

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The Community Development Block Grant, HOME Investment Partnership, Planning COC grant, Continuum of Care and Emergency Solutions Grant funds are the only federal funding sources the City receives to accomplish the goals and objectives outlined in the Consolidated Action Plan. CDBG funding is tailored to meet the highest need priorities through the following programs: Exterior Rehab, Major Rehab, Accessibility, Emergency Rehab, Weatherization and Voluntary Demolitions. CDBG is also used for supporting activities for 21 Neighborhood Improvement Associations (NIA's), Blight activities picking up trash in LMI areas, Housing Credit Counseling and Education and small Social Service Subrecipient grants. The HOME funding is used for Infill, Major Rehab, Topeka Opportunity to Own program, CHDO and Deposit Assistance. HESG funding is used for Rapid Rehousing, Shelter and Homelessness Prevention. The Coc Grant is used for Rental Assistance for the Shelter Plus Care program. General funds are leveraged for match and to fill the gaps with \$1.7 million going to the DREAMS program annually and \$563,288 going to Social Service Subrecipients and \$100,000 going to Match for the HOME grant. General funds from the City were increased in 2023 to fund 1.5 FTE's for Impact Avenues, and 4 FTE's for the E.A.S. program to further leverage ESG federal funds to help the homeless through coordinated entry into the City's HMIS system. The E.A.S. program provides a single point of access for the homeless, assists agencies with assessment, uses coordinated entry for prioritization, helps to coordinate more effectively with outreach teams, provides follow-up for those receiving assistance and has reporting of outcomes. The City is looking to expand this new program even more in 2024. City Council approved hiring a consulting firm in 2023 to evaluate all services for the homeless and to advise on more solutions to fill the housing needs for the City's homeless population. This work is expected to be initiated and concluded in 2024 and will be funded through the City's general fund. In addition, the Kansas Department for Aging and Disability Services KDADS program began in 2022 with a grant for \$222,765 to fund 1 FTE to fund the Boundary Spanner program and was expanded to 2 FTE's that are grant funded in 2024. Topeka Housing Authority has provided funds for Emergency Housing Voucher Program to help assist with getting LMI households rental units. The City also implemented the Impact Avenues program from a local grant to help get housing for homeless students. The KDADS, Impact Avenues and E.A.S. programs all began in 2022 and will continue to leverage the HESG grant and utilize the HMIS system through coordinated entry to help get a better picture of homelessness and better reporting capabilities of the homeless.

Overall the City remains on target for meeting the goals and objectives of the Consolidated Action Plan. The City also utilizes its program income to further enhance us reaching our goals.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee’s program year goals.

| Goal | Category | Source / Amount | Indicator | Unit of Measure | Expected – Strategic Plan | Actual – Strategic Plan | Percent Complete | Expected – Program Year | Actual – Program Year | Percent Complete |
|--------------------------------------|-----------------------------------|--|---|------------------------|---------------------------|-------------------------|------------------|-------------------------|-----------------------|------------------|
| Accessibility Modifications | Affordable Housing Homeless | CDBG: \$ | Rental units rehabilitated | Household Housing Unit | 5 | 6 | 120.00% | 0 | 0 | |
| Accessibility Modifications | Affordable Housing Homeless | CDBG: \$ | Homeowner Housing Rehabilitated | Household Housing Unit | 125 | 76 | 60.80% | 25 | 26 | 104.00% |
| Administration for CDBG | Affordable Housing | CDBG: \$ | Other | Other | 5 | 3 | 60.00% | 1 | 1 | 100.00% |
| Administration for Shelter Plus Care | Homeless | Competitive McKinney-Vento Homeless Assistance Act: \$ | Other | Other | 5 | 3 | 60.00% | 1 | 1 | 100.00% |
| Anti-Blight Activities | Non-Housing Community Development | CDBG: \$ | Public service activities for Low/Moderate Income Housing Benefit | Households Assisted | 53304 | 31980 | 60.00% | 10660 | 10660 | 100.00% |

| | | | | | | | | | | |
|---------------------------|-----------------------------------|----------------------------------|--|------------------------|-------|------|---------|------|------|---------|
| CHDO Housing Development | Affordable Housing | CDBG: \$ / HOME: \$ | Rental units constructed | Household Housing Unit | 5 | 7 | 140.00% | 1 | 1 | 100.00% |
| CHDO Housing Development | Affordable Housing | CDBG: \$ / HOME: \$ | Homeowner Housing Added | Household Housing Unit | 5 | 2 | 40.00% | 1 | 2 | 200.00% |
| CHDO Operating Subsidy | Affordable Housing | HOME: \$ | Other | Other | 5 | 3 | 60.00% | 1 | 1 | 100.00% |
| Emergency Rehabilitation | Affordable Housing Homeless | CDBG: \$ | Homeowner Housing Rehabilitated | Household Housing Unit | 360 | 124 | 34.44% | 72 | 50 | 69.44% |
| Emergency Solutions Grant | Homeless | ESG: \$ / General Fund: \$150000 | Tenant-based rental assistance / Rapid Rehousing | Households Assisted | 150 | 275 | 183.33% | 30 | 36 | 120.00% |
| Emergency Solutions Grant | Homeless | ESG: \$ / General Fund: \$150000 | Homelessness Prevention | Persons Assisted | 500 | 416 | 83.20% | 100 | 65 | 65.00% |
| Empowerment | Non-Housing Community Development | CDBG: \$ | Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit | Households Assisted | 12235 | 7341 | 60.00% | 2447 | 2447 | 100.00% |
| Exterior Rehabilitation | Affordable Housing | CDBG: \$ / General Fund: \$ | Rental units rehabilitated | Household Housing Unit | 25 | 3 | 12.00% | 5 | 1 | 20.00% |

| | | | | | | | | | | |
|--------------------------|--------------------|-----------------------------|--|------------------------|------|-----|---------|-----|-----|---------|
| HOME Administration | Affordable Housing | HOME: \$ | Other | Other | 5 | 3 | 60.00% | 1 | 1 | 100.00% |
| HOME-ARP | Homeless | HOME: \$ | Homeless Person Overnight Shelter | Persons Assisted | 200 | 200 | 100.00% | | | |
| HOME-ARP | Homeless | HOME: \$ | Overnight/Emergency Shelter/Transitional Housing Beds added | Beds | 200 | 200 | 100.00% | | | |
| Homeownership | Affordable Housing | CDBG: \$ / HOME: \$ | Homeowner Housing Rehabilitated | Household Housing Unit | 50 | 20 | 40.00% | 10 | 6 | 60.00% |
| Homeownership Counseling | Affordable Housing | CDBG: \$ / General Fund: \$ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 0 | 0 | | | | |
| Homeownership Counseling | Affordable Housing | CDBG: \$ / General Fund: \$ | Other | Other | 1100 | 457 | 41.55% | 220 | 156 | 70.91% |
| Infill Housing | Affordable Housing | CDBG: \$ / HOME: \$ | Rental units constructed | Household Housing Unit | 5 | 1 | 20.00% | | | |
| Infill Housing | Affordable Housing | CDBG: \$ / HOME: \$ | Homeowner Housing Added | Household Housing Unit | 5 | 2 | 40.00% | 1 | 1 | 100.00% |

| | | | | | | | | | | |
|-----------------------|-----------------------------------|--|--|------------------------|-------|-------|---------|------|------|---------|
| Inmate Program | Affordable Housing | CDBG: \$ / General Fund: \$0 | Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit | Households Assisted | 2000 | 800 | 40.00% | | | |
| Major Rehabilitation | Affordable Housing | CDBG: \$ / HOME: \$ / General Fund: \$ | Homeowner Housing Rehabilitated | Household Housing Unit | 25 | 11 | 44.00% | 5 | 3 | 60.00% |
| NIA Support | Non-Housing Community Development | CDBG: \$ | Public service activities for Low/Moderate Income Housing Benefit | Households Assisted | 44363 | 44363 | 100.00% | 8872 | 8872 | 100.00% |
| Program Delivery | Affordable Housing | CDBG: \$ | Other | Other | 5 | 3 | 60.00% | 1 | 1 | 100.00% |
| Shelter Plus Care | Homeless | Competitive McKinney-Vento Homeless Assistance Act: \$ | Housing for Homeless added | Household Housing Unit | 1650 | 1290 | 78.18% | 330 | 430 | 130.30% |
| Social Service Grants | Affordable Housing | CDBG: \$ / General Fund: \$ | Public service activities for Low/Moderate Income Housing Benefit | Households Assisted | 43495 | 26097 | 60.00% | 8699 | 8699 | 100.00% |

| | | | | | | | | | | |
|--------------------------------|-----------------------------------|-----------------------------|--|------------------------|-------|------|--------|------|------|---------|
| Social Service Grants | Affordable Housing | CDBG: \$ / General Fund: \$ | Homelessness Prevention | Persons Assisted | 300 | 155 | 51.67% | | | |
| SORT Infrastructure | Infrastructure Activities | General Fund: \$ | Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit | Households Assisted | 10000 | 6000 | 60.00% | 2000 | 2000 | 100.00% |
| Tenant Based Rental Assistance | Homeless | HOME: \$ | Tenant-based rental assistance / Rapid Rehousing | Households Assisted | 250 | 163 | 65.20% | 50 | 53 | 106.00% |
| Voluntary Demolition | Non-Housing Community Development | CDBG: \$ | Buildings Demolished | Buildings | 25 | 7 | 28.00% | 5 | 1 | 20.00% |
| Weatherization | Affordable Housing | CDBG: \$ | Homeowner Housing Rehabilitated | Household Housing Unit | 140 | 57 | 40.71% | 28 | 28 | 100.00% |

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

During the 2023 program year, the City addressed the high priority needs identified in the Consolidated Action Plan. Programs that assisted low income households include; major rehabilitation, exterior rehabilitation, emergency program, accessibility and weatherization programs. The weatherization program was implemented based on the City's Housing Study showing a need for such a program. The new Weatherization program began in 2021 and served 9 households with weatherization. In 2022, this number was increased from 9 to 20 households, and was

increased again in 2023 where we served 28 households showing the continued need for this new Weatherization program.

In addition, some resources were spent on homeless housing and support services for low/moderate income households. These services included assisting people with special needs. These resources were distributed in areas where the percentage of low/moderate income persons is above 51% and there is no evidence of ethnic or minority concentrations base of Census data.

Recognizing that there are limited resources available to the City, the City actively supported efforts by community partners such as our Community Housing Development Organizations, Topeka Habitat for Humanity, Cornerstone of Topeka and SENT. These three organizations have made considerable progress in developing or rehabilitating properties for low/moderate income households.

The City has provided Certification of Consistency with the Consolidated Action Plan to many other HUD funded programs to assist the community in reaching the goals in the plan.

All unmet goals were due to the lack of applications in those project areas. The City sets goals based on how many applications they typically get in a year for each project. However, this is an estimate and does not always agree with actuals received for the year. Therefore, some projects are over 100% and some projects are under 100% of the goals set based on actual numbers of applications received and processed through each project. Actuals for 2023 showed the majority of projects to be over 100%. However, those projects that were less than 100% were evaluated to determine if goals needed to be lowered and the City has determined that goals for all projects are still valid and obtainable.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

| | CDBG | HOME |
|---|------------|------------|
| White | 76 | 101 |
| Black or African American | 24 | 43 |
| Asian | 0 | 0 |
| American Indian or American Native | 3 | 8 |
| Native Hawaiian or Other Pacific Islander | 3 | 0 |
| Total | 106 | 152 |
| Hispanic | 14 | 17 |
| Not Hispanic | 92 | 135 |

Describe the clients assisted (including the racial and/or ethnicity of clients assisted with ESG)

| | HESG |
|---|--------------|
| American Indian, Alaska Native, or Indigenous | 72 |
| Asian or Asian American | 8 |
| Black, African American, or African | 510 |
| Hispanic/Latina/e/o | 20 |
| Middle Eastern or North African | 0 |
| Native Hawaiian or Pacific Islander | 14 |
| White | 1,006 |
| Multiracial | 330 |
| Client doesn't know | 5 |
| Client prefers not to answer | 354 |
| Data not collected | 30 |
| Total | 2,349 |

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

Services provided for CDBG included:

Accessibility Modifications: Funds modifications, like installing ramps and widening doors, to homes and rental units occupied by low-income individuals. Limited to one “visitable” access into a home, into the

bathroom and to one bedroom and fixtures, grab bars, high rise toilet, etc. There were 26 households helped through the Accessibility project.

Emergency Repair: Provides repair for major life-safety concerns, like repairs and replacements for the roof, furnace and sewer and water lines, in low-income, owner-occupied housing. Repairs of sewer lines, water heater, furnace, electrical, roof, air condition, etc. There were 50 households helped through the Emergency Repair project.

Exterior Rehabilitation: Funding to rehabilitate rental units occupied by Low-income individuals and families. There was 1 household helped through the Exterior Rehabilitation project.

Voluntary Demolition: Demolition of substandard, vacant residential or commercial structures in need of removal. Because these structures often house illegal activities and harbor the criminal element, removing these structures is necessary to restore safety and security in the neighborhoods. Additionally, these structures generally lower the overall property value and appeal of the neighborhood. There was 1 household helped through the Voluntary Demolition project.

Weatherization: Provides insulation in attic, insulation in walls, furnace, air conditioner, siding and windows for low-income individuals and families. This project was created in 2021 after the need was identified through the Housing Study. The project helped 9 households in 2021 and this number increased to 28 households in 2023 showing the project was needed.

Services provided for HOME included:

Major Rehabilitation: Home rehabilitation up to \$30,000 for owner occupied housing for low-income homeowners. There was 3 household helped through the Major Rehabilitation project.

Topeka Opportunity to Own (TOTO): Home ownership program providing up to \$30,000 for low-income home buyers for rehabilitation of their newly acquired property. There were 6 households helped through the TOTO project.

CHDO Housing Development: Partnerships between the City of Topeka and Topeka Habitat for Humanity, Cornerstone of Topeka and SENT to purchase and rehabilitate housing to make it more affordable. There were 3 Households that were helped through the CHDO project.

Infill: There was 1 Household helped through the Infill project.

HESG: There were 36 people served through Rapid Rehousing, 65 people served through Homelessness Prevention and 2,248 people served through Shelter projects. Rapid Rehousing and Homelessness Prevention projects were done through subawards to Community Action, Catholic Charities, Doorstep, and Let's Help. Shelter projects were done through YWCA and Topeka Rescue Mission. YWCA received an HESG subaward and The Topeka Rescue Mission received a HESG-CV Subaward for Shelter. All data for Rapid Rehousing, Homelessness Prevention and Shelter are kept in the HMIS system through

coordinated entry.

Shelter Plus Care Program: The McKinney-Vento Shelter Plus Care Competitive grant received from HUD helped an additional 430 clients in 2023 listed in the Goals and Outcomes section in addition to the numbers reported on the other programs in this section. The Shelter Plus Care program is for rental assistance and utility assistance only with case management being performed by partner organizations.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

| Source of Funds | Source | Resources Made Available | Amount Expended During Program Year |
|--|------------------|--------------------------|-------------------------------------|
| CDBG | public - federal | 1,845,759 | 2,988,268 |
| HOME | public - federal | 559,300 | 713,195 |
| ESG | public - federal | 160,957 | 449,703 |
| Competitive McKinney-Vento Homeless Assistance Act | public - federal | 1,725,339 | 1,647,004 |
| General Fund | public - local | 2,513,288 | 2,513,288 |

Table 3 - Resources Made Available

Narrative

The City spent funds from previous years first and finished spending CDBG-CV and HESG-CV funds so totals expended reflect what was spent for the program year from multiple year grants including the CV grants. The Shelter Plus Care grant runs 7/1/23 through 6/30/24 so was not fully spent at the time of this report.

Identify the geographic distribution and location of investments

| Target Area | Planned Percentage of Allocation | Actual Percentage of Allocation | Narrative Description |
|----------------------|----------------------------------|---------------------------------|---|
| At-Risk Areas | 30 | 30 | Areas identified in the Health map for the City of Topeka, distressed areas |
| Intensive Care Areas | 30 | 30 | Areas identified in the Health map for the City of Topeka, distressed areas |

Table 4 – Identify the geographic distribution and location of investments

Narrative

The City utilizes the Neighborhood Health Map to identify the target areas. The health of the City is determined by assessing poverty, public safety, residential property values, homeownership and boarded up properties in the neighborhoods. The low/moderate income households live mostly in the intensive care and at-risk areas on the map. Additionally, the City has thorough requirements in the application process to ensure the allocation is benefiting specific low/moderate income households.

The maps are compared from year to year to look at both long- and short-term trends. Target areas for our Major and Exterior Rehabilitation programs tend to see a strong increase in property values shortly after the implementation of the Stages of Resource Targeting efforts.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City of Topeka has two significant sources of revenue from general fund \$1.7 million for the DREAMS program and private loans obtained by the Community Housing Development Organization. In addition, the city invests \$100,000 annually as a match for the HOME program in General Funds. The City also funded Social Service Grants in the amount of \$423,340 in 2023 to the following organizations: Big Brothers Big Sisters, Boys and Girls Club, Breakthrough House, Catholic Charities, Community Action, Communities in Schools of Mid America, Doorstep, East Topeka Council on Aging, El Centro, Jayhawk Area Agency on Aging, Kansas Children's Service League, Let's Help, LULAC, Meals on Wheels, Midland Care, NAMI, Papan's Landing, Positive Connections, Shawnee Medical Society, YWCA, Jobs for America's Graduates, Florence Crittenton Services of Topeka and Mirror. These Grants are done through a competitive process by the City using United Way to administer the grant applications and process them for funding by the City.

The City is also leveraging additional local and State grants received for the Impact Avenues program that helps homeless students obtain housing and the KDADS program that funds 1 FTE to assist with the HMIS system and coordinated entry and the Topeka Housing Authority Emergency Housing Voucher program to give out Rapid Rehousing assistance. The City also began a new program called E.A.S. (Emergency Access Shelter) with 4 FTE's in 2023 to provide a single point of access to assist agencies with assessment, use coordinated entry for prioritization, coordinate more effectively with outreach teams and provide follow-up for those receiving assistance and reporting outcomes. In addition, the Impact Avenues program was expanded from 1 FTE to 2.5 FTE's in 2023. All of the additional sources of funding are used to leverage the HESG grant to help with Shelter, Rapid Rehousing and Homelessness Prevention and the Shelter Plus Care Grant that provides Rental Assistance and Utility Assistance and the HOME grant that provides a one-time Security Deposit assistance.

Additionally, the City works closely with our CHDO to assist efforts in developing and rehabilitating affordable housing. The CHDO will obtain private loans to help increase the potential of assisting more households. The City currently has 3 CHDO's, Cornerstone, Topeka Habitat for Humanity and SENT.

City owned property could not be used to convert a vacant to affordable housing or convert to a park. HUD funds were not used for City owned properties. Property may be donated to a

CHDO to then build affordable housing and the Topeka City Council has approved the organization of a Land Bank and is in the process of setting up a Board of Directors to run it. The City may donate City owned property to the Land Bank in the future to convert to affordable housing once the Land Bank is up and running.

| Fiscal Year Summary – HOME Match | |
|--|-----------|
| 1. Excess match from prior Federal fiscal year | 1,286,318 |
| 2. Match contributed during current Federal fiscal year | 204,327 |
| 3. Total match available for current Federal fiscal year (Line 1 plus Line 2) | 1,490,645 |
| 4. Match liability for current Federal fiscal year | 106,204 |
| 5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4) | 1,384,441 |

Table 5 – Fiscal Year Summary - HOME Match Report

| Match Contribution for the Federal Fiscal Year | | | | | | | | |
|--|----------------------|----------------------------|-------------------------------|------------------------------|-------------------------|---|----------------|-------------|
| Project No. or Other ID | Date of Contribution | Cash (non-Federal sources) | Foregone Taxes, Fees, Charges | Appraised Land/Real Property | Required Infrastructure | Site Preparation, Construction Materials, Donated labor | Bond Financing | Total Match |
| 1135 SW Jewell Ave. | 02/14/2023 | 0 | 0 | 0 | 0 | 10,695 | 0 | 10,695 |
| 1355 SW Fillmore St. | 03/20/2023 | 0 | 0 | 0 | 0 | 49,300 | 0 | 59,995 |
| 1361 SW Wayne Ave. | 02/13/2023 | 0 | 0 | 0 | 0 | 3,550 | 0 | 63,545 |
| 1534 SW Tyler St. | 04/06/2023 | 0 | 0 | 0 | 0 | 22,865 | 0 | 86,410 |
| 2032 SE Iowa Ave. | 05/22/2023 | 0 | 0 | 0 | 0 | 7,460 | 0 | 93,870 |
| 206 SW Harrison St. | 12/31/2022 | 0 | 0 | 0 | 0 | 695 | 0 | 94,565 |
| 2107 SE Gabler St. | 11/15/2022 | 0 | 0 | 0 | 0 | 5,900 | 0 | 100,465 |
| 2117 SW 21st St. | 11/30/2022 | 0 | 0 | 0 | 0 | 31,320 | 0 | 131,785 |
| 2206 SW High Ave. | 03/16/2023 | 0 | 0 | 0 | 0 | 7,462 | 0 | 139,247 |
| 2511 SW 22nd St. | 02/14/2023 | 0 | 0 | 0 | 0 | 695 | 0 | 139,942 |
| 3020 SE Wisconsin Ave. | 12/31/2022 | 0 | 0 | 0 | 0 | 7,050 | 0 | 146,992 |

| Match Contribution for the Federal Fiscal Year | | | | | | | | |
|--|----------------------|----------------------------|-------------------------------|------------------------------|-------------------------|---|----------------|-------------|
| Project No. or Other ID | Date of Contribution | Cash (non-Federal sources) | Foregone Taxes, Fees, Charges | Appraised Land/Real Property | Required Infrastructure | Site Preparation, Construction Materials, Donated labor | Bond Financing | Total Match |
| 3120 SE Humboldt St. | 04/06/2023 | 0 | 0 | 0 | 0 | 725 | 0 | 147,717 |
| 421 SE Pinecrest Drive | 09/19/2023 | 0 | 0 | 0 | 0 | 725 | 0 | 148,442 |
| 5436 SW 12th Terrace #1 | 07/10/2023 | 0 | 0 | 0 | 0 | 725 | 0 | 149,167 |
| 627 NE Kellam Ave. | 08/07/2023 | 0 | 0 | 0 | 0 | 200 | 0 | 149,367 |
| 709 SW Lincoln St. | 01/26/2023 | 0 | 0 | 0 | 0 | 21,210 | 0 | 170,577 |
| 729 NE Ohio Ave. | 08/09/2023 | 0 | 0 | 0 | 0 | 350 | 0 | 170,927 |
| Homeowners hip Counseling | 10/10/2022 | 0 | 0 | 0 | 0 | 33,400 | 0 | 204,327 |

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

| Program Income – Enter the program amounts for the reporting period | | | | |
|--|--|--|---------------------------------------|---|
| Balance on hand at beginning of reporting period \$ | Amount received during reporting period \$ | Total amount expended during reporting period \$ | Amount expended for TBRA \$ | Balance on hand at end of reporting period \$ |
| 0 | 10,287 | 10,287 | 0 | 0 |

Table 7 – Program Income

| Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period | | | | | | |
|---|---------|-----------------------------------|---------------------------|--------------------|----------|--------------------|
| | Total | Minority Business Enterprises | | | | White Non-Hispanic |
| | | Alaskan Native or American Indian | Asian or Pacific Islander | Black Non-Hispanic | Hispanic | |
| Contracts | | | | | | |
| Dollar Amount | 290,158 | 0 | 0 | 0 | 0 | 290,158 |
| Number | 4 | 0 | 0 | 0 | 0 | 4 |
| Sub-Contracts | | | | | | |
| Number | 0 | 0 | 0 | 0 | 0 | 0 |
| Dollar Amount | 0 | 0 | 0 | 0 | 0 | 0 |
| | Total | Women Business Enterprises | Male | | | |
| Contracts | | | | | | |
| Dollar Amount | 205,300 | 205,300 | 0 | | | |
| Number | 8 | 8 | 0 | | | |
| Sub-Contracts | | | | | | |
| Number | 0 | 0 | 0 | | | |
| Dollar Amount | 0 | 0 | 0 | | | |

Table 8 - Minority Business and Women Business Enterprises

| Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted | | | | | | |
|--|-------|-----------------------------------|---------------------------|--------------------|----------|--------------------|
| | Total | Minority Property Owners | | | | White Non-Hispanic |
| | | Alaskan Native or American Indian | Asian or Pacific Islander | Black Non-Hispanic | Hispanic | |
| Number | 0 | 0 | 0 | 0 | 0 | 0 |
| Dollar Amount | 0 | 0 | 0 | 0 | 0 | 0 |

Table 9 – Minority Owners of Rental Property

| Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition | | | | | | |
|--|-------|-----------------------------------|---------------------------|--------------------|----------|--------------------|
| Parcels Acquired | | 0 | | 0 | | |
| Businesses Displaced | | 0 | | 0 | | |
| Nonprofit Organizations Displaced | | 0 | | 0 | | |
| Households Temporarily Relocated, not Displaced | | 0 | | 0 | | |
| Households Displaced | Total | Minority Property Enterprises | | | | White Non-Hispanic |
| | | Alaskan Native or American Indian | Asian or Pacific Islander | Black Non-Hispanic | Hispanic | |
| Number | 0 | 0 | 0 | 0 | 0 | 0 |
| Cost | 0 | 0 | 0 | 0 | 0 | 0 |

Table 10 – Relocation and Real Property Acquisition

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

| | One-Year Goal | Actual |
|--|---------------|------------|
| Number of Homeless households to be provided affordable housing units | 30 | 13 |
| Number of Non-Homeless households to be provided affordable housing units | 15 | 80 |
| Number of Special-Needs households to be provided affordable housing units | 30 | 26 |
| Total | 75 | 119 |

Table 11 – Number of Households

| | One-Year Goal | Actual |
|--|---------------|------------|
| Number of households supported through Rental Assistance | 30 | 1 |
| Number of households supported through The Production of New Units | 2 | 3 |
| Number of households supported through Rehab of Existing Units | 35 | 115 |
| Number of households supported through Acquisition of Existing Units | 0 | 0 |
| Total | 67 | 119 |

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

During 2023, there was 1 Exterior Rehab project, 3 Major Rehab project, 6 TOTO Rehab projects, 26 Accessibility projects, 50 Emergency Rehab projects, 3 CHDO projects, 28 Weatherization projects, 1 Infill project and 1 Voluntary Demo projects. 13 households were prevented from becoming homeless by helping for them to stay in their home or through new homes through the Home programs and 106 households were prevented from becoming homeless by helping for them to stay in their home through the CDBG programs. When prevention assistance is given, the City ensures that the home is affordable

for the household composition. 26 people were assisted with accessibility modifications to their home for people with physical disabilities and 80 Non-Homeless were helped with Rehabilitation of their homes.

Topeka Habitat for Humanity, Cornerstone of Topeka and SENT are the City’s Community Housing Development Organizations. They constructed 3 new units in our community for CHDO and 1 Infill Unit. These units will assist people coming out of homelessness.

A total of 105 homes were assisted with various forms of rehabilitation and 1 was voluntarily demolished. The Emergency, Accessibility, Major and Exterior Rehab programs all provide rehabilitation to homeowners and renters. 105 units were homeowners and 1 was a rental property.

These numbers are consistent with our one-year goals outlined in the table.

Discuss how these outcomes will impact future annual action plans.

The one-year outcomes are consistent with our five-year strategic plan. The City will continue to serve the community with these programs in the future.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

| Number of Households Served | CDBG Actual | HOME Actual |
|------------------------------------|--------------------|--------------------|
| Extremely Low-income | 39 | 3 |
| Low-income | 50 | 2 |
| Moderate-income | 17 | 8 |
| Total | 106 | 13 |

Table 13 – Number of Households Served

Narrative Information

The Community Development Block Grant funded programs are the Exterior, Emergency, Accessibility, Weatherization and Voluntary Demolition Programs. They totaled 106 households for 2023.

The HOME grant funded programs are Community Housing Development Organization activities, Major Rehabilitation, Infill, CHDO and the Topeka Opportunity to Own program. The total number served in these programs for 2023 were 13 households.

119 Households were assisted with affordable housing assistance for owner and renter households through CDBG and HOME projects as described in the City’s response to 1) above. The breakdown of AMI was as follows:

Extremely low-income category totaled 42 with 39 being assisted through CDBG projects and 3 being assisted through HOME projects.

Low-income category totals 52 with 50 being assisted through CDBG projects and 2 being assisted through HOME projects.

Moderate-income category totaled 25 with 17 being assisted through CDBG projects and 8 being assisted through HOME projects.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

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

Many people who are homeless need intensive assistance in order to get back into housing and gain stability. Many times, they suffer from mental illness, chronic substance abuse, or chronic physical illnesses. These disabilities can contribute to their homelessness.

The City works closely with the Topeka/Shawnee County Homeless Task Force, which consists of approximately 40 public and private agencies and organizations to address the full scope of housing and support services needed. Many street outreach teams attend this meeting to provide updates on the people they are encountering.

Each year in January the Homeless Task Force conducts a Point-in-Time (PIT) count of the homeless. The PIT count is only a snapshot of the population at that time. A survey is conducted on each individual to help assess the needs of various subpopulations. It also helps assess if we are making progress to end homelessness. The point in time count showed the number of homeless households has gone up in 2023 to 322 households and 412 people. The City Council has approved a consultant to come in 2023 to evaluate the homeless further to see what initiatives can be built upon to help combat this growing need. These services will be funded through the City's general fund and the City put into place the Equity Access Shelter (EAS) program the beginning of 2022 funding 2 FTE's through the General Fund to provide a single point of access for the homeless to better serve their needs. This program was increased in 2023 to 4 FTE's. The City is looking to evaluate this program and the need to increase it in 2024. The City also has 2 other homeless programs, Impact Avenues, which was expanded from 1 FTE to 2.5 FTE's and KDADS with 1 FTE that work with the EAS program through coordinated entry into the HMIS system. Impact Avenues is funded through Topeka Community Foundation and Advisors Excel and KDADS is funded through Kansas Department for Aging and Disability Services. All 3 programs, EAS, Impact Avenues and KDADS are outreach programs to work with the homeless through in person meetings and by phone and to document through HMIS and refer them to any resources they can find that they are eligible for with Shelter Plus Care as one of those resources available for those that qualify.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Topeka does not operate any emergency or transitional shelters for people who are homeless. However, the main shelter for people who are homeless is the Topeka Rescue Mission. The City works closely with the mission to help address the needs of the guests staying there. The mission has been at full capacity and the City has provided a variance to allow more guests to stay there. The Topeka Rescue Mission (TRM) started reporting their data in HMIS and the City now has full data in the

HMIS system showing their numbers for Shelter, Rapid Rehousing and Homelessness Prevention which is attached in Sage. The City awarded Topeka Rescue Mission a Subgrant through the HESG-CV grant funds and numbers listed for Shelter include these funds.

The Center for Safety and Empowerment has a shelter for families experiencing domestic violence. The City provides Emergency Solution Grant funds to help with the operations of the shelter.

Valeo Behavioral Health Care, Veterans Administration and Cornerstone of Topeka have transitional housing for homeless. Many times, the people will exit transitional housing to another permanent housing program, such as Shelter Plus Care, Section 8 or public housing, and HUD VASH.

Emergency Solutions Grant and Community Development Block Grant funds are used to assist individuals with rapid re-housing, deposit and first month's rent. These funds help move people from emergency shelters or transitional housing into permanent housing.

Due to the Covid pandemic, HESG CV funds were used for both the YWCA Woman's Shelter and the Topeka Rescue Mission to prepare for and respond to the Coronavirus. In addition, the HOME-ARP helped fund an additional YWCA Woman's Shelter to respond to the additional need for non-congregant shelter beds demonstrated in the 2021 Amended Consolidated Action Plan.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after 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); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City of Topeka funds programs and services to assist vulnerable members of the community. These programs include assistance to seniors, youth, Veterans, people experiencing domestic violence and people with disabilities. Both ESG and CDBG funds are used to help in this area. The services provided range from employment readiness, education services, and emergency aid. The City recognizes the need for more assistance for persons being discharged from publicly funded institutions and is committed to help address this issue in the years to come. In 2023, the City had Subrecipient grants to Catholic Charities, Community Action, Doorstep, and YWCA for the purposes outlined above. In addition to ESG and CDBG subrecipient grants, the City also gave these organizations additional grants using HESG-CV funds to Catholic Charities, Community Action, Doorstep, Topeka Rescue Mission and YWCA and provided additional CDBG-CV to the Shawnee County Health Department for COVID testing and running their mobile testing unit. People served through the HESG, CDBG, and HESG-CV grants were all entered into the HMIS system through coordinated entry and SAGE reports of these populations served. The HMIS system was increased to use coordinated entry for all organizations in 2021 and with the addition of the new City funded EAS program, coordinated entry is now proving a single point of entry to assist agencies with assessment, prioritization, coordinate more effectively with outreach teams

and provide follow-up for those receiving assistance and reporting outcomes.

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 City does not provide direct support services or case management. It relies heavily on the Homeless Task force and member agencies to provide the skills necessary to secure permanent housing, independent living, and prevent future homelessness.

The City of Topeka funds programs and services to assist vulnerable members of the community. These programs include assistance to seniors, youth, Veterans, people experiencing domestic violence and people with disabilities. Both ESG and CDBG funds are used to help in this area. The services provided range from employment readiness, education services, and emergency aid.

The City has a new partnership with the Topeka Housing Authority and has started an Emergency Housing Voucher (EHV) program that is funded through the Topeka Housing Authority to provide emergency housing assistance to get the homeless housed. In addition, the City is into their 5th year of Impact Avenues that is a program to identify homeless students and to get them housed through a local grant from Advisors Excel and from Topeka Community Foundation. The City is looking for local sources to fund this program again in 2025. The Kansas Department for Aging and Disability Services has provided a state grant for 1 FTE to help with the homeless population through their Boundary Spanner program. In addition, the City has implemented their new Equity Access Shelter (EAS) program to help with these needs funding 4 FTE's to work with the HMIS system and the homeless, and has expanded their Impact Avenues program from 1 FTE to 2.5 FTE's.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The City of Topeka and the Topeka Housing Authority (THA) are partners in addressing the needs of public housing. THA compiles both annual and five-year capital improvement plans. Currently THA receives an annual capital grant of approximately \$800,000. These funds are used to directly update, improve, rehab and extend the useful life of our public housing portfolio. THA, Inc., the non-profit development partner of the Topeka Housing Authority, actively seeks funds to build new developments and to rehab the existing housing stock. THA has also made a very concerted effort to partner with great organizations to bring support and services into the neighborhoods to overcome the barrier of lack of transportation. This is evident with the Pine Ridge Partnership, the Deer Creek Training Center and the work taking place as part of the Neighborhood Opportunity for Wellness (N.O.W.) grant in partnership with the United Way of Greater Topeka. In addition, the City of Topeka has partnered with the Topeka Housing Authority for an Emergency Housing Voucher program and have helped 44 households in 2023 with Emergency Voucher assistance funded through the Topeka Housing Authority.

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

The City of Topeka and the Topeka Housing Authority (THA) are partners in encouraging public housing residents to be involved and participate in homeownership. The THA encourages residents to be well informed and to interact with management as much as possible and to take an active role in being successful in their housing. All THA board meetings are open to the public and residents are encouraged to attend. THA keeps residents informed through bimonthly newsletters, public notices, direct mail, social media, tha.gov, and solicits comment from our residents anytime there is a proposed rule change. Through THA's procurement policy, respondents are encouraged and extra points are awarded to respondents that offer section 3 participation.

Actions taken to provide assistance to troubled PHAs

Topeka Housing Authority was designated as Troubled as of October of 2023. This was largely due to low cash on hand as a result of increased cost of operations due to the economy. Another driving factor was decreased occupancy as a result of the large amount of Emergency Funding particularly for rent and utilities that many of THA's Public Housing Residents used to move to other homes outside of Public Housing. THA and their Board of Commissioners are working with HUD on a plan to get back to standard performer designation and are confident this will happen in 2024. The City of Topeka has met multiple times with Topeka Housing Authority to determine what assistance the City can provide to remove this designation. Topeka Housing Authority has already met their goals to increase their numbers the City is confident this designation will be removed in 2024 without anything further needed.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken 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. 91.220 (j); 91.320 (i)

The analysis of barriers to affordable housing does not identify regulations or policies that inhibit the development of affordable housing. The City will continue to encourage the development of affordable housing. A Housing Study was done in 2020-2021 and Barriers to Affordable Housing were identified with recommended actions. The City of Topeka is in the process of implementing changes based on the Housing Study and has already created a new Weatherization program that served 9 households in 2021 and increased to 28 households in 2023. It is expected to increase again in 2024. In addition, additional funds were given to CHDO activities in the amount of \$100,000 to create new affordable housing and a new Infill HOME project was also implemented in 2023 with an additional 2 infill projects to be implemented in 2024.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City of Topeka's greatest obstacle to meeting the needs of the underserved is the elimination and lack of funding available. The City contracted with a number of service providers during 2023 with the HUD entitlement funds to help the underserved population. Services provided by these providers include: public service activities, transportation services, employment training, child care services, health services, rehabilitation to prevent homelessness, shelter, rapid-rehousing and down payment assistance. \$100,000 in General Funds were used for down payment assistance for 10 households to leverage the TOTO program that does rehabs for new homeowners that buy in the targeted LMI areas. 4 of these were completed in 2023 with the additional 6 to be completed in 2024.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The City of Topeka trains all staff to become lead risk-assessors. All contractors are certified with the Kansas Department of Health and Environment as a lead activity firm. Lead risk assessments are completed before any work is done on a home build prior to 1978. Upon completion of the job, a clearance is done to ensure no safety hazards exist.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Poverty is multi-faceted. Among some of the causes are disabilities, mental illness, lack of education, and substance abuse problems. The City has continued to forge relationships with both private and public organizations that share our goal to end poverty and improve the quality of life for our constituents. The following actions were taken to achieve the HUD anti-poverty goal:

- Public service agencies were funded with CDBG to help individuals gain self-sufficiency.
- Support of CHDOs, Topeka Habitat for Humanity, Cornerstone of Topeka, and SENT, with HOME funds to help build new or rehabilitation homes that are affordable.
- Fund agencies with ESG funds to provide that experiencing homelessness with supportive and permanent housing.

Rehabilitation was provided to owners to help with the cost of extensive home repair that could potentially displace them if not corrected.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The City of Topeka staff will continue to coordinate with various social service agencies, government departments, and businesses, to find opportunities to better serve the citizens within the city. These relationships are integral in streamlining the implementation of our CDBG and HOME projects. Communication will continue to be the key in the success of the programs. The City of Topeka will continue to foster these relationships to improve the success rate of our programs. The City has partnered with the Topeka Housing Authority helping 44 households in 2023 with rent assistance funded through the Topeka Housing Authority. In addition, the City has funded the Impact Avenues program through local organizations to help homeless students find housing. The City has partnered with Kansas Department of Aging to fund the KDADS program to help coordinate entry into the HMIS system for the homeless through the Boundary Spanner program and has funded the EAS program for the same purpose increasing the EAS program from 2 FTE's to 4 FTE's in 2023 paid through the City General Fund. The Impact Avenues program was also increased from 1 FTE to 2.5 FTE's to work with homeless students to get them housed and documented in the HMIS system. The City has instituted a Homelessness Consultant to aid in a Homelessness Initiative in 2023 to determine where resources should be focused to help alleviate the increased homelessness population in Topeka. This initiative will continue in 2024 going before City Council for approval of a future strategy.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City of Topeka continues to have conversations with profit and non-profit organizations as well as, government agencies that serve low-income individuals some of which include:

- Homeless Task Force – helps people experiencing homelessness
- Local Non-Profits – provides rent assistance, employment training, child care, transportation, mental health, HIV/AIDS education and many more.
- Topeka Housing Authority – provides the community with Section 8, public housing, HUD VASH and now the EHV Voucher program partnered with the City that began in 2022.
- Bankers – Assist with homeownership program to provide down payment assistance to low income homebuyers.
- Topeka Rescue Mission – provides emergency shelter.

- Center for Safety and Empowerment – provides emergency shelter for those experiencing domestic violence.

All of these partners combined help the City reach the goals of the Consolidated Action Plan.

All applications for housing include fair housing language and the fair housing logo. The leasing office resides in a handicapped accessible building. Additionally, the property manager is bilingual in English and Spanish which is a tremendous asset for the applicants who don't speak English. All flyers sent out in 2023 were done in both English and Spanish. In addition, all Public Hearing Notices published in the Metro include the following language: If any citizen needs special accommodations, such as an interpreter or sign language, they should contact the office of Housing Services as soon as possible, not later than 3 days prior to the hearing. Once the Housing Department receives notice, special accommodations are made.

In 2023, the City began working on developing a Language Access Plan to ensure all documents are available in the needed languages of all applicants. The City is looking to complete the Language Access Plan in 2024.

Identify actions taken to overcome the effects of any impediments identified in the jurisdiction's analysis of impediments to fair housing choice. 91.520(a)

A 2020-2021 Housing Study found a limited number of impediments to fair housing choice caused by current city policies and procedures. Most impediments to fair housing are caused by broader socio-economic challenges. This analysis found the following impediments to fair housing choice in Topeka: • 30 percent of all households in Topeka are cost-burdened and 44 percent of rental households are cost-burdened, indicating a need for more affordable housing options. • Minority households, particularly African-American households, are more likely to be cost-burdened, indicating a need for more equitable housing choices across Topeka. • Historic policies, such as Redlining, that are no longer in place contributed to the concentration of poor housing conditions, poverty, and decreased access to opportunity in many of Topeka's core neighborhoods. • Minorities are more likely to have mortgage applications denied based on income and creditworthiness compared to the population as a whole. • Accessible housing is not always available when needed for those with physical and mental disabilities. • There is not enough affordable housing to meet current demand. • There is not enough senior housing to meet current demand. • There is not enough transitional and post-transitional housing for homeless, formerly homeless, or vulnerable households. • The current transportation system does not adequately serve second- and third-shift workers, and affordable housing is not always conveniently located relative to employment centers. • Discrimination in housing may be under-reported because individuals hold the opinion that nothing will be done to address the problem.

Actions to Address Impediments: The City of Topeka is undertaking multiple actions to address the listed impediments through new actions and through the continuation of existing programs. First, the Topeka City Council voted to adopt the 2020 Housing Strategy in July 2020, which recommended six

strategies and 27 tactics to address the city's housing challenges. Priority actions include:

- Funding the Affordable Housing Trust Fund, which will focus on accelerating the preservation of existing and development of new affordable housing options.
- Create a strategic land bank to proactively acquire vacant property, including land and structures, clear any title or legal issues, and sell/transfer the properties to developer's with strong track records to return the properties to productive use, including rehabbing vacant and dilapidated homes.
- Expand the community development ecosystem to create a more holistic system to support neighborhood development and service provision.
- Expand the key programs of weatherization and home repair.

The City also identified key action steps in its 2021 to 2025 Consolidated Plan:

- Provide funds for homebuyer assistance (i.e., credit counseling, down payment assistance, etc.) programs.
- Provided funds for home-owner rehabilitation programs, multi-family rehabs, new construction (rental and for-sale), and tenant-based home ownership.
- Continue emergency shelter grant activities for rapid re-housing, homeless prevention, and shelter activity.
- Expand Shelter Plus Care program as funding is available to provide more rental assistance to low-income households.
- Align capital improvements with housing investments in neighborhoods.
- Provide funds for infill housing (new construction) in targeted neighborhoods.
- Provide funds for accessibility modifications for disabled individuals.
- Provide housing services targeted to former inmates.

The City Council has approved a City funded consultant in 2023 to evaluate homeless efforts and to initiate new programs needed.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Outreach to Minority and Women Owned Businesses.

It is the responsibility of the City to monitor, encourage, and support activities that ensure MBE and WBE contracting and subcontracting. This included the following efforts:

- The City advertised in the *"Topeka Capital Journal"*, looking for qualified contractors.
- In conjunction with the City's Contract and Procurement Division, the City updated and used a directory of bona fide MBE and WBE bidders.

The City maintained data regarding MBE and WBE participation in their contracts and subcontracts. The City currently has 1 contractor that is both women owned and LMI.

Affirmative marketing efforts were directed toward persons least likely to apply for financing for "affordable" single-family homes. In addition to utilizing conventional media for advertising, neighborhood associations and non-profit organizations were contacted and asked to provide marketing assistance. These organizations included, but were not limited to, Housing and Credit Counseling, Inc., Topeka Board of Realtors, The Topeka Housing Authority, and Neighborhood Improvement Associations.

The City encourages the participation of MBE and WBE in all federally funded contracts and requires all contractors and sub-contractors receiving federal funds comply with Section 3 requirements.

The purpose is to take affirmative steps to assure that small and minority businesses and women's business enterprises are utilized whenever possible as a source of supplies, equipment, construction, and services. These affirmative steps will include the following:

The inclusion of qualified small and minority businesses and women's business enterprises on solicitation lists, solicitation of bidding for professional service or rehabilitation contracts. Assurances that small and minority businesses and women's business enterprises are solicited whenever they are potential sources.

If any subcontractors are to be utilized, the prime contractor is required to take the affirmative steps noted above. Monitoring Standards and Procedures are attached to the 2021-2025 Consolidated Action

Plan and have been attached to CR-00 as an attachment.

MBE Committee

Besides a Women Business Enterprise Policy, the City has also adopted through City Council the annual goal for MBE/WBE businesses for 2023 through the program Review Committee outlined under TMC 3.30.460(b)(3) and approved through the Topeka City Council. The committee is comprised of City staff, who are responsible for creating and reporting on goals for the utilization and participation of minority, women, and disadvantaged business enterprises (M/W/DBE). Committee responsibilities include:

1. Presenting annual goals to the City Manager for the utilization of M/W/DBE Businesses;
2. Reviewing and analyzing, on a quarterly basis, current utilization to achieve those goals;
3. Reporting to the Governing Body on a quarterly basis, through the City Manager, the utilization of M/W/DBE businesses (published in each Quarterly Financial Report).

The City reached their annual goal of 38.5% utilization through:

1. Hosting vendor workshops for businesses to come to the City and receive on-site guidance for using the City website and ePro bidding system.
2. Work with the DEI Director on: Identifying community and small, diverse business workshops that the City can contribute to and participate in; and Identifying dates and times for hosting bi-lingual workshops for the processes of registering and submitting bid responses.
3. The Committee worked with the Greater Topeka Partnership to identify dates, times, and locations for hosting workshops on "How to Do Business with the City".
4. Hosted a vendor fair in partnership with several organizations for contractors, vendors, and businesses to receive on-site guidance from City staff on how to do business with the City.
6. In 2023, the City issued 170 bids to the public and received diverse vendor participation on 132 of those bids. From the 132, the City awarded 54 to diverse vendors, totaling 40.91% M/W/DBE utilization.

For 2024, the Committee recommends a 40% M/W/DBE utilization goal with the following recommended actions:

1. Rebrand the "How to do Business with the City" campaign to enhance and elicit greater participation in city-hosted events and workshops.
2. Leverage the City's social media presence by advertising select bid opportunities.
3. Host open house workshops.
4. Work with Washburn University to implement a workshop on how small businesses can be created in Topeka.
5. Work with the DEI Director on:
 - a. Identifying community and small, diverse business workshops that the city can contribute to and participate in; and
 - b. Identify dates and times for hosting bi-lingual workshops.

6. Work with the Greater Topeka Partnership and identify:
 - a. To dates, times, and locations for hosting workshops
 - b. Various roundtable and community events in 2024 the City organization can participate in.
7. Create a plan to connect small subcontracting-level entities with major primary contracting entities for work in the community.
8. Enhance M/W/DBE program initiatives through the Anchor Procurement project with the National League of Cities (NLC), City Inclusive Entrepreneurship program (CIE).

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The City published a public notice in the *Topeka Metro News* upon completion of the Consolidated Annual Performance Report (CAPER). Additionally, the City meets and solicits input from the community for a minimum of 15 days before submission.

A public notice regarding the City of Topeka's 2023 Consolidated Annual Performance Report was published in the *Topeka Metro News*, the City's official newspaper and is attached to CR-00.

No public comments were received for the 2023 CAPER.

Outreach included mass mailings of the targeted neighborhood with flyers being sent on the first mailing and post cards on the second mailing. Staff scheduled a knock and talk in the neighborhood going door to door and handing out flyers. Valley Park NIA and East Topeka North were the target areas in 2023. Outreach efforts included the flyers.

Staff attended NIA meetings before and during the development and after awards. Staff also worked closings with other agencies such as Habitat for Humanity and Community Action.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction’s program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The City does not have any changes to make to its objectives identified in the Consolidated Action Plan.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-50 - HOME 24 CFR 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in 24 CFR §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

All properties requiring an inspection were inspected and passed inspection. For 2023 the following were inspected under the HOME grant:

| | |
|-------------|------------------------|
| Major Rehab | 2511 SW 22nd St |
| Major Rehab | 421 SE Pinecrest Dr. |
| Major Rehab | 710 SE 34th Street |
| TOTO | 316 NE Wilson Ave. |
| TOTO | 1534 SW Tyler St. |
| TOTO | 206 SW Harrison St. |
| TOTO | 304 SE Pinecrest Drive |
| TOTO | 3120 SE Humboldt St. |
| TOTO | 5436 SW 12th Terrace |
| CHDO | SW Fillmore Street |
| Infill | SE Alkire St. |

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 24 CFR 91.520(e) and 24 CFR 92.351(a)

Outreach included mass mailings of the targeted neighborhood with flyers being sent on the first mailing and post cards on the second mailing. Staff scheduled a knock and talk in the neighborhood going door to door and handing out flyers. Valley Park NIA and East Topeka North were the target areas in 2023. Outreach efforts included flyers.

Staff attended NIA meetings before and during the development and after awards. Staff also worked closings with other agencies such as Habitat for Humanity and Community Action.

Topeka Habitat for Humanity, Cornerstone of Topeka and SENT are our Community Housing Development Organizations that receive HOME funds for affordable housing. On a quarterly basis CHDO's review the marketing efforts to ensure that they are incorporating fair housing standards into marketing activities and if those efforts are making an impact on attracting those least likely to apply for housing. The quarterly newsletter is mailed to all tenants includes a section on fair housing standards. The Fair Housing Poster is prominently displayed in the Cornerstone leasing office. All advertisements and For Lease signs include the fair housing logo. All applications for housing include fair housing language and the fair housing logo. The leasing office resides in a handicapped accessible building. Additionally, the property manager is bilingual in English and Spanish which is a tremendous asset for the applicants who don't speak English. All flyers sent out in 2023 were done in both English and Spanish.

Marketing for the HOME units is also done with special outreach to community organizations, places of worship, and Housing and Credit Counseling. All construction projects are bid out with an emphasis to reach as many minority and women owned entities as possible. The City frequently attends meetings and disperses information on how to be a contractor for the affordable housing program.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

Program income for 2023 for the CDBG Grant totaled \$2,674.75 and was used on 1 Exterior Rehab project and 1 NIA Support project.

Program income for 2023 for the HOME grant totaled \$10,286.67 and was used on 2 Topeka Opportunity to Own (TOTO) projects.

These projects included 2 homeowner's rehabs, 1 rental rehab and NIA cleanup of an LMA.

Describe other actions taken to foster and maintain affordable housing. 24 CFR 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 24 CFR 91.320(j)

The City has taken the following actions to foster and maintain affordable housing:

A Housing Study was conducted beginning in 2019 and concluded in 2020. Outcomes were reported regarding fostering and maintaining affordable housing and the Housing Study was incorporated into the 2021 through 2025 Consolidated Action Plan.

An Impediments Analysis was completed to identify impediments and create a plan to address solutions.

The City Council approved a consultant to do a Homeless Study to look at the homeless population in 2023 and will act on consultant recommendations. New Homeless programs were instituted in 2022 including the Boundary Spanner program funded through the Kansas Department of Aging to fund 1 FTE and the Equity Access Shelter (EAS) program funded by the City for 2 FTE's and then increased to 4 FTE's in 2023 to work with the homeless and create a single point of contact for the homeless to assist agencies with assessment, use coordinated entry for prioritization, coordinate more effectively with outreach teams, provide follow-up for those receiving assistance and reporting outcomes. In addition, the City has expanded their Impact Avenues program from 1 FTE to 2.5 FTE's to identify and house homeless students and document them in the HMIS system. The 2023 study will look at these new programs to see what is working and new resources needed to make these programs work more efficiently.

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

| Total Labor Hours | CDBG | HOME | ESG | HOPWA | HTF |
|---------------------------------------|-------------|-------------|------------|--------------|------------|
| Total Number of Activities | 0 | 0 | 0 | 0 | 0 |
| Total Labor Hours | | | | | |
| Total Section 3 Worker Hours | | | | | |
| Total Targeted Section 3 Worker Hours | | | | | |

Table 14 – Total Labor Hours

| Qualitative Efforts - Number of Activities by Program | CDBG | HOME | ESG | HOPWA | HTF |
|---|-------------|-------------|------------|--------------|------------|
| Outreach efforts to generate job applicants who are Public Housing Targeted Workers | | | | | |
| Outreach efforts to generate job applicants who are Other Funding Targeted Workers. | | | | | |
| Direct, on-the job training (including apprenticeships). | | | | | |
| Indirect training such as arranging for, contracting for, or paying tuition for, off-site training. | | | | | |
| Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching). | | | | | |
| Outreach efforts to identify and secure bids from Section 3 business concerns. | | | | | |
| Technical assistance to help Section 3 business concerns understand and bid on contracts. | | | | | |
| Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns. | | | | | |
| Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services. | | | | | |
| Held one or more job fairs. | | | | | |
| Provided or connected residents with supportive services that can provide direct services or referrals. | | | | | |
| Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation. | | | | | |
| Assisted residents with finding child care. | | | | | |
| Assisted residents to apply for, or attend community college or a four-year educational institution. | | | | | |
| Assisted residents to apply for, or attend vocational/technical training. | | | | | |
| Assisted residents to obtain financial literacy training and/or coaching. | | | | | |
| Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns. | | | | | |
| Provided or connected residents with training on computer use or online technologies. | | | | | |
| Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses. | | | | | |
| Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act. | | | | | |

| | | | | | |
|--------|--|--|--|--|--|
| Other. | | | | | |
|--------|--|--|--|--|--|

Table 15 – Qualitative Efforts - Number of Activities by Program

Narrative

The City did not have any projects in 2023 that were subject to Section 3. However, the City does work with a Section 3 contractor that is also woman owned and that contractor completed 22 Rehab projects in 2023 consisting of 4 Major Rehabs, 8 Emergency Rehabs, 3 Code Violation Repairs, 6 TOTO Rehabs, and 1 Weatherization with a total of \$292,110 to the CDBG and HOME grants, \$129,533 paid by the City for Match activities and \$65,174 paid by a grant from FHLB for Code Violation repairs.

CR-60 - ESG 91.520(g) (ESG Recipients only)

ESG Supplement to the CAPER in *e-snaps*

For Paperwork Reduction Act

1. Recipient Information—All Recipients Complete

Basic Grant Information

| | |
|---|-------------|
| Recipient Name | TOPEKA |
| Organizational DUNS Number | 108604976 |
| UEI | |
| EIN/TIN Number | 486028701 |
| Identify the Field Office | KANSAS CITY |
| Identify CoC(s) in which the recipient or subrecipient(s) will provide ESG assistance | |

ESG Contact Name

| | |
|-------------|-----------------|
| Prefix | Mrs. |
| First Name | Katrina |
| Middle Name | M |
| Last Name | Frost |
| Suffix | |
| Title | Finance Manager |

ESG Contact Address

| | |
|------------------|-------------------|
| Street Address 1 | 620 SE Madison St |
| Street Address 2 | 1st Floor, Unit 8 |
| City | Topeka |
| State | KS |
| ZIP Code | - |
| Phone Number | 785-368-44 |
| Extension | |
| Fax Number | |
| Email Address | krice@topeka.org |

ESG Secondary Contact

| | |
|--------------|---------------------------|
| Prefix | Mrs. |
| First Name | Carrie |
| Last Name | Higgins |
| Suffix | |
| Title | Housing Services Director |
| Phone Number | 785-368-4456 |
| Extension | |

Email Address

chiggins@topeka.org

2. Reporting Period—All Recipients Complete

Program Year Start Date 01/01/2023

Program Year End Date 12/31/2023

3a. Subrecipient Form – Complete one form for each subrecipient

Subrecipient or Contractor Name: COMMUNITY ACTION

City: Topeka

State: KS

Zip Code: 66607, 1578

DUNS Number:

UEI:

Is subrecipient a victim services provider: N

Subrecipient Organization Type: Other Non-Profit Organization

ESG Subgrant or Contract Award Amount: 27019

Subrecipient or Contractor Name: DOORSTEP INC

City: Topeka

State: KS

Zip Code: 66604, 1182

DUNS Number: 164401069

UEI:

Is subrecipient a victim services provider: N

Subrecipient Organization Type: Other Non-Profit Organization

ESG Subgrant or Contract Award Amount: 21039

Subrecipient or Contractor Name: YWCA

City: Topeka

State: KS

Zip Code: 66612, 1310

DUNS Number: 126587021

UEI:

Is subrecipient a victim services provider: N

Subrecipient Organization Type: Other Non-Profit Organization

ESG Subgrant or Contract Award Amount: 22358

Subrecipient or Contractor Name: Catholic Charities of Northeast Kansas

City: Topeka

State: KS

Zip Code: 66603,

DUNS Number: 932720329

UEI:

Is subrecipient a victim services provider: N

Subrecipient Organization Type: Other Non-Profit Organization

ESG Subgrant or Contract Award Amount: 18139

Subrecipient or Contractor Name: Let's Help Inc.

City: Topeka

State: KS

Zip Code: 66601, 2492

DUNS Number: 000000000

UEI:

Is subrecipient a victim services provider: N

Subrecipient Organization Type: Other Non-Profit Organization

ESG Subgrant or Contract Award Amount: 14939

CR-65 - Persons Assisted

4. Persons Served

4a. Complete for Homelessness Prevention Activities

| Number of Persons in Households | Total |
|---------------------------------|-----------|
| Adults | 31 |
| Children | 5 |
| Don't Know/Refused/Other | 0 |
| Missing Information | 0 |
| Total | 36 |

Table 16 – Household Information for Homeless Prevention Activities

4b. Complete for Rapid Re-Housing Activities

| Number of Persons in Households | Total |
|---------------------------------|-----------|
| Adults | 37 |
| Children | 28 |
| Don't Know/Refused/Other | 0 |
| Missing Information | 0 |
| Total | 65 |

Table 17 – Household Information for Rapid Re-Housing Activities

4c. Complete for Shelter

| Number of Persons in Households | Total |
|---------------------------------|--------------|
| Adults | 1,859 |
| Children | 381 |
| Don't Know/Refused/Other | 0 |
| Missing Information | 8 |
| Total | 2,248 |

Table 18 – Shelter Information

4d. Street Outreach

| Number of Persons in Households | Total |
|---------------------------------|----------|
| Adults | 0 |
| Children | 0 |
| Don't Know/Refused/Other | 0 |
| Missing Information | 0 |
| Total | 0 |

Table 19 – Household Information for Street Outreach

4e. Totals for all Persons Served with ESG

| Number of Persons in Households | Total |
|---------------------------------|--------------|
| Adults | 1,927 |
| Children | 414 |
| Don't Know/Refused/Other | 0 |
| Missing Information | 8 |
| Total | 2,349 |

Table 20 – Household Information for Persons Served with ESG

5. Gender—Complete for All Activities

| | Total |
|--------------------------|--------------|
| Male | 925 |
| Female | 1,189 |
| Transgender | 9 |
| Don't Know/Refused/Other | 223 |
| Missing Information | 3 |
| Total | 2,349 |

Table 21 – Gender Information

6. Age—Complete for All Activities

| | Total |
|--------------------------|--------------|
| Under 18 | 414 |
| 18-24 | 197 |
| 25 and over | 1,730 |
| Don't Know/Refused/Other | 8 |
| Missing Information | 0 |
| Total | 2,349 |

Table 22 – Age Information

7. Special Populations Served—Complete for All Activities

Number of Persons in Households

| Subpopulation | Total | Total Persons Served – Prevention | Total Persons Served – RRH | Total Persons Served in Emergency Shelters |
|-----------------------------------|--------------|--|-----------------------------------|---|
| Veterans | 98 | 0 | 0 | 98 |
| Victims of Domestic Violence | 1,075 | 3 | 4 | 1,068 |
| Elderly | 66 | 0 | 2 | 64 |
| HIV/AIDS | 17 | 0 | 0 | 17 |
| Chronically Homeless | 242 | 0 | 1 | 241 |
| Persons with Disabilities: | | | | |
| Severely Mentally Ill | 912 | 10 | 7 | 895 |
| Chronic Substance Abuse | 429 | 1 | 2 | 426 |
| Other Disability | 1,499 | 11 | 11 | 1,477 |
| Total (Unduplicated if possible) | 4,338 | 25 | 27 | 4,286 |

Table 23 – Special Population Served

CR-70 – ESG 91.520(g) - Assistance Provided and Outcomes

8. Shelter Utilization

| | |
|--------------------------------------|--------|
| Number of New Units - Rehabbed | 0 |
| Number of New Units - Conversion | 54 |
| Total Number of bed-nights available | 98,235 |
| Total Number of bed-nights provided | 78,481 |
| Capacity Utilization | 79.89% |

Table 24 – Shelter Capacity

9. Project Outcomes Data measured under the performance standards developed in consultation with the CoC(s)

The Homeless Task Force (HTF) is the governing body of the Continuum of Care. The HTF members form a Monitoring and Compliance committee that meets quarterly, or on an as needed basis, to look over performance standards. All Continuum of Care and Emergency Solutions Grant programs are monitored using the assessment tool developed by the committee.

All activities with ESG are taken through the governing body for approval.

Shelter utilization increased this year as a large amount of the COVID grant dollars were given to Shelter Operations for the YWCA and for the Topeka Rescue Mission to prepare and respond to the Coronavirus. The HOME-ARP funds are being used for a new Non-Congregant shelter for the YWCA and work has begun to obtain a new building to serve for this purpose so it is anticipated shelter numbers will increase in 2024 with the new Non-Congregant shelter for an anticipated additional 200 beds.

CR-75 – Expenditures

11. Expenditures

11a. ESG Expenditures for Homelessness Prevention

| | Dollar Amount of Expenditures in Program Year | | |
|---|---|----------------|---------------|
| | 2021 | 2022 | 2023 |
| Expenditures for Rental Assistance | 190,198 | 196,338 | 77,045 |
| Expenditures for Housing Relocation and Stabilization Services - Financial Assistance | 0 | 0 | 0 |
| Expenditures for Housing Relocation & Stabilization Services - Services | 0 | 0 | 0 |
| Expenditures for Homeless Prevention under Emergency Shelter Grants Program | 0 | 0 | 0 |
| Subtotal Homelessness Prevention | 190,198 | 196,338 | 77,045 |

Table 25 – ESG Expenditures for Homelessness Prevention

11b. ESG Expenditures for Rapid Re-Housing

| | Dollar Amount of Expenditures in Program Year | | |
|---|---|----------------|----------------|
| | 2021 | 2022 | 2023 |
| Expenditures for Rental Assistance | 151,088 | 453,519 | 114,459 |
| Expenditures for Housing Relocation and Stabilization Services - Financial Assistance | 0 | 0 | 0 |
| Expenditures for Housing Relocation & Stabilization Services - Services | 0 | 0 | 0 |
| Expenditures for Homeless Assistance under Emergency Shelter Grants Program | 0 | 0 | 0 |
| Subtotal Rapid Re-Housing | 151,088 | 453,519 | 114,459 |

Table 26 – ESG Expenditures for Rapid Re-Housing

11c. ESG Expenditures for Emergency Shelter

| | Dollar Amount of Expenditures in Program Year | | |
|--------------------|---|----------------|----------------|
| | 2021 | 2022 | 2023 |
| Essential Services | 562,312 | 338,608 | 204,652 |
| Operations | 0 | 0 | 0 |
| Renovation | 0 | 0 | 0 |
| Major Rehab | 0 | 0 | 0 |
| Conversion | 0 | 0 | 0 |
| Subtotal | 562,312 | 338,608 | 204,652 |

Table 27 – ESG Expenditures for Emergency Shelter

11d. Other Grant Expenditures

| | Dollar Amount of Expenditures in Program Year | | |
|-----------------|---|--------|--------|
| | 2021 | 2022 | 2023 |
| Street Outreach | 0 | 0 | 0 |
| HMIS | 19,005 | 92,141 | 36,710 |
| Administration | 128,601 | 48,444 | 16,835 |

Table 28 - Other Grant Expenditures

11e. Total ESG Grant Funds

| Total ESG Funds Expended | 2021 | 2022 | 2023 |
|--------------------------|-----------|-----------|---------|
| | 1,051,204 | 1,129,050 | 449,701 |

Table 29 - Total ESG Funds Expended

11f. Match Source

| | 2021 | 2022 | 2023 |
|---------------------------|------------------|------------------|------------------|
| Other Non-ESG HUD Funds | 1,644,459 | 1,725,339 | 1,725,339 |
| Other Federal Funds | 2,475 | 25,855 | 21,822 |
| State Government | 0 | 24,275 | 64,832 |
| Local Government | 0 | 238,071 | 375,768 |
| Private Funds | 0 | 0 | 0 |
| Other | 173,818 | 158,187 | 58,162 |
| Fees | 0 | 0 | 0 |
| Program Income | 0 | 0 | 0 |
| Total Match Amount | 1,820,752 | 2,171,727 | 2,245,923 |

Table 30 - Other Funds Expended on Eligible ESG Activities

11g. Total

| Total Amount of Funds Expended on ESG Activities | 2021 | 2022 | 2023 |
|--|-----------|-----------|-----------|
| | 2,871,956 | 3,300,777 | 2,695,624 |

Table 31 - Total Amount of Funds Expended on ESG Activities

Attachment

Notice of Publication

The Topeka Metro News

800 SW Jackson St., Ste. 1118
Topeka, KS 66612-1244
(786) 232-8600

CITY OF TOPEKA -- HOUSING SERVICES
620 SE MADISON 1ST FL UNIT 8
TOPEKA KS 66607-1118

Proof of Publication

STATE OF KANSAS, SHAWNEE COUNTY, SS; Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Clerk for The Topeka Metro News which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Shawnee County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any) for 1 consecutive week(s), as follows:

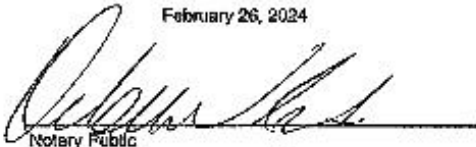
PUBLIC COMMENTS - FY2023 CONSOLIDATED ANNUAL PERFORMANCE & EVALUATION REPORT
2/26/24



Maureen Gillespie, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

February 26, 2024



Notary Public

DEBRA VALENTI

Notary Public-State of Kansas
My Appt. Expires Aug. 21, 2027

Printed and Published by The Topeka Metro News, Monday, February 26, 2024

PUBLIC COMMENTS

The City of Topeka's Department of Housing Services will make available our public comments, for a period of 45 days, the FY2023 Consolidated Annual Performance & Evaluation Report (CAPER) on Monday, February 26, 2024 at the Department of Housing Services, 620 SE Madison, 1st Floor.

The purpose is to obtain citizen comments on the performance of the City of Topeka CAPER for the period of January 1, 2023 through December 31, 2023.

Further information may be obtained by contacting the Department of Housing Services, 620 SE Madison, 1st Floor, Topeka, Kansas 66607, or by calling the office at (785) 465-5714.

PO #60278
L17029
Publication Fees: \$9.00

HESG Monitoring Standards and Procedures

ESG Written Standards

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ESG ELIGIBLE ACTIVITIES (PROGRAM TYPES)

All recipients of ESG funds are expected to comply with City of Topeka requirements for utilizing the centralized assessment process and procedures of the Continuum of Care (CoC). Sub recipients are required to comply with all ESG requirements as required in – 24 CFR 576, including; the provision of case management, helping program participants increase income, either via employment assistance or through the acquisition of mainstream benefits, and helping program participants move into and stay in permanent housing.

Emergency Shelter (ES): Increase the quantity and quality of temporary shelter provided to homeless individuals and families by paying for operating and essential services.

- a. Essential Services
- b. Operations

Homelessness Prevention (HP): Prevent households from becoming homeless through rental assistance and housing relocation and stabilization services.

- c. Housing Relocation and Stabilization Services
 - i. Financial Assistance
 - ii. Services Costs
- d. Rental Assistance

Rapid Re-housing (RRH): Quickly move homeless individuals and families into permanent housing through rental assistance and housing relocation and stabilization services.

- e. Housing Relocation and Stabilization Services
 - i. Financial Assistance
 - ii. Services Costs
- f. Rental Assistance

Homeless Management Information System (HMIS): Support ESG subrecipient’s participation in the HMIS collection and data analysis of households that are homeless or at risk of homelessness.

Administration (AD): Support for the activities and supplies necessary to successfully administer the ESG program.

Emergency Shelter: (ES)

From the HUD ESG regulations, “emergency shelter means any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements.” Shelter stays should be avoided, if possible, and when not possible, limited to the shortest time necessary to help participants regain permanent housing. Emergency shelter programs should be closely linked to an array of programs in order to accomplish this goal of stable permanent housing including, but not limited to, rapid re-housing, transitional housing, affordable housing placement, and employment. Linkages should also be made to applicable mainstream programs such as SOAR, food stamps, TANF, etc.

ESG funds may be used for costs of providing essential services to homeless families and individuals in emergency shelters and operating emergency shelters.

- a. Case management. (A) Using the centralized or coordinated assessment (B) Conducting the initial evaluation (a), including verifying and documenting eligibility; (C) Counseling; (D) Developing, securing, and coordinating services and obtaining Federal, State, and local benefits; (E) Monitoring and evaluating program participant progress; (F) Providing information and referrals to other providers; (G) Providing ongoing risk assessment and safety planning with victims of domestic violence, dating violence, sexual assault, and stalking; and (H) Developing an individualized housing and service plan, including planning a path to permanent housing stability.
- b. Shelter operations. Eligible costs are the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, furnishings, and supplies necessary for the operation of the emergency shelter. Where no appropriate emergency shelter is available for a homeless family or individual.
- c. Habitability Standards
The ESG Program requires subrecipients to follow habitability standards for **emergency shelter operations programs** and for **homelessness prevention and rapid re-housing programs** assisting participants to obtain or remain in permanent housing.

The Emergency Solutions Grants (ESG) Program Interim Rule establishes different habitability standards for emergency shelters and for permanent housing (the Rapid Re-housing and Homelessness Prevention components).

- **Emergency Shelter Standards.**
 - 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 state or local government safety and sanitation standards, as applicable.
- **Permanent Housing Standards.** The recipient or 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.

Recipients and subrecipients must document compliance with the applicable standards. Note that these checklists do not cover the requirements to comply with the Lead-Based Paint requirements at §576.403(a). For more discussion about how and when the standards apply, see ***ESG Minimum Standards for Emergency Shelters and Permanent Housing***, located at <http://OneCPD.info/esg>.

Any Emergency Shelter that receives ESG assistance for shelter operations must meet the following minimum safety, sanitation, and privacy standards.

**Minimum Standards Do Not Apply to
Essential Services and HMIS Activities**

- The minimum standards for emergency shelters apply only when ESG funds are used for **shelter operations and conversion, major rehabilitation, or other renovation**.
- **Essential services** provided under the Street Outreach and Emergency Shelter components do not trigger either the minimum standards for emergency shelter or the minimum standards for permanent housing. This is because there is no unit to inspect; these services are provided for persons who are sleeping in emergency shelters or 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.
- Likewise, the minimum standards do not apply to an emergency shelter (or other organization) receiving ESG funds only for **HMIS** costs.

- a. Structure and materials
The shelter building must be structurally sound to protect residents from the elements and not pose any threat to health and safety of the residents.
- b. Access
The shelter must be accessible in accordance with Section 504 of the Rehabilitation Act (29 U.S.C. 794) and implementing regulations at 24 CFR part 8; the Fair Housing Act (42 U.S.C. 3601 *et seq.*) and implementing regulations at 24 CFR part 100; and Title II of the Americans with Disabilities Act (42 U.S.C. 12131 *et seq.*) and 28 CFR part 35; where applicable.
- c. Space and security
Except where the shelter is intended for day use only, the shelter must provide each program participant in the shelter with an acceptable place to sleep and adequate space and security for themselves and their belongings.
- d. Interior air quality
Each room or space within the shelter must have a natural or mechanical means of ventilation. The interior air must be free of pollutants at a level that might threaten or harm the health of residents.
- e. Water supply
The shelter's water supply must be free of contamination.
- f. Sanitary facilities
Each program participant in the shelter must have access to sanitary facilities that are in proper operating condition, are private, and are adequate for personal cleanliness and the disposal of human waste.
- g. Thermal environment
The shelter must have any necessary heating/ cooling facilities in proper operating condition.
- h. Illumination and electricity
The shelter must have adequate natural or artificial illumination to permit normal indoor activities and support health and safety. There must be sufficient electrical sources to permit the safe use of electrical appliances in the shelter.
- i. Food preparation
Food preparation areas, if any, must contain suitable space and equipment to store, prepare, and serve food in a safe and sanitary manner.
- j. Sanitary conditions
The shelter must be maintained in a sanitary condition.
- k. Fire safety
There must be at least one working smoke detector in each occupied unit of the shelter. Where possible, smoke detectors must be located near sleeping areas. The fire alarm system must be designed for hearing- impaired residents. All public areas of the shelter must have at least one working smoke detector. There must also be a second means of exiting the building in the event of fire or another emergency.

Rapid Re-Housing: (RRH)

Households receiving Rapid Re-housing assistance do not have to income qualify at program entrance but must have an income below 30% Area Median Income (AMI) for the geographic area. Rapid Re-housing programs are designed to help homeless individuals and families rapidly transition into permanent housing. Link ages should also be made to applicable mainstream programs such as SOAR, TANF, etc. Rapid Re-housing funds may be used to provide housing relocation and stabilization services and short rental assistance. Assistance must be necessary to help the program participant obtain and remain in permanent housing.

a. Housing Relocation and Stabilization Services

i. Financial Assistance:— security deposits, utility deposits, utility payments

ii. Services Costs: housing search and placement, housing stability case management.

b. Rental Assistance: short term rental assistance.

Homelessness Prevention: (HP)

Households receiving Homelessness Prevention assistance must have an income level below 30% Area Median Income (AMI) for the geographic area at entry and must meet the definition of “at risk of homelessness”. The household must demonstrate that they do not have sufficient resources or support networks to prevent them from losing their housing and moving to an emergency shelter or other place not meant for human habitation. Participants must be re-certified every 90 days. Linkages should also be made to applicable main stream programs such as SOAR, TANF, etc. Homelessness Prevention funds may be used to provide housing relocation and stabilization services and short to medium term rental assistance. Assistance must be necessary to help the program participant regain stability in their current permanent housing or obtain other permanent housing.

a. Housing Relocation and Stabilization Services

i. Financial Assistance: last month’s rent, utility payments.

ii. Services Costs: housing search and placement, housing stability case management, mediation.

Rental Assistance: rental arrears.

Administration: (Ad)

Up to 7.5% of a recipient’s allocation of ESG funding can be used for Administrative activities. Administration includes general management, oversight, and coordination; reporting on the program; costs of providing training on ESG requirements and attending HUD approved ESG trainings (which are rare).

DEFINITION OF HOMELESSNESS, AT RISK OF HOMELESSNESS

HUD defines homelessness into four categories. Category 3 (Homeless under Other Federal Statutes) is only allowable after a request from the local CoC to use it AND approval by HUD, therefore is not listed below.

1. **Category 1:** Literally Homeless or Core Definition (1) 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 (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) OR (iii) is exiting an institution where they 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.

Qualifies for: Emergency Shelter, Rapid Re-Housing, Transitional Housing, ~~Outreach~~, Supportive Services programs

2. **Category 2** Imminent Risk of Homelessness (2) 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 the individual or family lacks the resources or support networks needed to obtain other permanent housing.

Must also exhibit one or more of the following risk factors:

- (a) Has moved frequently because of economic reasons “two or more times during the 60 days immediately preceding the application for assistance”.
- (b) Is living in the home of another because of economic hardship.
- (c) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application.
- (d) Lives in a hotel or motel paid for by charitable organizations or the federal, state, or local government
- (e) Lives in severely overcrowded housing (in a single-room occupancy or efficiency apartment unit in which more than two persons, on average, reside or another type of housing in which there reside more than 1.5 persons per room, as defined by the U.S. Census Bureau).
- (f) Is exiting a publicly funded institution or system of care (health-care, mental health, foster care, correction program).
- (g) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness (characteristics described in the funded jurisdictions Consolidated Plan).

Qualifies for: Emergency Shelter, Rapid Re-Housing, Transitional Housing, Homeless Prevention

3. **Category 4:** Fleeing/Attempting to Flee Domestic Violence (4) 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 AND RECORD KEEPING REQUIREMENTS

Subrecipients must document homeless status for every program participant. Subrecipients must keep ESG records for 5 years after the expenditure of all funds from the grant. ESG subrecipients must establish and follow Written Standards to ensure program compliance. Written Standards must describe procedures for verifying homelessness status. Lack of third-party documentation cannot prevent a household from receiving emergency assistance including shelter and victim services.

Evidence for establishing and verifying homeless status in preferred order of documentation is:

- a. Third-party documentation – source documents provided by an outside source
- b. Staff/Intake worker observation – documented by ESG staff
- c. Certification from the person seeking assistance – ESG staff must certify efforts made to obtain third party documentation before allowing applicant to self-certify

Homeless Status Documentation and Record Keeping Requirements:

- A. **Homeless CATEGORY 1** acceptable evidence includes:
 - i. ESG Homeless Certification and ESG Self Certification Forms
 - ii. HMIS Verification of Homelessness
 - iii. A written observation by an outreach worker of the conditions where the individual or family was living, a written referral by another housing or service provider
- B. **Homeless CATEGORY 1** and is exiting an institution where he or she resided for 90 days or less, acceptable evidence includes evidence listed above for CATEGORY 1 AND ONE of the following:
 - i. Discharge paperwork or a written or oral referral from a social worker, case manager, or other appropriate official of the institution, stating the beginning and end dates of the time residing in the institution. All oral statements must be recorded by the intake worker; OR
 - ii. Where the evidence listed above in (A) is not obtainable, a written record of the intake worker's due diligence in attempting to obtain the evidence described in (A) and a certification by the individual seeking assistance that states he or she is exiting or has just exited an institution where he or she resided for 90 days or less. A written observation by an outreach worker of the conditions where the individual or family was living, a written referral by another housing or service provider
- C. **Homeless CATEGORY 2** evidence includes at least one of the following stating that the household must leave within 21 days:
 - i. A court order resulting from an eviction notice or equivalent notice, or a formal eviction notice;
 - ii. For applicants whose primary nighttime residence is a hotel or motel room

not paid for by charitable organizations or federal, state, or local government programs, Evidence that the individual or family lacks the resources necessary to reside there for more than 21 days after the date of application for homeless assistance OR

- iii. An oral or written statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 21 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible.

To be found credible, the oral statement must either:

- a. Be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance **AND**
- b. Be documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement.

If the intake worker is unable to contact the owner or renter:

- a. The intake worker must provide written documentation certifying that he/she performed due diligence in attempting to obtain verification and written certification that the applicant's statement was true and complete.
- b. Certification by the individual or head of household that no subsequent residence has been identified; AND
- c. Certification or other written documentation that the individual or family lacks the resources and support networks needed to obtain other permanent housing.

D. Homeless CATEGORY 4: Acceptable evidence includes:

If the individual or family is receiving shelter or services provided by a victim service provider:

- i. ESG Self Certification Form AND
- ii. A certification by the intake worker.

If the individual is seeking services from non- victim service provider:

- i. The ESG Self Certification Form documenting that applicant is fleeing a domestic violence situation, has not identified a subsequent residence, and lacks the resources or support networks, e.g., family, friends, faith-based, or other social networks, needed to obtain housing where his/her safety would not be jeopardized AND
- ii. Written observation by the intake worker, a written referral by a housing or service provider, social worker, legal assistance provider, health-care provider, law enforcement agency, legal assistance provider, pastoral counselor, or any other organization from whom the individual or head of household has sought

assistance for domestic violence

AT RISK OF HOMELESSNESS: Acceptable evidence includes:

- A. Annual Income: When determining the **annual income** of an individual or family, the recipient or Sub Recipients must use the standard for calculating annual income under 24 CFR 5.609. Check guidance for further evidence requirements.

- B. Lacks **Evidence of the second eligibility criterion** (“lacks sufficient resources...”):
 - i. Source documents - notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears.
 - ii. To the extent that source documents are unobtainable, a written statement by the relevant third party - (e.g., former employer, public administrator, relative) or written certification by the intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria of the definition of “at risk of homelessness” OR
 - iii. If source documents and third-party verification are unobtainable, a written statement by intake staff describing the efforts taken to obtain the required evidence.

Evidence for documenting at least one of the 7 risk factors:

- a. Source documents – (notice of termination from employment, unemployment compensation statement, bank statement, health-care bill showing arrears, utility bill showing arrears).
- b. To the extent that source documents are unobtainable, a written statement by the relevant third party - (e.g., former employer, public administrator, relative) or written certification by the intake staff of the oral verification by the relevant third party that the applicant meets one or both of the criteria of the definition of “at risk of homelessness” or
- c. If source documents and third-party verification are unobtainable, a written statement by intake staff describing the efforts taken to obtain the required evidence. (can include staff visit to applicant home to verify eligibility)

INTAKE, INCOME ELIGIBILITY AND RE-CERTIFICATION

Intake

All ESG applicants must participate in and subrecipients should document an initial consultation to assess needs and to determine program eligibility. The consultation should include, verification of homeless status, Coordinated Entry System assessment, barriers to housing stability, data entry of required HMIS or comparable database universal data elements and any

other program specific information such as income and documentation of insufficient support networks. Participants may not receive assistance for the same eligible activity from multiple federal sources. If the participant is not eligible for ESG assistance, subrecipients are required to provide documentation regarding non-eligibility and to identify other appropriate service referrals within the CoC that can meet the applicant's needs.

Eligibility Assessment for Emergency Shelter, Street Outreach

Eligibility for these programs requires a verification of homelessness. See previous section on documenting housing status. There are no income eligibility requirements for emergency shelter, or street outreach.

Income Eligibility

When determining the annual income of an individual or family, the subrecipient must use the standard for calculating annual income under 24 CFR 5.609. As a reminder, there are no income eligibility requirements for emergency shelter and street outreach. To qualify for rapid re-housing a household's income must be below 30 percent Area Median Income (AMI) at annual recertification and to qualify for homelessness prevention a household's income must be below 30 percent AMI for the geographic area at the time of entering the program and at each 90-day recertification.

(a) Annual income means all amounts, monetary or not, which go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member OR are anticipated to be received from a source outside the family during the 12-month period following admission or annual recertification date. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.

(b) Annual income includes, but is not limited to, the full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services. Income includes the net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family.

(c) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness shall not be used as deductions in determining net income. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000, annual income shall include the greater of the actual income derived from all net family assets or a percentage of the value of such assets based on the current passbook savings rate, as determined by HUD.

(d) The full number of periodic amounts received from Social Security, annuities, insurance

policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount.

(e) Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay.

(f) Welfare assistance payments. Welfare assistance payments made under the Temporary Assistance for Needy Families (TANF) program are included in annual income only to the extent such payments, (i) qualify as assistance under the TANF program definition at 45 CFR 260.31 AND (ii) are not otherwise excluded.

Income Exclusions

When determining income, the following income is excluded. Annual income does not include the following.

(a) Income from employment of children (including foster children) under the age of 18.

(b) Payments received for the care of foster children or foster adults.

(c) Lump-sum additions to family assets, such as inheritances and insurance payments.

(d) Amounts received by the family that are specifically for, or in reimbursement of, the costs of medical expenses for any family member.

(e) Income of a live-in aide.

(f) The full amount of student financial assistance paid directly to the student or to the educational institution.

(g) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.

(h) Amounts received under training programs funded by HUD.

(i) Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS).

(j) Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program.

(k) Amounts received under a resident service stipend. A resident service stipend is a modest amount (not to exceed \$200 per month) received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development. No resident may receive more than one such stipend during the same period of time.

(l) Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program.

(m) Temporary, nonrecurring or sporadic income (including gifts).

(n) Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.

- (o) Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse).
- (p) Adoption assistance payments in excess of \$480 per adopted child.
- (q) [Reserved]
- (r) Deferred periodic amounts from supplemental security income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts.
- (s) Amounts received by the family in the form of refunds or rebates under state or local law for property taxes paid on the dwelling unit.
- (t) Amounts paid by a state agency to a family member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
- (u) Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in 24 CFR 5.609(c) apply. A notice will be published in the Federal Register and distributed to PHAs and housing owners identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary.

Case Management

Mainstream Benefits

All ESG sub recipient agencies are expected to provide case management to all ESG program participants, including connecting program participants to mainstream and other resources.

Sub Recipients must assist each program participant, as needed, to obtain:

- a. Appropriate supportive services, including assistance in obtaining permanent housing, medical health treatment, mental health treatment, counseling, supervision, and other services essential for achieving independent living; **and**
- b. Other Federal, State, local, and private assistance available to assist the program participant in obtaining housing stability, including:
 - i. Medicaid (42 CFR chapter IV, subchapter C);
 - ii. Supplemental Nutrition Assistance Program (7 CFR parts 271– 283);
 - iii. Women, Infants and Children (WIC) (7 CFR part 246);
 - iv. Federal-State Unemployment Insurance Program (20 CFR parts 601– 603, 606, 609, 614– 617, 625, 640, 650);
 - v. Social Security Disability Insurance (SSDI) (20 CFR part 404);
 - vi. Supplemental Security Income (SSI) (20 CFR part 416);
 - vii. Child and Adult Care Food Program (42 U.S.C. 1766(t) (7 CFR part 226));
 - viii. Other assistance available under the programs listed in § 576.400(c).

Prevention and Rapid Re-Housing Case Management

Housing stability case management is required of Sub Recipients providing homelessness prevention or rapid re-housing assistance.

Sub Recipients must:

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

RENTAL ASSISTANCE REQUIREMENTS

City of Topeka has not established a mandatory share of rent and utility costs that program participants must contribute while in rapid re-housing and prevention programs. Sub recipients must develop and utilize agency policies and procedures for providing rental assistance that meet the standards of 576.400:

- a. Standards for determining what percentage or amount of rent and utilities costs each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;
- b. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time; and
- c. Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide to a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participant receive assistance; or the maximum number of times the program participant may receive assistance.

Rental Assistance Agreements

Short term rental assistance programs require that a program participant and a landlord have a written lease for the provision of rental assistance. In addition, the interim rule also requires a rental assistance agreement between the sub recipient agency and the landlord.

The sub recipient agency may make rental assistance payments only to a landlord with whom the Sub Recipients has entered into a rental assistance agreement. The rental assistance agreement must set forth the terms under which rental assistance will be provided, including the requirements that apply under this section. The rental assistance agreement must provide that, during the term of the agreement, the owner must give the Sub Recipients 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.

The rental assistance agreement must contain the same payment due date, grace period, and late payment penalty requirements as the program participant's lease.

The rental assistance agreement with the owner must terminate and no further rental assistance payments under that agreement may be made if:

- a. The program participant moves out of the housing for which they have a lease;
- b. The lease terminates and is not renewed; or
- c. The program participant becomes ineligible to receive ESG rental assistance.

Leases

Each program participant receiving rental assistance must have a legally binding, written lease for the rental unit, unless the assistance is solely for rental arrears. The lease must be between the owner and the program participant. Where the assistance is solely for rental arrears, an oral agreement may be accepted in place of a written lease, if the agreement gives the program participant an enforceable leasehold interest under state law and the agreement and rent owed are sufficiently documented by the owner's financial records, rent ledgers, or canceled checks.

Rent Reasonableness and Fair Market Rent (FMR)

Rental assistance cannot be provided for a housing unit unless the unit complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507. The rent restrictions are intended to make sure that program participants can remain in their housing after ESG assistance ends. Rent reasonableness requirements DO NOT APPLY when a program participant receives only financial assistance or services under Housing Relocation and Stabilization Services. This includes rental application fees, security deposits, last month's rent, utility payments/deposits, moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.

The rent charged for a unit must be reasonable in relation to rents currently being charged for comparable units in the private unassisted market and must not be in excess of rents currently being charged by the owner for comparable unassisted units.

What HUD says:

Determining and Documenting Rent Reasonableness

Recipients are responsible for determining what documentation is required in order to ensure the rent reasonableness standard is met. Recipients and subrecipients should determine rent reasonableness by considering the location, quality, size, type, and age of the unit, and any amenities, maintenance, and utilities to be provided by the owner. Comparable rents can be checked by using a market study of rents charged for units of different sizes in different locations or by reviewing advertisements for comparable rental units. For example, a participant's case file might include the unit's rent and description, a printout of three comparable units' rents, and evidence that these comparison units shared the same features (location, size, amenities, quality, etc.). Another acceptable method of documentation is written verification signed by the property owner or management company, on letterhead, affirming that the rent for a unit assisted with ESG funds is comparable to current rents charged for similar unassisted units managed by the same owner.

Caution

Comparable rents vary over time with market changes, so it is important to ensure that the comparison you are using is up-to-date and appropriate for each prospective unit.

Recipients must establish their own written policies and procedures for documenting comparable rents and ensure that they are followed when documenting rent reasonableness in the case file. A recipient may require all subrecipients to use a specific form or a particular data source. Use of a single form to collect data on rents for units of different sizes and locations will make the data collection process uniform. A sample "Rent Reasonableness Checklist and Certification" form is available at:

www.hud.gov/offices/cpd/affordablehousing/library/forms/rentreasonablechecklist.doc

Note: This sample form is used across different housing programs.

Fair Market Rent (FMR)

Rental assistance cannot be provided for a housing unit unless the total rent for the unit does not exceed Fair Market Rent (FMR) established by HUD, as provided under 24 CFR

982.503. The rent restrictions are intended to make sure that program participants can remain in their housing after ESG assistance ends. FMR requirements DO NOT APPLY when a program participant receives only financial assistance or services under Housing Relocation and Stabilization Services. This includes rental application fees, security deposits, last month's rent, utility payments/deposits, moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, legal services, and credit repair.

FMRs are gross rent estimates. The U.S. Department of Housing and Urban Development (HUD) annually estimates FMRs. HUD sets FMRs to assure that a sufficient supply of rental housing is available to program participants. By law, HUD is required to publish new FMRs at the start of the federal fiscal year, on October 1 and can be found online at: <http://www.huduser.org/portal/datasets/fmr.html>.

When calculating whether or not the "contract rent" (amount payable to the landlord) is at or below the FMR, be sure to add the contract rent to the utility allowance provided by the appropriate local housing authority. The monthly utility allowance is calculated only for those utilities that the tenant pays for separately from the rent. The utility allowance does not include telephone, cable or satellite television service, and internet service. If all utilities are included in the rent, there is no utility allowance.

***FMR – Utility costs included in rent per PHA schedule =
Maximum contract allowed rent***

Lead Based Paint Disclosure

Childhood lead poisoning is a major environmental health problem in the United States, especially for low-income families in poor living conditions. If not detected early, children with high levels of lead in their bodies can suffer from damage to the brain and nervous system, behavioral and learning problems, slowed growth, hearing problems, and headaches.

Subrecipients that receive funds for emergency shelter, homeless prevention and rapid re-housing MUST comply with 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. Most emergency shelters are exempt, because they fall under the definition of zero-bedroom dwellings, which are exempt under the Title X statute. If the shelter does not qualify for the zero-bedroom exemption, it is covered by the regulation.

A zero-bedroom dwelling is defined in section 35.110 as "any residential dwelling in which

the living areas are not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory or single room occupancy housing, military barracks, and rental of individual rooms in residential dwellings.” The term “single room occupancy housing” is defined as “housing consisting of zero-bedroom dwelling units that may contain food preparation or sanitary facilities or both.” Group homes are exempt if they consist of “rental of individual rooms in residential dwellings.”

For homeless prevention and rapid re-housing, a lead-based paint visual assessment must be completed for all units that meet the three following conditions:

- a. The household living in the unit is being assisted with ESG financial assistance (rent assistance, utility assistance, utility/security deposits, or arrears).
- b. The unit was constructed prior to 1978.
- c. A child under the age of six, or a woman who could become pregnant is or may be living in the unit.

HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS)

Homeless Management Information System (HMIS) means the information system designated by the Continuum of Care to comply with the HUD's data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to homeless individuals and families and persons at-risk of homelessness. HMIS participation is a statutory requirement for ESG recipients and sub recipients. Victim service providers cannot, and Legal Services Organizations may choose to not, participate in HMIS. Providers that do not participate in HMIS must use a comparable database that produces unduplicated, aggregate reports instead.

Data Quality and Reporting Data

Quality

The Topeka Shawnee Co Data Quality Assurance Plan and Agreement (DQAP) provides a list of policies and procedures to ensure the data integrity of the City of Topeka, Client Track Homeless Management Information System. This is how Topeka Shawnee Co CoC ensures that the HMIS is administered in compliance with the CoC Program Interim Rule and in conformance with HMIS Data Standards and related HUD notices.

Agencies provide the following levels of data accuracy and timeliness to ensure data integrity in Client Track:

- a. All household names are accurate,
- b. Blanks, 'Don't Know' or 'Refused' entries in required data fields do not exceed 5% per month,
- c. All services entered are consistent with the corresponding program,
- d. In all reports of shelter or housing provided for a client, the client is eligible to receive such services from the listed provider per program specific eligibility criteria, and data for intakes and exits by an agency are entered as soon as

possible, but no later than 72 hours after the service date.

Reporting

The HMIS Administrator will run a monthly APR and send these out to each ESG agency to correct any errors. Once the errors have been corrected by the ESG agency, they will then email HMIS Administrator to notify them that errors have been corrected. HMIS Administrator will also run a Quarterly APR report.

Data Quality Compliance for Domestic Violence (DV) Service Providers

ESG sub recipients who are domestic violence service providers and are providing ESG assistance to victims of domestic violence should not use HMIS but should use a comparable data base to record client data. DV providers are expected to comply with the same Data Quality standards as agencies who are not serving victims of domestic violence.

Coordinated Entry

HUD require all CoC's to develop and implement a centralized or coordinated assessment process.

A centralized or coordinated entry process covers the geographic area (CoC), is easily accessed by individuals and families seeking housing or services, is well advertised, and includes a comprehensive and standardized assessment tool. The assessment system may vary from community to community based on individual communities' needs. HUD requires all ESG funded Sub recipients to participate in the coordinated entry process designated by the CoC it provides services in.

Topeka Shawnee Co COC administer the Coordinated Entry process. The assessment tool to be used across the Topeka Shawnee Co CoC is the Vulnerability Index Services Prioritization Decision Assistance Tool (VI- SPADT). The VI-SPADT is available in Client Track and is part of the ESG eligibility process.

REQUIRED WRITTEN STANDARDS-POLICIES AND PROCEDURES

ESG requires that each sub recipient establish and consistently apply policies and procedures for each ESG program administered by the sub recipient.

At a minimum these written standards must include:

Required for ALL PROGRAMS:

- a. Standard policies and procedures for evaluating eligibility.
- b. Policies and procedures for coordination among emergency shelter providers,

essential services providers, homelessness prevention, and rapid rehousing assistance providers; other homeless assistance providers; and mainstream service and housing providers (see §576.400(b) and (c) for a list of programs with which ESG-funded activities must be coordinated and integrated to the maximum extent practicable);

- c. Participation in HMIS or comparable database. The Sub Recipients must ensure that data on all persons served and all activities assisted under ESG are entered into the Client Track HMIS. If the sub recipient is a victim service provider, a comparable database, must be used to collect client- level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data.

Standards for EMERGENCY SHELTER - at a minimum these written standards must include:

- a. Policies and procedures for admission, diversion, referral, and discharge by emergency shelters, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, [e.g., victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest].
- b. Policies and procedures for assessing, prioritizing, and reassessing needs for essential services related to emergency shelter.

Standards for PREVENTION and RAPID RE-HOUSING at a minimum these written standards must include:

- a. Policies and procedures for determining and prioritizing homelessness prevention and rapid re-housing assistance;
- b. Standards for determining what percentage or amount of rent and utilities costs, if any, each program participant must pay while receiving homelessness prevention or rapid re-housing assistance;
- c. Standards for determining how long a particular program participant will be provided with rental assistance and whether and how the amount of that assistance will be adjusted over time,
- d. Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to provide, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months in the program; or the maximum number of times the program participant may receive assistance.

PERFORMANCE STANDARDS AND MEASURES

Objectives for the ESG program

- a. Engage homeless individuals and families living on the street;
- b. Improve the number and quality of emergency shelters for homeless individuals and families;
- c. Help operate these shelters;
- d. Provide essential services to shelter residents,
- e. Rapidly re-house homeless individuals and families, and
- f. Prevent families and individuals from becoming homeless.

Overall Goals

- a. Reduce the number of unsheltered individuals and families
- b. Reduce length of stay for clients in emergency shelters. Length of stay should generally be no longer than 90 days for shelters.
- c. Increase placements into permanent housing for homeless individuals and families from Emergency Shelter.
- d. Prevent individuals and families from becoming homeless – either unsheltered or sheltered
- e. Increase the percentage of individuals and families remaining in permanent housing. Increase income or access to mainstream benefits for program participants while in the ESG program.

Performance Measurements

A. Emergency Shelter

- i. 75% of clients with more than 90 days in shelter exit to permanent destinations
- ii. 75 % of clients with less than 90 days in shelter exit to destinations other than homelessness

B. Homeless Prevention

- i. 75% of clients will maintain Permanent Housing for six (6) months.
- ii. 75% of clients will access permanent housing

C. Rapid Re Housing

- i. 75% of clients will maintain Permanent Housing for six (6) months.
- ii. 75% of clients will access permanent housing

TERMINATION AND APPEALS

As part of each program's policies and procedures, Sub Recipients must develop policies regarding termination of assistance to participants, appeals, and confidentiality procedures.

Terminating Assistance

As part of each program's policies and procedures, subrecipients must develop policies regarding termination of assistance to participants, complaints, appeals, and confidentiality procedures.

If a program participant violates program requirements, the subrecipient may terminate the assistance in accordance with a formal process established by the subrecipient that recognizes the rights of the individuals affected. The subrecipient must exercise judgement and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases. To terminate rental assistance or housing relocation and stabilization services to a program participant, the required formal process, at a minimum, must consist of:

- (a) Written notices to the program participant containing a clear statement of the reasons for termination;
 - (b) A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; AND
 - (c) Prompt written notice of the final decision to the program participant.
- Termination does not bar the subrecipient from providing further assistance at a later date to the same family or individual.

If a program participant violates program requirements, the Sub Recipient may terminate the assistance in accordance with a formal process established by the Sub Recipient, and approved by the Recipient, that recognizes the rights of individuals affected. The Sub Recipient must exercise judgment and examine all extenuating circumstances in determining when violations warrant termination so that a program participant's assistance is terminated only in the most severe cases.

Homeless Prevention and Rapid Re-Housing Terminations

To terminate rental assistance or housing relocation and stabilization services to a program participant, the required formal process, at a minimum, must consist of:

- a. Written notice to the program participant containing a clear statement of the reasons for termination;
- b. A review of the decision, in which the program participant is given the opportunity to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the termination decision; **AND**

- c. Prompt written notice of the final decision to the program participant.
 - Termination does not bar the Sub Recipient from providing further assistance at a later date to the same family or individual.

Topeka Shawnee Co ESG Appeal Process

ESG agencies have the responsibility to resolve all client complaints. ESG agencies shall establish in writing a clear, objective, and prompt appeal policy.

ESG agencies must assure each client or applicant is aware of their right to file an appeal and the associated time restrictions. To certify that a client or applicant understands his/her rights, this information will be provided on the application and on program rules and requirements. ESG agencies will also be responsive to requests for information regarding their appeals process. The client or applicant may withdraw a request for appeal if the agency review results in a negotiated settlement.

An appeal or grievance must be filed in writing for a subrecipient to act, except when a client complaint can be resolved quickly. Prompt action and negotiations by the agency does not preclude the right to appeal. ESG agencies must document each step of the appeals process including all communication with the client. The subrecipient is encouraged to include a review of the decision by the ESG agency.

If the appellant is dissatisfied with the decision of the subrecipient a request for appeal to The City of Topeka must be submitted in writing to the ESG program manager within ten days of notice of action. Upon receipt of the request for appeal, the ESG program manager will copy the request for the agency whose decision has been appealed. The subrecipient will be requested to supply any documents relevant to the decision within seven days of receipt of the appeal. The ESG program manager will review the request for appeal and any supporting documents and will respond in writing to the applicant or client within thirty days of receipt of the appeal. If the appellant is dissatisfied with the decision of the ESG program manager, he/she may appeal to the Director of Housing Services with the City of Topeka within ten days and may include additional documentation appropriate for review. The Director will respond in writing to the appellant within thirty days of receipt of the appeal.

The decision of the Director of Housing Services is the final administrative remedy in the appeal process. If the appellant is dissatisfied with the final decision, he/she may seek remedy through the court system.

GRANT ADMINISTRATION REQUIREMENTS

The sub recipient must have policies and procedures to ensure the requirements 24 CFR 576 are met, including those required by 2 CFR part 200. The policies and procedures must be established in writing and implemented by the sub recipient to ensure that ESG funds are used in accordance with the requirements. In addition, sufficient records must be established and maintained to enable the recipient and HUD to determine whether ESG requirements are being met.

2CFR 200 Subpart D – Post Federal Award Requirements

Financial Management

The financial management system of each sub recipient must provide for the following (see also

§§200.333 Retention requirements for records, 200.334 Requests for transfer of records, 200.335 Methods for collection, transmission and storage of information, 200.336 Access to records, and 200.337 Restrictions on public access to records):

Internal Controls

Sub recipients must establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal

controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States or the “Internal Control Integrated Framework”, issued by the Committee of sponsoring Organizations of the Treadway Commission (COSO).

Program

Requirements

Conflicts of

interest.

(a) *Organizational conflicts of interest.* The provision of any type or amount of ESG assistance may not be conditioned on an individual's or family's acceptance or occupancy of emergency shelter or housing owned by the recipient, the subrecipient, or a parent or subsidiary of the subrecipient. No subrecipient may, with respect to individuals or families occupying housing owned by the subrecipient, or any parent or subsidiary of the subrecipient, carry out the initial evaluation required under §576.401 or administer homelessness prevention assistance under §576.103. Recipients and subrecipients must also maintain written standards of conduct covering organizational conflicts of interest required under 2 CFR 200.318.

(b) *Individual conflicts of interest.* For the procurement of goods and services, the recipient and its subrecipients must comply with 2 CFR 200.317 and 200.318. For all other transactions and activities, the following restrictions apply:

(1) *Conflicts prohibited.* No person described in paragraph (b)(2) of this section who exercises or has exercised any functions or responsibilities with respect to activities assisted 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.

(2) *Persons covered.* The conflict-of-interest provisions of paragraph (b)(1) of this section apply to any person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its subrecipients.

(3) *Exceptions.* Upon the written request of the recipient, HUD may grant an exception to the provisions of this subsection on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (b)(3)(ii) of this section, provided that the recipient has satisfactorily met the threshold requirements of paragraph (b)(3)(i) of this section.

(i) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:

(A) If the recipient or subrecipient is a government, disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and

(B) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate state or local law.

(ii) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements under paragraph (b)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the ESG program and the effective and efficient administration of the recipient's or subrecipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

(A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

(B) Whether an opportunity was provided for open competitive bidding or negotiation;

(C) Whether the affected person has withdrawn from his or her functions, responsibilities or the decision-making process with respect to the specific activity in question;

(D) Whether the interest or benefit was present before the affected person was in the

position described in paragraph (b)(1) of this section;

(E) Whether undue hardship results to the recipient, the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict; and

(F) Any other relevant considerations.

(c) *Contractors.* All contractors of the recipient or subrecipient must comply with the same requirements that apply to subrecipients under this section.

Homeless participation.

(a) Unless the recipient is a State, the recipient must provide for the participation of not less than one homeless individual or formerly homeless individual on the board of directors or other equivalent policy-making entity of the recipient, to the extent that the entity considers and makes policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG).

(b) If the recipient is unable to meet requirement under paragraph (a), it must instead develop and implement a plan to consult with homeless or formerly homeless individuals in considering and making policies and decisions regarding any facilities, services, or other assistance that receive funding under Emergency Solutions Grant (ESG). The plan must be included in the annual action plan required under 24 CFR 91.220.

(c) To the maximum extent practicable, the recipient or subrecipient must involve homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under ESG, in providing services assisted under ESG, and in providing services for occupants of facilities assisted under ESG. This involvement may include employment or volunteer services.

Affirmative outreach.

The recipient or subrecipient must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the recipient or subrecipient intends to use to make known the availability of the facilities, assistance, and services will reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the recipient or subrecipient must establish additional procedures that ensure that those persons are made aware of the facilities, assistance, and services. The recipient and its subrecipients must take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, recipients and subrecipients are also required to take reasonable steps to ensure meaningful access

to programs and activities for limited English proficiency (LEP) persons.

Equal participation of faith-based organizations in HUD programs and activities.

Equal participation of faith-based organizations in HUD programs and activities. Faith-based organizations are eligible, on the same basis as any other organization, to participate in HUD programs and activities. Neither the Federal Government, nor a State, tribal or local government, nor any other entity that administers any HUD program or activity, shall discriminate against an organization on the basis of the organization's religious character or affiliation, or lack thereof. In addition, decisions about awards of Federal financial assistance must be free from political interference or even the appearance of such interference and must be made on the basis of merit, not based on the religious character or affiliation, or lack thereof, of an organization.

Separation of explicitly religious activities from direct Federal financial assistance.

(1) A faith-based organization that applies for, or participates in, a HUD program or activity supported with Federal financial assistance retains its independence and may continue to carry out its mission, including the definition, development, practice, and expression of its religious beliefs, provided that it does not use direct Federal financial assistance that it receives (*e.g.*, via contract, grant, sub-grant, sub-award or cooperative agreement) to support or engage in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization), or in any other manner prohibited by law.

(2) A faith-based organization that receives direct Federal financial assistance may use space (including a sanctuary, chapel, prayer hall, or other space) in its facilities (including a temple, synagogue, church, mosque, or other place of worship) to carry out activities under a HUD program without removing religious art, icons, scriptures, or other religious symbols. In addition, a faith-based organization participating in a HUD program or activity retains its authority over its internal governance, and may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.

Explicitly religious activities. If an organization engages in explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization), the explicitly religious activities must be offered separately, in time or location, from the programs or activities supported by direct Federal financial assistance and participation must be voluntary for the beneficiaries of the programs or activities that receive direct Federal financial assistance.

Intermediary responsibilities to ensure equal participation of faith-based organizations in HUD programs. If an intermediary—acting under a contract, grant, or other agreement with the Federal Government or with a State, tribal or local government that is administering a program supported by Federal financial assistance—is given the authority to select a nongovernmental organization to receive Federal financial assistance under a contract, grant, sub-grant, sub-award, or cooperative agreement, the intermediary must ensure that such organization complies with the requirements of this

section. If the intermediary is a nongovernmental organization, it retains all other rights of a nongovernmental organization under the program's statutory and regulatory provisions.

Beneficiary protections. Faith-based organizations that carry out programs or activities with direct Federal financial assistance from HUD must give written notice to beneficiaries and prospective beneficiaries of the programs or activities describing certain protections available to them, as provided in this subsection. In addition, if a beneficiary or prospective beneficiary object to the religious character of the organization carrying out the programs or activities, that organization must promptly undertake reasonable efforts to identify and refer the beneficiary or prospective beneficiary to an alternative provider to which the beneficiary or prospective beneficiary has no such objection.