
HOME	public - federal	Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA	\$3,500,000	\$2,229,092	0	\$5,729,092	\$7,000,000	

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
HOPWA	public - federal	Permanent housing in facilities Permanent housing placement Short term or transitional housing facilities STRMU Supportive services TBRA	0	0	0	\$190,979	0	
ESG	public - federal	Conversion and rehab for transitional housing Financial Assistance Overnight shelter Rapid re-housing (rental assistance) Rental Assistance Services Transitional housing	\$334,527	0	0	\$334,527	\$669,054	
HTF	public - federal	Acquisition Admin and Planning Homebuyer assistance Multifamily rental new construction Multifamily rental rehab New construction for ownership	\$3,000,000	0	0	\$3,000,000	\$6,000,000	

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Acquisition Admin and Planning Homeowner rehab Housing Multifamily rental rehab	\$1,300,000	0	0	\$1,300,000	0	NSP-PI

**Table 5 - Expected Resources – Priority Table**

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

**HOPWA:** The HOPWA program works closely with the Ryan White Part B/ADAP. There is only one community-based organization focused on HIV, the Client Assistance Fund run by the Wyoming ADIS Assistance. It provides limited funding each year for clients to assist with needs not covered by the programs.

**ESG:** ESG matching requirements will be satisfied by each agency through cash donations; donated labor, food, clothing; the value of any donated material or building; the value of any lease or mortgage on the building; local fundraising events, and grants from local agencies such as United Way. Each agency is required to have a 100 percent match from other sources to equal funds received from the ESG.

**CDBG:** The CDBG program leverages state funds for administrative match. Additionally, projects leverage other state programs including but not limited to Business Ready Communities funds, Mineral Royalty grants, and Wyoming Department of Transportation funds. Other grant or philanthropic contributions are often included in project budget structures. Some housing projects include HOME and/or LIHTC as match.

**HOME:** Most often, Low Income Housing Tax Credits (LIHTC) are combined with HOME funds, allowing for more units at lower rent levels to be produced. In the most recent competitive cycle, WCDA leveraged \$3,857,668 in LIHTC against \$5,686,600 in HOME to produce 223 units of affordable rental housing statewide.

The HOME program requires a 25 percent match obligation. Because WCDA has accumulated sufficient “banked” (i.e. excess match from prior years) match, developers will not be required to provide the 25% match, and will only be required to provide 5% match for projects submitted in 2020. Typically, sources of match have included waiver of professional fees, reduced interest rates and origination points by lending institutions, reduced property taxes and concessions by local governments. All these forms of match reduce project costs, allowing the funding to provide more affordable housing. The Low Income Housing Tax Credit program is often utilized with HOME funds on rental projects, allowing the HOME units to address the needs at low-income levels.

The state provides no other funding sources for housing, i.e. oil and gas funds.

**NHTF:** The state leverages its NHTF allocation against its low income housing tax credit (LIHTC) allocation through a competitive process governed by the Affordable Housing Allocation Plan. In the most recent competitive cycle, WCDA awarded \$6.43 million of NHTF in LIHTC to produce 11 units of affordable housing for extremely low income households (ELI).

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Not applicable.

# Annual Goals and Objectives

## AP-20 Annual Goals and Objectives – 91.320(c)(3)&(e)

### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Promote Development of Affordable Housing	2018	2022	Affordable Housing	Statewide	Low to moderate Income renter households  Low to moderate income homeowner households	CDBG: \$804,169 HOME: \$5,729,092 HTF: \$3,000,000 NSP-PI: \$1,300,000	Rental units constructed: 40 Household Housing Unit Rental units rehabilitated: 20 Household Housing Unit Homeowner Housing Added: 10 Household Housing Unit Homeowner Housing Rehabilitated: 19 Household Housing Unit Direct Financial Assistance to Homebuyers: 5 Households Assisted Other: 1 Other
2	Enhance access to public services	2018	2022	Non-Homeless Special Needs	Statewide	Special Needs Populations	CDBG: \$482,501	Public service activities for Low/Moderate Income Housing Benefit: 2100 Households Assisted
3	Invest in infrastructure and Public Facilities	2018	2022	Non-Housing Community Development	Statewide	Public Facilities	CDBG: \$1,737,006	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 1200 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
4	Support efforts to combat homelessness	2018	2022	Homeless	Statewide	Homelessness	ESG: \$323,751	Tenant-based rental assistance / Rapid Rehousing: 132 Households Assisted Homeless Person Overnight Shelter: 1639 Persons Assisted Homelessness Prevention: 1086 Persons Assisted
5	HOPWA TBRA	2018	2022	Non-Homeless Special Needs	Statewide	Special Needs Populations	HOPWA: \$190,979	Tenant-based rental assistance / Rapid Rehousing: 55 Households Assisted

**Table 6 – Goals Summary**

### Goal Descriptions

1	<b>Goal Name</b>	Promote Development of Affordable Housing
	<b>Goal Description</b>	<p>Identify opportunities for affordable housing developments; construct or rehab 125 such units over this next five years.</p> <p><b>NHTF Funding:</b> Funds allocated under this goal will be used for rental housing production for extremely low income (ELI) households. Funds will be awarded competitively via the WCDA Affordable Housing Allocation Plan, and may be expended under the Open Competitive, Small Rural Project Set-Aside, or CHDO Set-Aside. Because HOME funds are distributed on a competitive basis, WCDA cannot guarantee that sufficient applications will be received and score high enough to utilize all funds set-aside under this goal.</p> <p><b>HOME:</b> Funds allocated under this goal will be used to construct and/or acquire/rehabilitate affordable rental or homeowner housing for low to moderate income households. Funds will be awarded competitively via the WCDA Affordable Housing Allocation Plan, and may be expended under the Open Competitive, Small Rural Project Set-Aside, or CHDO Set-Aside. Because HOME funds are distributed on a competitive basis, WCDA cannot guarantee that sufficient applications will be received and score high enough to utilize all funds set-aside under this goal.</p> <p><b>CDBG:</b> Approximately one-third of CDBG funds will be distributed to the WCDA via a MOU to be used for housing.</p> <p><b>NSP-PI:</b> NSP Program Income (PI) of \$762,000, for Wyoming Rehabilitation and Acquisition Program (WRAP). The State of Wyoming will utilize these funds to acquire, rehabilitate and re-sell a minimum of four (4) single-family homes to income-eligible households. Funds will be awarded competitively via the WCDA Affordable Housing Allocation Plan, and may be expended under the Open Competitive, Small Rural Project Set-Aside, or CHDO Set-Aside. Because HOME funds are distributed on a competitive basis, WCDA cannot guarantee that sufficient applications will be received and score high enough to utilize all funds set-aside under this goal.</p> <p>See AP-30 for Method of Distribution.</p>
2	<b>Goal Name</b>	Enhance access to public services
	<b>Goal Description</b>	<p>CDBG funds will be made available for public and social services that serve low to moderate income areas or serve low to moderate income populations. These public service activities may vary depending on applicants for funding, but will address public service needs in the community, such as food insecurity, childcare, access to substance abuse services, health services, education programs, services for the elderly, employment services, and recreational services.</p>

3	<b>Goal Name</b>	Invest in infrastructure and Public Facilities
	<b>Goal Description</b>	The State will promote community development through enhancing the State's infrastructure and public facilities to meet the needs of residents. This will also include the ADA compliance upgrade, and planning grants.
4	<b>Goal Name</b>	Support efforts to combat homelessness
	<b>Goal Description</b>	The State will support homeless service providers throughout the State with ESG funds. See AP-30 for method of distribution.
5	<b>Goal Name</b>	HOPWA TBRA
	<b>Goal Description</b>	HOPWA funds will be used for Tenant Based Rental Assistance (TBRA), administered by the State.

## AP-25 Allocation Priorities – 91.320(d)

### Introduction:

The following narrative describes the allocation priorities in the State for FY 2020.

### Funding Allocation Priorities

	Promote Development of Affordable Housing (%)	Enhance access to public services (%)	Invest in infrastructure and Public Facilities (%)	Support efforts to combat homelessness (%)	HOPWA TBRA (%)	Total (%)
CDBG	25	15	54	0	0	100
HOME	100	0	0	0	0	100
HOPWA	0	0	0	0	100	100
ESG	0	0	0	100	0	100
HTF	100	0	0	0	0	100
Other NSP-PI	100	0	0	0	0	100

Table 7 – Funding Allocation Priorities

### Reason for Allocation Priorities

The State of Wyoming has developed its set of allocation priorities based on a number of factors that include program and funding capacity, as well as the high priorities as set forth by the 2018-2022 Consolidated Plan. These priorities include low to moderate income renter households, low to moderate income homeowner households, infrastructure, public facilities, homelessness, and special needs populations.

**CDBG:** WBC Regional Directors identify needs in their areas which (this program year) were water line replacements, public facility improvements to benefit the low-income and elderly, housing infrastructure, homeownership assistance, accessibility upgrades and safe public access. One-third of CDBG funds will be allocated to WCDA via a MOU to be directed towards housing activities.

**HOME and NHTF and NSP-PI:** The State of Wyoming, through the Wyoming Community Development Authority, will allocate 100% of

its HOME and NHTF funding towards the development of affordable housing. Specific strategies may include new construction or acquisition/rehabilitation of multi-family rental housing, or single-family homeownership housing. Because WCDA has elected to invest \$4 million of WCDA's internal housing trust fund dollars (not CPD funds) toward efforts to combat homelessness, there is a need to concentrate limited federal resources upon the provision of affordable housing.

**HOPWA:** Seventy-three percent of HIV-positive Wyoming individuals are very low to extremely low income, which makes affording housing a challenge. The program priorities are to identify where the housing needs are and work with partners in those communities to find and secure housing for enrolled clients. Clients are also able to receive supportive services including case management, transportation and meals/nutrition assistance (provided by other funding sources).

**ESG:** Wyoming will continue to use 100% of ESG funds to reduce homelessness across the State. Priorities for ESG vary throughout the state depending on the needs of the homeless and about-to-be homeless.

2020 funding competition continued to emphasize collaboration within Agencies, Communities and Statewide to build a network of unduplicated efforts for all activity types. Staff looks for sub-recipients who provide more than just a night's shelter as a priority when allocations are made. Meals, counseling services, employment counseling, and mental health evaluations are considered activities in this group. Rapid re-housing and homelessness prevention applicants devote much of that funding to rent assistance and hotel vouchers.

### **How will the proposed distribution of funds will address the priority needs and specific objectives described in the Consolidated Plan?**

This plan and the programs enacted are designed to meet the priority needs, as set forth by this plan. These priorities include low to moderate income renter households, low to moderate income homeowner households, infrastructure, public facilities, homelessness, and special needs populations.

**CDBG:** CDBG funding is determined based on the applications received and prioritization through rating. As such, the amount of funding per category may change during the project selection phase. CDBG funds are used to address low to moderate income households, infrastructure, public facilities, and special needs populations. These funds will be directed towards projects that meet these needs through the development of housing infrastructure, the development of local infrastructure and public facilities.

**HOME:** HOME funding will be utilized to develop new affordable housing options for low income households in the State, including rental and homeowner opportunities. This may include both new construction and rehabilitation. This funding will address the priority needs of low to moderate income renter households and low to moderate income homeowner households through the development and rehabilitation of housing units.

**NHTF:** WCDA's highest priorities for NHTF funding approval are: 1.) need; 2.) quality of construction; 3.) income levels served; and, 4.) affordability and extended length of time the restrictions will be in place. While the highest priority is need, WCDA does not put a preference on new construction or rehabilitation, but rather the priority is on serving the community with the highest need among the applications received. WCDA will allocate 100% of NHTF non-administrative program funds to rental housing production for ELI Households. This funding will address the priority needs of low to moderate income renter households and low to moderate income homeowner households through the development and rehabilitation of housing units.

**HOPWA:** Seventy-three percent of HIV-positive Wyoming individuals are very low to extremely low income, which makes affording housing a challenge. The program priorities are to identify where the housing needs are and work with partners in those communities to find and secure housing for enrolled clients. Clients are also able to receive supportive services including case management, transportation and meals/nutrition assistance (provided by other funding sources). This funding source will address special needs population priority need by directing funds to persons with HIV.

**ESG:** Wyoming will continue to use 100% of ESG funds to reduce homelessness across the State. Priorities for ESG vary throughout the state depending on the needs of the homeless and about-to-be homeless. ESG funds will address the priority need of homelessness in the State through directing funds to homeless service providers and programs to reduce homelessness.

**Disaster Response:** In the event of a declared disaster in the State of Wyoming, CPD funds may be redirected to support relief and rebuilding efforts. This may alter the above described allocation priorities.

## AP-30 Methods of Distribution – 91.320(d)&(k)

### Introduction:

The following narrative describes the Method of Distribution for the State of Wyoming for the 2020 Program Year.

### Distribution Methods

**Table 8 - Distribution Methods by State Program**

<b>1</b>	<b>State Program Name:</b>	Community Development Block Grant
	<b>Funding Sources:</b>	CDBG
	<b>Describe the state program addressed by the Method of Distribution.</b>	<p>The Method of Distribution (MOD) issued by the Wyoming Business Council addresses the Community Development Block Grant funds for the balance of State. That is, for Wyoming's cities, towns and counties except Cheyenne and Casper which are entitlement communities. The MOD describes the purpose of the program, eligible applicants (incorporated cities, towns and counties), the application process and the parameters of the program such as grant maximums, eligible activities, anticipated funding, the application review process, timelines, approval process and more.</p> <p>More information is available on the Wyoming Business Council website: <a href="http://www.wyomingbusiness.org/cdbg">http://www.wyomingbusiness.org/cdbg</a></p>

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>All applications must meet one of the three national objectives (benefit to low-to-moderate income people, elimination of slum and blight or addressing urgent community development needs). Applications must also be for an eligible activity. The MOD cites "The Housing and Community Development Act of 1974 (HCDA) Eligible Activities for States as the primary authority for determining eligibility of potential CDBG activities. Applicants must also refer to §101(c) and §104(b)(3) of Sec. 5301.* Congressional Findings and Declaration of Purpose [*Section 101 of the Act]. For additional national objective information, refer to 24 CFR §570.483."</p> <p>Applications are ranked according to various factors such as job creation, integrated effort, seriousness/need and urgency. Points are awarded for each category and then applications are ranked against one another. The staff who rank projects also discuss their rankings to be sure all aspects of the project/application and subtleties in the scoring of a project have been considered before proposing final scores to go to the WBC Board of Directors.</p>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>A pre-qualification form is required. If a project is found to be eligible then an application is required. The MOD, Pre-qualification form and application form are all available on the WBC website. Hard copies are available upon request. WBC regional directors and CDBG staff are also available to provide additional information and guidance to applicants.</p> <p>More information is available on the Wyoming Business Council website: <a href="http://www.wyomingbusiness.org/cdbg">http://www.wyomingbusiness.org/cdbg</a></p>
<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>Not Applicable</p>

<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>Not Applicable</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>The allocation for 2020 is approximately \$3.2 million. If that is the case for 2020 the breakdown of funding available will be approximately:</p> <p>CDBG funding will be directed toward community development.</p> <ul style="list-style-type: none"> <li>• \$200,000 for administration</li> <li>• \$2 million for community development projects</li> <li>• \$40,000 for homeownership assistance</li> </ul>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Each proposed project must meet a national objective, be an eligible activity and from an eligible applicant. Community development allows applications for public infrastructure, including housing infrastructure (\$500,000 max award), community facilities (\$500,000 max award), Accessibility (\$300,000 max award) and Homeownership assistance (\$40,000 max award). Imminent threat grants may be allocated if a need arises (\$250,000 max award)</p>
<p><b>What are the outcome measures expected as a result of the method of distribution?</b></p>	<p>The state expects applications that meet the program criteria from informed applicants. Projects should result in improved housing or living conditions, improved access, new homeowners.</p>

<b>2</b>	<b>State Program Name:</b>	Emergency Solutions Grant
	<b>Funding Sources:</b>	ESG
	<b>Describe the state program addressed by the Method of Distribution.</b>	Emergency Solution Grant (ESG) is a Statewide program designed to aid homeless and potentially homeless to obtain or retain housing.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The application scoring tool emphasized collaboration within agencies and between agencies in their communities, use of HMIS, participation in Coordinated Entry and the Statewide CoC. The guidance received from HUD has led us to understand the importance of use of data, collaboration and participation. Funded programs are based on the criteria that meets these above described statewide goals.
	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Not Applicable
	<b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b>	Notification was sent in the Spring to all contacts on the CoC list serve and WHC website. A review committee scored applications. Funding decisions were based on the ESG Scoring Committee scores.
	<b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b>	Not Applicable

<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>HUD has established firm guidelines that ESG follows however we will use max allocation for Rapid Rehousing because we are trying to emphasize HP and RR is a priority. ESG program provides grant funding to (1) engage homeless individuals and families living on the street, (2) rapidly re-house homeless individuals and families, (3) help operate and provide essential services in emergency shelters for homeless individuals and families, and (4) prevent individuals and families from becoming homeless. Funds are allocated to these resources based on the programs implements by service providers.</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Threshold factors were last fiscal year operating budget, most recent fiscal year audit, most recent APR from HMIS or comparable HUD compliant database, current org chart, fair housing policy, proof of 501c3 if non-profit, good standing certificate from WY Sec of State, Wyoming Workers Compensation certificate, Articles of Incorporation, Org Bylaws, list of board members and officers, Governing Board information if Govt. and 100% match proposal with commitment letter. In the past grant size limits were based on previous year's allocation from HUD and estimated accordingly. This year's competition there was no dollar limit placed on the request for funding.</p>
<p><b>What are the outcome measures expected as a result of the method of distribution?</b></p>	<p>Expected measures are compliance with HUD regulations and HMIS data collected to measure each sub recipient outcome in their community. The overall outcome is expected to be an increase of utilization of services throughout the state.</p>

<b>4</b>	<b>State Program Name:</b>	HOPWA
	<b>Funding Sources:</b>	HOPWA
	<b>Describe the state program addressed by the Method of Distribution.</b>	The Wyoming Department of Health is the grantee and project sponsor for the state of Wyoming. The HOPWA program, which is housed in the Communicable Disease Unit of the Public Health Division, is responsible for providing housing services to HIV-positive individuals across Wyoming and working with case management sites located mostly in public health nursing offices.
	<b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b>	The Wyoming Department of Health does not award HOPWA funds to sub-recipients, and administers the uses of this funding directly. Project sponsors are not currently used within the Wyoming HOPWA program.
	<b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b>	Not Applicable
<b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b>	Not Applicable	

<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>The Wyoming Department of Health is the Grantee and Project Sponsor for the State of Wyoming. The HOPWA program, which is housed in the Communicable Disease Unit of the Public Health Division, is responsible for providing housing services to HIV-positive individuals across Wyoming and working with case management sites located mostly in public health nursing offices.</p> <p>Project sponsors are not currently used within the Wyoming HOPWA program.</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>Not Applicable</p>
<p><b>Describe threshold factors and grant size limits.</b></p>	<p>Not Applicable</p>
<p><b>What are the outcome measures expected as a result of the method of distribution?</b></p>	<p>Not Applicable</p>

<b>5</b>	<b>State Program Name:</b>	State of Wyoming HOME Program
	<b>Funding Sources:</b>	HOME
	<b>Describe the state program addressed by the Method of Distribution.</b>	<p>The affordable housing goals of the 2020 HOME allocation are based upon the priority of needs laid out in the 2018-22 Consolidated Plan. WCDA has allocated its largest percentage of its 2020 HOME funds towards rental housing development and anticipates supporting 134 households through the new construction of affordable rental housing. This prioritization towards rental housing is also reflected in the WCDA Affordable Housing Allocation Plan.</p> <p>The state's affordable housing stock continues to age, there is a clear need to fund strategies that provide opportunities to preserve those housing resources already in place. For this reason, WCDA anticipates rehabilitating 20 units of either owner-occupied or rental housing in 2020.</p> <p>The challenges of identifying income qualified households for homeownership projects in the low and very-low income range means WCDA will allocate limited funding to homeownership acquisition strategies. As a result, WCDA anticipates assisting 10 households with HOME funds for the acquisition of affordable homeownership housing in 2020.</p> <p>In sum total, HOME anticipates assisting 164 households with the provision of affordable housing in 2020. According to the moderate growth projections of WCDA's most recent housing needs assessment, this amount represents approximately 21% of the projected need for the year. However, when considering rental housing unit needs only, WCDA's proposed creation of 134 units of rental housing meets nearly half of projected annual need.</p>

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>Proposed projects will be ranked based on primary and secondary criteria. Where an applicant’s Market Study differs from the current economic statistics available to WCDA, the project may be ranked using the most recent data available to WCDA. Although projects may rank, WCDA reserves the right to add requirements to address any concerns to the Initial Allocation Document, which it may have for the long-term viability of the project.</p> <p>When scoring applications, WCDA will utilize data at the Primary Market Area level.</p> <ol style="list-style-type: none"> <li>1. Housing Needs Characteristics</li> <li>2. Quality of Construction</li> <li>3. Income Levels</li> <li>4. Affordability Levels</li> <li>5. Extended Low-Income Use</li> <li>6. Community Revitalization in Qualified Census Tracts</li> </ol> <p>Secondary:</p> <ol style="list-style-type: none"> <li>1. Project Location</li> <li>2. Project Characteristics</li> <li>3. Sponsor/Applicant Characteristics</li> <li>4. Public Housing Waiting Lists</li> <li>5. Families or Individuals with Children</li> <li>6. Financial Support from Local Sources</li> <li>7. Management Capacity</li> <li>8. Total Project Costs</li> <li>9. Owner/General Partner Equity in Project</li> </ol>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>Not applicable</p>

<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>Not applicable</p>
<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>Not applicable</p>

**Describe how resources will be allocated among funding categories.**

CHDO - Approximately fifteen percent (15%) of the Fiscal Year HOME funding allocation will be set aside for CHDO's. Ten percent of the CHDO set aside may be available to CHDOs for Project Specific Technical Assistance and Site Control Loans for items such as feasibility studies, consulting fees, architectural and engineering fees, etc.

CDHO Operating Costs - A CHDO may apply to WCDA for HOME funding for any fiscal year for organizational operating funds in an amount that provides not more than \$50,000 or fifty percent (50%) of the CHDO's organization's total operating expenses, whichever is less, in that fiscal year. No CHDO may receive funding for more than 3 years.

Small Rural Project Set-Aside - In Wyoming the HOME funding is allocated through a competitive process from applications received from outside Developers. WCDA does NOT retain any Rental funding to administer projects directly. Thus it is difficult to assure specific geographic distribution as applications are not received until after the Program Plan is approved.

HOME/WRAP – The approximate amount of funding set-aside in this category for HOME/WRAP programs is

Acquisition / Rehabilitation – Approximately twenty-five percent (25%) of the available funding is set aside for the acquisition and rehabilitation of existing multifamily housing.

Open Category – WCDA – The approximate amount of funding set-aside for Direct Administration is outlined in the current Year Summary. This set aside is available for Rental Housing Production programs under which non-profit developers, for-profit developers, Local Governments, and public housing authorities may apply.

Administration and Contingency Reserve - Approximately 10% of Fiscal Year HOME allocation will be set-aside for WCDA administrative costs, and for a reserve for project over-runs that cannot be met from other funding sources.

After the first round of funding, WCDA reserves the right to re-allocate funds between categories as needed to most expeditiously commit and spend the funding, provided the minimum CHDO set aside is maintained

**Describe threshold factors and grant size limits.**

The following outlines the WCDA's allocation priorities to maximize state-wide impact and responsible utilization of federal resources.

A. WCDA in its sole discretion reserves the right to limit funding to no more than 60% of available credits, HOME, and/or NHTF funds to any one project. WCDA reserves the right to redirect funds within a project between Tax Credits, HOME, TCAP, NHTF and/or other resources available to WCDA which best utilizes the available resources.

B. Federal law mandates that, although a proposed development may be eligible for a 9% or a 4% tax credit amount, WCDA may not allocate more credit than is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the compliance period. Accordingly, WCDA may designate a lesser amount of credits than otherwise permissible, as it solely determines.

C. WCDA may designate a project as being in a Difficult Development Area, thereby receiving up to a 30% increase in the Eligible Basis, if the project needs the increase to be financially feasible. See definition of Difficult Development Area in the Current Year Summary Attachment "A" Item "17".

D. Section 102(d) of the 1989 HUD Reform Act requires HUD to certify that any new or additional HUD assistance for a project is "not more than is necessary to provide affordable housing" after taking into account any other governmental support. Therefore, WCDA reserves the right to disclose a project's application information to appropriate Federal, State or Local authorities and take the necessary actions to accomplish the intent of the subsidy layering rules. Projects needing the Subsidy Layering Review may need to be submitted to HUD.

E. WCDA will evaluate each proposed Tax Credit project's financial feasibility and its viability at three different times; time of application, time of allocation, and the date the building is placed in service.

F. Projects must meet the limitations and restrictions as outlined in the Allocation Plan at each underwriting. Thus, the amount of credit allocated to a project may change at any of these evaluation times.

G. HOME and NHTF funding is evaluated in much the same manner as Tax Credits with the exclusion of the proceeds expected to be generated from the sale of tax credits.

	<p><b>What are the outcome measures expected as a result of the method of distribution?</b></p>	<p>WCDA anticipates assisting 164 low income households as a result of our 2020 planned HOME activities.</p>
6	<p><b>State Program Name:</b></p>	<p>State of Wyoming National Housing Trust Fund</p>
	<p><b>Funding Sources:</b></p>	<p>HTF</p>
	<p><b>Describe the state program addressed by the Method of Distribution.</b></p>	<p>WCDA plans to utilize National Housing Trust Fund (NHTF) funds to address the needs of extremely-low income households, while reserving the majority of HOME funds for 30-80% AMI rental households.</p> <p>The affordable housing goals of the 2020 NHTF allocation are based upon the priority of needs laid out in the 2018-22 Consolidated Plan. Because of this established priority need and the extremely low income (ELI) income-targeting requirements of the NHTF program, WCDA has allocated 100% of its NHTF funds towards rental housing development and anticipates supporting 134 households through the new construction of affordable rental housing. This prioritization towards rental housing is also reflected in the WCDA Affordable Housing Allocation Plan.</p> <p>The state's affordable housing stock continues to age, there is a clear need to fund strategies that provide opportunities to preserve those housing resources already in place. For this reason, WCDA anticipates rehabilitating 20 units of rental housing in 2020 with NHTF funds.</p> <p>In sum total, NHTF anticipates assisting 164 households with the provision of affordable housing in 2020. According to the moderate growth projections of WCDA's most recent housing needs assessment, this amount represents approximately 21% of the projected need for the year. However, when considering rental housing unit needs only, WCDA's proposed creation of 134 units of rental housing meets nearly half of projected annual need.</p>

<p><b>Describe all of the criteria that will be used to select applications and the relative importance of these criteria.</b></p>	<p>Proposed projects will be ranked based on primary and secondary criteria. Where an applicant’s Market Study differs from the current economic statistics available to WCDA, the project may be ranked using the most recent data available to WCDA. Although projects may rank, WCDA reserves the right to add requirements to address any concerns to the Initial Allocation Document, which it may have for the long-term viability of the project.</p> <p>When scoring applications, WCDA will utilize data at the Primary Market Area level.</p> <ol style="list-style-type: none"> <li>1. Housing Needs Characteristics</li> <li>2. Quality of Construction</li> <li>3. Income Levels</li> <li>4. Affordability Levels</li> <li>5. Extended Low-Income Use</li> <li>6. Community Revitalization in Qualified Census Tracts</li> </ol> <p>Secondary:</p> <ol style="list-style-type: none"> <li>1. Project Location</li> <li>2. Project Characteristics</li> <li>3. Sponsor/Applicant Characteristics</li> <li>4. Public Housing Waiting Lists</li> <li>5. Families or Individuals with Children</li> <li>6. Financial Support from Local Sources</li> <li>7. Management Capacity</li> <li>8. Total Project Costs</li> <li>9. Owner/General Partner Equity in Project</li> </ol>
<p><b>If only summary criteria were described, how can potential applicants access application manuals or other state publications describing the application criteria? (CDBG only)</b></p>	<p>Not applicable</p>

<p><b>Describe the process for awarding funds to state recipients and how the state will make its allocation available to units of general local government, and non-profit organizations, including community and faith-based organizations. (ESG only)</b></p>	<p>Not applicable</p>
<p><b>Identify the method of selecting project sponsors (including providing full access to grassroots faith-based and other community-based organizations). (HOPWA only)</b></p>	<p>Not applicable</p>
<p><b>Describe how resources will be allocated among funding categories.</b></p>	<p>The state of Wyoming’s Consolidated Plan identifies rental unit production as a priority, specifically calling out the need for additional rental units affordable to extremely low-income large families with children as a high priority for housing. Larger families need larger housing units, however larger units of three or more bedrooms are more expensive to rent. As a result, many times larger families live in overcrowded conditions as well as pay in excess of 30% of their income for rent and utilities.</p>

**Describe threshold factors and grant size limits.**

The following outlines the WCDA's allocation priorities to maximize state-wide impact and responsible utilization of federal resources.

A. WCDA in its sole discretion reserves the right to limit funding to no more than 60% of available credits, HOME, and/or NHTF funds to any one project. WCDA reserves the right to redirect funds within a project between Tax Credits, HOME, TCAP, NHTF and/or other resources available to WCDA which best utilizes the available resources.

B. Federal law mandates that, although a proposed development may be eligible for a 9% or a 4% tax credit amount, WCDA may not allocate more credit than is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the compliance period. Accordingly, WCDA may designate a lesser amount of credits than otherwise permissible, as it solely determines.

C. WCDA may designate a project as being in a Difficult Development Area, thereby receiving up to a 30% increase in the Eligible Basis, if the project needs the increase to be financially feasible. See definition of Difficult Development Area in the Current Year Summary Attachment "A" Item "17".

D. Section 102(d) of the 1989 HUD Reform Act requires HUD to certify that any new or additional HUD assistance for a project is "not more than is necessary to provide affordable housing" after taking into account any other governmental support. Therefore, WCDA reserves the right to disclose a project's application information to appropriate Federal, State or Local authorities and take the necessary actions to accomplish the intent of the subsidy layering rules. Projects needing the Subsidy Layering Review may need to be submitted to HUD.

E. WCDA will evaluate each proposed Tax Credit project's financial feasibility and its viability at three different times; time of application, time of allocation, and the date the building is placed in service.

F. Projects must meet the limitations and restrictions as outlined in the Allocation Plan at each underwriting. Thus, the amount of credit allocated to a project may change at any of these evaluation times.

G. HOME and NHTF funding is evaluated in much the same manner as Tax Credits with the exclusion of the proceeds expected to be generated from the sale of tax credits.

<b>What are the outcome measures expected as a result of the method of distribution?</b>	WCDA anticipates assisting a minimum of 45 ELI households as a result of our 2020 planned NHTF activities.
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## AP-35 Projects – (Optional)

### Introduction:

#	Project Name

Table 9 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

## **AP-40 Section 108 Loan Guarantee – 91.320(k)(1)(ii)**

**Will the state help non-entitlement units of general local government to apply for Section 108 loan funds?**

No

**Available Grant Amounts**

**Acceptance process of applications**

## **AP-45 Community Revitalization Strategies – 91.320(k)(1)(ii)**

**Will the state allow units of general local government to carry out community revitalization strategies?**

No

**State's Process and Criteria for approving local government revitalization strategies**

## AP-50 Geographic Distribution – 91.320(f)

### **Description of the geographic areas of the state (including areas of low-income and minority concentration) where assistance will be directed**

**ESG:** The ESG program has not set aside or reserved dollar amounts of assistance specifically for geographic areas. Grant Funds are allocated and awarded on a competitive basis; a call for applications is publicized annually.

**HOPWA:** WDH does not target assistance to specific geographic areas in the state. Grant funds are allocated based on individual housing and supportive services needs for low-income persons living with HIV/AIDS and their families.

**HOME:** Due to the small population of the state, approximately 580,000 in total, WCDA does not prioritize its allocations geographically. WCDA looks at the state as a whole and uses need in a community as its priority.

However, due to higher costs associated with real estate development in smaller communities, the rural nature of the entire state, and Wyoming's low population, WCDA has a Small Rural Project Set-aside for a portion of our HOME allocation to fund housing projects in towns with populations less than 15,000 that are not within 20 miles of another town with a population over 15,000, and the projects must have 24 or fewer units. We have found a need in smaller towns for affordable housing and we have set-aside funds to encourage development where it is most difficult.

**NHTF:** WCDA does not target assistance to specific geographic areas of the state, as NHTF funding is awarded on a competitive basis. However, negative points are assessed to projects where funding has been previously awarded during the last four years. In addition, WCDA provides a "small-rural set aside" to those communities with populations less than 15,000 and not within 20 miles of a larger community.

CDBG funding is distributed on application basis. Projects are ranked by severity of need and quality of the project. Those ranking highest are funded. Extremely small communities having populations of less than 10,000 have historically received the largest portion of CDBG funds. Small communities typically have fewer resources and less capacity to provide services to LMI clients than larger communities.

**NSP Program Income:** NSP PI funding is distributed according to areas of greatest need identified in the June 2017 NSP Substantial Amendment. The June 2017 Substantial Amendment analyzed the state and identified the areas of greatest need including those areas with the greatest percentage of home foreclosures, those areas with the highest percentage of homes financed by a subprime mortgage and to those areas identified by the grantee as likely to face a significant rise in the rate of home foreclosures. HUD puts the highest priority on the areas with the greatest number of foreclosures. The majority of the funding for the NSP eligible activities will be distributed in the Counties of: Big Horn, Campbell, Converse, Carbon, Fremont, Goshen, Laramie, Lincoln, Natrona, Sweetwater, and Uinta due to the larger number of foreclosed homes in these counties.

## Geographic Distribution

Target Area	Percentage of Funds
Statewide	100

Table 10 - Geographic Distribution

## Rationale for the priorities for allocating investments geographically

## Discussion

## AP-55 Affordable Housing – 24 CFR 91.320(g)

### Introduction:

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

**Table 11 - One Year Goals for Affordable Housing by Support Requirement**

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	140
Rehab of Existing Units	139
Acquisition of Existing Units	5
Total	284

**Table 12 - One Year Goals for Affordable Housing by Support Type**

### Discussion:

The State of Wyoming's one year goals include the production of 140 new rental units, 139 rehabilitated rental and homeowner units, and 5 units acquired. These goals will be met through the use of HOME, CDBG, HTF, and NSP-PI funds.

## **AP-60 Public Housing - 24 CFR 91.320(j)**

### **Introduction:**

Not applicable.

### **Actions planned during the next year to address the needs to public housing**

Not applicable.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

Not applicable.

### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Not applicable.

### **Discussion:**

Not applicable.

## AP-65 Homeless and Other Special Needs Activities – 91.320(h)

### Introduction

This 2020 Annual Action Plan will outline how Wyoming agencies intend to implement Wyoming's strategic plan for reducing and ending homelessness. Greater participation in the Point in Time Count, an annual survey of homelessness in Wyoming communities, made a tremendous difference in assessing Wyoming's homeless population more accurately. Providers hope this level of survey participation will continue to increase; an accurate count of the area homeless population will enable agencies to better assist those in need.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The Wyoming Homeless Collaborative will work toward expanding the supply of housing for homeless persons. Among the approaches to be pursued is to double the Casper's transitional housing capacity for families in need. The Wyoming Homeless Collaborative will use the annual Point in Time Count as a method of reaching out and identifying homeless populations. Referral information will be given to unsheltered people during the count. People will be assessed at that time or as they enter the care system – to the extent of available resources. The Veteran's Administration hosts Stand Down events in Casper and Cheyenne, which provide the opportunity to assess the needs of homeless veterans and refer them to appropriate services and housing entity.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons**

Permanent Supportive Housing saw a decline from 69 to 68 that reflect the need to create more affordable PSH options. The Wyoming Homeless Collaborative has established a goal of increasing the permanent supportive housing beds for chronic homeless people from the current 14 to 30 beds in the next 10 years. ESG will continue to focus on the creation of partnerships for developing permanent supportive housing during the next year. The Wyoming Homeless Collaborative has begun to use a unified case management process, Coordinated Entry in several areas of Wyoming, for working with homeless families within our homeless and youth strategic planning process. The Wyoming Homeless Collaborative has developed a Statewide Coordinated Entry system for achieving a comprehensive case management system among agencies.

#### **Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The Wyoming Homeless Collaborative works closely with foster care providers around the state of Wyoming to ensure youth do not become homeless when they age out of the system.

Foster care providers follow specific guidelines that include training and educating foster parents about their responsibilities to youth in their care, and about the "family support" youth would need when they age out of the systems. Next, all of the youth in foster care are required to participate in the Independent Living Program that teaches them how to get and retain a job, sets up internships and job shadows for them, helps with obtaining a GED, teaches budgeting and financial management, assists with renting an apartment, getting a driver's license, and assists with college tuition. The foster care and independent living staff work together in helping youth sign up for college if they choose, perhaps a trade school, or help to successfully transition into the workforce. The Wyoming Homeless Collaborative agencies and foster care staff fully understand that youth that age out of foster care need many extra supports in order for them to continue with a successful transition process out of the foster care system. To summarize, the discharge plan includes guidelines for family support, financial security, a plan and a direction for their future.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs**

The Wyoming Homeless Collaborative partners with the Wyoming Department of Corrections to assure there are policies and procedures in place to refer individuals to community resources and providers. Resources and referrals include medication provision, primary care medical provider, housing and employment. The procedures have been in place since 2002. The Wyoming Homeless Collaborative works closely with foster care providers around the state of Wyoming to ensure youth do not become homeless when they age out of the system. Foster care providers follow specific guidelines that include training and educating foster parents about their responsibilities to youth in their care, and about the "family support" youth would need when they age out of the systems. Next, all of the youth in foster care are required to participate in the Independent Living Program that teaches them how to get and retain a job, sets up internships and job shadows for them, helps with obtaining a GED, teaches budgeting and financial management, assists with renting an apartment, getting a driver's license, and assists with college tuition. The foster care and independent living staff work together in helping youth sign up for college if they choose, perhaps a trade school, or help to successfully transition into the workforce. The Wyoming Homeless Collaborative agencies and foster care staff fully understand that youth that age out of foster care need many extra supports in order for them to continue with a successful transition process out of the foster care system. To summarize, the discharge plan includes guidelines for family support, financial security, a plan and a direction for their future.

## **Discussion**

HOME:

WCDA's allocation criteria for distribution of HOME funds awards 2 extra points for a developer's efforts to house the homeless population if 4% or more of the units are set aside for transitioning homeless households. This would include Gross rent under \$200 a month and working with other organizations to provide payment of utilities. At the August 10, 2015 board meeting, WCDA approved an additional point category of up to 15 points for targeting units for household at or

below 30% AMI, including homeless households.

Even with the aforementioned incentives in place for producing housing with rents at or below \$200 a month to support homeless households, in past history no projects have taken on the challenge. Thus, WCDA does not anticipate any additional units will be created and set aside specifically for homeless families utilizing HOME funding in 2020.

Up to 10 points are awarded within the “Need” section of the allocation criteria if a developer provides housing for special needs populations identified within the Market Study. Developers must describe in detail the services that will be provided or coordinated for the property’s special needs residence and how client outreach will occur.

### **Coordinated Entry**

Wyoming Coordinated Entry began October of 2016 with agencies sharing client information within HMIS. The VI-SPDAT for individuals and family was chosen to be the common assessment and Chronic Homelessness status for prioritization for PSH and RRH housing. The COC, DFS and ESG worked together to create the policies and procedures for Coordinated Entry.

All programs will contribute to the CE process. ESG and CoC funded programs are required to participate in the CE process. Federal Partners such as VA are also required to participate. Participation for funded agencies will be directly tied to Performance Measures and NOFA funding.

Current Participants are:

- Council of Community Services – ESG funded
- CAPNC – ESG funded and PATH
- VOA – ESG funded and SSVF
- Sweetwater Family Resource Center – ESG funded and PATH
- Recover Wyoming – PATH funded
- Community Action Laramie County – VA funded
- Wyoming 211
- Institute for Community Alliances
- Department of Family Services

### **Goals:**

- \*Coordinated Entry committee will make contacts to engage more agencies to participate in coordinated entry throughout the state
- \*Expand to Homeless Youth population
- \*Expand to Homeless Prevention services
- \*Seek funding to have an entity to manage the coordinated entry project

## AP-70 HOPWA Goals – 91.320(k)(4)

One year goals for the number of households to be provided housing through the use of HOPWA for:	
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family	30
Tenant-based rental assistance	20
Units provided in permanent housing facilities developed, leased, or operated with HOPWA funds	0
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds	5
Total	55

## AP-75 Barriers to affordable housing – 91.320(i)

### Introduction:

As found in the 2018-2022 Consolidated Plan, the primary barriers to affordable housing are the cost of land, labor and materials. In addition, public input indicated the barrier if NIMBYism in the State.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

The State has little control over the market forces that act as primary barriers to affordable housing. However, the WCDA has structured the ranking criteria for HOME, NHTF and LIHTC to reward developers that are able to provide quality housing for less money.

### Discussion:

WCDA awards extra points to applications which actively seek to reduce barriers to affordable housing. These examples listed below are strategies that have been utilized by local jurisdictions to promote affordable housing. The list is not exhaustive:

A proposal will receive up to 5 points if the community is actively reducing barriers associated with Affordable Housing i.e.:

1. Reducing or waiving fees or real estate tax concessions for Affordable Housing.
2. Within the last year the Jurisdiction has convened or funded comprehensive studies, commissions, or hearings, or has established a formal ongoing process, to review, the rules, regulations, development standards and processes of the jurisdiction to assess their impact on the supply of Affordable Housing.
3. Within the last year the Jurisdiction has initiated regulatory reforms as a result of the above.
4. Jurisdiction has a single consolidated permit application process for housing development that includes building, zoning, engineering, environmental and related permits or “fast track” permitting and approvals for all affordable housing projects.
5. Reduction or waiver of parking or green space requirements for all affordable housing developments.
6. The jurisdiction has funded, directly or through partnerships, comprehensive studies of current and estimated housing needs taking into account the anticipated growth of the region, for existing and future residents, including low-, moderate-, and middle-income families for at least the next five years.
7. Lower cost land development requirements for Affordable Housing developments, i.e. higher density, narrower streets, sidewalks on only one side of the street etc.

## AP-85 Other Actions – 91.320(j)

### Introduction:

**ESG** opens its application process once a year. It is anticipated all funding will be allocated this year.

**CDBG** funds are allocated every year. Each year the program is assessed to determine needs for the state. There is generally one round of applications accepted each program year which exhausts available funding.

### Actions planned to address obstacles to meeting underserved needs

All of the activities which will be funded under the State of Wyoming's CDBG, HOME, HTF, and ESG Programs will address obstacles to meeting underserved needs. The State has conducted online needs assessment survey through the WBC, and will be using the information gathered to help identify and respond to underserved needs as they arise in the community.

The WBC continually provides technical assistance and planning resources to help communities engage in comprehensive planning, downtown master planning, business development planning, and market studies. In addition, the WCDA's Community Pride & Revitalization (CPR) Program is designed to allocate resources to cities, towns, and counties that have created a volunteer-based, homeowner rehabilitation program. The funds are used for materials and supplies and are allocated based on a community match. WCDA matches dollar for dollar the amount the applicant is willing to commit to the program. Communities are making a difference with CPR funds by utilizing volunteer labor to provide much needed renovations like window and door replacements, painting, and roofing for extremely low-income, elderly, and other underserved homeowners.

Wyoming programs funded by HUD are administered by independent state agencies; funds are used and distributed based on the policies of each agency. The agencies participated in two public hearings in preparation for the 2020 AAP and communicate regularly to insure all the agencies can work together to serve underserved families and person who are low- to moderate-income and extremely poor, have cognitive, physical and or mental disabilities or impairments, including frail elderly persons.

**ESG:** ESG 2020 competition for funding placed an emphasis on funding efforts to prevent homelessness, capture accurate data with HMIS, participate in the CoC and collaborate within projects and communities. DFS had identified homeless prevention as an underserved population throughout Wyoming.

**HOPWA:** The Wyoming Department of Health is the Grantee and Project Sponsor for the State of Wyoming. The HOPWA program, which is housed in the Communicable Disease Unit of the Public Health Division, is responsible for providing housing services to HIV-positive individuals across Wyoming and working with case management sites located mostly in public health nursing offices.

### Actions planned to foster and maintain affordable housing

**HOPWA-** The HOPWA program requires case managers to meet with clients at least twice a year to

assess housing and care needs.

### **Actions planned to reduce lead-based paint hazards**

All ESG applicants are required to inspect housing for lead-based paint hazards. This includes emergency shelters and potential housing units. This has been emphasized in the 2020 application format. Monitoring inspections conducted this year will include this on their inspection list. The HOPWA program completes a housing quality standard inspection on all TBRA properties. The WBC does not use CDBG funds for housing rehabilitation thus does not address lead-based pain in terms of housing.

### **Actions planned to reduce the number of poverty-level families**

**HOPWA** - The HOPWA program uses the income eligibility as set forth by HUD. Seventy-three percent of enrolled HOPWA clients are considered low or extremely low income by HUD standards. Many HIV-infected clients who are willing to work are unable to do so because of their health. Case managers work closely with clients to find employment when they are healthy enough to work.

**CDBG** is available to fund housing infrastructure for low-to-moderate-income housing for families. Further, CDBG funds may be used for ADA, job creation and other community development projects.

### **Actions planned to develop institutional structure**

**ESG** - Policies and procedures related to monitoring. CoC and ESG grantees are required to adhere to HUD standards, evaluated with onsite inspections/ project review.

**HOPWA** - WDH has developed guidance for Case Managers based on funding policy set forth by HUD and STRMU documents written by HUD. The guidance documents are reviewed each year to assure that they are maintaining with current federal guidelines.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

**ESG** - A Department of Family Services staff member who works primarily with the Emergency Solution Grant and the CoC has been designated as the person who will conduct inspections and monitor agencies receiving ESG funds during 2020. An inspection form was revised using information from Hud Exchange and Hud Technical Assistance. Inspections for ESG grantees began in Fall 2017.

In addition, monitoring of ESG expenditures by the sub-recipients has been revised for 2020. The subrecipients are now required to include receipts showing expenditures on their monthly reports. Without these receipts, no reimbursement will be issued. Mandatory data quality reports and Capers are submitted by each sub recipient on a quarterly basis. Coordinated Entry participation is also required.

**CDBG** - The WBC has been in the lead of developing a housing toolbox. It is comprised of all housing authorities, realtors, social service agencies, state agencies, developers and many more. This communication forum is working very well to develop creative solutions to housing issues and to enhance communication generally between all the stakeholders.

The CoC provides learning opportunities and programs for grant recipients through their quarterly state-wide meetings and participation with the Wyoming Chapter of National Association of Housing and Redevelopment Officials. These meetings enhance coordination among governmental and private agencies through training, opportunities to work on specific topics, resolve issues, and discuss collaborative possibilities.

**HOPWA** - The HOPWA program case managers are very knowledgeable and aware of local agencies and partners when a client in their community is in need of housing or any other supportive service. A required annual case manager training is held to provide program updates and increase coordination.

### **Discussion:**

**Broadband** - As seen in the State's 2017 Community Needs Survey, broadband and Connectivity are a high priority for the State of Wyoming. During the 2018 Legislative Session Governor Mead signed into law a bill creating the Wyoming Broadband Development program. Among the requirements for the program, the WBC, along with the newly-formed Broadband Advisory Council is charged with adopting a broadband enhancement plan by September 1. The plan will establish priorities and objectives to meet Wyoming's goal of promoting the expansion of access to high-speed broadband service in unserved areas of the state.

The program emphasizes cities, towns, counties and tribal governments working with the private sector to identify needs and find solutions. This cooperative approach best positions Wyoming to efficiently expand broadband services to more areas. WBC staff will be working with the recently hired Broadband Manager and the Broadband Advisory Council to expand and strengthen broadband services in Wyoming. The effort will include guiding the mapping and inventorying of current broadband coverage, and then building public-private partnerships to fill the funding gaps that prevent optimal coverage across the state. Staff will encourage consideration of broadband infrastructure in new and majorly rehabilitated multifamily housing developments when feasible.

**Resilience** – In recognizing the prevalence and impact of natural disasters on the State of Wyoming and its citizens, the State will continue to evaluate the threat of natural disasters and promote resilience. The Wyoming State Mitigation Plan (2016-2021) assesses the natural disaster risks in the State and presents a mitigation strategy. This plan outlines the following strategy:

- **Goal 1:** Strengthen public infrastructure
- **Goal 2:** Improving state and local mitigation capabilities
- **Goal 3:** Reduce economic losses due to hazard events
- **Goal 4:** Reduce state and local cost of response and recovery

The State will continue to fund necessary infrastructure programs and will direct funds towards disaster recovery in the event of a declared disaster. In the event of a declared disaster in the State of Wyoming, the State may choose to redirect funds from the priorities established in this plan. In

order to expedite the delivery of services, the State may waive the traditional 30-day public review when responding to emergency requests.

## **Fair Housing**

The State identified several fair housing goals as part of its assessment of fair housing, conducted in 2017. These goals are listed below:

1. Promote Development of Affordable Housing Units in the State.
2. Promote equitable access to credit and home lending
3. Increase the supply of housing units accessible to residents with disabilities.
4. Designate an agency to serve as the enforcing authority for the Wyoming Fair Housing Act.
5. Reduce Discrimination in Rental Market
6. Reduce NIMBYism and restrictive building codes and practices in rural areas of Wyoming

The State is using CPD funds to address goal 1: Promote Development of Affordable Housing Units in the State during FY 2020 through the Action Plan Goal 1: Promote Development of Affordable Housing Units. In addition, the State requires CDBG recipients follow fair housing practices.

The State is using CPD funds to address goal 1: Promote Development of Affordable Housing Units in the State during FY 2020 through the Action Plan Goal 1: Promote Development of Affordable Housing Units. In addition, the State requires CDBG recipients follow fair housing practices, as an element of the application process. Similarly, ESG applicants are monitored to ensure they comply with fair housing practices.

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.320(k)(1,2,3)

#### Introduction:

#### Community Development Block Grant Program (CDBG) Reference 24 CFR 91.320(k)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

- |  |          |
|--|----------|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed  | 0        |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. | 0        |
| 3. The amount of surplus funds from urban renewal settlements  | 0        |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan   | 0        |
| 5. The amount of income from float-funded activities   | 0        |
| <b>Total Program Income:</b>   | <b>0</b> |

## Other CDBG Requirements

1. The amount of urgent need activities 0

2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. 94.00%

## HOME Investment Partnership Program (HOME)

### Reference 24 CFR 91.320(k)(2)

- 1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:**

WCDA leverages non HUD funds from three sources. Other forms of assistance used to help meet the goals in the Annual Action Plan include Low Income Housing Tax Credits the Single Family Tax Exempt Bond program administered through WCDA, and the National Housing Trust Fund.

- 2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:**

WCDA's HOME homeownership program is called WRAP and the activity is subject to recapture provisions. Under HOME recapture rules, the original HOME-assisted homebuyer is not required to sell the home to another low-income homebuyer. Rather, WCDA's recapture model allows the homebuyer to receive 100% of the net available proceeds after the outstanding principal balance on the mortgage loan for the HOME investment has been paid back to WCDA. The repayment of the principal balance funds are then received by WCDA as Program Income.

The recapture provision is disclosed to the homebuyer in clear language in the WRAP HOME mortgage. It is disclosed again, in writing, in the WRAP HOME note. Approximately two weeks prior to closing on the sales transaction, WCDA personnel conduct a "Document Review" session with the homebuyer. All documents, including those that contain the recapture provision, are reviewed in detail and homebuyers are encouraged to ask questions to ensure they understand the complex transaction they are entering into. The homebuyer also attends an 8 hour HUD approved homebuyer education course.

- 3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:**

Any HOME homeownership activity available under the Wyoming HOME program is subject to resale or recapture provisions. To ensure a fair return to the homebuyer based on economic conditions as well as the condition of the home, the homebuyer will receive the balance of the net available proceeds after the entire HOME investment has been repaid. The length of the homebuyer's affordability period is determined by the amount of assistance provided, but will comply with the following at a minimum:

Less than \$14,999 5 years

\$15,000-\$40,000 10 years

Over \$40,000 15 years

If the homebuyer fails to occupy the property as their primary residence, or sells, transfers or otherwise disposes of the property during the affordability period, WCDA will require repayment of the HOME assistance. Residency of the property is verified on an annual basis, using "Do Not Forward" postal cards mailed to the residence in the homebuyer's name.

The recapture requirement must be stipulated in a lien document separate from the mortgage, which must be recorded. These recapture provisions will be achieved by having the following language in the note and separate lien document, which is recorded in county records; "In the event of a sale (whether voluntary or involuntary) of the Property subject to the Mortgage, Borrower may be relieved from the obligation to pay a portion of amount due under this NOTE, including Principal, only if the deficiency from the sale results from an economic condition or factors beyond the Borrower's control and not caused by the Borrower, such as unforeseen destruction or damage to the property and in the following, limited circumstance: If the net proceeds from the sale (net proceeds means the sale price minus closing costs of the sale) are not sufficient to pay all late charges, expenses, fees (including attorney's fees) and any other charges plus the entire Interest and Principal amount then due, payment of the net proceeds resulting from the sale to Lender will constitute payment in full of this NOTE and borrower shall be released from liability for any further payment. Provided, however, that if the sale is voluntary, the amount of the sale price must be equivalent to a price that unrelated, willing buyers and sellers would agree upon according to real estate market conditions that exist at the time and place of sale, otherwise Borrower shall not be released from liability for any further payment, unless otherwise agreed by Lender."

- 4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:**

WCDA does not plan to use HOME funds to refinance existing debt which is tied to properties which were previously rehabilitated with HOME fund.

## **Emergency Solutions Grant (ESG)**

### **Reference 91.320(k)(3)**

- 1. Include written standards for providing ESG assistance (may include as attachment)**

Written Standards included as an attachment.

- 2. If the Continuum of Care has established centralized or coordinated assessment system that meets HUD requirements, describe that centralized or coordinated assessment system.**

Wyoming Homeless Collaborative, WHC, began a pilot program July of 2016 in selected communities. In 2017 the ESG and CoC grantees were informed that grant recipients must participate in Coordinated Entry. Wyoming's HMIS lead is training all HMIS users on WHC's Statewide Coordinated Entry system. WHC members' user group meets weekly to review the priority list. Continued provider education and participation will be a strong focus for the WHC this year. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).

**3. Identify the process for making sub-awards and describe how the ESG allocation available to private nonprofit organizations (including community and faith-based organizations).**

ESG RFA process is open to all non profit organizations meeting threshold. Applications are read and scored by a committee of CoC members that are not eligible applicants. The Committee scores and ranks each application based on criteria established annually.

**4. If the jurisdiction is unable to meet the homeless participation requirement in 24 CFR 576.405(a), the jurisdiction must specify its plan for reaching out to and consulting with homeless or formerly homeless individuals in considering policies and funding decisions regarding facilities and services funded under ESG.**

Currently, as of 2017, there are three formerly homeless individuals are on the Continuum of Care, WHC, Board of Directors. Their presence on the board meets the citizen participation requirement.

**5. Describe performance standards for evaluating ESG.**

Attached.

**Housing Trust Fund (HTF)**  
**Reference 24 CFR 91.320(k)(5)**

**1. How will the grantee distribute its HTF funds? Select all that apply:**

2. If distributing HTF funds through grants to subgrantees, describe the method for distributing HTF funds through grants to subgrantees and how those funds will be made available to state agencies and/or units of general local government. If not distributing funds through grants to subgrantees, enter "N/A".

See attached HTF 2 below.

3. If distributing HTF funds by selecting applications submitted by eligible recipients,

a. Describe the eligibility requirements for recipients of HTF funds (as defined in 24 CFR § 93.2). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

All recipients of Tax Credit, HOME and/or NHTF funding must meet the following definition:

Recipient means an organization, agency, or other entity (including a public housing agency, or a for-profit entity or a nonprofit entity) that receives Tax Credit, HOME and/or HTF assistance from a grantee as an owner or developer to carry out a Tax Credit, HOME and/or HTF-assisted project. A recipient must:

1. Make acceptable assurances to the grantee that it will comply with the requirements of the Tax Credit, HOME and/or HTF program during the entire period that begins upon selection of the recipient to receive funds, and ending upon the conclusion of all funded activities;

2. Demonstrate the ability and financial capacity to undertake, comply, and manage the eligible activity;

3. Demonstrate its familiarity with the requirements of other Federal, State, or local housing programs that may be used in conjunction with Tax Credit, HOME and/or HTF funds to ensure compliance with all applicable requirements and regulations of such programs; and

4. Have demonstrated experience and capacity to conduct an eligible activity as evidenced by its ability to:

a. Own, construct, or rehabilitate, and manage and operate an affordable multifamily rental housing development OR

b. Design, construct, or rehabilitate, and market affordable housing for homeownership; and

c. Provide forms of assistance, such as down payments, closing costs, or interest rate reductions for purchasers.

b. Describe the grantee's application requirements for eligible recipients to apply for HTF funds. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

ALL projects applying for NHTF funds must comply with all pertinent aspects of the Wyoming

Community Development Authority Affordable Housing Allocation Plan (Allocation Plan). This includes compliance with 24 CFR Part 93 as detailed in the WCDA NHTF Program Description (Allocation Plan Current Year Summary Attachment "I"). The Developer will certify that housing assisted with NHTF funds will comply with all NHTF requirements.

All projects receiving HOME funds, NHTF funds, and/or an allocation of Section 42 Tax Credits will be responsible for indemnifying WCDA in the event HUD and/or Treasury enforce any type of recapture or other penalties on the project.

See attachment below (HTF-3)

c. Describe the selection criteria that the grantee will use to select applications submitted by eligible recipients. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

See attachment Below (HTF-3)

d. Describe the grantee's required priority for funding based on geographic diversity (as defined by the grantee in the consolidated plan). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

Wyoming has not set specific geographic areas in which assistance will be directed over the coming year. However, as more and more affordable housing units are developed, it is becoming increasingly more important to target these funds to the areas of the greatest need. Applicants for funding will need to show that there is a demand for the type and price of unit they are proposing. WCDA will be utilizing the Wyoming Housing Database Partnership Reports (Semiannual Profiles, Housing Conditions Report & Forecasts) for comparison to the Developers own information. While the WCDA continues to recognize need as the primary driver of housing within any given community and maintains scoring that reflects this principle, a scoring category for geographic distribution is included in the allocation plan. This category will help ensure that affordable housing resources are distributed throughout the state and no one community shall benefit disproportionately to the rest of the state. The WCDA provides a list of funded projects by community on its web-site for its housing programs.

e. Describe the grantee's required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

See attachment below (HTF-3)

f. Describe the grantee's required priority for funding based on the extent to which the rental project has Federal, State, or local project-based rental assistance so that rents are affordable to extremely low-income families. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

Points will also be awarded taking into consideration the type and amount of financing (conventional vs. subsidized) and evaluating the present value of subsidies used.

b. Private-Public Partnerships (Maximum 10 points)

To encourage private sector financing up to 10 points will be awarded for projects that have non-WCDA and non-subsidized private financing as a portion of the permanent financing package. Applications will be awarded 0.5 points for every percentage of private financing in the deal (not counting developer contribution). For example, an application with 10% private financing will receive 5 points in this category.

c. Subsidy (Up to a Negative 200 points)

Projects requesting tax credits that exceed the total per unit Eligible Basis or projects where all subsidy sources exceed the limits published by WCDA in the Current Year Summary Attachment "A", will receive a negative 10 to 200 points. Projects with subsidy exceeding limits will receive negative 10 pts per every 1% over subsidy limit.

d. Other Supportive Financing (Maximum 5 points)

Projects with other committed Below Market Interest Rate Permanent Financing will receive up to 5 points. (i.e. USDA Rural Development – Rural Housing Service, other first mortgage private financing, etc.)

g. Describe the grantee's required priority for funding based on the financial feasibility of the project beyond the required 30-year period. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

See attachment below (HTF-3)

h. Describe the grantee's required priority for funding based on the merits of the application in meeting the priority housing needs of the grantee (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

See attachment below (HTF-3)

i. Describe the grantee's required priority for funding based on the extent to which the application makes use of non-federal funding sources. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

SUPPORT OR CONTRIBUTIONS FROM LOCAL SOURCES (Maximum 35 points)

A proposal will receive up to 35 points for financial support or contributions from local sources derived from non-federal sources (i.e. donated real estate, labor, materials, cash, or waiver of local fees etc.), which results in reduced project costs and reduced federal subsidy only to the extent that the project costs do not exceed the maximum costs outlined in Section 8 below and are above any required

amounts from other sources (i.e. HOME Match requirement). In order to receive points, documentation from the provider of the Financial Support must be provided showing award and specifics of the Financial Support (i.e. Grant award notification, firm commitment of Below Market Interest Rate loan).

4. Does the grantee’s application require the applicant to include a description of the eligible activities to be conducted with HTF funds? If not distributing funds by selecting applications submitted by eligible recipients, select “N/A”.

5. Does the grantee’s application require that each eligible recipient certify that housing units assisted with HTF funds will comply with HTF requirements? If not distributing funds by selecting applications submitted by eligible recipients, select “N/A”.

**6. Performance Goals and Benchmarks.** The grantee has met the requirement to provide for performance goals and benchmarks against which the grantee will measure its progress, consistent with the grantee’s goals established under 24 CFR 91.315(b)(2), by including HTF in its housing goals in the housing table on the SP-45 Goals and AP-20 Annual Goals and Objectives screens.

**7. Maximum Per-unit Development Subsidy Amount for Housing Assisted with HTF Funds.** Enter or attach the grantee’s maximum per-unit development subsidy limits for housing assisted with HTF funds.

The limits must be adjusted for the number of bedrooms and the geographic location of the project. The limits must also be reasonable and based on actual costs of developing non-luxury housing in the area.

If the grantee will use existing limits developed for other federal programs such as the Low Income Housing Tax Credit (LIHTC) per unit cost limits, HOME’s maximum per-unit subsidy amounts, and/or Public Housing Development Cost Limits (TDCs), it must include a description of how the HTF maximum per-unit development subsidy limits were established or a description of how existing limits developed for another program and being adopted for HTF meet the HTF requirements specified above.

The limits must be adjusted for the number of bedrooms and the geographic location of the project. The limits must also be reasonable and based on actual costs of developing non-luxury housing in the area.

If the grantee will use existing limits developed for other federal programs such as the Low Income Housing Tax Credit (LIHTC) per unit cost limits, HOME’s maximum per-unit subsidy amounts, and/or Public Housing Development Cost Limits (TDCs), it must include a description of how the HTF maximum per-unit development subsidy limits were established or a description of how existing limits developed for another program and being adopted for HTF meet the HTF requirements specified above.

Maximum NHTF Subsidy per unit - Rental Units

# Bedroom Per Unit Limit

0 \$100,000

1 \$115,000

2 \$140,000

3 \$180,000

4 \$199,000

The limits must be adjusted for the number of bedrooms and the geographic location of the project. The limits must also be reasonable and based on actual costs of developing non-luxury housing in the area.

If the grantee will use existing limits developed for other federal programs such as the Low Income Housing Tax Credit (LIHTC) per unit cost limits, HOME's maximum per-unit subsidy amounts, and/or Public Housing Development Cost Limits (TDCs), it must include a description of how the HTF maximum per-unit development subsidy limits were established or a description of how existing limits developed for another program and being adopted for HTF meet the HTF requirements specified above

**8. Rehabilitation Standards.** The grantee must establish rehabilitation standards for all HTF-assisted housing rehabilitation activities that set forth the requirements that the housing must meet upon project completion. The grantee's description of its standards must be in sufficient detail to determine the required rehabilitation work including methods and materials. The standards may refer to applicable codes or they may establish requirements that exceed the minimum requirements of the codes. The grantee must attach its rehabilitation standards below.

In addition, the rehabilitation standards must address each of the following: health and safety; major systems; lead-based paint; accessibility; disaster mitigation (where relevant); state and local codes, ordinances, and zoning requirements; Uniform Physical Condition Standards; and Capital Needs Assessments (if applicable)

In addition, the rehabilitation standards must address each of the following: health and safety; major systems; lead-based paint; accessibility; disaster mitigation (where relevant); state and local codes, ordinances, and zoning requirements; Uniform Physical Condition Standards; and Capital Needs Assessments (if applicable).

This section of WCDA's Federal Programs Rehabilitation Standards for Housing is intended to provide additional detail for the minimum acceptable standards for existing household dwelling units rehabilitated in whole or in part with HOME, NSP or National Housing Trust Fund (NHTF) program funds in Wyoming. Any reference in this document to "rehabilitation" is meant to include rehabilitation of existing housing and redevelopment of existing non-residential building(s) which create new multifamily or single family housing. These standards are not intended to reduce or exclude the requirements of any local or state building or housing codes, standards, or ordinances that may apply. In the event of any conflicting code(s), the more restrictive code(s) will apply. Housing rehabilitated with HOME, NSP, or NHTF assistance must meet all applicable State and local codes, ordinances, and requirements or, in the

absence of a State or local building code, the International Existing Building Code of the International Code Council.

These standards were designed to assist in achieving consistency throughout the state for all rehabilitation activities funded with HOME, NSP, or NHTF funds. These standards assume that a knowledgeable inspector will thoroughly inspect each dwelling to verify the presence and condition of all components, systems, and equipment within the dwelling. All components, systems, and equipment of a dwelling referenced in this document shall be in good working order and condition and be capable of being used for the purpose for which they were intended and/or designed. Components, systems and/or equipment that are not in good working order and condition shall be repaired or replaced. When it is necessary to replace items (systems, components, or equipment), the replacement items must conform to these standards. These standards also assume that the inspector will consider any extraordinary circumstances of the occupants of the dwelling (e.g., physical disabilities) and reflect a means to address such circumstances in their inspection and in the preparation of project specifications for that dwelling.

See attachment below (HTF-8)

**9. Resale or Recapture Guidelines.** Below, the grantee must enter (or attach) a description of the guidelines that will be used for resale or recapture of HTF funds when used to assist first-time homebuyers. If the grantee will not use HTF funds to assist first-time homebuyers, enter “N/A”.

N/A

**10. HTF Affordable Homeownership Limits.** If the grantee intends to use HTF funds for homebuyer assistance and does not use the HTF affordable homeownership limits for the area provided by HUD, it must determine 95 percent of the median area purchase price and set forth the information in accordance with §93.305. If the grantee will not use HTF funds to assist first-time homebuyers, enter “N/A”.

Any limitation or preference must not violate nondiscrimination requirements in § 93.350, and the grantee must not limit or give preferences to students. The grantee may permit rental housing owners to limit tenants or give a preference in accordance with § 93.303(d)(3) only if such limitation or preference is described in the action plan.

N/A

**12. Refinancing of Existing Debt.** Enter or attach the grantee’s refinancing guidelines below. The guidelines describe the conditions under which the grantee will refinance existing debt. The grantee’s refinancing guidelines must, at minimum, demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing. If the grantee will not refinance existing debt, enter “N/A.”

N/A

## Attachments

### HFT Standards

ALL NHTF FUNDED PROJECTS MUST ADHERE TO THE FOLLOWING:

- A. Projects must be prepared to provide WCDA, within 30 days of notification of funding, the exact legal description of property and other information necessary to conduct an Environmental Review.
- B. Final plans for the project must be filed with the local jurisdiction within 60 days of notification of funding.
- C. All zoning and PUD approvals must be secured within 120 days of notification of funding.
- D. Construction must be scheduled to start within 6 months from notification of funding award.
- E. Final HOME and/or NHTF Award documents cannot be executed until firm financing is in place for ALL other funding sources. Thus, firm commitments from all funding sources must be provided to WCDA within 90 days of notification of award of funding.
- F. The owner/applicant must secure appropriate title prior to funding. Appropriate title includes fee simple title or 99+ year lease. All lease forms of ownership must be Pre-approved by WCDA PRIOR to Application.
- G. HOME and/or NHTF funds can only be used for reimbursement of Acquisition Costs and Hard Construction Costs. No Interim Costs, Financing Costs, Syndication Costs, Developer Fees, or Reserves will be funded with HOME and/or NHTF funds.
- H. The Title Company will act as disbursement agent for all construction funds.
- I. For HOME and/or NHTF projects, a construction loan promissory note will be executed with a maturity date of ninety (90) days after the Placed-in-Service date identified in the Application and bearing interest at zero percent (0%). At maturity, the note will be on a monthly amortization not to exceed the lesser of the HOME and/or NHTF affordability period or 480 months; and bearing interest at placed on permanent repayment as follows:
  - a. two percent (2%) for HOME new construction; or
  - b. one percent (1%) for HOME acquisition/rehabilitation; or
  - c. zero percent (0%) for NHTF.
- J. WCDA at its sole discretion may waive or modify the required terms on the HOME and/or NHTF repayment.
- K. The amortization period and term of the HOME and/or NHTF loan must be equal to or less than the affordability period.
- L. Projects located in the entitlement cities of Cheyenne and Casper must provide a current (no older than 6 months) signed letter of consistency with the Consolidated Plan from the applicable Jurisdiction.
- M. All HOME Match must be documented at time of application by the Source providing the Match that grant has been awarded or fee reduction has been approved, or by lending institution providing a firm commitment of a below market interest rate loan in order to receive allowable points. Final HOME Match documentation must be provided at the time of Final Application.
- N. All projects seeking funding from the HOME CHDO set-aside, must submit a CHDO application and supporting documentation with each application.

O. Extended title insurance must be provided including lien, survey and easement coverage, coverage for rights, interests or claims not shown of public record, and a foundation endorsement.

P. The following Alta endorsements will be required on Title Policies:

1. Zoning (3.1 Improved or 3.2 Land Under Development)
2. Environmental Protection Lien (8.1)
3. Restrictions, Encroachments, Minerals (9.06)
4. Access and Entry (17)
5. Tax Parcels (18 Single Tax Parcel, 18.1 Multiple Tax Parcels)
6. Contiguity (19 Multiple Parcels, 19.1 Single Parcel)
7. Minerals Surface Damage (100.29)
8. Location (22)

Q. HOME and/or NHTF funds may NOT be used for the cost of constructing Manager's unit(s). Other sources of funds must pay for the cost of developing the Manager's unit.

R. All rehabilitation activities must comply with WCDA's Federal Programs Rehabilitation Standards for Housing

**ALL HOME AND NHTF RENTAL PROJECTS MUST ADHERE TO THE FOLLOWING:**

A. For HOME and/or NHTF projects, a construction loan promissory note will be executed with a maturity date of ninety (90) days after the Placed-in-Service date identified in the Application and bearing interest at zero percent (0%). At maturity, the note will be on a monthly amortization not to exceed the lesser of the HOME and/or NHTF affordability period or 480 months; and bearing interest at placed on permanent repayment as follows:

- a. two percent (2%) for HOME new construction; or
- b. one percent (1%) for HOME acquisition/rehabilitation; or
- c. zero percent (0%) for NHTF.

B. WCDA at its sole discretion may waive or modify the required terms on the HOME and/or NHTF repayment.

C. When utilizing NHTF funds and/or HOME funds only, deferred and/or forgivable loans may be considered. Please contact WCDA for consideration prior to finalizing your application.

D. WCDA at its sole discretion may waive or modify the required terms on the HOME and/or NHTF repayment.

E. Rental Projects must restrict rents on HOME and/or NHTF units to not exceed the Low-HOME and/or NHTF rent.

F. Maximum rents for HOME and/or NHTF units are outlined in each project's HOME and/or NHTF Agreement. These limits do not automatically change when HUD Income Limits change. Increases must be approved in writing by WCDA. Requests for increases will be reviewed no more than once a year, and the project cannot have had any outstanding compliance issues within the previous year.

G. HOME and/or NHTF units in Rental Projects are floating within the project. When a household's income increases above the limit for that unit, the next available unit must be rented at the lower level. Every effort must be made to insure the income and rent levels are attained at all times throughout the compliance period. As such, projects with multiple rent and or income levels must recertify every household on an annual basis, and the lease for every unit (HOME, NHTF and non-HOME) must include all of HUD's required provisions.

H. The Affordability Period for HOME and/or NHTF projects does not begin until all documentation, sufficient to close out the project, has been reviewed by WCDA. Project completion means that all necessary title transfer requirements and construction work have

been performed, the project complies with the requirements of 24 CFR Part 92.2 for HOME and 24 CFR Part 93.2 for NHTF, the final drawdown has been disbursed for the project, and the project completion information has been entered in the disbursement and information system established by HUD, except that with respect to rental housing project completion, for the purposes of 24 CFR 93.402(d), project completion occurs upon completion of construction before occupancy.

I. All HOME and/or NHTF Rental Project Owners must attend and pass the required testing to obtain a Compliance Certification by a nationally recognized firm as approved by WCDA, prior to the project applying for an award of HOME and/or NHTF funds or provide a Certification showing they have completed the training in the past 5 years.

J. A Representative of the Management Company for all HOME and/or NHTF rental projects must attend and pass the required testing to obtain a Compliance Certification by a nationally recognized firm as approved by WCDA, prior to the project beginning Lease-up or provide a Certification showing they have completed the training in the past 3 years.

K. Violations of the HOME and/or NHTF Agreement or the WCDA Compliance Manual are considered noncompliance issues and reportable to HUD. (See Compliance Monitoring Package)

L. WCDA will consider, in regards to HOME and/or NHTF funds, being in a subordinate lien position to other private financing on a case-by-case basis. Subordination requests must be submitted to the Director of Affordable Housing Development for review.

M. The HOME and/or NHTF Agreement will not be subordinated to existing or future financing.

N. During construction, all projects receiving HOME and/or NHTF funding, must supply both a Performance and a Payment Bond, or an acceptable Irrevocable Letter of Credit in the amount of the HOME and/or NHTF funding.

b. Describe the grantee’s application requirements for eligible recipients to apply for HTF funds. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

ALL projects applying for NHTF funds must comply with all pertinent aspects of the Wyoming Community Development Authority Affordable Housing Allocation Plan (Allocation Plan). This includes compliance with 24 CFR Part 93 as detailed in the WCDA NHTF Program Description (Allocation Plan Current Year Summary Attachment “I”). The Developer will certify that housing assisted with NHTF funds will comply with all NHTF requirements.

All projects receiving HOME funds, NHTF funds, and/or an allocation of Section 42 Tax Credits will be responsible for indemnifying WCDA in the event HUD and/or Treasury enforce any type of recapture or other penalties on the project.

Those applying for funding need to submit:

1. Completed Letter of Intent sent to [housingdev@wyomingcda.com](mailto:housingdev@wyomingcda.com) on or before August 31, 2018. This is available on our website, [www.wyomingcda.com](http://www.wyomingcda.com). Please contact WCDA’s Affordable Housing Development staff for submission requirements or questions regarding the submission.
2. Original signed physical copy of the WCDA 2020 Affordable Housing Programs Application (Application), in its entirety plus the following exhibits and the appropriate Application Fee (The most current application must be used; no substitutions or changes to any forms will be accepted);
  - a. Development Team Experience, including the project sponsor, developer, general contractor, architect, property manager, and key consultants (Application Exhibit A-1);
  - b. Previous Participation Statement and Authorization for Release of Information (Application Exhibit A-2);
  - c. Self-Scoring (Application Exhibit A-3);
  - d. 15-year Projected Cash Flow;
  - e. WCDA Non-Profit Participation Questionnaire, if applicable;
  - f. WCDA Application for Community Housing Development Organization (CHDO) Status Under the HOME Investment Partnership Program (HOME) as stated in 24 CFR Part 92, if applicable;
  - g. Application Fee

The above Application and exhibits must be received in the WCDA office at 155 N Beech, Casper, Wyoming 82601 by the submission deadline outlined in Attachment “A” Item 1.

The following supporting documents must also be uploaded via Procorem:

1. Electronic version of the Application in Microsoft Excel format via the Procorem Workcenter assigned to this Application. Make sure it is not locked or a shared file;
2. Supplemental application documentation to be uploaded through the Procorem Workcenter on or before Application due date (available at [www.wyomingcda.com](http://www.wyomingcda.com)):
  - a. Affirmative Fair Housing Marketing Agreement;
  - b. HUD Environmental Checklist;
  - c. WCDA Non-Profit Participation Questionnaire, if applicable;
  - d. WCDA Application for Community Housing Development Organization (CHDO) Status Under the HOME Investment Partnership Program (HOME) as stated in 24 CFR Part 92, if applicable;

3. Utility Allowances (including backup documentation);
4. Independent comprehensive, timely, and professional Market Study from a competent, disinterested party. At a minimum, the Market Study must include those items outlined in the Current Year Summary Attachment "A" Item "14" and the Market Study Recap located in the Current Year Summary Attachment "B" Item "1". If the Market Study contradicts current economic statistics on file with WCDA, the project may not rank in the needs category. A Market Study will be accepted by WCDA if it meets the required elements as listed in the Allocation Plan Current Year Summary Attachment "A" Item "14", and includes a completed Market Study Recap sheet found in the Allocation Plan Current Year Summary Attachment "B" Item "1";  
NOTE: WCDA does not approve individual market study providers. Each Developer/Owner is responsible for obtaining a market study from an unaffiliated party which accurately reflects the information necessary for WCDA to evaluate the current and future need for the project being proposed.
5. Current letter of consistency with the Consolidated Plan from the appropriate jurisdiction if the project is located in an entitlement city (required on all projects requesting HOME funding);
6. Documentation showing the local jurisdiction has been notified and given specific information regarding the project;
7. Site Control documentation;
8. Documentation of proper zoning;
9. Flood Plain Documentation;
10. Completed Phase I Environmental Assessment (for 2020 Application cycle only, waivers for Phase I studies may be granted at WCDA's sole discretion only if the study has been ordered by the time of Application submission and is submitted upon receipt);
11. Estimated tax expense from County Assessor (or current assessment for Rehabilitation projects);
12. Location Map showing location of the site relative to the surrounding neighborhood;
13. City Map showing location of the site;
14. Map showing zoning of the site and adjacent areas;
15. Sketch plan of the site (3-dimensional if possible);
16. Floor plans;
17. Projects built in phases are to complete the application reflecting information on the current phase, and explain each phase and the entire project in the narrative;
18. Narrative Description of Project (Allocation Plan Current Year Summary, Attachment "D" Item "1");
19. Detailed written explanation of how and why the applicant feels the scoring criteria has been met;
20. Copy of Deed showing ownership changes proving 10-year rule requirements (for Acquisition/Rehabilitation projects with Tax Credits);
21. Developer Fee Agreement;
22. Current documentation from the local jurisdiction that the project is in a Community Revitalization Plan (CRP) area (if applicable as stated in Section IV: Initial Allocation Criteria, Secondary Scoring, Item 6: CRP in Qualified Census Tracts);
23. Certification of Compliance Training;
24. Financial Statements of Owner, Developer, General Partner and all Guarantors;

25. All Tax Credit projects must provide a Letter of Intent from a minimum of one syndicator which must include an anticipated date of when a firm commitment will be issued;
26. All projects requesting credits that exceed the Total per unit Eligible Basis published by WCDA in the Current Year Summary Attachment "A", must include documentation satisfactory to WCDA, justifying the higher costs, and thus the higher Eligible Basis. [E.g. Three or more bids for construction items, current Real Estate listings for like properties in the area (to help justify land cost), costs to address seismic or other unique building requirements, impact on the community, etc.]; and
27. Determination letter from the State Historic Preservation Office (SHPO), clearing the site for improvements or necessary mitigation requirements.

For acquisition/rehabilitation projects, the project's Capital Needs Assessment must conform with the requirements of the Uniform Physical Condition Standards checklist in Attachment "J". The quality of rehabilitation work performed must meet the Rehabilitation Standards Detail identified in Attachment "J". The following documents must also be submitted in addition to the previously listed submission requirements:

1. Capital Needs Assessment by an unaffiliated third party, such as a licensed architect or engineer, including an Economic Feasibility Assessment of Expenses, stating the viability and long-term feasibility of the project (required on all rental rehabilitation projects);
2. All Acquisition/Rental Rehabilitation project must provide a timely appraisal by an independent 3rd party (generally appraisals are considered timely if less than 6 months old – the acquisition price on which tax credits are allocated will be limited to the lesser of the sales price or the appraised value of the property prior to rehabilitation);
3. Itemized list, by unit, of rehabilitation activities and costs;
4. Relocation Plan for person(s) displaced by the project;
5. Owners and Developers applying for federal funding for all Occupied Acquisition/Rehabilitation projects must provide every tenant with a General Information Notice (GIN) per HUD requirements prior to the application being submitted. A copy of the GIN and proof of delivery must accompany the application;
6. Projects with occupied units are eligible for HOME or NHTF funding, however the Developer must address all requirements under Attachment "F", Other Federal Requirements, Section 92.353 Displacement, Relocation and Acquisition.

Tax Credit Initial Allocations, HOME, and/or NHTF funded Initial Allocations are NOT transferable. Once an Initial Allocation is granted, the project may not be changed in any way (including project name) without WCDA's prior written consent, and may result in revocation of the project's allocation(s). In addition, prior to application, it is highly recommended the owner verify the name they intend to use is available by obtaining a Certificate of Good Standing from the State.

Scattered Site projects are acceptable under this plan only if all units are covered under the same financing, and are located within the same city, or if none of the individual sites are within city limits, within the same county however, the Primary Market Area defined in the Market Study must make sense. To receive the 130% increase in basis allowed under Section 42 the entire project must also be located within a Qualified Census Tract or Difficult Development

Area. While separate applications are required for projects located in different cities, projects may be bundled for outside financing and syndication purposes.

All housing that is constructed must meet all applicable local codes, ordinances, and zoning ordinances at the time of project completion. In absence of a local code new construction or rehabilitation must meet, as applicable, the International Building Code (as applicable to the type of housing) of the International Code Council.

Newly constructed housing using HOME funding must also meet the requirements of 24 CFR Part 92.251(a)(2)(i) through (V). Newly constructed housing using NHTF funding must meet requirements of 24 CFR Part 93.301(a).

All projects must be located on a site eligible for federal financial assistance. The types of items that are reviewed when looking at a site are listed below:

- The site's proximity to noise sources such as railroads, highways or busy streets, and airports or military airfields.
- The site and the project must have a clearance from the state historic preservation office.
- The site cannot be in a 100-year flood plain.
- Lead-based paint and asbestos are concerns and must be dealt with in accordance with HUD and state requirements.
- The site's proximity (within 3,000 feet) to a hazardous waste site.
- The site's proximity to above ground or underground storage tanks containing hazardous materials.
- Concentration of low income housing (Environmental Justice).
- Zoning and uses of land surrounding the site.
- Proximity to Services.

WCDA will also do a site visit to determine the site's suitability for the type of housing being proposed. All NHTF funded projects will have to meet HUD's environmental review process and HUD's site and neighborhood standards requirement at 24 CFR Part 93.150. Site selection is extremely important and is part of the evaluation and ranking process.

Applicants must be current on all fees due and owing WCDA before an application will be accepted. An application may be denied if it is determined that the developer or other key participants have other projects that are not progressing or have not progressed as scheduled in the Development Timetable within WCDA's Application and/or Agreement. The Development Timetable will be proposed by the Developer and must be approved by WCDA for each Application and/or Agreement (See Column 2 "Application Planned Timetable" of Attachment "D").

Incomplete applications may be returned. Applications once submitted are considered final and may not be revised. WCDA has the right not to fund a draw or issue IRS form(s) 8609 if the project is not progressing or has not been completed according to the original application. However, WCDA may ask for additional information and updates as needed.

WCDA reserves the right to reject an application, or assess negative points, if the Owner, Management Company, or any material participant has outstanding non-compliance issues, or if an applicant, material participant or management company has a history of poor performance under any program administered by WCDA, or under comparable programs in other states or jurisdictions.

Projects requesting tax credits from the non-profit set-aside need to submit a Non-Profit Certification as to the nonprofit's involvement in the project. This certification must be submitted with the application and updated annually throughout the compliance period.

c. Describe the selection criteria that the grantee will use to select applications submitted by eligible recipients. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

WCDA will review all applications in each cycle for completeness and eligibility based on federal requirements and selection criteria. Applications will be selected for initial allocation based on the selection criteria outlined in this Allocation Plan.

Applications for initial allocation of Tax Credits, HOME, and/or NHTF funds may be submitted based on the Allocation Cycles outlined in the Current Year Summary Attachment "A".

The WCDA Board of Directors reviews and approves the Allocation Plan on an annual basis. Projects are recommended to the WCDA Board of Directors based on scoring criteria detailed in the Affordable Housing Plan. Scoring is completed by staff based on information provided by the applicant in their application. The WCDA Board of Directors may, at their sole discretion, approve or deny an application recommended by staff.

There are no initial application fees for projects that apply for HOME and/or NHTF funds.

WCDA reserves the right not to allocate Tax Credits, HOME, and/or NHTF funding for any project if it determines that an initial allocation for such project does not meet the four most significant criterion set forth in Section I or the available funding is insufficient for all projects that meet primary and secondary scoring minimums. The four most significant criterions for Tax Credit, HOME, and NHTF approval are:

1. Need,
2. Quality of Construction,
3. The characteristics of the households being served, and
4. Affordability.

WCDA may recapture credits from defunct projects after providing notice and an opportunity to cure deficiencies.

WCDA reserves the right to allocate all or a portion of the available Tax Credits, HOME, and/or NHTF funds in any of its funding cycles. WCDA reserves the right to issue reservations for future year Tax Credit allocations.

In the event of a major natural disaster (the area has been declared a disaster area by federal, state, or local elected officials) or disruption in the financial markets, the WCDA may disregard any section of the Plan, including point scoring and evaluation criteria, that interferes with an appropriate response. This may include, but is not limited to, the right to immediately allocate Low Income Housing Tax Credits, HOME, and/or NHTF funds to any eligible project in such area that can meet the minimum point criterion. This may be done without opening a competitive application cycle and funding may be allocated even to the extent of forward allocating.

The purpose of the Initial Allocation Cycle is to enable WCDA to competitively review applications and to award Tax Credits, HOME, and/or NHTF funds to those projects that most aggressively address the selection criteria. If another allocation cycle is held, new applications will be accepted and, will be subjected to the review process as outlined in the Allocation Plan.

WCDA may rescind a Tax Credit, HOME, and/or NHTF Initial Allocation if it is determined that the developer or other key participants have current projects in development that are not progressing as scheduled in the Development Timetable within WCDA's Application and/or Agreement.

If there are insufficient Tax Credit, HOME, and/or NHTF funds remaining to allocate the minimum necessary to make a project feasible, WCDA, at its sole discretion, may forward allocate or award Tax Credit, HOME, and/or NHTF funds to the next highest scoring project for which the available Tax Credit, HOME, and/or NHTF funds are sufficient to meet that project's needs.

Tax Credit Initial Allocations, HOME funded Initial Allocations, and/or NHTF Initial Allocations are NOT transferable. Once an Initial Allocation is granted, the project (as presented in the application, including but not limited to the project location, OWNER and other participating parties) may not be changed in any way without WCDA's prior written consent.

#### IV. INITIAL ALLOCATION CRITERIA

Proposed projects will be ranked based on primary and secondary criteria. Where an applicant's Market Study differs from the current economic statistics available to WCDA, the project may be ranked using the most recent data available to WCDA. Although projects may rank, WCDA reserves the right to add requirements to address any concerns to the Initial Allocation Document, which it may have for the long-term viability of the project. When scoring applications, WCDA will utilize data at the Primary Market Area level.

Primary Negative Criteria Points	Minimum Required*	Maximum
1) Housing Needs Characteristics	120	
a) Need -100		192
b) Vacancy in Community -16		48
c) Vacancy in Subsidized Projects - 10		10
d) Geographic Distribution -200		0
<b>SUB TOTAL HOUSING NEEDS CHARACTERISTICS -326</b>	<b>120</b>	<b>250</b>
2) Quality of Construction		
a) Minimum Construction Standards	1	1
b) Construction Standards Exceeded		65
c) Energy Efficiency and/or Sustainability Certification		32
d) HERS Rating		5
<b>SUB TOTAL QUALITY OF CONSTRUCTION 0</b>	<b>1</b>	<b>103</b>
3) Income Levels		
a) Meeting Market Study	10	10
b) Lower Income Targeting		5
c) Deep Income Targeting		10
d) Extreme NHTF Income Targeting		15
<b>SUB TOTAL LOWER INCOME TARGETING 0</b>	<b>10</b>	<b>40</b>
4) Affordability Levels (monthly housing costs)	8	38
5) Extended Low-Income Use	2	35
6) Community Revitalization in Qualified Census Tracts		5
<b>PRIMARY TOTAL -326</b>	<b>141</b>	<b>471</b>

\*All applications must score the Minimum Required points under each individual Primary Criterion as well as the Minimum Required points under the Primary Total or the application will be rejected.

Secondary Criteria	Negative Points	Minimum Required+	Maximum Points
1) Project Location			
a) Appropriate Location	-200		35
b) Concentration of Low-Income Housing	-200		15
c) Inappropriate Location			
d) Developer not at site visit			
<b>SUBTOTAL PROJECT LOCATION</b>	<b>- 400</b>	<b>0</b>	<b>50</b>
2) Project Characteristics			
a) Project Design			46
b) Private-Public Partnerships			10
c) Site Control			3
d) Proper Zoning			3
e) Subsidy	-200		
f) Other Supportive Financing			5
g) Community Revitalization Plan			5
<b>SUBTOTAL PROJECT CHARACTERISTICS</b>	<b>-200</b>	<b>0</b>	<b>72</b>
3) Sponsor/Applicant Characteristics			
a) Experience and Credibility	-200	5	40
b) Poor Performance			0
c) Financial Capacity			10
<b>SUBTOTAL SPONSOR/APPLICANT CHARACTERISTICS</b>	<b>-200</b>	<b>5</b>	<b>50</b>
4) Public Housing Waiting Lists	0	2	2
5) Families or Individuals with Children	0	0	4
6) Financial Support from Local Sources			35
7) Management Capacity			
Poor Performance	-200		
<b>SUBTOTAL MANAGEMENT CAPACITY</b>	<b>-200</b>	<b>0</b>	<b>0</b>
8) Total Project Costs	-1000	0	0
9) Owner/General Partner Equity in Project	0	0	20
<b>SECONDARY TOTAL</b>	<b>-2000</b>	<b>55+</b>	<b>233</b>

+ Applications must score the Minimum Required points under each Secondary Criterion as well as the Minimum Required points under the Secondary Total or the application will be rejected. (Does not add, minimum 55 is required across Secondary Criteria.)

Tie Breaker Criteria	Negative Points	Minimum Required+	Maximum Points
1) Total Project Costs	0	0	40
2) Reduced Fees	0	0	30

In order to be considered for points in any category, sufficient documentation must be included and applications must include a detailed written explanation of how and why the applicant feels the criteria has been met.

Information in the developer-provided Market Study, the Wyoming Profile of Demographics, Economics and Housing and other publications are used extensively in the Scoring analysis. However, WCDA reserves the right to consider any other information available or known to us.

## Primary Criteria

### 1. HOUSING NEEDS CHARACTERISTICS (Up to 250 points – Must score a minimum 120)

#### a. Need (Maximum 192 points up to negative 100 points)

A Project will receive up to 192 points if the applicant can substantiate need for the specific housing for which it is applying (must include where tenants are currently residing [in town, out of town, relatives, subsidized housing, and/or substandard housing]).

#### Income Levels (28 points)

Income Levels being served vs. Income Levels identified in the Market Study as defined by the Capture Rate in the Market Study.

Capture Rate	Points	Capture Rate	Points
0.0 - 5.0	28	40.1 - 45.0	12
5.1 - 10.0	26	45.1 - 50.0	10
10.1 - 15.0	24	50.1 - 55.0	8
15.1 - 20.0	22	55.1 - 60.0	6

20.1 - 25.0	20	60.1 - 65.0	4
25.1 - 30.0	18	65.1 - 70.0	2
30.1 - 35.0	16	70.1 - 75.0	0
35.1 - 40.0	14	75.1 +	0

Affordability (48 points)

Income vs. Rent Limit meets variance (8 points)

Proposed monthly housing expense (rent and utilities) vs. monthly average Market Rate Rents by bedroom size as defined in the Market Study. (40 points)

Concentration of Low Income Households (28 points)

As concentration of Low-Income/Affordable housing units increase in the vicinity, fewer points are awarded. WCDA will consider data available for comparable and market rate units in the area, such as visual observation, market study information, HUD Community Planning and Development (CPD) maps, etc.

Appropriate Housing (10 Points)

Appropriate housing for need identified in Market Study i.e. Family, elderly, special needs.

Type of housing and quality of construction (16 Points)

Apartment (2 points), duplex/four-plex (4 points), single family (6 points) stick built (10 points), modular (5 points), manufactured (1 point) etc.)

Saturation prorated by the number of units needed vs. proposed as defined in the Market Study (48 Points)

Absorption Rate as defined in the Market Study (14 Points)

b. Vacancy in Community (Maximum 48 points up to negative 16 points)

The project will be awarded points as follows, using vacancy rates from both the Market Study and the most recently published Wyoming Demographics Profile:

Vacancy Rate	Market Study (Primary Market Area)	WY Demographics Profile (County Data)
0% - 1%	30 points	18 points
1.01% - 2%	27	16
2.01% - 3%	24	14
3.01% - 4%	21	12
4.01% - 5%	18	10
5.01% - 6%	13	7
6.01% - 8%	8	4

8.01% - 10%	3	1
10.01% - 12%	-5	-3
12.01% +	-10	-6

For Preservation projects, WCDA will consider the property’s historical vacancy rates on a case-by- case basis and award points in this category accordingly. Please provide detail regarding reasons for vacancy rates in Project Narrative and Self-Scoring Narrative.

c. Vacancy in Subsidized Projects (Maximum 10 points up to negative 10 points)

If a project is placed in a community with substantiated vacancy rates in subsidized projects based on the Market Study, the following points will be awarded:

Vacancy Rate	Market Study (Primary Market Area)
0% - 1%	10
1.01% - 2%	9
2.01% - 3%	8
3.01% - 4%	6
4.01% - 5%	4
5.01% - 6%	2
6.01% - 8%	0
8.01% - 10%	-2
10.01% - 12%	-5
12.01% +	-10

For Preservation projects, WCDA will consider the property’s historical vacancy rates on a case- by-case basis and award points in this category accordingly. Please provide detail regarding reasons for vacancy rates in Project Narrative and Self-Scoring Narrative.

\*Projects located in a city which contains a comparable property (e.g. similar age, size, condition, etc.) with a vacancy rate of greater than 10% will receive up to a negative 100 points.

d. Geographic Distribution (Up to negative 200 points)

In an effort to equitably distribute funding throughout the state, negative points will be assessed based on the number of affordable units (regardless of source) awarded funding in the last four years, as well as projects awarded funding or scoring higher during the current year, compared to the population of the city where the proposed project will be located. Projects proposing newly constructed units will be assessed 150 negative points for every one percent (1%) of affordable units the proposed community has received in relation to their population the previous four (4) years in relation to their population.

(Example: Total units funded in last 4 years = 200; population of community 50,000 = 200/50,000 = .4%; .4X 150 = 60 negative points.)

## 2. QUALITY OF CONSTRUCTION (Maximum 126 points)

- a. Minimum Construction Standards (Must score a minimum of 1 point, with a 1 point maximum) A project will receive 1 point if it meets the International Building Code (as applicable to the type of housing) of the International Code Council, the local code adopted by the presiding jurisdiction, the Minimum Property Standards for HOME at 24 CFR Part 92.251(a)(2)(i) through (V) or for NHTF at 24 CFR Part 93.301(a), as amended, and meets Accessibility Requirements under ADA. More restrictive codes or regulations may be required by local cities, counties or towns, but in no case may new construction projects (and to the maximum extent feasible for rehabilitation projects) fail to meet the applicable Code of the International Code Council.
- b. Construction Standards Exceeded (Maximum 65 points)  
To obtain additional points, applications must clearly demonstrate that the project undisputedly exceeds the minimum specified in Section 2, "A". See Property Development Standards Attachment "J" for more information on this category.

Significant ranking upgrades include, but are not limited to, upgraded or unique features in categories such as:

Floor coverings Durability roofing/siding materials

Natural lighting Quality and design of windows Negative Air

Flow vents in Crawl Space Bedroom size

Items proven to reduce mold Other cost-effective maintenance reduction

These criteria are scored on a competitive basis between all qualified projects received during the application round. To receive points in this area, you must provide details in the Project Narrative section that clearly demonstrates how construction standards are exceeded.

- c. Energy Efficiency and/or Sustainability Certification (Maximum 32 points)  
One point will be awarded for each of the following sustainable building strategies implemented. Must be certified by project architect AND product/warranty information must be provided.
- Built above 100-year floodplain defined by FEMA – must provide documentation
  - Locate trees/planting to provide shade for 50% of hardscapes – must provide specific plant information, including # of each plant to be provided.
  - Drought resistant plants and landscaping – must provide specific species and documentation supporting drought resistance
  - Keep all exterior wood at least 12” above soil

- Seal external cracks, joints, etc. with caulking and install pest proof screens
- Include no wood to concrete connections, or separate connections with dividers
- Average flow rate of lavatory faucets is < 2.00 gpm
- Average flow rate for all showers is <2.00 gpm per stall
- Average flow rate for all toilets is <1.30 gpf
- Toilets are dual flush or toilets meet the EPA water sense specification
- Investigate local options for waste diversion and document diversion rate for construction waste
- No unvented combustion appliances
- Carbon monoxide monitors in each unit
- Space water heating equipment designed with closed combustion or space and water heating equipment has power vented exhaust or space and water heating equipment located in detached or open-air facility
- Active fan radon venting system
- Intermittent or Passive ventilation
- Install heat recovery system
- Energy Star labeled bathroom exhaust fans
- Permanent walk-off mats at each entry
- Insulation meets R-value requirements of IECC – must provide exact R value
- Insulation meets HERS Grade II specifications
- Insulation exceeds R-value requirements of IECC by 5% – must provide exact R value
- Insulation meets HERS Grade I specifications
- At least R-6 insulation around ducts in unconditioned spaces – must provide exact R value
- At least R-3 insulation around pipes in unconditioned spaces – must provide exact R value
- Design and size HVAC equipment using ACCA Manual J or equivalent
- Install Energy Star programmable thermostat
- Energy Star lighting throughout the project
- Motion controlled exterior lighting

- Energy Star Refrigerator, dishwasher, ceiling fans (if applicable) and washer and dryer (if applicable)
- Low VOC paints, stains, finishes adhesives and sealants and carpet
- Formaldehyde free shelves, cabinets, countertops and insulation

d. HERS Rating (Maximum 5 points)

Up to 5 points will be awarded if the developer commits to obtaining an Energy Star Certification from a HERS rater for every unit.

3. INCOME LEVELS (Maximum 40 points – must score a minimum 10 points)

A proposal will receive points for eligible low-income units with income restricted to the percentage of HUD Median Income as stated below.

a. Meeting Market Study (Must score a minimum 10 points)

Where income levels proposed meet those substantiated in the Market Study for the project, it will receive 10 points.

b. Lower Income Targeting (Maximum 5 points)

Where income levels proposed meet those substantiated in the Market Study for income levels between 41-50% of HUD Median Income.

c. Deep Income Targeting (Maximum 10 points)

Where income levels proposed meet those substantiated in the Market Study for income levels at or below 40% of HUD Median Income.

d. Extremely Low Income Targeting (Maximum 15 points)

Where income levels proposed meet those substantiated in the Market Study for income levels at or below 30% of HUD Median Income. These income targets are suitable for NHTF grant funding.

4. AFFORDABILITY LEVELS (Maximum 38 points - Must score a minimum 8 points)

A proposal will receive a proportionate percentage of points for eligible low-income units where rent is restricted to 30% of the HUD Area Median Income as stated in the chart below.

- 30% and below = 36 points
- 35% and below = 30 points
- 40% and below = 24 points
- 45% and below = 18 points
- 50% and below = 12 points
- 60% and below = 8 points

[Example – 50% of the units restricted at 30% or less (50% of 36 points = 18), and 50% of the units restricted at 50% or less (50% of 12 points = 6). Thus 18 + 6 = 24 total points.]

A proposal will receive 2 points if 4% or more of the units are set aside for transitioning homeless households. This would include Gross rent under \$200.00 a month and working with other organizations to provide payment of utilities.

In order to receive points in this category, rents must be limited to the percentages chosen. Projects will be underwritten at the maximum rent level chosen. If using HOME funds, the maximum rent level must be at or below the Low HOME Rent as defined in the HOME Program Application. If using NHTF funds, the maximum rent level must be at or below the Low NHTF Rent as defined in the NHTF Program Application.

Rent restrictions float within the project. When a household's income increases above the limit for that unit, the next available unit must be rented at the lower level. Every effort must be made to insure the

required income and rent levels are attained at all times throughout the compliance period. As such, projects with multiple rent and or income levels must recertify each household on an annual basis.

5. **EXTENDED LOW-INCOME USE** (Maximum 35 points - Must score a minimum 2 points)

A proposal will receive the following points for committing to a WCDA Compliance Period over and above HUD's Affordability or IRS' Compliance Period where the owner waives the right to a Qualified Contract and agrees to follow the restrictions as set forth in their Application:

Example for Tax Credit Project				
IRS Required Years	Additional Initial Years	Additional IRS Extended Use Period	Total Years Restricted	Points
15	5+	15	35	2
15	10+	15	40	3
15	15+	15	45	5
15	20+	15	50	10
15	25+	15	55	17
15	35+	15	65	35

Example for HOME Rental Rehab Projects Less than \$15,000 per unit			
HOME Required Years	Additional Initial Years	Total Years Restricted	Points
5	5+	10	2
5	10+	15	3
5	15+	20	5
5	20+	25	10
5	25+	30	17

5	35+	40	35
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Example for HOME Rental Rehab Projects between \$15,000 - \$40,000 per unit			
HOME Required Years	Additional Initial Years	Total Years Restricted	Points
10	5+	10	2
10	10+	15	3
10	15+	20	5
10	20+	25	10
10	25+	30	17
10	35+	40	35

Example for Home Rental Rehab Projects Over \$40,000 per unit			
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HOME Required Years	Additional Initial Years	Total Years Restricted	Points
15	5+	20	2
15	10+	25	3
15	15+	30	5
15	20+	35	10
15	25+	40	17
15	35+	50	35

Example for HOME Rental New Construction Projects, All Amounts			
HOME Required Years	Additional Initial Years	Total Years Restricted	Points
20	5+	25	2
20	10+	30	3
20	15+	35	5
20	20+	40	10
20	25+	45	17
20	35+	55	35

Example for NHTF Rental, New Construction or Rental Rehab Projects, All Amounts			
NHTF Required Years	Additional Initial Years	Total Years Restricted	Points
30	5+	35	5
30	10+	40	10
30	15+	45	17
30	25+	55	35

Projects with mixed financing will receive a prorated score based on their respective percentages of funding.

The Affordability Period must be equal to or greater than the term and amortization period of HOME or NHTF financing.

Tax Credit Projects requesting credits that exceed the total per unit Eligible Basis published by WCDA in the Current Year Summary Attachment “A”, must score a minimum of 35 points in the Extended Use Category.

At the time of allocation, a Restrictive Land Use Covenant, HOME and/or NHTF Agreement shall be executed between the applicant and WCDA to define the terms and length of the affordability period.

6. COMMUNITY REVITALIZATION IN QUALIFIED CENSUS TRACTS (5 points)

A proposal will receive 5 points if the project being developed is located in a Qualified Census Tract and contributes to a concerted Community Revitalization Plan. Until “Community Revitalization Plan” (CRP) has been formally defined by HUD or the IRS, a Developer may provide a letter from the local jurisdiction, or the state, that the project sits in a CRP area.

Secondary Criteria

1. PROJECT LOCATION (Maximum 50 points, and/or up to negative 200 points). As project location is an integral part of the scoring process Developers must attend the site visit scheduled by WCDA.
  - a. Appropriate Location (Maximum 35 points)  
A project may receive up to 35 points for being within a proximity of 2 miles (1 mile for elderly) of appropriate services needed by the residents occupying the units (must list services and distance from project to be eligible to receive points).

Distance from other locations			
	Points		Points
Employment opportunities	3	Elementary School	2
Fire	2	Junior or Middle School	2
Police	2	High School	2
Proximity to Public Transit	3	College	1
Hospital	2	Convenience Store	1
Senior Center	3	Church	1
Bank	2	Post Office	1
Doctor Offices	2	Park	1
Laundry Mat - if facilities not on site	3	Recreation	1
Grocery Store and/or Delivery	3	Library	1

Pharmacy and/or Delivery	2	Discount Store	1
		Walk/Bike Path	1

b. Concentration of Low-Income Housing (Maximum 15 points)

A project may receive up to 15 points if it is demonstrated that the project will not contribute to an above-average concentration of Low-Income housing established within the site's Primary Market Area as defined in the Market Study. WCDA will consider available data for comparable units in the area, such as visual observation, market study information, HUD Community Planning and Development (CPD) maps, etc.

c. Inappropriate Location (Up to a Negative 200 points)

Inappropriate locations such as locations in 100-year flood areas, noise areas, areas of concentrated low-income, near hazardous site areas (above ground storage tanks of hazardous materials), airport clear zones, those sites listed in the EPA CERCLIS data base, other hazards outlined by HUD in their Environmental Review Requirements and other items of concern such as topography of the site or surrounding area and other issues that may require an abnormal amount of land to be purchased or an unusual amount of site work known or discovered by WCDA, etc., may receive up to a negative 200 points. The points will be assigned as follows (more than one category may apply):

Points Location contains:

- 200 Items that can NOT be mitigated
- 175 Mitigation required, but not addressed or budgeted in the application
- 150 Mitigation required which has been addressed but not budgeted
- 50 Mitigation May be required, not addressed and not budgeted (each item)
- 0 Mitigation required which has been addressed and cost is included in the budget (each item)
- 100 Located in a commercial area
- 150 Located in a light industrial area
- 200 Located in an industrial area

d. Developer not at site visit (Negative 200 points)

A negative 200 points may be assessed if the developer fails to be present for the site visit. WCDA may waive this negative assessment if a proposed project was visited within the past 12 months.

2. PROJECT CHARACTERISTICS (Maximum 72 points, or up to negative 200 points)

a. Project Design (Maximum 46 points)

A project may receive up to 46 points for the design of the project provided it addresses the need outlined in the Market Study for the appropriate unit size, project size and type.

Project Amenities (Maximum 26 points)

PROJECT AMENITIES	POINTS
Laundry-open 24/7	1
Tot lot	1
Historic Character	2
Security Cameras	2
Covered Parking	2
Preserves Project Based Assistance at Risk of Going Market Rate	2
UNIT AMENITIES	POINTS
Dishwasher	1
Garbage Disposal	1
Microwave	1
Energy Star Appliances	1
Ceramic Stove Top	1
Self-Cleaning Stove	1
Washer/Dryer In Unit	2
Air condition	2
Emergency Call	1

Wired high speed internet	2
Frost Free Refrigerator	1
Cable/Satellite Hookup	1
Fabric Window Covering	1

Project Financing (Maximum 20 points)

Points will also be awarded taking into consideration the type and amount of financing (conventional vs. subsidized) and evaluating the present value of subsidies used.

b. Private-Public Partnerships (Maximum 10 points)

To encourage private sector financing up to 10 points will be awarded for projects that have non- WCDA and non-subsidized private financing as a portion of the permanent financing package. Applications will be awarded 0.5 points for every percentage of private financing in the deal (not counting developer contribution). For example, an application with 10% private financing will receive 5 points in this category.

c. Site Control (Maximum 3 points)

A proposal will receive up to 3 points for having control of the site.

STATUS	POINTS
Own	3
Option to Buy/WCDA-Approved 99+ year lease	2
Letter of Intent	1

- d. Proper Zoning (Maximum 3 points)  
 A proposal will receive up to 3 points for having the proper zoning and all other necessary approvals (i.e. PUD's etc.).

STATUS	POINTS
Zoning in Place, No Approval Required	3
Zoning in Place, Other Approvals Required	2
Re-zoning in Process	1

- e. Subsidy (Up to a Negative 200 points)  
 Projects requesting tax credits that exceed the total per unit Eligible Basis or projects where all subsidy sources exceed the limits published by WCDA in the Current Year Summary Attachment "A", will receive a negative 10 to 200 points. Projects with subsidy exceeding limits will receive negative 10 pts per every 1% over subsidy limit.

- f. Other Supportive Financing (Maximum 5 points)  
 Projects with other committed Below Market Interest Rate Permanent Financing will receive up to 5 points. (i.e. USDA Rural Development – Rural Housing Service, other first mortgage private financing, etc.)

- g. Community Revitalization Plan (Maximum 5 points)
- A proposal will receive up to 5 points if the current project involves use of existing housing as part of a community revitalization plan. Until "Community Revitalization Plan" (CRP) has been formally defined by HUD or the IRS, a Developer may provide a letter from the local jurisdiction, or the state, that the project sits in a CRP area; or,
  - A proposal will receive up to 5 points if the community is actively reducing barriers associated with Affordable Housing i.e.:
    1. Reducing or waiving fees or real estate tax concessions for Affordable Housing.
    2. Within the last year the Jurisdiction has convened or funded comprehensive studies, commissions, or hearings, or has established a formal ongoing process, to review, the rules, regulations, development standards and processes of the jurisdiction to assess their impact on the supply of Affordable Housing.
    3. Within the last year the Jurisdiction has initiated regulatory reforms as a result of the above.

4. Jurisdiction has a single consolidated permit application process for housing development that includes building, zoning, engineering, environmental and related permits or “fast track” permitting and approvals for all affordable housing projects.
5. Reduction or waiver of parking or green space requirements for all affordable housing developments.
6. The jurisdiction has funded, directly or through partnerships, comprehensive studies of current and estimated housing needs taking into account the anticipated growth of the region, for existing and future residents, including low-, moderate-, and middle-income families for at least the next five years.
7. Lower cost land development requirements for Affordable Housing developments, i.e. higher density, narrower streets, sidewalks on only one side of the street etc.

3. SPONSOR/APPLICANT CHARACTERISTICS (Maximum 40 points to negative 200 points)

a. Experience and Credibility (Maximum of 40 points)

A proposal will receive up to 40 points based on the developer's experience, financial stability and credibility in developing the proposed housing. Items considered include, but are not limited to, number of projects successfully completed, like projects completed with like sources, experience with WCDA or other allocating agencies (must provide contact person to verify experience with other allocating agencies). A proposal will receive up to the following points if the sponsor has had experience developing housing which resulted in successful, compliant projects:

With no Federally imposed Restrictions	10 Points
With Federally imposed Rent and Income Restrictions and cross cutting federal regulations	30 Points
Using Tax Credits, HOME, and/or NHTF funds	40 Points

Developers will be classified by amount of experience and experience relevant to the type of project proposed. Based on this experience, developers will be classified as Tier 1, Tier 2 or Tier 3 defined as follows:

Tier 1 - Any developer who receives 35-40 points for Sponsor/Applicant Characteristics shall be classified as a Tier 1 developer and will only have to meet minimum requirements as set forth in the Affordable Allocation Plan for construction progress reporting throughout the construction period.

Tier 2 - Any developer who receives 20-34 points for Sponsor/Applicant Characteristics shall be classified as a Tier 2 developer and will be required to submit monthly progress reports and quarterly site visits will be performed throughout the construction period by the Wyoming Community

Development Authority. Tier 2 developers will be required to engage a property management firm that has successful experience in managing projects under Low Income Housing Tax Credit, HOME Investment Partnerships, and/or NHTF programs within the State of Wyoming and has no outstanding compliance issues.

Tier 3 - Any developer who receives 0-19 points for Sponsor/Applicant Characteristics shall be classified as a Tier 3 developer and will be required to partner with a Tier 1 developer, or a consultant experienced with LIHTC, HOME and/or NHTF.

- b. Development Team Capacity/Experience (Up to a Negative 200 points)  
WCDA will consider the capabilities of the entire development team, including at minimum the project sponsor, developer, general contractor, architect, property manager, and key consultants. Up to a negative 200 points will be assessed for any or all of the following:
- Non-compliance with WCDA restrictions with no effort to correct will be assessed the full negative points.
  - Financial condition of any and all existing projects
  - Frequency, conditions and type of waivers requested from WCDA or other allocating agencies on previously funded projects
  - Poor performance by development team members, including but not limited to failure to provide all close out documents within 6 months of being placed in service, liens filed against projects, etc.
  - Number of returned or recaptured allocations or awards
  - Number of cleared and/or outstanding compliance issues.
  - Development team members with projects in the process of or in foreclosure, receivership, or similar legal action
  - Financial stability of developer including, but not limited to, analysis of liquidity, short and long- term liabilities and total assets and cross-collateralization.
  - If any material participant has ever been removed from a project or given a project back to a Syndicator, Investor or other financial source.
  - Inconsistent information in the application and attachments.
  - Excessive line item variances between original budget and actual costs on prior projects.
- c. Financial Capacity (Maximum 10 points – Must score a minimum of 5 points)  
Developer must be able to substantiate financial capacity to the Authority's satisfaction. WCDA will examine key financial factors and ratios, including but not limited to liquidity, net worth, leveraging, etc., to assess adequate financial capacity.
4. PUBLIC HOUSING WAITING LISTS (Maximum 2 points – Must score a minimum of 2 points) Proposals that commit to giving preference to individuals and families on the public housing waiting lists, will receive 2 points.

5. HOUSING NEEDS FOR FAMILIES OR INDIVIDUALS WITH CHILDREN

(Maximum 4 points) A proposal will receive up to 4 points for targeting unit occupancy to Families or Individuals with Children.

6. SUPPORT OR CONTRIBUTIONS FROM LOCAL SOURCES (Maximum 35 points)

A proposal will receive up to 35 points for financial support or contributions from local sources derived from non-federal sources (i.e. donated real estate, labor, materials, cash, or waiver of local fees etc.), which results in reduced project costs and reduced federal subsidy only to the extent that the project costs do not exceed the maximum costs outlined in Section 8 below and are above any required amounts from other sources (i.e. HOME Match requirement). In order to receive points, documentation from the provider of the Financial Support must be provided showing award and specifics of the Financial Support (i.e. Grant award notification, firm commitment of Below Market Interest Rate loan).

7. PROPERTY MANAGEMENT CAPACITY (Up to negative 200 points) Up to a negative 200 points will be assessed for any or all of the following:

- a. Physical condition of any and all existing projects
- b. Frequency, conditions and type of waivers requested from WCDA on previously funded projects
- c. Managers associated with any project that has a history of poor performance
- d. Number of cleared compliance issues
- e. Number of outstanding compliance issues
- f. Ongoing maintenance issues
- g. Managers who have had a project placed or in the process of being placed in foreclosure, receivership, or similar legal action

For applicants without existing WCDA-funded projects, please submit letters of good standing from all Tax Credit agencies the applicant has done business with for the last 5 years.

8. TOTAL PROJECT COSTS

Projects submitted with Total Project Costs above the tolerance level published in the Current Year Summary Attachment “A”, will receive up to a negative 10 points for every 1% over the tolerance level. WCDA reserves the right to waive, all or a portion of the assessment of negative points, if in WCDA’s sole discretion, high project costs are justifiable from information provided by the applicant.

9. OWNER/GENERAL PARTNER EQUITY IN PROJECT (Maximum 20 points)

A proposal will receive up to 20 points for financial support or contributions from the Owner or General Partner derived from non-federal sources (i.e. donated real estate, labor, materials, cash, or waiver of local fees etc.), which results in reduced project costs and reduced federal subsidy only to the extent that the project costs do not exceed

the maximum costs outlined in Section 8 above less the donated equity. In order to receive points, documentation must be provided to support value of donation (i.e. appraisal for land donation).

**Tie Breaker**

1. **TOTAL PROJECT COSTS** (Maximum 40 points)

a. **New Construction**

New Construction rental projects submitted with Development costs below the tolerance level published in the Current Year Summary Attachment “A”, will receive the following points:

Below Tolerance	Points
10-14%	5
15-19%	15
20-24%	30
25%+	40

b. **Rehabilitation Project**

Rehabilitation projects will receive up to 40 points for amenities and/or cost-effective upgrades incorporated into the rehabilitation.

2. **REDUCED FEES** (Maximum 30 points)

Combined feed at or below	Points
13%	1
11%	3
9%	5
7%	15
5%	30

a. For Projects in which the combined Developer and Builder fees are less than 15%, tie breaker points will be awarded as follows:

Combined feed at or below	Points
13%	1
11%	3
9%	5
7%	15
5%	30

d. Describe the grantee's required priority for funding based on geographic diversity (as defined by the grantee in the consolidated plan). If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

Wyoming has not set specific geographic areas in which assistance will be directed over the coming year. However, as more and more affordable housing units are developed, it is becoming increasingly more important to target these funds to the areas of the greatest need. Applicants for funding will need to show that there is a demand for the type and price of unit they are proposing. WCDA will be utilizing the Wyoming Housing Database Partnership Reports (Semiannual Profiles, Housing Conditions Report & Forecasts) for comparison to the Developers own information. While the WCDA continues to recognize need as the primary driver of housing within any given community and maintains scoring that reflects this principle, a scoring category for geographic distribution is included in the allocation plan. This category will help ensure that affordable housing resources are distributed throughout the state and no one community shall benefit disproportionately to the rest of the state. The WCDA provides a list of funded projects by community on its web-site for its housing programs.

e. Describe the grantee's required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

#### SPONSOR/APPLICANT CHARACTERISTICS (Maximum 40 points to negative 200 points)

##### a. Experience and Credibility (Maximum of 40 points)

A proposal will receive up to 40 points based on the developer's experience, financial stability and credibility in developing the proposed housing. Items considered include, but are not limited to, number of projects successfully completed, like projects completed with like sources, experience with WCDA or other allocating agencies (must provide contact person to verify experience with other allocating agencies). A proposal will receive up to the following points if the sponsor has had experience developing housing which resulted in successful, compliant projects:

- With no Federally imposed Restrictions 10 Points
- With Federally imposed Rent and Income Restrictions and cross cutting federal regulations 30 Points
- Using Tax Credits, HOME, and/or NHTF funds 40 Points

Developers will be classified by amount of experience and experience relevant to the type of project proposed. Based on this experience, developers will be classified as Tier 1, Tier 2 or Tier 3 defined as follows:

Tier 1 - Any developer who receives 35-40 points for Sponsor/Applicant Characteristics shall be classified as a Tier 1 developer and will only have to meet minimum requirements as set forth in the Affordable Allocation Plan for construction progress reporting throughout the construction period.

Tier 2 - Any developer who receives 20-34 points for Sponsor/Applicant Characteristics shall be classified as a Tier 2 developer and will be required to submit monthly progress reports and quarterly site visits will be performed throughout the construction period by the Wyoming

Community Development Authority. Tier 2 developers will be required to engage a property management firm that has successful experience in managing projects under Low Income Housing Tax Credit, HOME Investment Partnerships, and/or NHTF programs within the State of Wyoming and has no outstanding compliance issues.

Tier 3 - Any developer who receives 0-19 points for Sponsor/Applicant Characteristics shall be classified as a Tier 3 developer and will be required to partner with a Tier 1 developer, or a consultant experienced with LIHTC, HOME and/or NHTF.

b. Development Team Capacity/Experience (Up to a Negative 200 points)

WCDA will consider the capabilities of the entire development team, including at minimum the project sponsor, developer, general contractor, architect, property manager, and key consultants. Up to a negative 200 points will be assessed for any or all of the following:

- Non-compliance with WCDA restrictions with no effort to correct will be assessed the full negative points.
- Financial condition of any and all existing projects
- Frequency, conditions and type of waivers requested from WCDA or other allocating agencies on previously funded projects
- Poor performance by development team members, including but not limited to failure to provide all close out documents within 6 months of being placed in service, liens filed against projects, etc.
- Number of returned or recaptured allocations or awards
- Number of cleared and/or outstanding compliance issues.
- Development team members with projects in the process of or in foreclosure, receivership, or similar legal action
- Financial stability of developer including, but not limited to, analysis of liquidity, short and long- term liabilities and total assets and cross-collateralization.
- If any material participant has ever been removed from a project or given a project back to a Syndicator, Investor or other financial source.
- Inconsistent information in the application and attachments.
- Excessive line item variances between original budget and actual costs on prior projects.

c. Financial Capacity (Maximum 10 points – Must score a minimum of 5 points)

Developer must be able to substantiate financial capacity to the Authority's satisfaction. WCDA will examine key financial factors and ratios, including but not limited to liquidity, net worth, leveraging, etc., to assess adequate financial capacity.

f. Describe the grantee's required priority for funding based on the extent to which the rental project has Federal, State, or local project-based rental assistance so that rents are affordable to extremely low-income families. If not distributing funds by selecting applications submitted by eligible recipients, enter "N/A".

a. Project Financing (Maximum 20 points)

Points will also be awarded taking into consideration the type and amount of financing (conventional vs. subsidized) and evaluating the present value of subsidies used.

b. Private-Public Partnerships (Maximum 10 points)

To encourage private sector financing up to 10 points will be awarded for projects that have non- WCDA and non-subsidized private financing as a portion of the permanent financing package. Applications will be awarded 0.5 points for every percentage of private financing in the deal (not counting developer contribution). For example, an application with 10% private financing will receive 5 points in this category.

c. Subsidy (Up to a Negative 200 points)

Projects requesting tax credits that exceed the total per unit Eligible Basis or projects where all subsidy sources exceed the limits published by WCDA in the Current Year Summary Attachment “A”, will receive a negative 10 to 200 points. Projects with subsidy exceeding limits will receive negative 10 pts per every 1% over subsidy limit.

d. Other Supportive Financing (Maximum 5 points)

Projects with other committed Below Market Interest Rate Permanent Financing will receive up to 5 points. (i.e. USDA Rural Development – Rural Housing Service, other first mortgage private financing, etc.)

g. Describe the grantee’s required priority for funding based on the financial feasibility of the project beyond the required 30-year period. If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

EXTENDED LOW-INCOME USE (Maximum 35 points - Must score a minimum 2 points)

A proposal will receive the following points for committing to a WCDA Compliance Period over and above HUD’s Affordability or IRS’ Compliance Period where the owner waives the right to a Qualified Contract and agrees to follow the restrictions as set forth in their Application:

Example for Tax Credit Project				
IRS Required Years	Additional Initial Years	Additional IRS Extended Use Period	Total Years Restricted	Points
15	5+	15	35	2
15	10+	15	40	3
15	15+	15	45	5
15	20+	15	50	10
15	25+	15	55	17
15	35+	15	65	35

Example for HOME Rental Rehab Projects Less than \$15,000 per unit			
HOME Required Years	Additional Initial Years	Total Years Restricted	Points
5	5+	10	2
5	10+	15	3
5	15+	20	5
5	20+	25	10

5	25+	30	17
5	35+	40	35

Example for HOME Rental Rehab Projects between \$15,000 - \$40,000 per unit			
HOME Required Years	Additional Initial Years	Total Years Restricted	Points
10	5+	10	2
10	10+	15	3
10	15+	20	5
10	20+	25	10
10	25+	30	17
10	35+	40	35

Example for Home Rental Rehab Projects Over \$40,000 per unit

HOME Required Years	Additional Initial Years	Total Years Restricted	Points
15	5+	20	2
15	10+	25	3
15	15+	30	5
15	20+	35	10
15	25+	40	17
15	35+	50	35

Example for HOME Rental New Construction Projects, All Amounts			
HOME Required Years	Additional Initial Years	Total Years Restricted	Points
20	5+	25	2
20	10+	30	3
20	15+	35	5
20	20+	40	10
20	25+	45	17
20	35+	55	35

Example for NHTF Rental, New Construction or Rental Rehab Projects, All Amounts			
NHTF Required Years	Additional Initial Years	Total Years Restricted	Points
30	5+	35	5
30	10+	40	10
30	15+	45	17
30	25+	55	35

Projects with mixed financing will receive a prorated score based on their respective percentages of funding.

The Affordability Period must be equal to or greater than the term and amortization period of HOME or NHTF financing.

Tax Credit Projects requesting credits that exceed the total per unit Eligible Basis published by WCDA in the Current Year Summary Attachment “A”, must score a minimum of 35 points in the Extended Use Category.

At the time of allocation, a Restrictive Land Use Covenant, HOME and/or NHTF Agreement shall be executed between the applicant and WCDA to define the terms and length of the affordability period.

h. Describe the grantee’s required priority for funding based on the merits of the application in meeting the priority housing needs of the grantee (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations). If not distributing funds by selecting applications submitted by eligible recipients, enter “N/A”.

PROJECT LOCATION (Maximum 50 points, and/or up to negative 200 points). As project location is an integral part of the scoring process Developers must attend the site visit scheduled by WCDA.

c. Appropriate Location (Maximum 35 points)  
 A project may receive up to 35 points for being within a proximity of 2 miles (1 mile for elderly) of appropriate services needed by the residents occupying the units (must list services and distance from project to be eligible to receive points).

Distance from other locations			
	Points		Points
Employment opportunities	3	Elementary School	2
Fire	2	Junior or Middle School	2
Police	2	High School	2
Proximity to Public Transit	3	College	1
Hospital	2	Convenience Store	1
Senior Center	3	Church	1
Bank	2	Post Office	1
Doctor Offices	2	Park	1
Laundry Mat - if facilities not on site	3	Recreation	1
Grocery Store and/or Delivery	3	Library	1
Pharmacy and/or Delivery	2	Discount Store	1
		Walk/Bike Path	1

d. Concentration of Low-Income Housing (Maximum 15 points)  
 A project may receive up to 15 points if it is demonstrated that the project will not contribute to an above-average concentration of Low-Income housing established within the site's Primary Market Area as defined in the Market Study. WCDA will consider available data for comparable units in the area, such as visual observation, market study information, HUD Community Planning and Development (CPD) maps, etc.

c. Inappropriate Location (Up to a Negative 200 points)  
 Inappropriate locations such as locations in 100-year flood areas, noise areas, areas of concentrated low-income, near hazardous site areas (above ground storage tanks of hazardous materials), airport clear zones, those sites listed in the EPA CERCLIS data base, other hazards outlined by HUD in their Environmental Review Requirements and other items of concern such as topography of the site or surrounding area and other issues that may require an abnormal amount of land to be purchased or an unusual amount of site work known or discovered by WCDA, etc., may receive up to a negative 200 points. The points will be assigned as follows (more than one category may apply):

- Points Location contains:
- 200 Items that can NOT be mitigated
  - 175 Mitigation required, but not addressed or budgeted in the application
  - 150 Mitigation required which has been addressed but not budgeted
  - 50 Mitigation May be required, not addressed and not budgeted (each item)
  - 0 Mitigation required which has been addressed and cost is included in the budget (each item)
  - 100 Located in a commercial area
  - 150 Located in a light industrial area
  - 200 Located in an industrial area

PROJECT DESIGN (Maximum 46 points)  
 A project may receive up to 46 points for the design of the project provided it addresses the need outlined in the Market Study for the appropriate unit size, project size and type.

Project Amenities (Maximum 26 points)

PROJECT AMENITIES	POINTS
Laundry-open 24/7	1
Tot lot	1
Historic Character	2
Security Cameras	2
Covered Parking	2

Preserves Project Based Assistance at Risk of Going Market Rate	2
UNIT AMENITIES	POINTS
Dishwasher	1
Garbage Disposal	1
Microwave	1
Energy Star Appliances	1
Ceramic Stove Top	1
Self-Cleaning Stove	1
Washer/Dryer In Unit	2
Air condition	2
Emergency Call	1

Wired high speed internet	2
Frost Free Refrigerator	1
Cable/Satellite Hookup	1
Fabric Window Covering	1

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL  
PROGRAMS REHABILITATION STANDARDS FOR HOUSING

**Introduction**

This Guideline is designed to help evaluate the rehabilitation potential of residential structures that are funded with WCDA federal funds, such as the Home Investment Partnerships (HOME) Program, the National Housing Trust Fund (NHTF) Program, or the Neighborhood Stabilization Program (NSP). It may be used by contractors, builders, realtors, home inspectors, and others with a basic knowledge of building construction.

When used in conjunction with the local building code, the guideline can assist in identifying unsafe or hazardous conditions and uncovering functional deficiencies that should be corrected. Housing that is rehabilitated with federal funds through WCDA must meet the Uniform Physical Condition Standards (UPCS) prescribed by the US Department of Housing and Urban Development (HUD), as well as all applicable codes, rehabilitation standards, ordinances, and zoning ordinances at the time of completion of the rehabilitation. In the absence of a local code for rehabilitation, the housing must meet the UPCS as well as state and national building codes. A copy of the UPCS for both Multifamily and Single Family Housing is attached here as Exhibit A to Attachment #1.

**Preparing for the Inspection**

Each property will be evaluated in regard to the following:

Zoning, setback, height, and building coverage requirements, grandfathered uses and conditions, Homeowner's Association By-laws, Covenants, proffers, liens and applicable fire regulations.

Year

Built

Site

Specific

Location

Zoning

Code

Site within or partially within a 100 year flood plain? Above Ground Storage Tanks visible from site?

Near a hazardous

waste site? Noise

Determination

1000 feet of a major

roadway 3000 feet

of a railroad

5 miles of a commercial

service airport 15 miles of a

military airfield

airport Clear Zones (civil or military)

Within ¼ mile of a property on or eligible for the National Register of Historic Places?

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL PROGRAMS

REHABILITATION STANDARDS FOR HOUSING

**REHABILITATION STANDARDS DETAIL**

This section of WCDA's Federal Programs Rehabilitation Standards for Housing is intended to provide additional detail for the minimum acceptable standards for existing household dwelling units rehabilitated in whole or in part with HOME, NSP or National Housing Trust Fund (NHTF) program funds in Wyoming. Any reference in this document to "rehabilitation" is

meant to include rehabilitation of existing housing and redevelopment of existing non-residential building(s) which create new multifamily or single family housing. These standards are not intended to reduce or exclude the requirements of any local or state building or housing codes, standards, or ordinances that may apply. In the event of any conflicting code(s), the more restrictive code(s) will apply. Housing rehabilitated with HOME, NSP, or NHTF assistance must meet all applicable State and local codes, ordinances, and requirements or, in the absence of a State or local building code, the International Existing Building Code of the International Code Council.

These standards were designed to assist in achieving consistency throughout the state for all rehabilitation activities funded with HOME, NSP, or NHTF funds. These standards assume that a knowledgeable inspector will thoroughly inspect each dwelling to verify the presence and condition of all components, systems, and equipment within the dwelling. All components, systems, and equipment of a dwelling referenced in this document shall be in good working order and condition and be capable of being used for the purpose for which they were intended and/or designed. Components, systems and/or equipment that are not in good working order and condition shall be repaired or replaced. When it is necessary to replace items (systems, components, or equipment), the replacement items must conform to these standards. These standards also assume that the inspector will consider any extraordinary circumstances of the occupants of the dwelling (e.g., physical disabilities) and reflect a means to address such circumstances in their inspection and in the preparation of project specifications for that dwelling.

All interior ceilings, walls, and floors must not have any serious defects such as severe bulging or leaning, large holes, loose surface materials, severe buckling, missing components or other serious damage. The roof must be structurally sound and weather-resistant. All exterior walls (including foundation walls) must not have any serious defects such as leaning, buckling, sagging, large holes, or defects that may result in the structure not being weather-resistant or that may result in air infiltration or vermin infestation. The condition of all interior and exterior stairs, halls, porches, walkways, etc. must not present a danger of tripping or falling. If an inspector determines that the specific individual standards of this document cannot be achieved on any single dwelling due to it being structurally impossible and/or cost prohibitive, the inspector shall document the specific item(s) as non-conforming with these standards.

Rehabilitation projects must address any and all deficiencies identified in Exhibit A to Attachment #1 of this document (UPCS Inspection Checklist) as part of the project's scope of work so that, upon completion, all such deficiencies are cured. For projects which include acquisition and/or rehabilitation of occupied housing, any Level 3 deficiencies identified as life threatening (i.e. "LT") on the UPCS Inspection Checklist must be addressed and corrected immediately. All life threatening Level 3 deficiencies must be identified in the UPCS Inspection Checklist. Level 1, 2 and 3 deficiencies for each inspectable item on the UPCS Inspection Checklist are defined in detail in HUD's Revised Dictionary of Deficiency Definitions, available on WCDA's website (<http://www.wyomingcda.com>). WCDA inspectors will follow these definitions when evaluating the project.

Energy Star rated systems, components, equipment, fixtures and appliances are required.

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL PROGRAMS

REHABILITATION STANDARDS FOR HOUSING

### **Lead**

**Lead.** For all homes built prior to 1978, have a qualified professional conduct a lead based paint inspection and risk assessment. Follow the lead based paint abatement regulations, as required by 24 CFR Part 35 (HUD Lead Safe Housing Rule).

### **Asbestos**

**Asbestos.** A certified environmental professional should perform the inspection and make the decision whether to enclose, coat, encapsulate or remove deteriorated asbestos containing products. Follow the EPA regulations.

### **Site Drainage**

**Ground Drainage.** Observe the drainage pattern of the entire property, as well as that of adjacent properties. The ground should slope away from all sides of the building. The ground should also slope away from window wells, outside basement stairs, and other walkways. Bring the ground up to a slope if it is not draining away from these items.

**Downspout Drainage.** Because downspouts create concentrated sources of water in the landscape, where they discharge is important. Downspouts should not discharge where water will flow directly on or over a walk, drive, or stairs. The downspouts on a hillside building should discharge on the downhill side of the building. Move the downspouts or install extensions if they discharge in these areas.

### **Site Improvements**

**Plantings.** Remove any plantings that trap water and edging around planting beds. Note the location and condition of all trees and shrubbery. Those that are overgrown may need pruning or trimming; in some cases they may be so overgrown that they will have to be removed. Have trees or shrubbery that exhibit disease or infestation removed.

**Trees.** Check where overhanging branches may interfere with the chimney's draft, damage utility wires, or deposit leaves and twigs in roof gutters and drains. Trees and shrubbery that are very close to exterior walls or roofs can cause damage that is sometimes severe, and they can make it difficult to make inspections, do maintenance, and make repairs. Branches in these locations will need to be pruned back.

Cut back any tree roots exposed near the surface. If tree roots are under a footing, cutting down the tree can lead to rotting of the roots and subsequent settling of the foundation.

**Lighting.** Examine outdoor lighting elements to determine their condition and functional safety. Turn site lighting on, preferably at night, to check its operation and to determine if the light is adequate for its purpose. Replace any inadequate or nonfunctional lighting.

Exposed wiring that is not UV and moisture resistant should be replaced. Underground wiring should be type UF. Replace any fixtures, switches, and outlets that are not protected from moisture penetration.

**Aerial Utility.** Inspect the electrical service between the street and the main panel board. Follow the electrical guidelines on page 10.

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL  
PROGRAMS REHABILITATION STANDARDS FOR HOUSING

**Paved areas.** Asphalt, such as driveways or patios, that are not sloped to drain water away from a building should be replaced or removed and area repaired to eliminate negative drainage. Replace any asphalt that has cracks, broken sections, high areas, low areas that trap water, and tripping hazards.

Failed or sunken areas of asphalt drives and walks should be resurfaced or replaced. Check asphalt drives and walks for low areas that hold water and freeze in cold climates. Low areas in asphalt paving should be brought to level with an asphalt overlay.

**Concrete areas.** Concrete areas; such as sidewalks, stoops, driveways, and walkways; that are not sloped to drain water away from a building should be replaced or removed and area repaired to eliminate negative drainage. Concrete should not be repaired by resurfacing with a thin layer of more concrete.

Concrete cracks greater than one inch thick: Remove and replace entire section.

Concrete cracks smaller than one inch thick: Cut open and seal with flexible sealant compound.

Where there is a difference in elevation in a walk or drive that creates a tripping hazard, the higher portion of concrete may be ground down to the level of the lower portion.

**Brick or stone patio.** Reset loose bricks or stones in a new mortar bed.

Uneven patio stones set in sand should be taken up, sand added or removed, and the pavers replaced.

**Curbs and sidewalks.** The maintenance, repair, and replacement of sidewalks, drive aprons, and curb cuts at the street may be the responsibility of the local jurisdiction. Check the property's deed or consult local authorities.

**Stairs.** Inspect the condition of exterior stairs and railings using the current building code as a guide. Every stair with more than three steps should have a handrail located 34 to 38 inches above the edges of the stair tread. Shake all railings vigorously to check their stability and inspect their fastenings. Stairs that are more than 30 inches above the adjacent grade and walks located more than 30 inches above the grade immediately below should have guards not less than 36 inches high and intermediate rails that will not allow the passage of a sphere 4 inches in diameter. Check wooden steps for proper support and strength and for rot and insect infestation. Inspect steel stairs for rust, strength, and attachment. Deteriorated stairs should be repaired or replaced. Stair treads should be as level as possible without holding water. It is preferable that stairs in walks on site that are accessible to the general public have at least three risers. Stair riser heights and tread depths should be respectively uniform.

**Retaining walls.** Inspect the construction and condition of retaining walls. Retaining walls more than two feet in height should be backed with drainage material, such as gravel. There should be drains at the bottom of the drainage material. The drains should discharge water either at the end of the wall or through pipes set in the wall itself. Check for bowing (vertical bulges), sweeping (horizontal bulges), and cracking in retaining walls that can be caused by water pressure and insufficient drainage. Failure to drain should be remedied by excavating behind the wall, replacing the drainage material and damaged drainage piping, and backfilling. Significant failure of any kind usually requires rebuilding or replacing all or part of a wall. Failing retaining walls more than two feet in height should be inspected by a structural engineer.

**Outbuildings** Examine detached garages, storage sheds, and other outbuildings for their condition in the same way that the primary building is inspected. Check also that all doors function properly and that doors and windows provide adequate weather protection and security for the building. Repair or replace all doors and windows that do not provide adequate weather protection or security. Make sure that small outbuildings have sufficient structural strength to sustain the applicable wind loads or seismic forces. Demo any outbuilding that does not have sufficient structural strength.

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL PROGRAMS

REHABILITATION STANDARDS FOR HOUSING

### **Building Exterior**

**Foundation Walls and Piers** Foundation walls, including block foundation walls, and piers should be inspected for cracking, deterioration, moisture penetration, and structural adequacy. Repair any minor cracks. If there is significant cracking and failing, have a professional structural engineer inspect the property and perform their recommendations.

**Exterior wood elements.** Inspect all painted surfaces for peeling, chipping, blistering, and checking. If more than 15% of the wood needs replaced, apply new siding material. If less than 15% of the wood needs replaced, scrape and touch up the areas that are peeling or chipping in accordance with Lead Based Paint Standards if built prior to 1978.

**Aluminum and vinyl siding.** Check for loose, bent, cracked or broken pieces. Inspect all caulked joints, particularly around window and door trim. If 15% or more of the siding need repaired or replaced, apply new siding to the entire house. If less than 15% of the siding needs repaired or replaced, repair or replace those areas and match the color as closely as possible to the existing color.

**Stucco.** Check stucco for cracks, crumbling sections, and areas of water infiltration. It is difficult to match the color of stucco repairs to the original stucco, so plan to repaint entire stucco area if repair is needed. If the repairs are less than 3 sf, try to blend/feather the paint. Try to feather and blend the paint for small repairs less than 3 sf.

**Brick or stone veneers.** Inspect veneers for cracking, mortar deterioration, and spalling. Replace any missing brick or stone. Repair all cracks with mortar of the same type as existing.

**Exterior insulation and finish systems (EIFS).** Where mildew and mold are evident on exterior cladding or where interior walls are damp, there is the possibility that condensation is occurring in the walls. Use a trained specialist to check for concealed water damage and rot. Refer to their recommendation.

#### **Exterior Windows and Doors**

**Exterior doors** should be examined for their condition, overall operation and fit, and for the functionality of their hardware. Replace any missing weather stripping. If the door is damaged or non-operational install a new exterior door with a 1-5/8" solid core, exterior fiberglass door. Install entrance lock set, and mortised dead bolt keyed alike. Include three 3"x4" butt hinges, interlocking threshold, and weather stripping.

**Windows** should be examined for their condition, overall operation and fit, and for the functionality of their hardware. Replace any missing weather stripping. Remove and replace any deteriorated weather stripping. Replace any broken panes of glass. If the window is damaged beyond repair, not weather tight, or non-operational without repair install a new energy efficient double glazed window and jamb including screen, caulk, interior casing and exterior trim. Replace any missing screens.

**Garage doors** should be examined for operation, weather tightness, overall condition, and fit. Replace any broken panes of glass. Replace any missing weather stripping. If the garage door is damaged beyond repair install a steel overhead door with insulation.

**Deck, Porches** should be plumb and stable. Make sure that structural connections to the building are secure and protected against corrosion or decay. Inspect the condition of all exterior stairs and railings. Every stair with more than three steps should have a handrail located 34 to 38 inches above the edges of the stair tread. Shake all railings vigorously to check their stability, and inspect their fastenings. Check wooden steps for proper support and strength and for rot and insect infestation. Inspect steel stairs for rust, strength, and attachment. Deteriorated stairs should be repaired or replaced.

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL PROGRAMS

REHABILITATION STANDARDS FOR HOUSING

#### **Roofing**

**Asphalt shingles.** Replace any missing or torn shingles. Replace the entire roof if it is leaking. If the roof is not leaking but the granular covering is coming off and/or they are starting to curl or crack consult a roofing contractor. If he/she suggests the roof has less than 5 years remaining, replace the entire roof. When installing a new roof remove the existing roof down to the sheathing and replace all defective sheathing. Use new architectural asphalt shingles with at least a 30 year warranty. The underlayment should be at least a single layer of 15-pound asphalt saturated felt.

No asphalt shingle roof should be less steep than 3 in 12. Replace low-slope roofs with at least two felt layers. If ice dam flashing at overhanging eaves is needed or present, make sure it extends three feet beyond the plane of the interior face of the exterior wall below for a low-slope roof and two feet for a normal-slope roof.

**Wood shingles or shakes** Replace the entire roof when more than one quarter of the shingles show signs of deterioration or are loose. When replacing wood shingles replace with new architectural asphalt shingles with at least a 30 year warranty.

**Metal roofing.** Inspect metal roofs for signs of rusting or pitting, corrosion due to galvanic action, and loose, open, or leaking seams and joints. If more than one quarter of the roof shows signs of deterioration replace the entire roof with new metal roofing and trim with at least a 50 year warranty.

#### **Gutters and Downspouts**

If the roof has no gutters and downspouts install new gutters to roof. Seal all leaks with mastic. Hangers should be placed no more than 18 inches apart. Wherever a gutter is exposed, check the strength of its fastening to the roof fascia or building exterior. Rusted fasteners, rusted and deteriorated gutters and missing hangers should be replaced.

**Downspouts** should be checked for size. Seven square inches is generally the minimum except for small roofs or canopies. Check downspout attachments; there should be attachments or straps at the top, at the bottom, and at each intermediate joint. Check straps for rust, deformation, and failed or loose fasteners. Check the capacity of the drainage system. At least one downspout is usually needed for each 40 feet of gutter. For roofs with gutters, make sure that downspouts are clear and that they discharge so water will drain away from the foundation. If the roof has no downspouts or they are deteriorated install new downspouts.

#### **Chimneys**

**Chimneys** should project at least two feet above the highest part of a pitched roof and anything else that is within 10 feet. A chimney should project at least three feet from its penetration from the roof (required minimum heights may vary slightly). Flues should not be smaller in size than the discharge of the appliance they serve. The minimum flue area for a chimney connected to a fireplace is normally 50 square inches for round linings, 64 square inches for rectangular linings, and 100 square inches for an unlined chimney. Flues should extend a minimum of four inches above the top of a masonry chimney.

If a masonry chimney is not in use and more than 25% of the brick is deteriorated, remove the chimney to at least 6" below the roof line. Install a permanent cap on remaining portion of chimney. Resheet the hole where chimney is removed with 1/2" CDX plywood. Finish using roofing materials to match existing as closely as possible.

If less than 25% of the chimney is deteriorated, repair the existing chimney

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL PROGRAMS

REHABILITATION STANDARDS FOR HOUSING

#### **Basement or Crawl Space**

**Crawl Space Ventilation.** Check the ventilation. By measurement and calculation, compare the free area of vents with the plan area of the crawl space. The free vent area to crawl space area ratio should conform to the current International Residential Code or local building code.

**Termites.** Inspect all foundation walls, piers, columns, joists, beams, and sill plates for signs of termites and other wood inhabiting insects. Have a professional conduct a termite inspection and complete his/her recommended repairs.

**Radon.** Have a professional conduct a radon inspection and complete his/her recommended repairs.

**Thermal Insulation.** Add insulation, if missing, in basements and crawl spaces according to the local, state and national building code. Add additional insulation if the existing amount does not meet all local, state, and national building codes.

**Structural, electrical, plumbing and HVAC systems.** Inspect the following items in the crawl space:

Locate main support columns and posts, major beams and bearing walls. Foundation walls, including block foundation walls, and piers should be inspected for cracking, deterioration, moisture penetration, and structural adequacy. Repair any minor cracks. If there is significant cracking and/or failing, have a professional structural engineer inspect the property and perform their recommendations.

If the electrical panel box is in the basement, inspect how the branch circuits are distributed and the type of wiring used. Follow the electrical guidelines on page 10.

Inspect the path of the main water supply line and check all piping materials. Follow the plumbing guidelines on page 12. Inspect the HVAC distribution system, including the ductwork, and follow the guidelines on page 13.

### **Building Interior**

In addition to all interior items below, inspect the plumbing, electrical and HVAC.

**Walls and ceilings.** Ignoring cosmetic imperfections, look for cracks and peeling paint or wallpaper. Repair cracks with paintable sealant. Repaint walls that are cracking and peeling after sealing the cracks and determining the cause of the cracks.

**Exterior walls.** Try to determine if the walls are insulated. Add insulation if missing.

**Wall Paneling.** Securely reattach any paneled walls. If more than 25% of the paneled wall is not attached remove paneling and install, hang, tape and texture 1/2" drywall if it is missing.

**Suspended Ceilings.** If suspended ceiling panels are damaged or discolored, remove panels and grid and hang, tape and texture 1/2" drywall.

**Drywall.** Repair any holes cracks, nail popping, deteriorated or damaged corner beads in drywall.

For drywall repairs larger than 6" cut back defective gypsum to expose half of the studs on each side of the hole. Cut and tightly fit drywall patch.

For drywall repairs smaller than 6" clean out and expand hole to allow the insertion of a 1/2" gypsum backer board coated with construction adhesive. Screw through drywall face to secure.

WYOMING COMMUNITY DEVELOPMENT AUTHORITY (WCDA) FEDERAL PROGRAMS

#### REHABILITATION STANDARDS FOR HOUSING

**Plaster.** Replaster or repair all damaged, cracked, loose, or bulging plaster by cutting back damaged plaster. If more than 1/4 of the wall is to be disturbed, remove entire plaster surface and replace with 1/2" drywall.

**Floors.** Replace any flooring that is a tripping hazard, stained, worn out or contaminated. Replace any carpet that is over twenty years old. If the flooring is to be replaced, check that the underlayment is in good condition, if not replace it.

**Interior doors.** Check door and hardware for finish, wear, and proper functioning. If the door is not damaged make any repairs for proper functioning. If the door is damaged install a hollow core masonite door. Include lockset and hinges.

**Outlets and Lighting.** Replace any missing, damaged, or unsafe receptacles and switches. Repair or replace light fixtures that are not securely attached, non-functional, inadequate or missing shades.

**Egress.** Every sleeping room and habitable basement room should have at least one operable window or exterior door for emergency egress or rescue. Check with the local building authority if an egress window needs installed in an existing window.

**Closets.** Inspect all closets for condition and usability. It is best that they have a clear depth of at least 24 inches. Check all shelving and hanging rods for adequate bracing. Repair or replace any items that are damaged or unsecure.

**Trim and finishes.** Examine baseboards, sills, moldings, cornices, and other trim. Replace any missing or damaged sections or pieces. Replacement trim may no longer be readily obtainable, so determine if trim can be salvaged from more obscure locations in the building.

**HVAC.** Inspect the heat source for each room and make sure it is functioning. Replace any damaged or missing registers or grills. Clean out all debris from ductwork. Follow HVAC guidelines on page 13.

**Fireplaces.** Repair or replace the fireplace if it is deteriorated or damaged. Repair any inoperable dampers. Repair or replace all items, including flues and pipe connections, that do not meet local, state and national building codes.

### **Bathrooms**

Examine bathrooms in accordance with the procedures for other interior rooms, and additionally inspect:

**Electrical service.** Wherever possible, switches and outlets should not be within arm's reach of the tub or shower, if they are have them moved. Install ground fault interrupters (GFIs) in the outlets if there are none.

**Ceramic tile.** Look for damaged or missing tiles, or tiles that have been scratched, pitted, or dulled by improper cleaning. Check the condition of all grouted and caulked joints. If a portion of the tile is defective or missing, all tile may have to be replaced since finding additional tiles of matching size, color, and texture may be impossible.

**Ventilation.** The bathroom should be ventilated by a window, an exhaust fan, or a recirculation fan. If there is an exhaust fan, check its operation. It should be properly ducted to an attic vent or the building's exterior.

**Plumbing.** Examine all exposed plumbing parts for leaking or signs of trouble or deterioration. Inspect the lavatory for secure attachment and support. Check the operation of all fixtures any leaking faucets that cannot be repaired or nonoperational fixtures should be replaced with a metal bodied, dual control faucet with a 15 year drip-free warranty. Include shut-off valve. Replace trap if required to complete installation. Repair or replace any caulking around the tub or sink.

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**Tub/Shower Enclosures.** Replace any surround that is damaged, loose, or contaminated. Repair any chips if possible. Recaulk any deteriorated or cracked caulking.

**Tubs.** Repair any chips if possible. Recaulk any deteriorated or cracked caulking. Repair or replace any damaged, leaking, or cracking tubs.

**Toilets.** Repair or replace any damaged, leaking, cracking or nonfunctional toilets.

### **Kitchens**

Examine kitchens in accordance with the inspection procedures for other interior rooms, and additionally inspect:

**Counters and cabinetry.** Check countertops for cracks or food traps and examine kitchen cabinets carefully for signs of vermin infestation. Look for missing, broken, or damaged hardware and cabinet parts. Check doors and drawers for fit and smooth operation, and wall cabinets for secure attachment. If the cost of replacement is less than the cost of reconditioning the countertop or cabinets then replace them.

**Electrical service.** A ground fault interrupter (GFI) of at least one 20 amp/120 volt circuit in all outlets over a countertop used for portable kitchen appliances. Separate circuits are also required for each major appliance as follows: Refrigerator 20 amp/120 volt, Dishwasher 20 amp/120 volt, Garbage 20 amp/120 volt disposal, Range 40 to 50 amp/ 240 volt. Follow electrical guidelines on page 10.

**Ventilation.** See that exhaust fans and range hoods are ducted to the outside and not to a cupboard, attic, crawl space, or wall. If they are not ducted to the outside, vent them so they are. A recirculation range hood fan is acceptable. Check the filter medium. Ducts, hoods, and filters should be free of grease buildup.

**Plumbing.** Examine all exposed plumbing parts for leaking or signs of trouble or deterioration. Inspect the sink for secure attachment and support. Check the operation of all fixtures any leaking faucets that cannot be repaired or nonoperational fixtures should be replaced with a pull out, single lever, metal bodied faucet with 15 year drip-free guarantee and maximum flow of 2 gallons per minute.

**Appliances.** Replace any nonoperational appliances with energy efficient appliances if available. Appliances must be permanently affixed to the house. No clothes washers and dryers, swamp coolers, etc.

### **Storage Spaces**

**Storage Spaces.** Inspect all closets and other storage spaces for cleanliness, functionality and proper lighting.

### **Stairs and Hallways**

**Stair handrails and guardrails.** Replace a missing or damaged handrail with new handrail on stairs with three or more risers. Repair or replace any missing or unstable guardrails. Guardrails are required on open sides of stairways and should have intermediate rails that will not allow the passage of an object 4 inches in diameter. Shake all railings vigorously to check their stability and inspect their fastenings. Check that all treads are level and secure. Riser heights and tread depths should be, respectively, as uniform as possible. As a guide, stairs in new residential buildings must have a maximum riser of 7-3/4 inches and a minimum tread of 10 inches. Inspect the condition and fastening of all stair coverings. Reattach any stair covering that is loose.

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**Stair width and clearance.** Check that all stairs are structurally sound. Stairs should normally have a minimum headroom of 6'-8" and width of 3'-0".

**Lighting.** Repair or replace any nonfunctional or missing light fixtures. Stairs and hallways should have 3 way light controls.

**Smoke Detectors.** Repair or replace any nonfunctional or missing smoke detectors. They should be located at the head of the stairs or in the hallways.

### **Laundry Rooms**

**Laundries.** Repair any venting that does not exhaust to the outside, clogged or restricted.

**Water lines.** Follow plumbing guidelines on page 12.

### **Attic**

**Roof Leaks.** Look for signs of water leakage from the attic and try to locate the source. Follow the roof guidelines on page 5.

**Attic Ventilation.** Install additional venting if the existing ventilation does not meet local, state and national codes. If additional vents cannot be added economically, consider adding mechanical ventilation. Install new bird screen that is in poor condition. Remove debris from vent openings.

**Insulation.** Check the local, state and national building codes for thermal resistance and add additional to meet those requirements.

**Exhaust ducts and plumbing stacks.** Repair or replace any damaged or broken ducts and stacks.

### **Electrical System**

This assessment should be conducted only by a qualified electrician who is experienced in residential electrical work. All work must meet the requirements of the current City, County, State and National Electric Code.

#### **Main Panel board**

**Condition.** Repair any unsecure covers. Repair or replace any damaged panel boards.

**Amperage rating.** The amperage rating of the main disconnect should not be higher than the amperage capacity of the service entrance conductor or the panel board. If the rating is higher (indicating unapproved work has been done), more branch circuits may be connected to it than the service entrance conductor is capable of supplying and it needs replacement.

**Voltage rating.** The voltage rating of the panel board (as marked on the manufacturer's data plate) should match the voltage of the incoming electrical service. If not replace it.

**Grounding.** Verify that the panel board is properly grounded. Its grounding conductor should run to an exterior grounding electrode or be clamped to the metal water service inlet pipe between the exterior wall and the water meter. If it is attached on the house side of the meter, the meter should be jumpered to ensure proper electrical continuity to the earth. Make sure

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that the ground conductor is securely and properly clamped to the pipe often it is not, and occasionally it is disconnected altogether. Ensure also that the grounding conductor is not attached to a natural gas pipe, to an

inactive pipe that may be cut off on the exterior side of the wall, or to a pipe that is connected to a plastic water service entry line. If the grounding conductor is attached to an exterior grounding electrode driven into the earth, verify that the electrode is installed in accordance with local code. Many older buildings will have the ground connected to the cold water pipe.

If this is the case and the building needs to conform to the current code, an alternate ground is required.

**Overcurrent protection.** Check the rating of the fuse or circuit breaker for each branch circuit. The amperage of the fuse or circuit breaker should not exceed the capacity of the wiring in the branch circuit it protects. Most household circuits use

#14 copper wire, which should have 15 amp protection. There may be one or more circuits with #12 copper wire, which should have 20 amp protection. Large appliances, such as electric water heaters and central air conditioners, may require 30 amp service, which is normally supplied by #10 copper wire. If there is an electric range, it would require a 40 or 50 amp service with #6 copper wire. Central air conditioning equipment will have an overcurrent protection requirement on the nameplate. Aluminum wire must be one size larger than copper wire in each case (e.g., #14 to #12), but it should not be used for 15 and 20 amp circuits.

**Overhead Wires.** Reattach any wires that are not securely attached to the house. Raise any wires that are lower than 10 feet above the ground. Cut back all tree branches or other items that are in close contact with overhead wires. Spliced connections at the service entrance should be wrapped and bare wires from the street should be replaced by the Utility Company.

**Electric Meter.** Advise the utility company if the meter is non functional, tampered with, unsecure or other concerns.

**Service Entrance Conductor.** Repair any splices or insulation. When replacing an overhead service entry, have it replaced with an underground service entry.

**Branch Circuits.** Replace any knob and tube wiring with new wiring that meets the City, County, State and National Electric Codes.

**Receptacles.** Do not assume that three-prong plug convenience outlets are connected to ground. Remove each one to observe the presence of a connected ground wire. Check to see whether GFI (ground fault interruption) type receptacles have been installed in laundries, kitchens, and bathrooms, and test their operation. Replace any damaged or missing cover plates.

**Wiring.** Check for surface mounted lamp cord extension wiring. It is dangerous and must be removed. It is best to remove all unused wiring or wiring that will be abandoned during rehabilitation work to avoid future confusion or misuse.

**Smoke Detectors.** Check to see if areas have functioning smoke detectors. Detectors should be wired to a power source, and also should contain a battery. Replace any nonfunctional or missing smoke detectors with a UL approved, ceiling mounted smoke and heat detector permanently wired into a receptacle box. Install a battery operated smoke detector in each bedroom if missing.

#### **Assessing Electrical Service Capacity (Ampacity)**

To determine the capacity (measured in amperes) of the building's existing electrical service at the main panel board, check the following:

The ampacity of the service entry conductor, which may be determined by noting the markings (if any) on the conductor cable and finding its rated ampacity in the **National Electrical Code**, Table 310-16, or applicable local code. If the service entry conductor is in conduit, look for markings on the conductor wires as they emerge from the conduit into the panel board. If all conductors are unmarked, have an electrician evaluate them.

The ampere rating on the panel board or service disconnect switch, as listed on the manufacturer's data plate.

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The ampere rating marked on the main circuit breaker or main building fuse(s). This rating should never be higher than the above two ratings; if it is, the system should not be used until it is evaluated by an electrician. The building's service capacity is the lowest of the above three figures. Once the service ampacity has been determined, compare it to the estimated ampacity the building will require after rehabilitation. If the estimated ampacity exceeds the existing ampacity, the building's electrical service will need upgrading. The method for estimating required ampacity is found in the **National Electrical Code**, Article 220.

### **Plumbing**

This assessment should be conducted only by a qualified plumber who is experienced in residential electrical work.

**Piping.** All piping, regardless of composition, should be checked for wet spots, discoloration, pitting, mineral deposits, and leaking or deteriorated fittings. Pressure test any piping suspected of having leaks. Repair or replace all leaks and deteriorated fittings. Replace all lead or galvanized steel piping throughout the house. If there are signs of deterioration, leakage or restriction of flow to copper piping replace those areas. Replace any brass piping that has signs of deterioration such as white mineral deposits.

Replace any undersized piping, partially closed valves, kinks in the piping or clogs of rust or mineral deposits.

If new fixtures are to be added to the distribution system, have a plumber determine whether the existing piping can carry the additional load by checking the size and condition of the piping and calculating the water demands of the fixtures to be added.

**Main Shutoff.** Replace the main if it is more than 40 years old.

**Main shut off valve.** Repair or replace the valve if it is corroded or damaged.

**Traps.** Replace S-Traps that can cause the loss of the water seal.

**Vents.** Repair or replace any vents that are obstructed or damaged.

**Drain Lines.** Replace any undersized drain lines. Secure any runs that are inadequately supported.

#### **Hot Water Heater**

Dates of tank manufacture are usually listed on the data plate (often in a simple 1995 code in the serial number; 0595, for instance, would mean manufactured in May 1995), and since water heaters are usually installed within several months of manufacture, the age of the tank often can be approximated. Replace a tank if there are three or less years of life expectancy remaining. Heavy mineral or rust deposits around the tank fittings are usually a sign that the tank is nearing the end of its service life and should be replaced. Replace any leaking tanks.

Water heater capacity is determined by the heater's storage capacity and its recovery rate, or the time it takes to reheat the water in its tank. Recovery rates vary with the type of fuel used. Generally, gas or oil fired heaters have a high recovery rate and electric heaters have a low recovery rate. Low recovery rates can be compensated for by the provision of larger storage capacity.

Water heaters are sized according to the number of people living in the house and the type of heat source used:

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#### **Gas**

30 gallon (115 L) 3 to 4 people  
40 gallon (150 L) 4 to 5 people  
50 gallon (190 L) 5 and more people

#### Electric

40 to 42 gallon (115 to 160 L) 3 to 4 people  
50 to 52 gallon (190 to 200 L) 4 to 5 people  
65 gallon (250 L) 5 and more people

A qualified plumber or mechanical engineer should determine the size of replacement units based on rehabilitation plans.

If a spa or whirlpool bath is in the house and the water is heated by either gas or electricity, an additional capacity of 10 gallons (40 L) is needed.

### HVAC

This assessment should be conducted only by a qualified HVAC contractor who is experienced in residential electrical work.

**Thermostats.** Repair or replace any un-operational thermostat.

**Venting.** Repair or replace any items that do not meet the local, state, and national building codes.

#### **HVAC Systems.**

Replace any gravity system with at least a 90% efficiency forced air system.

If a steam or hot water system needs replaced, replace with at least a 90% efficiency forced air system.

If a gas or electric wall heater or electric baseboard heater needs replaced, replace with a new or upgraded heater of the same function.

Replace any system if there are three or less years of life expectancy remaining with at least a 90% efficiency forced air system.

Replace nonoperational electric wall/baseboard heaters with new updated electric

wall/baseboard heaters. Replace nonoperational gas wall heaters with new updated gas wall

heaters.

**Design calculation.** An HVAC system's capacity can be more accurately determined by noting its heating or cooling output (in tons or BTUs) from information on the manufacturer's data plate and comparing it to the building's heating and cooling loads. These loads can be calculated using the Air Conditioning Contractors of America's Manual J or similar load calculation guide. A rough estimate of a building's required heating equipment size in BTUs per hour (BTUH) can be obtained by using the following formula:

$BTUH = .33 \times [\text{square footage of building to be heated}] \times [\text{difference between outside and inside design temperatures}]$  The factor of .33 in this formula is based on R11 exterior walls, an R19 ceiling at the top floor or roof, and double-glazed windows.

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REHABILITATION STANDARDS FOR HOUSING

**Central Air Conditioning Systems.** If there is an existing air conditioning system that needs repaired, repair it. This program does not cover costs to install a new air conditioning system or replace an existing system.

EXHIBIT "A"

UPCS INSPECTION CHECKLIST

**Uniform Physical Condition Standards - Comprehensive Listing** Page: of  
**Inspectable Area: Site**

Property ID / Name: Inspection Date:

Inspectable Item	Observable Deficiency	Lev			
Fencing and Gates	Damaged/Falling/Leaning				
	Holes				
	Missing Sections				
Grounds	Erosion/Rutting Areas				
	Overgrown/Penetrating Vegetation				
	Ponding/Site Drainage				
Health & Safety	Air Quality - Sewer Odor Detected				
	Air Quality - Propane/Natural Gas/Methane Gas Detected				
	Electrical Hazards - Exposed Wires/Open Panels				
	Electrical Hazards - Water Leaks on/near Electrical				
	Flammable Materials - Improperly Stored				
	Garbage and Debris - Outdoors				
	Hazards - Other				
	Hazards - Sharp Edges				
	Hazards - Tripping				
	Infestation - Insects				
	Infestation - Rats/Mice/Vermin				
Mailboxes/Project Signs	Mailbox Missing/Damaged				
	Signs Damaged				
Market Appeal	Graffiti				
	Litter				
Parking	Cracks				
	Ponding				
	Potholes/Loose Material				
	Settlement/Heaving				
Play Areas and	Damaged/Broken Equipment				
	Deteriorated Play Area Surface				
Refuse Disposal	Broken/Damaged Enclosure-Inadequate Outside Storage				
Retaining Walls	Damaged/Falling/Leaning				
Storm Drainage	Damaged/Obstructed				
Walkways/Steps	Broken/Missing Hand Railing				
	Cracks/Settlement/Heaving				
	Spalling				

- In order to accurately categorize a deficiency as a "Level 1", "Level 2" or "Level 3" (including independent Health & Safety items), you must refer to the Final Dictionary of Deficiency Definitions (PASS) Version 2.3, dated 03/08/2000. This document can be found at "[http://www.hud.gov/offices/reac/pdf/pass\\_dict2.3.pdf](http://www.hud.gov/offices/reac/pdf/pass_dict2.3.pdf)" (325 Pages, 343 KB)

1. Additional clarification to these definitions is contained in the REAC PASS Compilation Bulletin which can be found at "[http://www.hud.gov/offices/reac/pdf/pass\\_bulletin.pdf](http://www.hud.gov/offices/reac/pdf/pass_bulletin.pdf)" (24 Pages, 275 KB)

- Only level 3 is applied to independent Health & Safety deficiencies.

2. In the H&S column, NLT is a "Non-Life Threatening" Health & Safety concern whereas LT is a "Life Threatening" concern which calls for immediate attention or remedy and will show up on the Exigent Health and Safety Report at the end of an inspection.

EXHIBIT "A"

UPCS INSPECTION CHECKLIST

**Uniform Physical Condition Standards - Comprehensive Listing Page: of**  
**Inspectable Area: Building Exterior**

Inspectable Item	Observable Deficiency	NOD	Level			NA	H&S
			1	2	3		
Doors	Damaged Frames/Threshold/Lintels/Trim						NLT
	Damaged Hardware/Locks						
	Damaged Surface (Holes/Paint/Rusting/Glass)						
	Damaged/Missing Screen/Storm/Security Door						NLT
	Deteriorated/Missing Caulking/Seals						
	Missing Door						
Fire Escapes	Blocked Egress/Ladders						LT
	Visibly Missing Components						LT
Foundations	Cracks/Gaps						
	Spalling/Exposed Rebar						
Health and Safety	Electrical Hazards - Exposed Wires/Open Panels						LT
	Electrical Hazards - Water Leaks on/near Electrical Equipment						LT
	Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable						LT
	Emergency Fire Exits - Missing Exit Signs						NLT
	Flammable/Combustible Materials - Improperly Stored						NLT
	Garbage and Debris - Outdoors						NLT
	Hazards - Other						NLT
	Hazards - Sharp Edges						NLT
	Hazards - Tripping						NLT
	Infestation - Insects						NLT
	Infestation - Rats/Mice/Vermis						NLT
Lighting	Broken Fixtures/Bulbs						
Roofs	Damaged Soffits/Fascia						
	Damaged Vents						
	Damaged/Clogged Drains						
	Damaged/Torn Membrane/Missing Ballast						
	Missing/Damaged Components from Downspout/Gutter						
	Missing/Damaged Shingles						
	Ponding						
Walls	Cracks/Gaps						
	Damaged Chimneys						NLT
	Missing/Damaged Caulking/Mortar						
	Missing Pieces/Holes/Spalling						
	Stained/Peeling/Needs Paint						
Windows	Broken/Missing/Cracked Panes						NLT
	Damaged Sills/Frames/Lintels/Trim						
	Damaged/Missing Screens						
	Missing/Deteriorated Caulking/Seals/Glazing Compound						
	Peeling/Needs Paint						
	Security Bars Prevent Egress						LT

**Property ID / Name: Inspection Date: Building Number:**

- IV. In order to accurately categorize a deficiency as a "Level 1", "Level 2" or "Level 3" (including independent Health & Safety items), you must refer to the Final Dictionary of Deficiency Definitions (PASS) Version 2.3, dated 03/08/2000. This document can be found at "[http://www.hud.gov/offices/reac/pdf/pass\\_dict2.3.pdf](http://www.hud.gov/offices/reac/pdf/pass_dict2.3.pdf)" (325 Pages, 343 KB)
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- VI. In the H&S column, NLT is a "Non-Life Threatening" Health & Safety concern whereas LT is a "Life Threatening" concern which calls for immediate attention or remedy and will show up on the Exigent Health and Safety Report at the end of an inspection.

EXHIBIT "A" TO ATTACHMENT #1

UPCS INSPECTION CHECKLIST

**Uniform Physical Condition Standards - Comprehensive Listing**  
of

**Page:**

**Inspectable Area: Building Systems**

Inspectable Item	Observable Deficiency	NOD	Level			NA	H&S
			1	2	3		
Domestic Water	Leaking Central Water Supply						
	Misaligned Chimney/Ventilation System						LT
	Missing Pressure Relief Valve						NLT
	Rust/Corrosion on Heater Chimney						NLT
	Water Supply Inoperable						NLT
Electrical System	Blocked Access/Improper Storage						NLT
	Burnt Breakers						NLT
	Evidence of Leaks/Corrosion						NLT
	Frayed Wiring						
	Missing Breakers/Fuses						LT
	Missing Covers						LT
Elevators	Not Operable						NLT
Emergency Power	Auxiliary Lighting Inoperable						
	Run-Up Records/Documentation Not Available						
Fire Protection	Missing Sprinkler Head						NLT
	Missing/Damaged/Expired Extinguishers						LT
Health & Safety	Air Quality - Mold and/or Mildew Observed						NLT
	Air Quality - Propane/Natural Gas/Methane Gas Detected						LT
	Air Quality - Sewer Odor Detected						NLT
	Electrical Hazards - Exposed Wires/Open Panels						LT
	Electrical Hazards - Water Leaks on/near Electrical Equipment						LT
	Elevator - Tripping						NLT
	Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable						LT
	Emergency Fire Exits - Missing Exit Signs						NLT
	Flammable Materials - Improperly Stored						NLT
	Garbage and Debris - Indoors						NLT
	Hazards - Other						NLT
	Hazards - Sharp Edges						NLT
	Hazards - Tripping						NLT
HVAC	Boiler/Pump Leaks						
	Fuel Supply Leaks						NLT
Roof Exhaust System	General Rust/Corrosion						NLT
	Misaligned Chimney/Ventilation System						LT
	Roof Exhaust Fan(s) Inoperable						
Sanitary System	Broken/Leaking/Clogged Pipes or Drains						NLT
	Missing Drain/Cleanout/Manhole Covers						

**Property ID / Name: Inspection Date: Building Number:**

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**Uniform Physical Condition Standards - Comprehensive Listing Page: of**

**Inspectable Area: Common Areas**

**Property ID / Name: Inspection Date: Building Number:**

Inspectable Item	Observable Deficiency	NOD	Le			NA	H&S
			1	2	3		
Basement/Garage/Car	Baluster/Side Railings - Damaged						
Closet/Utility/Mechanic	Cabinets - Missing/Damaged						
Community Room	Call for Aid - Inoperable						

Day Care	Ceiling - Bulging/Buckling								
Halls/Corridors/Stairs	Ceiling - Holes/Missing Tiles/Panels/Cracks								
Kitchen	Ceiling - Peeling/Needs Paint								
Laundry Room	Ceiling - Water Stains/Water Damage/Mold/Mildew								
Lobby	Countertops - Missing/Damaged								
Office	Dishwasher/Garbage Disposal - Inoperable								
Other Community	Doors - Damaged Frames/Threshold/L.Intels/Trim								
Patio/Porch/Balcony	Doors - Damaged Hardware/Locks								
Restrooms/Pool	Doors - Damaged Surface (Holes/Paint/Rust/Glass)								
Storage	Doors - Damaged/Missing Screen/Storm/Security Door								
	Doors - Deteriorated/Missing Seals (Entry Only)								
	Doors - Missing Door								
	Dryer Vent -Missing/Damaged/Inoperable								
	Electrical - Blocked Access to Electrical Panel								
	Electrical - Burnt Breakers								
	Electrical - Evidence of Leaks/Corrosion								
	Electrical - Frayed Wiring								
	Electrical - Missing Breakers								
	Electrical - Missing Covers								
	Floors - Bulging/Buckling								
	Floors - Floor Covering Damaged								
	Floors - Missing Floor/Tiles								
	Floors - Peeling/Needs Paint								
	Floors - Rot/Deteriorated Subfloor								
	Floors - Water Stains/Water Damage/Mold/Mildew								
	GFI - Inoperable								
	Graffiti								
	HVAC - Convection/Radiant Heat System Covers								
	HVAC - General Rust/Corrosion								
	HVAC - Inoperable								
	HVAC - Misaligned Chimney/Ventilation System								
	HVAC - Noisy/Vibrating/Leaking								
	Lavatory Sink - Damaged/Missing								
	Lighting - Missing/Damaged/Inoperable Fixture								
	Mailbox - Missing/Damaged								
	Outlets/Switches/Cover Plates - Missing/Broken								
	Pedestrian/Wheelchair Ramp								
	Plumbing - Clogged Drains								
	Plumbing - Leaking Faucet/Pipes								
	Range Hood /Exhaust Fans - Excessive Grease/Inoperable								
	Range/Stove - Missing/Damaged/Inoperable								
	Refrigerator - Damaged/Inoperable								
	Restroom Cabinet - Damaged/Missing								
	Shower/Tub - Damaged/Missing								
	Sink - Missing/Damaged								
	Smoke Detector - Missing/Inoperable								
	Stairs - Broken/Damaged/Missing Steps								
	Stairs - Broken/Missing Hand Railing								
	Ventilation/Exhaust System - Inoperable								
	Walls - Bulging/Buckling								
	Walls - Damaged								
	Walls - Damaged/Deteriorated Trim								
	Walls - Peeling/Needs Paint								
	Walls - Water Stains/Water Damage/Mold/Mildew								
	Water Closet/Toilet - Damaged/Clogged/Missing								
	Windows - Cracked/Broken/Missing Panes								
	Windows - Damaged Window Sill								
	Windows - Inoperable/Not Lockable								

EXHIBIT "A" TO ATTACHMENT #1

UPCS INSPECTION CHECKLIST

	Windows - Missing/Deteriorated Caulking/Seals/Glazing								
	Windows - Peeling/Needs Paint								
	Windows - Security Bars Prevent Egress								
Health & Safety	Air Quality - Mold and/or Mildew Observed								

	Air Quality - Propane/Natural Gas/Methane Gas Detected								
	Air Quality - Sewer Odor Detected								
	Electrical Hazards - Exposed Wires/Open Panels								
	Electrical Hazards - Water Leaks on/near Electrical Equipment								
	Emergency Fire Exits - Emergency/Fire Exits Blocked/Unusable								
	Emergency Fire Exits - Missing Exit Signs								
	Flammable/Combustible Materials - Improperly Stored								
	Garbage and Debris - Indoors								
	Garbage and Debris - Outdoors								
	Hazards - Other								
	Hazards - Sharp Edges								
	Hazards - Tripping								
	Infestation - Insects								
	Infestation - Rats/Mice/Vermin								
Pools and Related	Fencing - Damaged/Not Intact								
	Pool - Not Operational								
Trash Collection Areas	Chutes - Damaged/Missing Components								

- 2) In order to accurately categorize a deficiency as a "Level 1", "Level 2" or "Level 3" (including independent Health & Safety items), you must refer to the Final Dictionary of Deficiency Definitions (PASS) Version 2.3, dated 03/08/2000. This document can be found at "[http://www.hud.gov/offices/reac/pdf/pass\\_dict2.3.pdf](http://www.hud.gov/offices/reac/pdf/pass_dict2.3.pdf)" (325 Pages, 343 KB)
- 3) Additional clarification to these definitions is contained in the REAC PASS Compilation Bulletin which can be found at "[http://www.hud.gov/offices/reac/pdf/pass\\_bulletin.pdf](http://www.hud.gov/offices/reac/pdf/pass_bulletin.pdf)" (24 Pages, 275 KB)
- Only level 3 is applied to independent Health & Safety deficiencies.
- 4) In the H&S column, NLT is a "Non-Life Threatening" Health & Safety concern whereas LT is a "Life Threatening" concern which calls for immediate attention or remedy and will show up on the Exigent Health and Safety Report at the end of an inspection.

**Uniform Physical Condition Standards - Comprehensive Listing Page:** of  
**Inspectable Area:** Unit

**Property ID / Name:** **Inspection Date:** **Building/Unit Nbr:**

Inspectable	Observable Deficiency	Lev			
Bathroom	Bathroom Cabinets - Damaged/Missing				
	Lavatory Sink - Damaged/Missing				
	Plumbing - Clogged Drains				
	Plumbing - Leaking Faucet/Pipes				
	Shower/Tub - Damaged/Missing				
	Ventilation/Exhaust System - Inoperable				
	Water Closet/Toilet - Damaged/Clogged/Missing				
Call-for-Aid	Inoperable				
Ceiling	Bulging/Buckling				
	Holes/Missing Tiles/Panels/Cracks				
	Peeling/Needs Paint				
	Water Stains/Water Damage/Mold/Mildew				
Doors	Damaged Frames/Threshold/Lintels/Trim				
	Damaged Hardware/Locks				
	Damaged/Missing Screen/Storm/Security Door				
	Damaged Surface - Holes/Paint/Rusting/Glass				
	Deteriorated/Missing Seals (Entry Only)				
	Missing Door				
Electrical	Blocked Access to Electrical Panel				
	Burnt Breakers				
	Evidence of Leaks/Corrosion				
	Frayed Wiring				
	GFI - Inoperable				
	Missing Breakers/Fuses				
	Missing Covers				
Floors	Bulging/Buckling				

	Floor Covering Damage						
	Missing Flooring Tiles						
	Peeling/Needs Paint						
	Rot/Deteriorated Subfloor						
	Water Stains/Water Damage/Mold/Mildew						
Health & Safety	Air Quality - Mold and/or Mildew Observed						
	Air Quality - Sewer Odor Detected						
	Air Quality - Propane/Natural Gas/Methane Gas Detected						
	Electrical Hazards - Exposed Wires/Open Panels						
	Electrical Hazards - Water Leaks on/near Electrical						
	Emergency Fire Exits - Emergency/Fire Exits						
	Emergency Fire Exits - Missing Exit Signs						
	Flammable Materials - Improperly Stored						
	Garbage and Debris - Indoors						
	Garbage and Debris - Outdoors						
	Hazards - Other						
	Hazards - Sharp Edges						
	Hazards - Tripping						
	Infestation - Insects						
	Infestation - Rats/Mice/Vermin						
Hot Water	Misaligned Chimney/Ventilation System						
	Inoperable Unit/Components						
	Leaking Valves/Tanks/Pipes						
	Pressure Relief Valve Missing						
	Rust/Corrosion						
HVAC System	Convection/Radiant Heat System Covers Missing/Damaged						
	Inoperable						
	Misaligned Chimney/Ventilation System						

	Noisy/Vibrating/Leaking				
	Rust/Corrosion				
Kitchen	Cabinets - Missing/Damaged				
	Countertops - Missing/Damaged				
	Dishwasher/Garbage Disposal - Inoperable				
	Plumbing - Clogged Drains				
	Plumbing - Leaking Faucet/Pipes				
	Range Hood/Exhaust Fans - Excessive Grease/Inoperable				
	Range/Stove - Missing/Damaged/Inoperable				
	Refrigerator-Missing/Damaged/Inoperable				
	Sink - Damaged/Missing				
Laundry Area (Room)	Dryer Vent - Missing/Damaged/Inoperable				
Lighting	Missing/Inoperable Fixture				
Outlets/Switches	Missing				
	Missing/Broken Cover Plates				
Patio/Porch/Balcony	Baluster/Side Railings Damaged				
Smoke Detector	Missing/Inoperable				
Stairs	Broken/Damaged/Missing Steps				
	Broken/Missing Hand Railing				
Walls	Bulging/Buckling				
	Damaged				
	Damaged/Deteriorated Trim				
	Peeling/Needs Paint				
	Water Stains/Water Damage/Mold/Mildew				
Windows	Cracked/Broken/Missing Panes				
	Damaged Window Sill				
	Missing/Deteriorated Caulking/Seals/Glazing Compound				
	Inoperable/Not Lockable				
	Peeling/Needs Paint				
	Security Bars Prevent Egress				

3) In order to accurately categorize a deficiency as a "Level 1", "Level 2" or "Level 3" (including independent Health & Safety items), you must refer to the Final Dictionary of Deficiency Definitions (PASS) Version 2.3, dated 03/08/2000. This document can be found at "[http://www.hud.gov/offices/reac/pdf/pass\\_dict2.3.pdf](http://www.hud.gov/offices/reac/pdf/pass_dict2.3.pdf)" (325 Pages, 343 KB)

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# Wyoming Emergency Solutions Grants & Continuum of Care Program Written Standards

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## **PROGRAM OVERVIEW**

### **Introduction**

The State of Wyoming Department of Family Services (WY DFS) has developed the following standards for providing assistance with Emergency Solutions Grant (ESG) funds as required by section 576.400 (e) of the ESG Interim Rule. These standards were created in coordination with the Wyoming Homeless Collaborative Continuum of Care (CoC) which includes nonprofit and for profit homeless service providers inclusive of health, mental health, and substance abuse providers, local, state and federal government representatives, businesses and corporations, philanthropic organizations and individuals, and persons currently or having formerly experienced homelessness within the CoC geographic area. They are in accordance with the interim rule for the ESG Program and the final rule for the definition of homelessness both released by the U.S. Department of Housing and Urban Development (HUD) on December 4, 2011.

The written standards have been formulated for the following purposes:

- Establish community-wide expectations on the operations of projects within the community,
- Ensure the system provides equal access, is transparent to users and operators, and
- Establish a minimum set of standards and expectations in terms of the quality expected of projects.

WY DFS expects that the standards will become more expansive as WY DFS gains more experience with and collects more data from services provided with the Emergency Solutions Grants program.

Though these standards are specifically required by section 576.400(e) of the ESG Interim Rule, agencies receiving funding from the WY DFS for homeless serving programs from other Federal, State, and local sources administered by the WY DFS will be expected to meet these standards for providing assistance.

### **Eligible Components**

The Emergency Solutions Grant (ESG) provides federal funds to assist individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness. ESG funds are available for five program components: street outreach, emergency shelter, homeless prevention, rapid re-housing assistance, and data collection

through the Homeless Management Information System (HMIS), as well administrative activities. The ESG program is authorized by subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378).

The following crosswalk provides an overview of HUD Homeless and At Risk definitions and eligibility to ESG program components. Please see full definitions in Appendix A and B.

<b>Eligibility by Component</b>	<b>Emergency Shelter</b>	Individuals and families defined as Homeless under the following categories are eligible for assistance in ES projects: <ul style="list-style-type: none"> <li>• Category 1: Literally Homeless</li> <li>• Category 2: Imminent Risk of Homeless</li> <li>• Category 4: Fleeing/Attempting to Flee DV</li> </ul>
	<b>Rapid Re-Housing</b>	Individuals and families defined as Homeless under the following categories are eligible for assistance in RRH projects: <ul style="list-style-type: none"> <li>• Category 1: Literally Homeless</li> <li>• Category 4: Fleeing/Attempting to Flee DV (if the individual or family is also literally homeless)</li> </ul>
	<b>Homelessness Prevention</b>	Individuals and families defined as Homeless under the following categories are eligible for assistance in HP projects: <ul style="list-style-type: none"> <li>• Category 2: Imminent Risk of Homeless</li> <li>• Category 4: Fleeing/Attempting to Flee DV (if the individual or family is NOT also literally homeless)</li> </ul> <p>Additionally, HP projects must only serve individuals and families that have an annual income BELOW 30% AMI, AND have no other support networks and resources to prevent them from going to the street or a shelter. Finally, the assistance must be necessary to help the program participant regain stability in his/her current permanent housing or move into other permanent housing and achieve stability in that housing.</p> <p><b>**At Risk of Homelessness - At project entry, this category is only a valid response for clients being served by Homelessness Prevention or Coordinated Assessment projects. See Appendix C(2)</b></p>

**Ineligible Activities**

Ineligible activities that cannot be funded with ESG include, but are not exclusive to:

- replacement of existing mainstream resources;
- payments made directly to program participants;
- payments on a mortgage or land contract;
- payment of rent for eligible individuals or families for the same period of time and for the same cost types being assisted through any other federal, state, or local housing subsidy program;
- payments on credit card bills or other consumer debt, including child support or garnishments;
- provision of cash assistance;
- payment of costs of discharge planning programs in mainstream institutions such as hospitals, nursing homes, jails, or prisons; and
- payment for religious activities. (Note: While organizations that are religious or faith-based are eligible to receive ESG funds, religious activities must be conducted separately, in time and location, from ESG-funded activities and participation must be voluntary for program participants.)

### **Data Collection**

#### **HMIS or Comparable for Victim Service Providers**

All data on persons served and all activities funded with ESG funds must be entered into the CoC-approved Housing Management Information System (HMIS) or a comparable database. The purpose of the HMIS is to record and store client-level information about the numbers, characteristics, and needs of homeless and at risk of homelessness persons who receive program assistance. Additional information about the HMIS requirements is provided in this manual.

Victim service providers are prohibited from entering data in HMIS; however, they are required to maintain comparable databases of their own design which provide aggregate information and data consistent with HMIS data collection requirements. Projects serving survivors of domestic violence where the subrecipient is not a victim services provider are required to enter data in HMIS.

#### **ESG CAPER (Consolidated Annual Performance Evaluation Report)**

ESG subrecipients are required to submit an ESG CAPER at least quarterly during the contract period and at the end of the program year. The reports must be generated by the subrecipient agency from HMIS

### **Continuum of Care Coordination**

The role of the WY DFS as the ESG recipient is to consult with the CoC on specific aspects of its programs in order to foster a comprehensive, community wide planning process that ensures the seamless coordination of services and funding streams. Consultation is intended to ensure that the recipients of HUD homeless grants are investing in the homeless assistance system in coordinated ways, thereby supporting the same goals and leveraging results. (See 24 CFR 576.400(a)).

### **Consultation Purpose and Mechanisms**

The WY DFS must involve the Continuum of Care in:

- a. Determining how to allocate ESG funds each program year;
- b. Developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and
- c. Developing funding, policies, and procedures for the administration and operation of the HMIS.

The WY DFS recognizes that collaboration is an ongoing and evolving process and uses a combination of mechanisms for conducting consultation with the CoC and other key stakeholders. These mechanisms include the following:

- *Governing Board Participation* – Per the CoC Governance Charter, the WY DFS appoints a representative from the WY DFS responsible for administering ESG Program funds to the CoC Governing Board. The representative serves in an ex-officio member of the CoC. The WY DFS representative also participates in the meetings of the Executive Committee of the Governing Board to provide technical assistance on ESG requirements, advocate for best practices and coordinate consultation processes. Participation better ensures coordination occurs on an on-going basis.
- *Stakeholder Meetings* – The WY DFS convenes meetings of representatives of the CoC leadership and the Consolidated Plan jurisdiction to set priorities for ESG funding and to provide input in the development of plans and policies. Priority setting and allocations begins annually with the WY DFS's needs assessment process for the Consolidated Plan or Annual Action Plan. CoC staff attends public meetings and the WY DFS hosts at least one meeting with CoC members. The meetings may include additional key stakeholders as well, such as leaders from other homeless planning committees or networks. The WY DFS prepares a plan for use and allocation of funds and presents the plan to the CoC.

Governing Board for approval prior to being submitted for approval to CoC.

- *Committees or Advisory Groups* - Because the consultation requirements span several topics, the WY DFS consults with the committees established in the CoC Governance Charter including the CoC Monitoring, Review and Ranking and Prioritization Committee as needed and may form additional committees.

The WY DFS's goal is to allocate resources to the types of projects that are most likely to reduce homelessness. The WY DFS, as the ESG recipient, must consult with the CoC in determining ESG Program funding allocation priorities and describe this consultation in the Annual Action Plan. In order to prepare for this consultation, the WY DFS and the CoC will begin by assessing the extent to which there is already alignment between the CoC's homeless strategy and ESG Program allocations. The WY DFS will engage the CoC at a point in the process when the CoC can provide meaningful input related to ESG planning and allocation decisions in relation to the funding opportunities available through the CoC Program. Then, the WY DFS and the CoC can proceed in a discussion about how to better align allocations to meet priority community needs and achieve optimal results.

The WY DFS prepares a recommendation for use of funds with the Annual Action Plan and presents it to the CoC for input prior to being submitted for approval to CoC. ESG subrecipients for emergency shelter, street outreach, homeless prevention, rapid rehousing and administration are selected through a competitive application process administered by the WY DFS. HMIS is funded through a direct allocation to the HMIS lead, though an application is required.

### **Coordinating Entry, Assessment and Services Among Providers**

In compliance with section 576.400(b) of the ESG Interim Rule, all ESG subrecipients within the CoC service area must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to people experiencing homelessness in the CoC area to provide a strategic, community-wide system to prevent and end homelessness. The goal is to increase the ESG & CoC participation in the coordinated entry systems to **prioritize people who most need assistance across the CoC.**

### **Coordinated Entry System**

The CoC operates a Coordinated Entry System to allocate housing and service resources as effectively as possible in a manner that is easily accessible and limits duplication of services. Assistance is prioritized based on vulnerability and severity of service needs to ensure that

people who need assistance the most can receive it in a timely manner.

In compliance with 576.400(d), the WY DFS requires that all subrecipient service providers will:

- **Participate in the coordinated assessment system.** Currently, the CoC operates a Coordinated Entry System for clients who meet the definition of literally homeless.
  - Client entry begins with the subrecipient service provider.
  - Providers administer the Vulnerability Index-Service Prioritization Decision Assistance Tool survey (VI-SPDAT).
  - Survey data entered into HMIS and vulnerability score is generated.
  - Case conferencing is scheduled weekly (if a housing resource is available).
  - Client lists pulled from HMIS based upon available housing resources (Different vulnerability scores are tied to different levels of housing resources. Housing resources are submitted by providers with the resource along with the eligibility for the specific resource.)
  - Client is matched with appropriate available resource.
  - Client is located and further eligibility for available resource is verified by the subrecipient agency.
  - If client remains eligible for resource, client referred to housing resource.
- **Establish a staff member as a point of contact** for other case managers and members of the service provider CoC. The contact should be a position that sees little turnover and is familiar with organizational resources and up to date on current organizational capacity to accept and serve clients, such as a supervisor or manager. This contact should be able to provide information for other housing case managers on what current programs and resources are available to clients entering into the provider system through their organization. This contact will reduce or eliminate the need for clients to seek out additional assistance based on referrals from any ESG recipient agency.
- **Attend all coordinated training for case managers** within the homeless provider system. Each subrecipient is expected to send at least one staff member and share all lessons learned with all housing case management staff. The members of the CoC will also host regular meetings of program staff to share best practices and engage in collective problem solving as the community works toward an integrated system for clients. Meetings will be facilitated through the CES meetings.

#### **Discharge Policies**

As part of its annual submission to HUD, the WY DFS is required to certify that it will establish

discharge policies and protocols in its Consolidated Plan that prevent people from being discharged from publicly-funded systems of care into homelessness. The WY DFS will facilitate the collaboration between those persons responsible for discharge planning at the State and local government levels and those with experience and knowledge in homelessness (including the incidences of discharges from public institutions into homelessness) to ensure that established policies are informed by what works—and does not work—in practice.

### **Client Eligibility**

#### ***Assessment***

All applicants must be assessed to determine eligibility for receipt of ESG funded services. Client assessment and determination of ESG eligibility includes the cost of staff time to complete an intake and/or assessment even if it's determined from the evaluation the applicant is not eligible for ESG program assistance. When ESG funds are used to provide coordinated entry, a subrecipient is encouraged to utilize ESG funding with non-ESG funding in proportionate to the percentage of clients who are determined ESG eligible versus those referred to other programs. Other service costs associated with applicants determined to be ineligible for ESG assistance are not allowable including follow-up and case management. The ESG subrecipient is responsible for determining and documenting client eligibility. If the client is determined to be eligible the client will be contacted no later than two weeks after determination and a plan for service will be formulated. It is expected that within two weeks the agency will close out the client file by serving the client or notifying the client that the client is not eligible for ESG assistance.

Eligible applicants for ESG funded program services must meet one of the categorical definitions of homeless or at risk of homelessness in Appendix A and Appendix B.

The WY DFS will not reimburse an agency for funds expended on clients that are found to be ineligible for ESG.

#### ***Household Composition***

Homeless or at-risk of homelessness households who meet one or more of HUD determined categorical homeless definitions or criteria are eligible to receive program assistance. Household composition includes an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit. In all cases, a household must lack sufficient resources and support networks necessary to obtain or retain housing without the provision of ESG assistance in order to be program eligible.

The type of ESG assistance for which an eligible household qualifies is determined by the stability of their current housing or their homeless status.

## **HOMELESS MANAGEMENT INFORMATION SYSTEM**

### **HMIS Funding, Administration, and Operation**

The WY DFS, in collaboration with the CoC, has identified funding and developed policies and procedures for operating and administering the HMIS, particularly in regard to the required participation of all ESG-funded subrecipients and in determining the cost of HMIS participation for ESG recipients and subrecipients. The CoC and WY DFS, in collaboration with the HMIS lead agency, will continue to take an active role in this process since the CoC is responsible for the HMIS and since HMIS is a key source of data to assess performance of ESG Program-funded activities and the homeless assistance system.

### **Reporting Requirements**

ESG funded client and activity data must be entered into the HMIS or comparable database for clients who are victims of violence. Data entry and reporting expectations include:

- Timely and accurate data entry into the HMIS;
- Acquiring and documenting informed written consent from program participants. Subrecipients must complete the Client Information Disclosure and Shared Client Consent and Release Authorization attached in Appendices E and F;
- Protecting program participants' confidentiality; and
- Using the HMIS as a tool to analyze data to inform and improve the delivery of services.

### **Victim Services Data Collection**

Victim service providers are prohibited from entering data in HMIS; however, they are required to maintain comparable databases of their own design which provide aggregate information and data consistent with HMIS data collection requirements. Projects serving survivors of domestic violence where the recipient is not a victim services provider are required to enter data in their HMIS.

### **Eligible Costs**

ESG funds can be used for the following HMIS costs:

- The costs of using the coordinated entry process, but not the costs of developing or operating the system;
- Staff costs related to the operation and usage of the HMIS;
- Computer hardware and software costs including purchase of HMIS software licenses;
- Space and equipment costs related to the HMIS; and
- Costs related to monitoring and reviewing data quality, data analysis and reporting.

### Performance Standards and Outcome Evaluation

The WY DFS's goal is to increase the focus on data and performance. The WY DFS and the CoC will use HMIS and other pertinent data collected by providers to assist with evaluating ESG activities within the context of broader system performance and inform subsequent ESG and CoC program allocations. In alignment with the federal and state strategic plans to end homelessness, the WY DFS has established performance measures that require the collection of housing status data for all ESG activities (except HMIS) at the time of program exit. While performance measures are subject to further expansion and refinement, all subrecipients are currently required to report on the following measures of stability and income:

- **Housing Stability** – measures the number of persons who maintained housing within the project or obtained other permanent housing upon exit. Both stability measurements – housing obtained and maintained - should be entered into the HMIS.
  - Preliminary performance benchmarks:
    - 80% of program participants maintain permanent housing
    - 35% of program participants exit to permanent housing
- **Total Income** – measures the cash income from all sources that clients age 18 and over received as of the end of the operating year.
  - Preliminary performance benchmark: 50% of program participants with total income increases since initial assessment.
- **Earned Income** – measures the cash income recorded as “earned income” (i.e., income from employment) for clients age 18 through age 61 as of the end of the operating year.
  - Preliminary performance benchmark: 20% of program participants who increase their income since initial assessment.

In addition to the housing stability and income measures, subrecipients carrying out emergency shelter and street outreach activities are required to report the following measures:

### **Emergency Shelter**

- o Engagement – Measures the number of clients in case management

#### **Preliminary performance benchmark: 30% of adult clients in shelter receive case management. Street Outreach**

- **Contact** – measures the total number of interactions between a worker and homeless individuals on the street or some other inhabitable space. Benchmarks for contact rates will be set once the CoC establishes a methodology for determining one based on census data, Point-in-Time counts, and staff capacity. Baseline will be created by monitoring data from line 9A of quarterly Capers reports.
- **Shelter Referral** – measures the number of people referred to a shelter from the street.
  - o Preliminary performance benchmark: 70% of contacts go to permanent housing placement.

**These outcome measurements will be in addition to reporting of required universal data elements that track client characteristics and service data.**

Performance will be reported in the WY DFS's Consolidated Annual Performance Evaluation Report (CAPER), which is presented to the CoC board for review during the public comment period.

Going forward, the WY DFS and the CoC must continue to develop performance standards for evaluating the effectiveness of ESG-funded activities within the State of Wyoming. The WY DFS will use these performance standards for evaluating the activities carried out with ESG funds, including how well subrecipients succeed in:

- Targeting those who most need assistance;
- Reducing the number of people living on the streets or in emergency shelters; and
- Reducing the time people spend homeless.

## **EMERGENCY SHELTER**

### **Eligible Activities**

Activities funded under the Emergency Shelter component are designed to increase the quantity and quality of temporary shelters provided to people experiencing homelessness, through the renovation of existing shelters or conversion of buildings to shelters, paying for the

operating cost of shelters, and providing essential services. Allowable costs under these criteria are outlined in § 576.102.

ESG funds for shelters and outreach services (combined) are capped at 60% of the ESG grant award. The WY DFS will prioritize ESG funding to shelters that demonstrate a commitment to and history of lowering barriers to entry. The low barrier model is a national best practice for reaching the most people in need, especially the most vulnerable. It emphasizes safety, access, and engagement.

### Homeless Status

Homeless clients entering into the shelter system must meet the HUD criteria for homelessness as either literally homeless (Homeless Category 1), at imminent risk of homelessness (Homeless Category 2), homeless under another federal statute (Homeless Category 3), or fleeing/attempting to flee domestic violence (Homeless Category 4).

For additional details related to the HUD definition of Homeless and applicability to each program component, see Appendices A and B and the program crosswalk on page 6.

### Client Prioritization & Referral Policies

HUD recommends an approach that provides homeless persons with immediate access to shelter, and then offers the supportive services that may be needed to foster long-term stability. **This approach removes unnecessary barriers and assumes that supportive services are more effective in addressing needs when the individual or family has shelter** and the daily stress of being on the street is taken out of the equation. In all cases, providers should use their judgment when it comes to safety. If there are legitimate behavioral/safety concerns, the provider should find ways to address these – via shelter arrangements, programming, shelter renovations, or other solutions.

Emergency shelters will prioritize individuals/families that:

- Cannot be diverted to another program; and
- Are literally homeless; and
- Can be safely accommodated in the shelter; and
- Not in need of emergency medical or psychiatric services or danger to self or others.

Also note the following:

- Emergency Shelters cannot discriminate per HUD regulations (see Fair Housing Requirements in these Written Standards for more detail.)

- There shall be no requirements related to ID, income or employment for entry.
- Transgender placement will be made based on gender self-identification (see Equal Access Requirements for more detail.)

### **Intake and Assessment**

Recipients and subrecipients are required to document eligibility at program entry, even for emergency shelter. Given that third-party documentation at the emergency shelter level is not feasible in most cases, subrecipients operating emergency shelters can document homeless status through a certification by the individual or head of household as the primary method of establishing homeless eligibility. In these instances, one method of meeting this standard would be to require households to complete a sign-in sheet, with a statement at the top informing the individual or head of household that by signing, they certify that they are homeless.

Under no circumstances must the lack of third-party documentation prevent an individual or family from being immediately admitted to emergency shelter, receiving street outreach services, or being immediately admitted to shelter or receiving services provided by a victim service provider.

Once an individual or household has entered an emergency shelter, case managers will assess each program participant and assign an appropriate level of service intervention. In determining what additional supports to provide, the intake worker will consider all resources and support networks available to the household.

- Any new client entering into shelter must be offered a complete assessment to understand client needs and barriers and match the client to the most appropriate services. If a client refuses, shelter staff must continue to offer a complete assessment as long as they remain in the shelter. The goal is to connect the client with appropriate supportive services to foster long-term stability.
- Clients will be prioritized within the emergency shelter system based on need and available resources as determined by the CES.

### **HMIS Data Entry Requirements for Shelters**

Emergency, day or mass shelters, or hotel/motel vouchers are required to collect data and report outcomes using the Entry/Exit method of data collection.

With the Entry Exit method:

- All data required to be collected, is collected at project entry; and
- The duration of each stay can be accurately aggregated to calculate each client's total length of stay in the project.

Regardless of the method used to track shelter use, subrecipients must be able to determine who and how many people were served by a shelter or shelter type for any given night, based on HMIS data.

For additional, detailed information about the reporting requirements, refer to the HMIS Operation Manual found at: <https://www.hudexchange.info/programs/hmis/>.

## HOMELESSNESS PREVENTION AND RAPID RE-HOUSING

### Eligibility and Client Prioritization

For additional details related to the HUD definition of Homeless and At Risk of Homelessness and applicability of these definitions to each program component, see Appendix A and B and page 6. A checklist of recordkeeping requirements for rental assistance programs is attached in Appendix L.

### Homeless Prevention

Individuals/families, who meet the HUD criteria for the following definitions, are eligible for Homelessness Prevention assistance:

- At Risk of Homelessness
- Homeless Category 2: Imminently at-risk of homelessness
- Homeless Category 3: Homeless under other federal statute and
- Homeless Category 4: Fleeing/attempting to flee DV (as long as the individuals/families fleeing or attempting to flee DV are **not** also literally homeless. If the individuals/families are also literally homeless they would qualify for Rapid Re-Housing instead. See below.)

Additional eligibility requirements related to Homelessness Prevention include:

- **Proof of residence** within the boundaries of the State of WY.
- **Total household income and assets below 30 percent of Area Median Income (AMI)** at initial assessment. Clients must provide documentation of household income, including documentation of unemployment and zero income affidavit for clients without income.
- **No other support networks and resources** to prevent them from going to the street or a

shelter.

- The assistance **must be necessary** to help the program participant regain stability in his/her current permanent housing or move into other permanent housing and achieve stability in that housing

#### ***Client Prioritization***

Note that all targeted individuals and families described below must meet the minimum HUD requirements for eligibility for homelessness prevention assistance with the most vulnerable served first. If multiple persons have the same vulnerability then prioritize as below.

The WY DFS has identified the following priorities for homelessness prevention assistance:

1. Chronically Homeless;
2. Veterans;
3. Unaccompanied youth 18-24 years old; and
4. Families with children.

These are priorities and are not meant to preclude other eligible persons from receiving assistance. Within these priorities, the WY DFS will enable each subrecipient to prioritize the eligible households using the VI-SPDAT, FVI-SDAT, TAYVI-SPDAT and other information provided by the client. Homeless prevention is not currently set up for prioritization through coordinated entry, however, the WY DFS and CoC will work toward prioritizing all housing and services through coordinated entry.

#### **Rapid Re-Housing**

Individuals/families, who meet the HUD criteria for the following definitions, are eligible for Rapid Re-Housing assistance:

Homeless Category 1: Literally homeless

Homeless Category 4: Fleeing/attempting to flee DV (as long as the individuals/families fleeing or attempting to flee DV are **also** literally homeless).

Rapid re-housing **does not have income eligibility requirements at the time of intake**; however, to qualify for continuation of rapid re-housing assistance, an applicant must have an annual income at or below 30% AMI at the time of re-evaluation.

#### ***Client Prioritization***

Note that all targeted individuals and families described below must meet the minimum

HUD requirements for eligibility for rapid re-housing assistance with the most vulnerable served first. If multiple persons have the same vulnerability then prioritize as below. The WY DFS targets the following population for rapid re-housing assistance:

1. Chronically Homeless;
2. Veterans;
3. Unaccompanied youth 18-24; and
4. Families with children.

These are priorities and are not meant to preclude other eligible persons from receiving assistance. Within these priorities, the WY DFS will enable each subrecipient to prioritize the eligible families using the VI-SPDAT, FVI-SDAT, TAYVI-SPDAT and other information provided by the client.

### **Intake and Assessment**

Any client assessed for potential assistance with ESG funds must meet the criteria to be determined eligible for homeless prevention or rapid re-housing assistance. Subrecipient case managers must complete the "But For" Certification attached in Appendix D certifying that a comprehensive assessment was completed and that the findings are such that client or household would become or remain homeless **but for** ESG HP or RRH assistance.

The caseworker must use the intake assessment to evaluate a program participant's specific situation, and document that they 1) are going to have to leave the unit, in cases of homelessness prevention assistance; and 2) meet any applicable eligibility criteria, such as lacking other resources or support networks.

When assessing a program participant's needs during the initial evaluation, a case worker must determine the amount and types of assistance the individual or family needs to achieve stability in permanent housing. As part of this assessment, it is important to determine which households will be able to avoid homelessness with limited assistance and which will need deeper levels of support. For effective outcomes, a strong program design will strive to find a balance between providing an appropriate level of financial assistance to achieve successful outcomes while avoiding excessive funding of individual households, which limits the overall number of households that can be served by the program. An effective assessment of each household's history, circumstances, and needs is critical when estimating the amount of assistance a household will need. As part of this assessment, a case worker must develop a plan to assist the program participant to retain permanent housing after the ESG assistance ends.

See 24 CFR § 576.401(e)(1)(ii).

For the delivery of Rapid Rehousing assistance, the CoC will use the VI-SPDAT Pre-Screen Survey. Responses will be entered into HMIS. Homeless Prevention clients, because they are not literally homeless, are not required to be administered the VI-SPDAT. Until the coordinated entry process is better established to coordinate and prioritize services community-wide, Homeless Prevention funds can be allocated at the project level.

### **Calculating Gross Annual Income**

Annual income is the gross amount of income anticipated to be received by a household during the coming year based on the household's circumstances at the time of program intake and assessment. Annual Income determination is consistent with the Housing Choice Voucher definition of annual income found at 24 CFR 5.609. HUD provides an Income Eligibility Calculator at <https://www.hudexchange.info/incomecalculator/>. Please note that the income eligibility calculator is designed to help subrecipients calculate income in accordance with the allowable definition, but it does not verify income. The calculator does not replace the documentation that must be collected and retained by the subrecipient as outlined in Attachment L.

When determining the annual income of a household to establish eligibility for ESG assistance, subrecipient must count the income of all adults in the household, including nonrelated individuals, within the limitations imposed by 24 CFR 5.609. Not everyone living in the unit is considered a member of the household for the purposes of determining a household's income. Excluded persons include: foster children, foster adults, live-in aides, children of live-in aides and unborn children. A person subject to shared-custody agreement should be counted as household member if the child resides with the household at least 50% of the time.

Income generated by an asset, such as the interest on savings or checking account is considered household income even if the household elects not to receive it. For example, though an applicant may elect to reinvest the interest or dividends from an asset, the interest or dividends are still counted as income anticipated to be received during the coming 12 months. Asset income is discussed in 24 CFR 5.609. Income producing assets include: bank accounts; life insurance policies; lump sum additions (legal settlement, refund, etc.); personal property held as investments; retirement/pension funds; trusts; assets disposed of for less than fair market value; and stocks; bonds or mutual funds.

### **Eligibility Documentation and Recordkeeping**

Subrecipients must establish written intake procedures that include requirement of written documentation verifying eligibility for program services in accordance with the following preferred order of documentation. Documentation verifying eligibility must be available in client files or if kept electronically, available upon request. Recordkeeping and Reporting Requirements are provided in Appendix L.

***Third Party Documentation***

Third Party documentation (source documents provide by an outside source) is the preferable form of verification and includes but is not exclusive to pay stubs, written statement or documents from employer, landlord, public benefit worker, or agency service provider. Written verification must be sent directly to program staff. Bank statements may not be used as proof of any earned or unearned income.

***Intake/Case Manager Worker Observation Documented by ESG Staff***

Staff documentation may include oral statements made by social worker, case manager, or other appropriate official at an institution, shelter, or other facility and documented by the program intake worker/case manager. Use of oral statements is allowable when third party documentation is not available.

***Participant Self-Certification***

Self-Certification requires a written and signed document by the individual or head of household seeking assistance attesting to the eligibility facts for which they are certifying. A third party may be designated by a participant to sign documents on their behalf when they are unable to do so. If needed, subrecipient must provide access to language interpretation services and assistive devices necessary for participants to understand the documents they are certifying. A Self-Declaration of Income form is provided in Appendix G.

Self-certification documentation is only used when documented staff efforts verify that third-party or worker observation documentation is not available. However, lack of third-party documentation must not prevent an individual or household from being immediately admitted to emergency shelter, receiving street outreach services, or immediately accessing domestic violence/victim service shelter and assistance.

***Periodic Re-Certification***

All case managers are required to re-evaluate clients based on the following schedule. At that time, a case manager may decide to extend, decrease, or discontinue providing assistance.

Program Component	Schedule	Re-evaluation Criteria
Homelessness Prevention	Every 3 months	For both HP and RRH, to continue to receive assistance, clients must <ul style="list-style-type: none"> <li>• be at or below 30% AMI AND</li> <li>• lack sufficient resources and support networks necessary to retain housing without ESG assistance.</li> </ul>
Rapid Re-Housing	Annually	

Program participants must meet with their case managers at least monthly, either in-person or by phone. In some cases program participants will be required to have regular home and office visits. Review the section on Case Management below for additional details.

Notification of a program participant's changes in income or other circumstances that affect his/her need for assistance is required at re-evaluation only,

### **Housing Relocation and Stabilization Services**

#### **Case Management**

Program participants receiving homelessness prevention or rapid re-housing assistance must receive housing stability case management that assists the program participant in ensuring long-term housing stability. Case managers are required to complete a Housing Stabilization Plan (attached in Appendix H) for each ESG program participant. This requirement applies to all ESG program participants regardless of whether they are receiving one-time financial assistance or ongoing assistance and includes the following:

- Meeting with a case manager and developing a plan to assist the program participant to retain permanent housing after the ESG assistance ends (24 CFR 576.401(e)).
- Connecting the program participant to mainstream and other resources.

Connecting program participants to other resources would include assisting them in obtaining appropriate supportive services, as well as connecting them to other federal, state, local, and private benefits and services for which they may be eligible. This includes, but is not limited to, Medicaid, SNAP, WIC, unemployment insurance, SSI/SSDI, services for veterans, and TANF (see 24 CFR § 576.401(d)).

If a subrecipient is providing a one-time payment of utility or rental assistance or arrears

assistance, a single case management session may meet the program's requirements so long as the housing plan can be established and the referrals to mainstream resources can be completed during the initial intake meeting.

In developing a plan to assist the program participant to retain permanent housing after the ESG assistance ends, the case manager should take into account 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.

Program participants receiving ongoing assistance are required to meet not less than once per month with case managers while they are receiving homelessness prevention or rapid re-housing assistance. Once that assistance ends they are no longer required to meet with a case manager on a monthly basis. Subrecipients may choose to have program participants continue to meet for 6 months after assistance ends to ensure that they have achieved housing stability.

For monthly meetings between re-evaluations, meetings should take place in the format most likely to ensure long-term housing stability, including home visits.

Re-evaluations must take place not less than once every 3 months for program participants receiving homeless prevention assistance, and not less than once annually for program participants receiving rapid re-housing assistance (24 CFR § 576.401(b)). At these re-evaluations, in-person meetings are required because program participants must provide documentation regarding eligibility.

As part of the requirement for comprehensive case management for housing stability, all case managers are expected to complete, at a minimum, an in-person or by phone follow up with clients 30 days after exiting the program.

### **Housing Location Services**

Any subrecipient of ESG assistance must provide housing location assistance for clients as a part of its full housing relocation and stabilization services to ESG clients. Subrecipients are expected to have capacity or resources dedicated to finding appropriate housing and developing relationships with affordable housing providers so that ESG clients have access to housing choice through the subrecipient, rather than the expectation that clients must navigate the system on their own.

Note that as part of housing location and case management services provided, Subrecipients

are expected to educate landlords and familiarize them with the financial assistance model, particularly as it relates to participant share in rent. Additionally, housing location and case management staff are expected to inform landlord on updates to changes in participant share as well as eligibility re-evaluations; this way the landlord is aware of any changes to the amount of financial assistance being provided. Staff must touch base with the landlord and ensure that they have an updated copy of the Rental Assistance Agreement (see Appendix K) and are aware of the changes to the participant rent share.

### **Eligible costs**

Case Management activities assess, arrange, coordinate, and monitor individualized services developed for program participants. Eligible costs include:

- Using coordinated entry (HMIS);
- Conducting initial evaluations including, verifying and documenting eligibility;
- Counseling;
- Developing, securing and coordinating services and obtaining Federal, State, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers;
- Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; AND
- Developing an individualized housing and service plan, including planning a path to permanent housing.

### **Financial Assistance**

ESG funding must be used as a last resort, be the least amount of assistance needed to stabilize the client, and be for the least amount of time possible. ESG funds are not to supplant other available resources to the client nor will ESG funds be used to duplicate a resource provided in the same time period for the same cost.

The WY DFS will not have a minimum amount or percentage that will be applied to client contributions across all service providers. In addition, the WY DFS will not allow providers to create a minimum participation amount for clients upon entry into any homelessness prevention or rapid re-housing program.

Financial assistance cannot be provided to a program participant who is receiving the same type of assistance through other public sources or to a program participant who has been

provided with replacement housing payments under the Uniform Relocation Act (URA) during the period of time covered by the URA payments.

### **Housing Relocation and Stabilization Financial Assistance**

ESG funds may be used to pay landlords, utility companies and other third parties for the following housing related costs:

#### ***Rental Application Fee***

ESG can fund applicant fees charged by the landlord to all applicants. Application fees can only be provided for one application at a time; but note that this only limits the number of applications that require application fees. Case managers and housing specialists can and should work with clients and landlords to process as many free applications as possible.

#### ***Utility Arrears, Payments and Deposits***

ESG funds may pay for up to 12 months utility payments per program participant, per service, during any three year period and up to six (6) months in utility payments in arrears per service (for a total of 18 months). A partial payment of the utility bill counts as one month. This assistance may only be provided if the program participant or member of the same household has an account in his or her name with a utility company or proof of responsibility to make utility payments. Eligible utility services are gas, electric, water, and sewage.

The amount of utility payments may be increased to 24 months if the client is enrolled in a full or part time training program designed to provide permanent long term employment and is receiving Rapid Rehousing assistance for 24 months. No program participant shall receive more than 24 months of utility assistance within any 3-year period (24 CFR 576.105(a)(5)).

Cable TV or other similar utilities may not be paid with ESG funds unless a cable fee is charged to all tenants and is required under the lease for occupancy in the unit. The cost would be eligible as rental assistance (24 CFR 576.106(d)(2)).

Utility Deposits. ESG funds may pay for a standard utility deposit required by the utility company for all customers for gas, electric, water, and sewage utility services.

#### ***Security Deposits***

- Not to exceed an amount equal to 2 months' rent; and
- Limited to one time assistance within 3 years.
- Deposits may remain with the client if they are stably housed once the subrecipient has

completed providing assistance.

### ***Last Month's Rent***

If necessary to obtain housing for a program participant, the last month's rent may be paid from ESG funds to the owner of that housing at the time the owner is paid the security deposit and the first month's rent. This assistance must not exceed one month's rent and must be included in calculating the program participant's total rental assistance, which cannot exceed the limits set above.

### **Short and Medium Term Rental Assistance**

#### ***Rent Arrears***

A one-time payment for up to 3 months of rent in arrears during any 3-year period, plus any late fees on those arrears.

An arrears payment is only an eligible cost if a tenant would actually be evicted for non-payment of their portion of the rent (Homelessness Prevention) or the arrears are preventing the household from obtaining permanent housing and achieving stability in that housing (Rapid Re-Housing).

Because the goal of the ESG program is to help program participants achieve stability in permanent housing, a household **may not** be assisted with arrears in order to stay in a unit with rent that the household will not be able to sustain. Instead, ESG subrecipients may make a one-time payment of rental arrears on the unaffordable unit and then provide housing relocation and stabilization services and rental assistance to help the individual or family move into other permanent housing that complies with ESG program requirements.

#### ***Rental Assistance***

Limited to 12 months, within a 3 year period. The amount of rental assistance may be increased to 24 months if the client is enrolled in a full or part time training program designed to provide permanent long term employment.

### **Rental Agreement and Lease**

The landlord must agree that they will not evict the tenant in return for receiving ESG funds (the landlord may have legal right to evict the tenant based on other reasons.) The subrecipient and landlord must execute the ESG Rental Agreement in Appendix L.

No ESG funds may be disbursed until the case manager receives a legally binding, written lease showing the names of the tenants, the move-in-date, occupancy terms, expiration date and the costs payable by the tenant. All payments must be paid to verified third parties. Under no circumstances may ESG payments be made directly to the client.

### **Rent Reasonableness Determination**

Subrecipient must determine whether the gross rent of particular unit is a reasonable rent in comparison to rent for other comparable unassisted units. To make this determination, subrecipient must consider 1) the location, quality, size, unit type, and age of the contract unit; and 2) any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease. The unit's gross rent must be comparable to the rent reasonableness rent for the unit to be considered for rental assistance.

Subrecipient must determine the review method(s) they will use to establish the rent reasonableness standards for their area (e.g.; a list of comparable rents can be completed by using a market study of rents charged for units of different sizes or by reviewing advertisements for comparable rental units). To learn how public housing authorities establish rent reasonableness for the Housing Choice Voucher, review Chapter 9 of the HUD Housing Choice Voucher Program Guidebook. The link to the Guidebook is in Appendix N of this manual.

Comparable rents vary over time with market modifications. Rent Reasonableness standards must be reviewed periodically and adjusted to align with these rent market changes.

The Rent Reasonableness review completed for each unit must be documented in the client case file. A sample rent reasonableness form is included in Appendix I.

### **Fair Market Rent (FMR) Requirement**

HUD establishes FMR to determine rent ceilings for HUD-funded rental assistance programs. HUD publishes the FMR schedule annually for 530 metropolitan areas and 2,045 non-metropolitan county areas. The link to HUD's FMR index is included in the appendices in this manual.

Gross rent for units in which ESG provides rental assistance must be the same or less than the FMR for the location. If subrecipient's service area includes more than one county, subrecipient must use the appropriate FMR for the country in which the assisted rental unit is located. The applicable FMR data should be copied and placed in the client file to document the FMR for the participant's unit size and geographic area.

## **STREET OUTREACH**

Street outreach is service delivery for the specific purpose of reaching out to unsheltered homeless people and connecting them with emergency shelter, housing, or critical services. It also covers costs for providing urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility.

ESG funds for shelters and outreach services (combined) are capped at 60% of the ESG grant award.

### **Eligibility: Status as Homeless**

Providers must target people who meet the following definition of homeless (Paragraph (1)(i) of §576.2 as required in 24 CFR §576.101):

- An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

### **Assessment and Essential Services**

Engagement activities must include an initial assessment of needs and eligibility in order to prioritize the type and source of assistance required with safety and urgent health needs being the highest priority. Based on need and assessment, qualifying individuals and/or families will be offered essential services beyond emergency health and other crisis intervention assistance that include case management, transportation, and housing stabilization. Whenever feasible, rapid re-housing will be a priority over the provision or referral to emergency shelter or transitional housing.

### **Engagement Services**

Engagement services are activities to locate, identify, and build relationships with unsheltered homeless people to offer immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and other housing programs. Eligible costs include:

- Conducting an initial assessment of applicant needs and eligibility;
- Providing crisis counseling;

- Addressing urgent physical needs, such as providing meals, blankets, clothes, or toiletries;
- Actively connecting and providing information and referrals to needed services; and
- Cell phone costs of outreach workers while carrying out these activities.

### **Case Management**

Case management activities help assess housing and service needs and arrange, coordinate and/or monitor the delivery of individualized services. Eligible costs include:

- Assessment and intake evaluations including verifying and documenting eligibility;
- Counseling;
- Developing/securing/coordinating services;
- Helping obtain federal, state, and local benefits;
- Monitoring and evaluating program participant progress;
- Providing information and referrals to other providers; and
- Developing an individualized housing stabilization plan that leads to the attainment of stable permanent housing.

### **Emergency Health Services**

Emergency health services can be funded with ESG only to the extent that other non-ESG funded appropriate health services are inaccessible or unavailable within the service area. Eligible costs include:

- Assessing health problems and developing treatment plans;
- Assistance in understanding health needs;
- Directly providing or helping obtain appropriate emergency medical treatment; and
- Providing medication and follow-up services.

### **Emergency Mental Health Services**

Emergency mental health services can be funded with ESG only to the extent that other non-ESG funded appropriate health services are inaccessible or unavailable within the service area. Eligible costs include:

- Crisis intervention;
- Prescription of psychotropic medications;
- Explanation about the use and management of medications; and
- Combinations of therapeutic approaches to address multiple problems.

### **Transportation**

Travel expenses incurred by outreach workers, social workers, medical professionals or other service agency employee during the provision of allowable street outreach services are eligible costs. They include:

- Transporting unsheltered people to emergency shelters or other service facilities;
- Public transportation for participants;
- Mileage allowance for outreach workers using their own vehicles to visit program participants;
- Purchasing or leasing a vehicle for use in conducting outreach activities, including the cost of gas, insurance, taxes, and maintenance for the vehicle; and
- Costs of staff to accompany or assist program participant to use public transportation.

### **Services For Special Populations**

Services for special populations are essential services tailored to address the particular needs of homeless youth, victims of domestic violence, dating violence, sexual assault, or stalking, including services offered by rape crisis centers, domestic violence shelters, and other organizations that serve homeless persons with special needs. Eligible costs include all those listed under the following engagement services:

- Engagement;
- Case management;
- Emergency health services;
- Emergency mental health services; and
- Transportation.

## **ADMINISTRATIVE REQUIREMENTS**

### **Match Requirements**

The WY DFS requires subrecipients to make matching contributions in an amount that equals (100%) the amount of ESG funds allocated by the WY DFS.

Matching contributions can be obtained from any source, including any Federal (non-ESG) source, as well as state, local, and private sources. Use of any Federal source must not prohibit those funds from being used as ESG match and not already be matched with ESG funds.

Subrecipient must ensure the laws governing any funds used as matching contributions do not

prohibit the use of those funds as match.

All sources listed as match must meet these criteria:

- The matching contribution must be made after the date that HUD signs the ESG Grant Agreement;
- Cash contributions must be expended within the expenditure deadline in 576.203;
- Non-cash contributions must be made within the expenditure deadline in 576.203;
- Contributions used to match a previous ESG grant may not be used to match a subsequent ESG grant;
- Contributions that have been or will be counted as satisfying a match requirement of other federal funds may not be used as match for ESG funding;
- The matching funds must be used for ESG eligible clients and activities; and
- If ESG funds are used to satisfy matching requirements of another federal program, funding from that program cannot be used to satisfy the matching requirements of ESG.

Possible sources of match, other than federal, state or local grants include:

- Cash;
- The value or fair rental value of any donated material or building;
- The value of any lease on a building;
- Any salary paid to staff to carry out the program of the recipient (as verified by a valid timesheet); and
- The value of the time and services contributed by volunteers.

Services provided by individuals must be valued at rates consistent with those ordinarily paid for similar work by subrecipient. If subrecipient does not have employees performing similar work, the rates must be consistent with those ordinarily paid by other employers for similar work in the same labor market.

The value of any real property, equipment, goods or services can be used as match provided the costs would be allowable if subrecipient had purchased them. Some non-cash contributions would be considered indirect costs if purchased by subrecipient; match for these contributions may be given only if subrecipient has established a special indirect cost rate for allocating the value of those contributions to individual projects or programs.

Costs paid by program income shall count as match if the costs are eligible ESG costs that supplement subrecipients ESG program.

Subrecipient must keep records of the source and use of contributions made to satisfy the

matching requirement. Records must indicate the fiscal year grant for which each matching contribution is counted, as well as how the value of non-cash contributions was derived. To the extent feasible, volunteer services must be supported by the same methods that subrecipient uses to support the allocation of regular personnel costs.

The WY DFS will provide an ESG Match Form. Match must be reported quarterly at minimum.

(For the specific match requirements, see 24 CFR 576.201.)

### **Documentation Requirements**

Subrecipients must establish and maintain sufficient records to enable the recipient and HUD to determine whether ESG requirements are being met. Recipients and subrecipients must keep documentation showing that ESG grant funds were spent on allowable costs in accordance with the requirements for eligible activities under § 576.101- § 576.108 and the cost principles for state, local, and Indian tribal governments and non-profits found at 2 CFR Part 225 and 2 CFR Part 230, respectively. (24 CFR 576.500(u)). The WY DFS, as the recipient, will meet these documentation requirements by obtaining the information through reports from subrecipients or other appropriate methods as designated by the WY DFS.

Subrecipients must maintain all the case file records. Subrecipients must maintain records for ALL persons seeking assistance (including those persons that are determined to be ineligible). For those determined ineligible, the record must include documentation of the reason for that determination. This requirement allows for the WY DFS and its subrecipients to have clear and consistent documentation of all persons who seek and those that receive ESG assistance. At a minimum, records must include the client application for assistance, all documentation collected on the client's homeless or at-risk of homelessness status, and their income (when applicable).

Prior to determining a potential client's eligibility, recipients and subrecipients cannot incur ESG costs (including case management costs) beyond the costs involved in intake and initial evaluation.

For detailed guidance regarding recordkeeping and reporting requirements under the ESG program, subrecipients should review section 576.500 of the ESG Interim Rule.

Failure to keep adequate records of both persons seeking assistance and those that receive assistance could jeopardize future ESG funding to the subrecipients.

### **Termination, Grievance and Conflict of Interest Policies**

The ESG subrecipient must have written denial, termination, and grievance policies and procedures. The policies and procedures should be readily available to program participants either in writing or by posting them in a public space. Copies and explanation of the policies and procedures should be provided directly to any client when denial termination, or other action affects the client's ability to receive assistance. The notice must provide the specific reason(s) for the action and provide a process the applicant can follow to request a review of the decision.

### **Termination or Denial of Assistance**

If the subrecipient is terminating rental assistance to the program participant, they must immediately notify the landlord of the date rental assistance for their tenant will end.

Termination from assistance does not prevent subrecipient from providing further assistance, later, to the same household or individual if they are determined eligible for such assistance.

### **Grievance and Appeals Process**

The ESG subrecipient is required to have an established process for addressing client grievances for decisions, including termination or reduction of benefit, denial of benefit or other grievance. At a minimum, the process must include the following components:

- Informs the participant/applicant of the policy and/or policy must be posted in an area specific by the policy and in general locations in which a client/applicant is expected to be;
- Informs the participant/applicant that they must contest any subrecipients decision that denies (for any reason) or limits eligibility of participant/applicant and/or terminates or modifies any benefits;
- Allows any aggrieved person a minimum of thirty days within which to request an administrative review;
- Informs the applicant/participant of their right to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the decision;
- Informs WY DFS of the request for administrative review within 10 days of receiving the request;
- Informs the applicant/participant and WY DFS in writing of the final determination and basis for the decision within ten days of the determination.

Any person or persons designated by the subrecipient can complete the administrative review, other than the person who made or approved the decision under review or a subordinate of this person.

WY DFS retains the right to require modification of any review or appeal process that WY DFS determines does not meet basic principles for notification, instruction, time allowance, impartiality or other necessary component.

Subrecipients must make accommodations for clients who have language or disability barriers that would prevent them from participating in the appeals process.

WY DFS retains the right to require modification of any review or appeals process that in its determination does not meet basic principles for notification, instruction, time allowance, impartiality, and access.

### **Conflict of Interest**

#### ***Organizational***

The provision of any type or amount of ESG assistance may not be conditioned on an individual's or household's acceptance or occupancy of emergency shelter or housing owned by the subrecipient or an affiliated organization. The subrecipient is prohibited from conducting a participant's intake assessment to determine program eligibility if the participant resides in housing where the subrecipient has ownership interest. The subrecipient would need to find another independent organization that is also an ESG subrecipient to do the intake assessment and ensure that all program participants are eligible even if the subrecipient has a waiver of the conflict of interest requirements. Conflicts of interest waivers regarding rent assistance and rental agreement requirements can only be approved by HUD. If a subrecipient wishes to apply for a waiver, they should contact WY DFS for guidance in submission of a waiver request, which must be approved by WY DFS who will then submit to HUD. See 24 CFR 576.404(a).

The subrecipient must keep records to show compliance with ESG program organizational conflicts-of-interest requirements.

#### ***Individual***

For the procurement of goods and services, the subrecipient must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) or 24 CFR 84.42 (for nonprofits)

Persons for whom the Conflict of Interest requirements apply include any person who is an employee, agent, consultant, officer, or elected or appointed official of the subrecipient agency. No person who exercises or has exercised any functions or responsibilities with respect to activities under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, may obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has family or business ties, during his or her tenure or during the one-year period following his or her tenure.

### **Fair Housing Requirements**

#### **Affirmative Outreach**

The ESG subrecipient must communicate and make known that use of ESG funded facilities, assistance and services are available on a nondiscriminatory basis. The subrecipient must develop and implement affirmative outreach written procedures and communication tools and materials to inform persons without regard to race, color, ethnicity, religion, sex, age, national origin, familial status, gender identity or disability, how to obtain access to facilities and services. If it appears the procedures used will not reach persons of any particular race, color, religion, sex, age, national origin, familial status, gender identity or disability who may qualify for those activities and services, the subrecipient must establish additional procedures to ensure those persons are made aware of assistance opportunities.

Reasonable accommodations for persons with disabilities must be available in order to ensure disabled participants have an equal opportunity to utilize housing, including shelters, and receive essential services. Greater levels of accessibility may be required for some shelters in compliance with The Americans with Disabilities Act.

#### **Nondiscrimination**

The ESG subrecipient is required to comply with all state and federal statutes relating to nondiscrimination. Any of the following actions based on race, color, national origin, religion, sex, familial status, gender identity or handicap are not permitted:

- Refuse to rent housing or provide services;
- Make housing or services unavailable;
- Deny a dwelling or service;

- Set different terms, conditions, or privileges for rental of a dwelling or obtaining services;
- Provide different housing services or facilities or different services;
- Falsely deny that housing is available for inspection or rental or that services are available; and
- Deny anyone access to a facility or service.

### **Equal Access Requirements**

On September 21, 2016, HUD published a final rule entitled "Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs." Through this final rule, HUD ensures equal access to individuals in accordance with their gender identity in programs and shelter funded under programs administered by HUD's Office of Community Planning and Development (CPD). This rule builds upon HUD's February 2012 final rule entitled "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity" (2012 Equal Access Rule), which aimed to ensure that HUD's housing programs would be open to all eligible individuals and families regardless of sexual orientation, gender identity, or marital status. The final rule requires that recipients and subrecipients of CPD funding, as well as owners, operators, and managers of shelters, and other buildings and facilities and providers of services funded in whole or in part by any CPD program to grant equal access to such facilities, and other buildings and facilities, benefits, accommodations and services to individuals in accordance with the individual's gender identity, and in a manner that affords equal access to the individual's family.

### **Family Composition**

Any group of people that present together for assistance and identify themselves as a family, regardless of age or relationship or other factors, are considered to be a family and must be served together as such. Further, a recipient or subrecipient receiving funds under the ESG Program cannot discriminate against a group of people presenting as a family based on the composition of the family (e.g., adults and children or just adults), the age of any member's family, the disability status of any members of the family, marital status, actual or perceived sexual orientation, or gender identity.

Shelters that accept households with children must accept all households with children regardless of the parent's gender. While it is acceptable for a shelter to limit assistance to households with children, it may not limit assistance to only women with children. Such a shelter must also serve the following family types, should they present, in order to be in

compliance with the Equal Access rule:

- Single male head of household with minor child(ren); and
- Any household made up of two or more adults, regardless of sexual orientation, marital status, or gender identity, presenting with minor child(ren).

When limiting assistance to households with children, the emergency shelter would not be required to serve families composed of only adult members and could deny access to these types of families provided that all adult-only families are treated equally, regardless of sexual orientation, marital status, or gender identity.

### **Accommodating Families**

If a shelter has private rooms in which a family can stay together, then the family must be able to stay in a room together if they choose. In all cases (whether or not it's a congregate-style shelter), all families must be treated the same. For example:

- If the standard practice is to put down mats in a conference room for everyone who is considered "overflow" (beyond the capacity of the shelter beds), then it can shelter a family together in that space.
- If the standard practice is to place a family in its own room, it would be acceptable to leave a bed empty to accommodate the family, (e.g. a family of four could stay in a unit with 5 beds, and the fifth bed could be open). In this example, HUD would not expect a provider to fill the 5th bed with an individual that is not a member of the family, so long as the provider documented the reasons for having open beds.

### **Ensuring Safety and Privacy**

A recipient/subrecipient that is concerned about the safety and privacy of particular residents (e.g. women and female children in a shelter where a teenage boy is with his mother) may create separate space where some families can stay, away from others. For example, a recipient/subrecipient might establish separate family rooms, where the family can sleep together.

In all cases, providers should follow this guidance when it comes to safety. If there are legitimate behavioral/safety concerns, the provider should find ways to address these – via shelter arrangements, programming, shelter renovations, or other solutions.

### **Single Sex Shelters**

Finally, a single-sex shelter is only acceptable under certain limited conditions:

- The shelter must be for individuals only. A shelter that accepts families with children cannot be single sex. An example of this might be a shelter that serves single women only (women not in families, without children under 18); AND
- The shelter must not be considered a "dwelling unit" or it must have a shared bathing facility. This policy, which applies to ESG, is stated most clearly in the CoC interim rule, at section 578.93: "The housing may be limited to one sex where such housing consists of a single structure with shared bedrooms or bathing facilities such that the considerations of personal privacy and the physical limitations of the configuration of the housing make it appropriate for the housing to be limited to one sex."

For detailed guidance on the definition of family and how it applies to recipients and subrecipients of ESG and CoC Program funds please review FAQ #1529 available online here: <https://www.hudexchange.info/faqs/1529/how-is-the-definition-of-family-that-was-included/>

More information about the Equal Access Rule can be found here: <https://www.hudexchange.info/resource/1991/equal-access-to-housing-final-rule/>

### **Equal Access and Gender Identity**

In accordance with updated HUD requirements<sup>1</sup>, providers must ensure that their policies do not isolate or segregate clients based upon gender identity. The intent of the Equal Access Rule is to affirm that discrimination based on gender identity is sex discrimination and to prevent the biases of individual clients from creating situations where transgender individuals are isolated or segregated.

HUD requirements also state that:

- providers must place, serve, and accommodate in accordance with the stated gender identity of the individual;
- providers cannot subject individuals to intrusive questioning, ask for anatomical information or documentary, physical, or medical evidence of the individual's gender identity; and
- providers must take reasonable and nondiscriminatory steps to address privacy and safety concerns raised by residents and occupants, (not just transgender and gender non-conforming individuals).

This means that any special accommodations are to be provided *for* the person who requests

<sup>1</sup> Equal Access in Accordance with an Individual's Gender Identity in Community Planning and Development Programs, Final Rule, 81 Fed. Reg. 64763 (Sep 21, 2016)

privacy and must not be targeted at another person, i.e. the person who requests privacy for themselves can be moved or separated, but a person cannot request that someone else be moved or separated on the basis of gender identity. Providers can no longer make case-by-case determinations that transgender clients receive alternative accommodations for health and safety reasons, unless the client has requested it.

Clients with special health concerns, trauma histories or other needs may also make reasonable requests for accommodations. Some options for staff are:

- Establish a single use bathroom for client use at specific intervals during the day. Often an existing staff member bathroom may be made available for this purpose without compromising the requirements of staff members.
- Provide certain times during the day that a bathroom can be scheduled by any client with a request to use a congregate facility privately.
- Ensure that toilet and shower stalls have locking doors or, at a minimum, curtains to allow for modesty and dignity.
- For shower use, consider implementing a schedule for all clients if communal showers are the only available type of shower.

The requirements of the Equal Access Rule apply to grant recipients and subrecipients, as well as to owners, operators, and managers of shelters and other buildings and facilities and providers of services funded in whole or in part by any HUD Community Planning and Development program.

### **Habitability Standards**

All housing units supported with program funds must meet HUD Habitability Standards as addressed in §576.403 (also see Appendix J). Housing also needs to be compliant with local housing codes relating to occupancy, health, and safety standards and the program must comply with the more stringent of the two.

### **Shelters**

Emergency shelters that receive ESG funds for renovation or shelter operations must meet the minimum standards for safety, sanitation, and privacy provided in §576.403(b).

In addition, emergency shelters that receive ESG funds for renovation (conversion, major rehabilitation, or other renovation) also must meet local government safety and sanitation standards, as applicable.

These standards include the following:

- Structure and materials;
- Access to and within the shelter;
- Personal space and security;
- Interior air quality;
- Water supply;
- Sanitary facilities;
- Heating and cooling operating equipment;
- Natural and electrically produced light;
- Area for food preparation;
- Safe and sanitary facility maintenance; and
- Fire safety/smoke detectors

### **Permanent Housing**

The subrecipient cannot use ESG funds to help a program participant remain in or move into housing that does not meet the minimum habitability standards under §576.403(c). This restriction applies to all activities under the Homelessness Prevention and Rapid Re-housing components.

Minimum habitability standards for permanent housing include requirements for:

- Structure and materials;
- Personal space and security;
- Interior air quality
- Water supply
- Sanitary facilities;
- Heating and cooling operating equipment;
- Natural and electrically produced light;
- Area for food preparation;
- Safe and sanitary facility maintenance; and
- Fire safety/smoke detectors

For households moving into a new unit, the unit must meet habitability standards before the lease is signed and the household moves in. For households already residing in a unit, the unit must meet habitability standards before financial or rental assistance can be provided.

The Shelter and Housing Standards Inspection Checklists can be found in Appendix J.

**Lead-Based Paint Requirements**

Federal lead-based paint requirements apply anytime federal funds are used for housing assistance and the living space or unit was built prior to 1978. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C. 4851-4856), and implementing regulations in 24 CFR part 35, subparts A, B, H, J, K, M, and R apply to all shelters assisted with ESG funding and all housing occupied by program participants.

**Environmental Review**

Recipients and subrecipients and their contractors shall not rehabilitate, convert, or renovate a shelter or prospective shelter until the WY DFS has performed an environmental review under 24 CFR part 50 and subrecipient has received HUD approval to continue. Environmental reviews must also be completed for any project-based housing assistance paid with ESG funding.

**APPENDIX A: HUD DEFINITION FOR HOMELESSNESS**

<b>H U D C R I T E R I A F O R D E F I N I N G H O M E L E S S</b>	<b>Category 1</b>	Literally Homeless	Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: <ul style="list-style-type: none"> <li>● Has a primary nighttime residence that is a public or private place not meant for human habitation;</li> <li>● 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); <u>or</u></li> <li>● Is exiting an institution where (s)he has resided for 90 days or less <u>and</u> who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.</li> </ul>
	<b>Category 2</b>	Imminent Risk of Homelessness	Individual or family who will imminently lose their primary nighttime residence, provided that: <ul style="list-style-type: none"> <li>● Residence will be lost within 14 days of the date of application for homeless assistance;</li> <li>● No subsequent residence has been identified; <u>and</u></li> <li>● The individual or family lacks the resources or support networks needed to obtain other permanent housing</li> </ul>
	<b>Category 3</b>	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: <ul style="list-style-type: none"> <li>● Are defined as homeless under the other listed federal statutes;</li> <li>● Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;</li> <li>● Have experienced persistent instability as measured by two moves or more during in the preceding 60 days; <u>and</u></li> <li>● Can be expected to continue in such status for an extended period of time due to special needs or barriers.</li> </ul>
	<b>Category 4</b>	Fleeing/ Attempting to Flee DV	Any individual or family who: <ul style="list-style-type: none"> <li>● Is fleeing, or is attempting to flee, domestic violence;</li> <li>● Has no other residence; <u>and</u></li> <li>● Lacks the resources or support networks to obtain other permanent housing</li> </ul>

**APPENDIX B: HUD DEFINITION FOR AT RISK OF HOMELESSNESS**

<p><b>H U D C R I T E R I A F O R D E F I N I N G A T R I S K O F H O M E L E S S N E S S</b></p>	<p><b>Category 1</b></p>	<p>Individuals and Families</p>	<p>An individual or family who:</p> <ul style="list-style-type: none"> <li>(i) Has an annual income below <u>30%</u> of median family income for the area; <u>AND</u></li> <li>(ii) 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; <u>AND</u></li> <li>(iii) Meets one of the following conditions:                             <ul style="list-style-type: none"> <li>A. Has moved because of economic reasons 2 or more times during the 60 days immediately preceding the application for assistance; <u>OR</u></li> <li>B. Is living in the home of another because of economic hardship; <u>OR</u></li> <li>C. 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; <u>OR</u></li> <li>D. 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; <u>OR</u></li> <li>E. Lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than one and a half persons per room; <u>OR</u></li> <li>F. Is exiting a publicly funded institution or system of care; <u>OR</u></li> <li>G. Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved Con Plan.</li> </ul> </li> </ul>
	<p><b>Category 2</b></p>	<p>Unaccompanied Children and Youth</p>	<p>A child or youth who does not qualify as homeless under the homeless definition, but qualifies as homeless under another Federal statute</p>
	<p><b>Category 3</b></p>	<p>Families with Children and Youth</p>	<p>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) or that child or youth if living with him or her.</p>

**APPENDIX C(1): HOMELESS CERTIFICATION BY HUD DEFINITION FOR HOMELESS**

This document is to certify the individual or household named below is currently homeless based on the category checked and required documentation.

ESG Client/Household Name: \_\_\_\_\_ Date: \_\_\_\_\_

**CHRONICALLY HOMELESS CERTIFICATION**

**CHRONICALLY HOMELESS: Eligible for Rapid Re-housing assistance.**

Individual or family:

- Is homeless and resides in a place not meant for human habitation, a safe haven, or in an emergency shelter and has been homeless and residing in such a place for at least 12 months *or* on at least four separate occasions in the last three (3) years where the combined occasions must total at least 12 months; **and**
- (ii) Has a head of household with a diagnosable substance use disorder, serious mental illness, developmental disability (as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)), post-traumatic stress disorder, cognitive impairments resulting from a brain injury, or chronic physical illness or disability.

**NOTE:**

- Transitional Housing *does not* qualify an individual/family for chronic status.
- Veterans receiving Supportive Services for Veteran Families (SSVF) or other grant per-diem programs offered by the Veterans Administration **do** maintain their Chronic Status.
- ESG Rapid Re-housing is not considered transitional housing.
- Institution stays of less than 90 days do not constitute a break and *can be* included in

the time calculation as long as the individual/family were on the streets, in emergency shelter, or safe haven when they began.

- Stays in “housed” environments that are less than seven (7) consecutive nights do not constitute a break in homelessness.
- ◆ A BREAK in homelessness is defined as a stay in housing that lasts at least seven (7) consecutive nights; therefore a client must have at least four (4) separate occasions to qualify under this option.

**The following documentation must be provided to certify individual living in a place not meant for human habitation, a safe haven or an emergency shelter:**

**Option 1:**

- An HMIS record or record from a comparable database. If not documented in HMIS for 12 months proceed to Option 2.

**Option 2:**

- A written observation by an outreach worker of the conditions where the individual was living *or*
- A written referral by another housing or service provider where the individual was living.

**Note:** One encounter per month, documented breaks in HMIS (stayed with relative for night etc. counts as homeless) is acceptable documentation. Must be documented in client file.

**Option 3: For use *only* in remote areas if no third-party certification is available; self-certification cannot be used for more than 25% of households per operating year/agency.**

- Self-certification by the individual seeking assistance, which must be accompanied by the intake worker’s documentation of the living situation of the individual or family seeking assistance and the steps that were taken to obtain evidence in Steps 1 and 2.

**To certify head of household disability, the following documentation must be provided:**

- Verification of disability

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**GENERAL HOMELESS CERTIFICATION**

**CATEGORY 1: Literally Homeless****Category 1 is eligible for Rapid Re-housing assistance**

Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

- (i) Has a primary nighttime residence that is a public or private place not meant for human habitation; **or**
- (ii) 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).

**Documentation of one of the following is required to certify homeless status:**

- Written observation by the outreach worker; **or**
- Written referral by another housing or service provider; **or**
- Certification by the individual or head of household seeking assistance stating that (s)he was living on the streets or in shelter.
- (iii) **Or** is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

**Documentation must include one of the above forms of evidence AND one of the following:**

- Discharge paperwork **or** written/oral referral; **or**
- Written record of intake worker's due diligence to obtain above evidence **and** certification by individual that they exited institution.

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**Categories 2 through 4 receive assistance under Homeless Prevention**

**CATEGORY 2: Imminent Risk of Homelessness**

Individual or family who will imminently lose their primary nighttime residence, provided that:

- (i) Residence will be lost within 14 days of the date of application for homeless assistance;
- (ii) No subsequent residence has been identified; and
- (iii) The individual or family lacks the resources or support networks needed to obtain other permanent housing.

**Documentation must include one of the following:**

- A court order resulting from an eviction action notifying the individual or family that they must leave; **or**
- For individual and families leaving a hotel or motel—evidence that they lack the financial resources to stay (Form No. 5); **or**
- A documented and verified oral statement.

**In addition to one of the above, documentation must include BOTH of the following:**

- Certification that no subsequent residence has been identified; **AND**
- Self-certification or other written documentation that the individual or family lacks the financial resources and support necessary to obtain permanent housing.

**CATEGORY 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:

- (i) Are defined as homeless under the other listed federal statutes;
- (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;

- (iii) Have experienced persistent instability as measured by 2 moves or more during the preceding 60 days; **and**
- (iv) Can be expected to continue in such status for an extended period of time due to special needs or barriers.

**Documentation must include all of the following:**

- Certification by the nonprofit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; **and**
- Certification of no public housing in the last 60 days; **and**
- Certification by the individual or head of household, and any available supporting documentation, that (s)he has moved 2 or more times in the past 60 days; **and**
- Documentation of special needs **or** 2 or more barriers.

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**CATEGORY 4: Fleeing/Attempting to Flee Domestic Violence**

Any individual or family who:

- (i) Is fleeing, or is attempting to flee, domestic violence;
- (ii) Has no other residence; **and**
- (iii) Lacks the resources or support networks to obtain other permanent housing

**Documentation required for victim service providers:**

- An oral statement by the individual or head of household seeking assistance which states: they are fleeing; they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification **or** a certification by the intake worker.

**Documentation required for non-victim service providers (all of the following):**

- Oral statement by the individual or head of household seeking assistance that they are fleeing. This statement is documented by a self-certification **or** by the

caseworker. Where the safety of the individual or family is not jeopardized, the oral statement must be verified; and

- Certification by the individual or head of household that no subsequent residence has been identified; and
- Self-certification, or other written documentation, that the individual or family lacks the financial resources and support networks to obtain other permanent housing.

Intake Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPENDIX C(2): AT RISK OF HOMELESSNESS CERTIFICATION**

This is to certify that the individual or household below is currently at risk of homelessness based on the category checked and required documentation.

ESG Household Name: \_\_\_\_\_ Date: \_\_\_\_\_

**Check only one category and complete only that section**

**CATEGORY 1: An individual or family:** (must have income 30% below AMI, lack sufficient resources & meet one of the following risk factors)

- Has an annual income below 30% of AMI (must have documentation of income eligibility; AND
- Lacks sufficient resources or support networks immediately available to prevent

homelessness (must complete Self-Certification Form No. 5) supported by other documentation when practical such as termination notice, unemployment compensation statement, bank statement, healthcare/utility bill showing arrears.

**AND meets one of the following risk factors with acceptable documentation:**

**Risk 1:** Persistent housing instability - has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance (**must document the following two criteria**):

- Housing history must demonstrate two or more moves within 60 days; documentation may include HMIS records, referral from housing/service provider, letter from tenant/owner (*intake observation not appropriate*); and
- Economic reasons may include termination from employment, unexpected medical costs, inability to maintain housing including utilities, etc: documentation may include notice of termination, healthcare bills indicating arrears, utility bills indicating arrears (*intake observation not appropriate*).

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**Risk 2:** Living in the home of another person/individual because of economic hardship (**must document the following two criteria**):

- Housing must be in the home of another (i.e., doubled up): documentation may include letter from tenant/homeowner (*intake observation may be appropriate*); and
- Economic reasons may include termination from employment, unexpected medical costs, inability to maintain housing including utilities, etc: documentation may include notice of termination, healthcare bills indicating arrears, utility bills indicating arrears (*intake observation not appropriate*).

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**Risk 3:** Housing loss within 21 days – has been notified of their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance: notification to leave within 21 days must be written and only third party source/written is appropriate (**must document one of the following criteria**):

- If tenant/homeowner: eviction notice, court order to leave within 21 days; *or*
- If living with another (doubled up): eviction letter from tenant/homeowner.

**Risk 4:** Living in a rented hotel or motel and cost is not paid for by charitable organization or by Federal, State, or local government programs for low-income individuals (**must document the following two criteria**):

- Housing must be in a hotel/motel: documentation may include either letter from hotel/motel manager or intake observation; **and**
- Costs have not been covered by charitable organization or government program: documentation – cancelled check.

**Risk 5:** Living in a severely over-crowded unit as defined by US Census Bureau: lives in an SRO or efficiency apartment unit in which there reside more than 2 persons or lives in a larger housing unit in which there reside more than 1½ persons per room (**must document the following**):

- Number of rooms in unit **AND** number of individuals living in unit: documentation may include lease, unit details from Tax Assessor’s Office, intake observation.

**Risk 6:** Exiting publicly funded institution or system of care (**must document the following**):

- Discharge from healthcare facility, mental health facility, foster care or other youth facility or correction program: documentation – discharge paperwork or referral letter.

**Risk 7:** Living in housing associated with instability and an increased risk of homelessness. For example: being a young household with a young child, lacking transportation to work, or other circumstances or barriers as identified in your community.

**Documentation must include:**

- Self-certification or other written documentation describing the circumstances and that the individual or family lacks financial resources and support networks to obtain other permanent housing.

**CATEGORY 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 (**must document the following**):
  - Verification of Homeless Status must be provided by agency administering applicable Federal program: **documentation must be Third Party – Written ONLY**; Certification of homeless status (letter or standardized form).

**CATEGORY 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) or that child or youth if living with him or her (**must document the following**).
  - Third Party – Written ONLY**; must have documentation of homeless status, which may be letter or referral provided by agency administering the Federal Program **AND** must confirm family/guardian is residing with children/youth.

Intake Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX D: "BUT FOR" CERTIFICATION

## ESG Housing Options and Resources Eligibility

## "But For" Certification

Applicant Name: \_\_\_\_\_

This document is to certify that the above named applicant or household has explored all re-housing options and all available resources. The case manager also certifies that a comprehensive assessment was completed and that the findings are such that the above named applicant or household would become or remain homeless **but** for ESG Homelessness Prevention or RRH assistance. (See attached assessment)

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**Client Certification**

Under penalty of perjury I, \_\_\_\_\_ affirm the following statements to be true.

- a. I affirm that I have explored all housing options, (family, friends, public housing, and private housing), and that I have not been able to secure housing.
- b. I affirm that I have accurately reported my family composition and total family income.
- c. I affirm that my household lacks the financial resources and support networks needed to obtain immediate housing (i.e. start-up costs, etc.).
- d. I affirm that I am not receiving financial assistance for the same reason that I am applying for ESG funds.
- e. I affirm that I would become or remain homeless **but** for ESG assistance.

Applicant's Signature

Date:

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**Case Manager Certification**

Under penalty of perjury I, \_\_\_\_\_ affirm the following statements to be true.

- a. Upon completion of assessment, I affirm that I discussed housing options with the above named applicant, and that the applicant has stated that they have explored all housing options and have not been successful with securing housing.
- b. Upon completion of assessment, I affirm that the above named applicant/household lacks the financial resources and support networks needed to obtain immediate housing.
- c. I certify that I have completed a thorough assessment, including alternative housing options, income and asset verifications and homeless verifications, and believe that the above named applicant or household would become or remain homeless **but** for the ESG assistance.

---

Case Manager's Signature

---

Date

#### APPENDIX E: HMIS CONSENT AND RELEASE FORM

I, \_\_\_\_\_, have received the **HMIS Client Information Disclosure** and my questions about these documents have been answered. It has been explained to me that **[Agency Name]** will collect information about me and/or my family to help that agency provide me with the best possible services. By signing this form I am allowing this agency to put my information into the Homeless Management Information System (HMIS).

The following items have been explained to me and my questions have been answered:

- I understand that the information in this system will not be used to deny me services such as emergency assistance, outreach, shelter, or housing assistance.
- I understand that the receipt of services is based on agency policy and the requirements of certain funding agencies
- I understand that this written consent allows **[Agency Name]** to collect (in writing or direct input), enter, see, and update information about my family and myself in the HMIS.
- I understand that **[Agency Name]** and the HMIS system administrators will never give information that can be used to tell who I am to anyone outside the agency without my written consent or as required through a court order.
- I understand that I may sign a written request to change my release authorization at any time.
- I understand that this release is valid for seven (7) years after the last time I receive services from the agency.

- I understand that I have the right to see my HMIS record, ask for changes to the information that it contains, and to have a copy of the information contained in my HMIS record from the above named agency by written request.
- I understand that the confidentiality of my records is protected by law.

**Client Release Authorization (initial below and sign where indicated):**

\_\_\_\_ I understand my information will be shared with participating agencies per Information Disclosure list and for community reporting purposes

\_\_\_\_ I understand this release covers all household members listed on my application and/or accepted into the program now or in the future.

\_\_\_\_\_  
SIGNATURE OF CLIENT OR GUARDIAN

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PRINTED NAME OF CLIENT OR GUARDIAN

\_\_\_\_\_  
SIGNATURE OF AGENCY WITNESS

\_\_\_\_\_  
DATE

**APPENDIX F: HMIS CLIENT INFORMATION DISCLOSURE**

This notice explains how information about you may be used and shared. It also tells you how you can access your information. Please read it carefully and ask any questions you may have.

**What is the Homeless Management Information System (HMIS)?**

In order for [Agency Name] to provide you with the best possible service(s), it is necessary for us to collect information about you and your family. HMIS is used by many Wyoming agencies to serve their clients. System administrators for HMIS are certified staff at Institute for Community Alliances.

**What You Need to Know Before You Sign**

Receipt of services from [Agency Name] is based on agency policy and the requirements of certain funding agencies, and we are obligated to explain these to you.

**By law, we must** protect the privacy of your information, inform you of your rights, and tell you how we keep your information private.

**Exceptions:** By law, we are required to report a life-threatening situation to you or others, and/or a suspicion of child abuse or neglect.

**What information may be collected about you?**

Your name	Type of housing
Your date of birth	Homeless status
Your Social Security Number	Reasons for homelessness if applicable
Your gender	Household income
Your race/ethnicity	Employment information
Marital status	Work skills
Your family members	Domestic violence history
Your phone number(s)	Services needed and provided
Military veteran status	Outcomes of services provided
Whether or not you have a disability	Medical information, including HIV status, mental health, substance abuse and pregnancy status
Your address	

**Why is the information collected?**

- To better determine your needs and the needs of others;
- To determine if your, and others, needs were met;
- To improve how services are provided;
- To track the number of people in our programs and the services we have provided;
- To determine how many people are homeless, at risk of homelessness, or otherwise in need;
- To find out what services are available and what other services may be needed;
- To report back to agencies that provide us funding;
- To obtain new funding for programs that serve persons who are homeless and in need; and
- For research purposes on homelessness and other community human service needs.

**What happens to your information?**

Your information is given a special code to help us uniquely identify you.

Security protections are in place to keep your information safe.

Certain data elements are shared with all participating agencies as described on the following page.

Only the agency entering the information and the system administrators can see information identifying what agency you have visited, and what programs and services you have received.

The system administrators will prepare reports to show the number of people in need of services and gaps in available services. Personal information that could be used to tell who you are will never be used for these reports. The system administrator does not provide your personal information to the federal government or to any source not named in this document.

Your information will not be used for any other purposes without your written consent.

Your information will be kept for a minimum of seven (7) years after you stop getting services.

**What are the risks?**

While security protections have been put into place to keep your information safe, it is not possible to guarantee the absolute safety of the data contained in your records.

**What are your rights?**

You have the right to ask about any information requested.

You have the right to ask for information about who has seen your information.

You may change your release authorization at any time.

You have the right to see your information and change it if it isn't correct.

You have the right to file a grievance. If you believe that your privacy has been violated, send your grievance in writing to:

**Institute for Community Alliances**

**{enter address}**

**Attn: HMIS Manager**

There will be no punishment against you if you file a complaint. You can obtain a grievance form from any HMIS agency or from Institute for Community Alliances.

The System Administrator may make changes to this form from time to time. Changes are reviewed and approved by the **HMIS Advisory Committee**. New forms will be available for review upon request at HMIS participating agencies as of the new effective date.

If you have any questions about The Institute for Community Alliances HMIS, or any questions about rights or the information contained in this form, please call the HMIS Manager, Institute for Community Alliances, at {phone number}. Office hours are Monday through Friday, 8 a.m. to 5 p.m. Voicemail may be left after office hours.

#### **Additional Information for Shared Clients**

**The following data elements will be shared for Head of Household (HOH) and all household members:**

SSN	Gender
First Name, Middle Name, Last Name	Date of Birth
Preferred First Name, Preferred Last Name	
Disabling Condition (Yes, No, Don't Know or Refused)	Veteran
Marital Status	Non-Cash Benefit
Education Level	Last Known Permanent Address
1st Language	Street Address(City, County, State, Zip)
2nd Language	Current Contact Information (Street Address, Phone 1 Phone 2, Contact Preference, Alternate Address, Alternate Phone, Current Address, Email)
Housing Status	
Family Type	Central Intake Notes
Race	Address History
Income Source	
Stated Income	Documents, if any (documents can be set to shared or not shared)

**Following are the participating agencies which can see shared information:**

Community Action of Laramie County

Campbell County Yes House

Community Action Partnership Natrona County

Council of Community Services

Comea House

Fremont County Good Samaritan Center

Interfaith Good Samaritan Laramie

Laramie Youth Crisis Center

Recover Wyoming

Self Help Center

Seaton House

Sweetwater Family Resource Center

Teton County Good Samaritan Mission

Volunteers of America Northern Rockies

Wyoming Rescue Mission

Youth Alternative Home Association

**APPENDIX G: SELF DECLARATION OF INCOME**

Applicant Name: \_\_\_\_\_

This is to certify the income status for the above named individual. Income includes but is not limited to:

- The full amount of gross income earned before taxes and deductions.
- The net income earned from the operation of a business, i.e., total revenue minus business operating expenses. This also includes any withdrawals of cash from the business or profession for your personal use.
- Monthly interest and dividend income credited to an applicant’s bank account and available for use.
- The monthly payment amount received from Social Security, annuities, retirement funds, pensions, disability and other similar types of periodic payments.
- Any monthly payments in lieu of earnings, such as unemployment, disability compensation, SSI, SSDI, and worker’s compensation.
- Monthly income from government agencies excluding amounts designated for shelter, and utilities, WIC, food stamps, and childcare.
- Alimony, child support and foster care payments received from organizations or from persons not residing in the dwelling.
- All basic pay, special day and allowances of a member of the Armed Forces excluding special pay for exposure to hostile fire.

**Check only one box and complete only that section**

I certify, under penalty of perjury, that I currently receive the following income:

Source: \_\_\_\_\_ Amount: \_\_\_\_\_ Frequency: \_\_\_\_\_

Source: \_\_\_\_\_ Amount: \_\_\_\_\_ Frequency: \_\_\_\_\_

Source: \_\_\_\_\_ Amount: \_\_\_\_\_ Frequency: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
HPRP Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

I certify, under penalty of perjury, that I do not have any income from any source at this time.

\_\_\_\_\_  
\_\_\_\_\_  
HPRP Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Staff Verification**

I understand that third-party verification is the preferred method of certifying income for HPRP assistance. I understand self-declaration is only permitted when I have attempted to but cannot obtain third party verification.

*Documentation of attempt made for third-party verification:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**APPENDIX H: HOUSING STABILIZATION PLAN**

**EMERGENCY SOLUTIONS GRANTS PROGRAM  
HOUSING STABILIZATION PLAN**

<b>Name:</b>	<b>Date of Plan:</b>
	<b>Review Date:</b>
<b>Address:</b>	<b>Program:</b>
<b>Date of Birth:</b>	<b>Rapid Re-Housing _____</b>
<b>Legal Status:</b>	<b>Homelessness Prevention _____</b>

1. Assistance Received through ESG:

**HOMELESS PREVENTION:**

<b>Rental Arrears- <i>One-time payment for up to (6) months of rental arrears</i></b>	<b>Yes _____</b>	<b>Amount Received:</b>
<b>Utility Deposits</b>	<b>Yes _____</b>	<b>Amount Received:</b>
<b>Utility Payments</b>	<b>Yes _____</b>	
<b>Utility Arrears</b>	<b>Yes _____</b>	

**RAPID RE-HOUSING:**

<p><b>Short Term Rental Assistance</b> (up to 3 months)</p>	<p>Yes ___</p>	<p><b>Amount Received:</b></p>  <p><b>Duration:</b></p>
<p><b>Medium Term Rental Assistance</b> (up to 12 months or exceeding more than 3 months )</p>	<p>Yes ___</p>	<p><b>Amount Received:</b></p>  <p><b>Duration:</b></p>



**Program Participant Strengths and Resources:**

**Objective 1:**

<b>What</b>	<b>Purpose</b>	<b>Person Responsible</b>	<b>Completion/Target Date</b>

**Objective 2:**

What	Purpose	Person Responsible	Completion/Target Date

**Objective 3:**

What	Purpose	Person Responsible	Completion/Target Date

<b>Objective 4:</b>			
<b>What</b>	<b>Purpose</b>	<b>Person Responsible</b>	<b>Completion/Target Date</b>

**Service Needs and Referrals:**

<b>Employment</b>	Yes ___	<b>Referral agency or program:</b>
<b>Education</b>	Yes ___	<b>Referral agency or program:</b>
<b>Substance Abuse (drug or alcohol)</b>	Yes ___	<b>Referral agency or program:</b>

Childcare services	Yes ___	Referral agency or program:
Other type of service (please specify)	Yes ___	Referral agency or program:

\_\_\_\_\_ I agree with this Housing Stabilization Plan

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX I: RENT REASONABLENESS CHECKLIST AND CERTIFICATION**

To verify that the rent for the unit you have selected is reasonable, find the address of another unit in the neighborhood that is similar to the unit you have chosen. It must be the same type of unit and have the same number of bedrooms. The rent must be the same or more than the rent for the unit you have selected. Some ideas for places to look for comparable units include the local paper, the owner, your friends, and local real estate agents, and rental websites.

---

	SELECTED UNIT	UNIT #1	UNIT #2	UNIT #3
ADDRESS OF UNIT:				
TYPE OF UNIT/CONSTRUCTION: (CIRCLE APPLICABLE TYPE)	<b>APT. 1-4 FLOORS</b> <b>APT. 5+FLOORS</b> <b>DUPLEX/TOWNHOUSE</b> <b>MANUFACTURED HOME</b> <b>SINGLE FAMILY</b> <b>OTHER:_____</b>			
NUMBER OF BEDROOMS:				
APPROXIMATE SQUARE FOOTAGE:				
GENERAL HOUSING				

CONDITION:				
LOCATION/ ACCESSIBILITY (I.E., NEAR SCHOOLS, BUS, PARK, ETC.):				
AMENITIES:  CIRCLE <u>ALL</u> THAT APPLY	<b>AIR CONDITIONER</b> <b>GARBAGE DISPOSAL</b> <b>DISHWASHER</b> <b>WASHER/DRYER</b> <b>CARPET</b> <b>RECREATIONAL FACILITIES.</b> <b>STORAGE AREAS</b> <b>PARKING</b> <b>MAINTENANCE SERVICE</b> <b>HOUSING SERVICES</b> <b>OTHER: _____</b>	<b>AIR CONDITIONER</b> <b>GARBAGE DISPOSAL</b> <b>DISHWASHER</b> <b>WASHER/DRYER</b> <b>CARPET</b> <b>RECREATIONAL FACILITIES.</b> <b>STORAGE AREAS</b> <b>PARKING</b> <b>MAINTENANCE SERVICE</b> <b>HOUSING SERVICES</b> <b>OTHER: _____</b>	<b>AIR CONDITIONER</b> <b>GARBAGE DISPOSAL</b> <b>DISHWASHER</b> <b>WASHER/DRYER</b> <b>CARPET</b> <b>RECREATIONAL FACILITIES.</b> <b>STORAGE AREAS</b> <b>PARKING</b> <b>MAINTENANCE SERVICE</b> <b>HOUSING SERVICES</b> <b>OTHER: _____</b>	<b>AIR CONDITIONER</b> <b>GARBAGE DISPOSAL</b> <b>DISHWASHER</b> <b>WASHER/DRYER</b> <b>CARPET</b> <b>RECREATIONAL FACILITIES.</b> <b>STORAGE AREAS</b> <b>PARKING</b> <b>MAINTENANCE SERVICE</b> <b>HOUSING SERVICES</b> <b>OTHER: _____</b>
APPROXIMATE YEAR BUILT:				
UTILITIES(TYPE)	<b>YES</b> <b>NO</b>	<b>YES</b> <b>NO</b>	<b>YES</b> <b>NO</b>	<b>YES</b> <b>NO</b>
UNIT RENT  UTILITY ALLOWANCE				

GROSS RENT				
HANDICAP ACCESSIBLE:	YES NO	YES NO	YES NO	YES NO

**CERTIFICATION:**

**A. Comparison with Fair Market Rent**

PROPOSED CONTRACT RENT (\_\_\_\_) + UTILITY ALLOWANCE (\_\_\_\_) = PROPOSED GROSS RENT (\_\_\_\_)

APPLICABLE FAIR MARKET RENT: \$ \_\_\_\_\_

DOES PROPOSED GROSS RENT EXCEED FAIR MARKET RENT?  Yes  No

**B. Rent Reasonableness**

Based upon a comparison with rents for comparable units, I have determined that the proposed rent for the unit [ ] is [ ] is **not** reasonable.

NAME:	
SIGNATURE:	DATE:

TITLE:
AGENCY:

**APPENDIX J(1): SHELTER STANDARDS**

**Minimum Standards for Emergency Shelters**

**Instructions:** Place a check mark in the correct column to indicate whether the property is approved or deficient with respect to each standard. A copy of this checklist should be placed in the shelter's files.

Approved	Deficient	Standard (24 CFR part 576.403(b))
		1. <i>Structure and materials:</i> a. The shelter building is structurally sound to protect the residents from the elements and not pose any threat to the health and safety of the residents. b. Any renovation (including major rehabilitation and conversion) carried out with ESG assistance uses Energy Star and WaterSense products and appliances.
		2. <i>Access.</i> Where applicable, the shelter is accessible in accordance with: a. Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; b. The Fair Housing Act (42 U.S.C. 3601 et seq.) and implementing regulations at 24 CFR part 100; and c. Title II of the Americans with Disabilities Act (42 U.S.C. 12131 et seq.) and 28 CFR part 35.
		3. <i>Space and security:</i> Except where the shelter is intended for day use only, the shelter provides each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.
		4. <i>Interior air quality:</i> Each room or space within the shelter has a natural or mechanical means of ventilation. The interior air is free of pollutants at a level that might threaten or harm the health of residents.
		5. <i>Water Supply:</i> The shelter's water supply is free of contamination.
		6. <i>Sanitary Facilities:</i> Each program participant in the shelter has access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
		7. <i>Thermal environment:</i> The shelter has any necessary heating/cooling facilities in

		proper operating condition.
		8. <i>Illumination and electricity:</i> a. The shelter has adequate natural or artificial illumination to permit normal indoor activities and support health and safety. b. There are sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
		9. <i>Food preparation:</i> Food preparation areas, if any, contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
		10. <i>Sanitary conditions:</i> The shelter is maintained in a sanitary condition.
		11. <i>Fire safety:</i> a. There is at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors are located near sleeping areas. b. All public areas of the shelter have at least one working smoke detector. c. The fire alarm system is designed for hearing-impaired residents. d. There is a second means of exiting the building in the event of fire or other emergency.
		12. If ESG funds were used for renovation or conversion, the shelter meets state or local government safety and sanitation standards, as applicable.
		13. Meets additional recipient/subrecipient standards (if any).

**CERTIFICATION STATEMENT**

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

Property meets all of the above standards.

<p><b><u>COMMENTS:</u></b></p>
--------------------------------

Property does not meet all of the above standards.

ESG Recipient Name: _____
ESG Subrecipient Name (if applicable): _____
Emergency Shelter Name: _____
Street Address: _____
WY DFS: _____ State: _____ Zip: _____
Evaluator Signature: _____ Date of review: _____
Evaluator Name: _____
Approving Official Signature (if applicable): _____ Date: _____
Approving Official Name (if applicable): _____

9-1-17

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## APPENDIX J(2): HOUSING STANDARDS

**Minimum Standards for Permanent Housing**

**Instructions:** Place a check mark in the correct column to indicate whether the property is approved or deficient with respect to each standard. The property must meet all standards in order to be approved. A copy of this checklist should be placed in the client file.

Approved	Deficient	Standard (24 CFR part 576.403(c))
		1. <i>Structure and materials:</i> The structure is structurally sound to protect the residents from the elements and not pose any threat to the health and safety of the residents.
		2. <i>Space and security:</i> Each resident is provided adequate space and security for themselves and their belongings. Each resident is provided an acceptable place to sleep.
		3. <i>Interior air quality:</i> Each room or space has a natural or mechanical means of ventilation. The interior air is free of pollutants at a level that might threaten or harm the health of residents.
		4. <i>Water Supply:</i> The water supply is free from contamination.
		5. <i>Sanitary Facilities:</i> Residents have access to sufficient sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
		6. <i>Thermal environment:</i> The housing has any necessary heating/cooling facilities in proper operating condition.
		7. <i>Illumination and electricity:</i> The structure has adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There are sufficient electrical sources to permit the safe use of electrical appliances in the structure.
		8. <i>Food preparation:</i> All food preparation areas contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
		9. <i>Sanitary condition:</i> The housing is maintained in sanitary condition.
		10. <i>Fire safety:</i> <ol style="list-style-type: none"> <li>There is a second means of exiting the building in the event of fire or other emergency.</li> <li>The unit includes at least one battery-operated or hard-wired smoke detector, in proper working condition, on each occupied level of the unit. Smoke detectors are located, to the extent</li> </ol>

		<p>practicable, in a hallway adjacent to a bedroom.</p> <ul style="list-style-type: none"> <li>c. If the unit is occupied by hearing-impaired persons, smoke detectors have an alarm system designed for hearing-impaired persons in each bedroom occupied by a hearing-impaired person.</li> <li>d. The public areas are equipped with a sufficient number, but not less than one for each area, of battery-operated or hard-wired smoke detectors. Public areas include, but are not limited to, laundry rooms, day care centers, hallways, stairwells, and other common areas.</li> </ul>
		<p>11. Meets additional recipient/subrecipient standards (if any).</p>

**CERTIFICATION STATEMENT**

I certify that I have evaluated the property located at the address below to the best of my ability and find the following:

Property meets all of the above standards.

<b>COMMENTS:</b>

Property does not meet all of the above standards.

ESG Recipient Name: _____
ESG Subrecipient Name: _____
Program Participant Name: _____
Street Address: _____
Apartment: _____
City: _____ State: _____ Zip: _____
Evaluator Signature: _____ Date of review: _____
Evaluator Name: _____
Approving Official Signature (if applicable): _____ Date: _____

Approving Official Name (if applicable): \_\_\_\_\_

**APPENDIX K: ESG RENTAL ASSISTANCE AGREEMENT**

**Instructions:** This Agreement covers ESG “Tenant-Based” Rental Assistance and must be completed by the ESG subrecipient Agency and Landlord when providing rental assistance under both the homelessness prevention and rapid re-housing components of the ESG Program. When paying rental arrears only a Rental Assistance Agreement is required as arrears are considered rental assistance. The Rental Assistance Agreement does not take the place of the lease between the program participant and landlord.

Agency: \_\_\_\_\_

Program participant: \_\_\_\_\_

Address of unit being rented: \_\_\_\_\_

Name of apartment complex if applicable: \_\_\_\_\_

Landlord name: \_\_\_\_\_

Landlord address: \_\_\_\_\_ Phone: \_\_\_\_\_

When providing tenant-based rental assistance, the Rental Assistance Agreement with the Landlord must terminate and no further rental assistance payments be made if:

- The program participant moves out of the housing unit;
- The lease terminates and is not renewed;
- The program participant becomes ineligible to receive ESG rental assistance.

During the term of the Rental Assistance Agreement, the Landlord must provide the Agency named above a copy of any notice to the program participant to vacate the housing unit, or any complaint used under state or local law to commence an eviction action against the program participant.

**Terms of Agreement:** (term of the rental assistance agreement should be for the length of time the Agency anticipates providing assistance). All payments must be made directly to the Landlord.

- The term of this Rental Assistance Agreement begins on \_\_\_\_\_ and ends on \_\_\_\_\_.

**Security Deposit:**

- Agency will pay a Security Deposit to Landlord in the amount of \$\_\_\_\_\_.

**Rental Arrears:**

- Agency will pay Rental Arrears to Landlord in the amount of \$\_\_\_\_\_.
- Number of months of arrears paid: \_\_\_\_\_

**Monthly Rent:**

- The monthly rent payable to the Landlord is: \$\_\_\_\_\_
- Of the monthly rent amount the ESG portion is: \$\_\_\_\_\_

- **\*\*Of the monthly rent amount the program participant portion is**  
\$ \_\_\_\_\_

**\*\***(If the program participant is required to pay a portion of the monthly rental amount, the Agency must have written policies and procedures for determining the program participant's portion).

**Payment Due Date:** (payment due date, grace period, and late payment penalty requirements must be the same as indicated in program participant's lease).

- The payment due date is: \_\_\_\_\_
- The grace period for payment is: \_\_\_\_\_
- Late penalty requirements are: \_\_\_\_\_  
(ESG Program funds cannot be used to pay late payment penalty costs).

\_\_\_\_\_  
Signature of Landlord

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Agency's Authorized Representative

Date: \_\_\_\_\_

**APPENDIX L: HOMELESS PREVENTION AND RAPID RE-HOUSING REPORTING AND RECORDKEEPING REQUIREMENTS (24 CFR 576.500)**

*To serve any participant with ESG rental assistance the program participant must be determined eligible under either the homeless definition or the at-risk of homelessness definition and must meet the eligibility criteria for ESG rapid re-housing or homelessness prevention assistance (24 CFR 576.103 and 104).*

<p>Eligibility criteria for Homelessness Prevention Assistance</p>	<p>To be eligible for assistance under the Homelessness Prevention component, individuals or families must meet the criteria under the "at risk of homelessness" definition, or the criteria in paragraphs 2, 3, or 4 of the "homeless" definition, AND have an annual income below 30 percent of the median family income for the area, as determined by HUD, AND have no other support networks and resources to prevent them from going to the street or a shelter. Finally, the assistance must be necessary to help the program participant regain stability in his/her current permanent housing or move into other permanent housing and achieve stability in that housing (24 CFR § 576.103).          ___ ESG Application Form</p>
<p>Eligibility Criteria for Rapid Re-Housing Assistance</p>	<p>Rapid Re-Housing assistance may only be provided to "program participants who meet the criteria under paragraph (1) of the 'homeless' definition in §576.2 or who meet the criteria under paragraph (4) of the 'homeless' definition AND live in an emergency shelter or other place described in paragraph (1) of the 'homeless' definition." (24 CFR § 576.104).          ___ ESG Application Form          ___ Client referral from Coordinated Entry</p>
<p>Documentation of Homeless Status  Order of Priority</p>	<p>Recipients must maintain and follow written intake procedures to determine whether potential program participants meet the homeless definition found in §576.2. These procedures must require documentation at intake of the evidence relied upon to establish and verify homeless status.  Therefore, recipients and subrecipients are required to document eligibility at program entry. For ESG homelessness prevention and rapid re-housing assistance, the interim rule establishes the following order of priority for obtaining evidence:</p> <ol style="list-style-type: none"> <li>1. Third-party documentation, including written and source documentation, and HMIS records;</li> <li>2. Intake worker observations;</li> <li>3. Certification from persons seeking assistance.</li> </ol> <p>___ Client HMIS ID#: _____</p>

	_____ HMIS Client Consent and Release Authorization Form
Documentation of Homeless Status Under paragraph (1)(i) or (ii) of the homeless definition Street or Shelter	<p>_____ Written observation by an outreach worker of conditions where client was living;</p> <p>_____ Written referral by another housing or service provider; or</p> <p>_____ Self-certification</p>
Documentation of Homeless Status Under paragraph (1)(iii) of the homeless definition Exiting an institution	<p>_____ Written observation by an outreach worker of conditions where client was living;</p> <p>_____ Written referral by another housing or service provider; or</p> <p>_____ Self-certification; AND one of the following:</p> <p>_____ Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, that states the beginning and end dates of the time residing in the institution. All oral statements must be recorded by the intake worker; or</p> <p>_____ if the evidence above is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence above and a certification by the individual seeking assistance that states that he or she is exiting or has just exited an institution where he or she resided for 90 days or less. ( ESG Options and Resource Eligibility Form)</p>
Documentation of Homeless Status Under paragraph 2 of the homeless definition	<p>_____ A court order resulting from an eviction action that requires the individual or family to leave their residence within 14 days [21 days for risk factor 3] after the date of their application for homeless assistance; or the equivalent notice under applicable state law, a Notice to Quit, or a Notice to Terminate issued under state law.<sup>2</sup></p> <p>_____ As a last resort, an oral statement by the individual or head of household</p>

<sup>2</sup> Please note that in many circumstances, a 5-day "notice to pay or quit" (or similar notice) from the landlord, is \*not\* equivalent to a court-ordered eviction notice. The intent of the law and regulation is that the notice provided by the landlord must actually require the tenant to leave the unit, usually enforced by the use of law enforcement (such as a sheriff). The above language from the final rule of the homeless definition is designed to encompass state laws that may use slightly different language; however, the language in any state law must truly be the equivalent of a court-ordered eviction action.

<p>Documentation of At Risk of Homelessness Status Under Category 1, Risk Factor 3 of the at risk of homelessness definition</p>	<p>may be used to document that an individual or family must leave the housing unit that they own or rent within 14/21 days after the date of their application for homeless assistance. <b>Warning: If in HUD-monitoring it is identified that an oral statement is used to document homeless status for the majority of program participants in the project, then that would be raised as a concern and might result in corrective actions.</b></p> <p>The oral statement must be recorded and found credible by the intake worker. To be found credible, the oral statement must either be</p> <p>_____ (1) verified by the landlord (or lender, in the case of foreclosure) and documented by a written certification by the landlord/bank or by the intake worker's recording of the oral statement or</p> <p>_____ (2) where the intake worker is unable to contact the landlord/bank, a written certification by the intake worker of his or her due diligence in attempting to obtain the landlord/bank's verification.</p> <p>_____ Certification by the individual or head of household that no subsequent residence has been identified; and</p> <p>_____ Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.</p>
<p>Documentation of Homeless Status Under paragraph 3 of the homeless definition</p> <p>Unaccompanied Youth or homeless family with one or children or youth</p>	<p>_____ <b>For paragraph 3(i):</b> Certification of homeless status by local private nonprofit organization or state or local governmental entity responsible for administering assistance under the applicable Act (for paragraph 3(i)).</p> <p>_____ <b>For paragraph 3(ii):</b></p> <p>_____ referral by another housing or service provider;</p> <p>_____ Written observation by an outreach worker; or</p> <p>_____ Self-certification</p> <p>_____ <b>For paragraph 3(iii):</b> Certification by the individual or head of household and any available supporting documentation that the individual or family moved two or more times during the 60-day period immediately preceding the date of application for homeless assistance including:</p> <p>_____ recorded statements or records obtained from each owner or renter of housing, provider of shelter or housing, or social worker, case worker, or other appropriate official of a hospital or institution in which the individual or family resided; or</p> <p>_____ if the above statements or records are unobtainable, a written record of the intake worker's due diligence in attempting to obtain these statements or records.</p> <p>_____ <b>individual or family fleeing domestic violence:</b> intake worker may obtain a written certification from the individual or head of household seeking assistance that they were fleeing that situation and that they resided at that address.</p> <p>_____ <b>for paragraph 3(iv):</b> written diagnosis from a professional who is licensed by the state to diagnose and treat that condition; or</p>

	<p>_____ intake staff recorded observation of disability that within 45 days of date of the application for assistance is confirmed by a professional who is licensed by the state to diagnose and treat that condition.</p> <p>_____ employment records, department of correction records, literacy, English proficiency tests, or other reasonable documentation of the conditions required under paragraph 3(iv) of the homeless definition.</p>
<p>Documentation of Homeless Status Under paragraph 4 of the homeless definition</p> <p>Fleeing domestic violence</p>	<p>_____ <b>when receiving shelter or services provided by a victim service provider:</b> then a self-certification is sufficient so long as the individual or household is certifying they are fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking, lacks resources and support networks, and subsequent residence.</p> <p>_____ <b>If the organization is not a victim service provider,</b> the individual may self-certify lack of resources, support network, and subsequent residence, but the intake worker should attempt to verify those conditions as long as doing so does not jeopardize the safety of the individual/family.</p>
<p>Documentation of at risk of homelessness status</p>	<p>_____ Intake certification form</p> <p>_____ Annual income documentation</p> <p>_____ Certification that the program participant has insufficient financial resources and support networks immediately available to attain housing stability and one or more of the at risk conditions.</p> <p>_____ the most reliable evidence available to show that the program participant has insufficient financial resources and support networks immediately available to prevent them from moving to an emergency shelter or a place not meant for human habitation. Acceptable evidence includes the following:</p> <p>_____ source documents (e.g. notice of termination from employment);</p> <p>_____ if source documents are unobtainable, a written statement by the relevant third party (e.g. former employer) or a written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria under paragraph (1)(ii);</p> <p>_____ if source documents and third party verification are unobtainable, a written statement by the recipient's or subrecipient's intake staff describing the efforts taken to obtain the required evidence; and</p> <p>_____ the most reliable evidence available to show that the program participant meets one or more of the at risk conditions. Acceptable evidence includes;</p> <p>_____ source documents that evidence one or more of the conditions (e.g. eviction notice, notice of termination from employment, bank statement);</p> <p>_____ if source documents are unobtainable, a written statement by the relevant third party (e.g. former employer, owner) or written certification by the recipient's or subrecipient's intake staff of the oral verification by the relevant third party that the applicant meets one or more of the criteria under paragraph (1)(iii);</p> <p>_____ if source documents and third party verification are unobtainable, a written statement by the recipient's or subrecipient's intake staff that the staff person has visited the applicant's residence and determined that the applicant meets one or</p>

	<p>more of the at risk conditions or, if a visit is not practicable or relevant to the determination, a written statement by the recipient's or subrecipient's intake staff describing the efforts taken to obtain the required evidence; or</p> <p>_____ if the program participant meets the criteria under paragraph (2) or (3) of the "at risk of homelessness" definition, certification of the child or youth's homeless status by the agency or organization responsible for administering assistance under the applicable Act.</p>
Determination of ineligibility	<p>_____ documentation of the reason for the determination of ineligibility</p>
Annual Income	<p>_____ income evaluation form</p> <p>_____ Income eligibility &amp; Rent Calculation Worksheet</p> <p>_____ source documents for the assets held by the program participant and the income received over the most recent period for which representative data is available before the date of evaluation</p> <p>_____ wage statement</p> <p>_____ unemployment compensation statement</p> <p>_____ public benefits statement</p> <p>_____ bank statement</p> <p>To the extent that source documents are unobtainable:</p> <p>_____ a written statement by the relevant third party or the written certification by the recipient's or</p> <p>_____ subrecipient's intake staff of the oral verification by the relevant third party of the income that the program participant received over the most recent period for which representative data is available; or</p> <p>To the extent that source documents and third party verification are unobtainable:</p> <p>_____ Written certification by the program participant of the amount of income the program participant received for the most recent period representative of the income that the program participant is reasonably expected to receive over the 3-month period following the evaluation.</p> <p>It is always the judgment of the case worker doing the required intake assessment to evaluate a program participant's specific situation and document that they meet any applicable eligibility criteria, such as lacking other resources or support networks</p>
Program Participant Records	<p>_____ ESG Housing Stabilization Plan</p> <p>_____ evidence of homeless status or at risk of homelessness status, as applicable</p> <p>_____ records of services and assistance provided to the program participant</p> <p>_____ records of compliance with applicable requirements for providing services and assistance to that program participant under the program components and eligible activities provisions at section 576.101 through 576.106,</p> <p>_____ records of compliance with the provision on determining eligibility and the amount and type of assistance at 576.401(a) and (b), and</p> <p>_____ records of compliance with the provision on using appropriate assistance</p>

	and services at 576.401(d) and (e) _____ where applicable, compliance with the termination of assistance requirement in 576.402
Rental assistance agreements and payments	_____ copies of all leases and rental assistance agreements _____ documentation of payments made to owners for the provision of rental assistance _____ supporting documents for these payment, including dates of occupancy by program participants
Utility allowance	_____ records of monthly allowance for utilities (excluding telephones) used to determine compliance with the rent restriction
Shelter and housing standards	Records of compliance with shelter and housing standards in 576.403. ___ Lead Based Paint ___ ESG Inspection Checklist ___ Rent Reasonableness
Services and assistance provided	_____ types of essential services, rental assistance, and housing stabilization and relocation services provided _____ amounts spent on these services _____ records to demonstrate compliance with the maintenance of effort requirement including the following: ___ WY DFS budget ___ sources of funding for street outreach and emergency shelter

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ FOR \_\_\_\_\_ ESG PROGRAM

REASON: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**APPENDIX M: COORDINATED ENTRY SHARED RELEASE OF INFORMATION**

**WY HMIS Informed Consent & Release of Information for Shared Data (ROI)**

This agency participates in Wyoming Homeless Management Information System (WYHMIS) network also called ServicePoint™. By participating in this access system and agree to sharing your information should result in more needs being met, reduce the amount of time and number of times you will be required to provide the same information to different providers. You have the choice to share part or all of your information with other agencies where you might be seeking help. Below is a list of information shared.

Date of Intake	Ethnicity	Entry/Exit History
First Name, Last Name	Household Relationships	
Gender	Cash/Non Cash Benefits	
Social Security Number	U.S. Veteran Status	
Date of Birth/Birthday	Disability	
Permanent Residence	Eligibility Determination Information	
Zip Code of last Permanent Residence	Service Transaction Module Information	
Permission to Release Information	Measurement Score	
Homeless Status	Incidents	
Primary Race	Insurance	

1. Client name: \_\_\_\_\_ Client name:  
\_\_\_\_\_

2. Do you want to include all household members?  Yes  No

If no: Exclude these household members from this ROI: \_\_\_\_\_

**3. Release of Information - Please check your choices below:**

I give my permission (with a check mark) for this agency to share my approved information *with all agencies* listed

- Central Wyoming Rescue Mission       Community Action Partnership of Natrona County
- COMEA House
- Eton House

I do not give my permission (with a check mark) for this agency to share my approved information the service agencies listed above

I understand that all information gathered about me is personal and private and that I do not have to participate in WYHMIS in order to receive services. I also understand that in the future I may tell this WYHMIS user agency that I no longer want to participate in the WYHMIS network, and information entered under my name from that date forward will no longer be shared. This release will remain in force for 1 year from today and will expire on

**End Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

**4. Signature:** \_\_\_\_\_

**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

**5. Agency Name:** \_\_\_\_\_

**Witness:** \_\_\_\_\_

**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

## APPENDIX N: ADDITIONAL INFORMATION

HUD ESG Resources: <https://www.hudexchange.info/esg/>

### Other Relevant Federal Regulations

24 CFR Part 5 Subpart F: Section 8 and Public Housing: Occupancy Requirements for Section 8-Based Assistance

24 CFR 91: Consolidated Submissions for Community Planning and Development Programs

24 CFR 121: Homeless Management Information System (HMIS)

24 CFR 576: Emergency Solutions Grant Program

24 CFR 5.609: Annual Income

24 CFR 982: Fair Market Rent and Rent Reasonableness

24 CFR Part 35: Lead-Based Paint

EPA resources: <http://www2.epa.gov/lead>

HUD resources:

[http://portal.hud.gov/hudportal/documents/huddoc?id=DOC\\_11875.pdf](http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_11875.pdf)

CFRs cited are amended from time to time and can be found at:

<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&tpl=%2findex.tpl>

### Annual Median Income

<https://www.huduser.gov/portal/datasets/il/il16/>

### HMIS Manual

<https://www.hudexchange.info/resources/documents/HMIS-Data-Standards-Manual.pdf>

**Personal Responsibility and Work Opportunity Reconciliation Act of 1996**

<http://www.gpo.gov/fdsys/pkg/PLAW-104publ193/content-detail.html>

**Housing Choice Voucher Guidebook**

[www.hud.gov/offices/adm/hudclips/guidebooks/7420.10G/7420g09GUID.pdf](http://www.hud.gov/offices/adm/hudclips/guidebooks/7420.10G/7420g09GUID.pdf)

## APPENDIX O: WYOMING AT RISK OF HOMELESSNESS STATUS

### At Risk of Homelessness

At project entry, this category is only a valid response for clients being served by Homelessness Prevention or Coordinated Assessment projects. This category includes:

An individual or family who:

Has an annual income below 30 percent of median family income of the area, as determined by HUD; AND

Does not have sufficient resources or support networks, i.e., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another described in Homeless Category 1 above; AND

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 homelessness prevention assistance.

Is living in the home of another because of economic hardship.

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

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

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

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

Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as indented in the recipient's approved consolidated plan (or ESG projects) or the jurisdiction's approved consolidation plan (for non-ESG projects); OR

A child or youth who does not qualify as "homeless" under the categories described above, but qualifies as "homeless" under the Runaway and Homeless Youth Act, Head Start Act, Violence Against Women Act, Public Health Service Act, food and Nutrition Act, Child Nutrition Act; OR

A child or youth who does not qualify as "homeless" under the categories described above, but qualifies as "homeless" under the McKinney-Vento Homeless Assistance Act and the parent(s) or guardian(s) of that child or youth if living them.