

Appendix T Covid-19 provisions

Prevention

The minimum prevention assessment score threshold of 7 has been suspended until 6 months after the CDC moratorium on evictions ends. No minimum score is needed to receive prevention services during this time period. However, households receiving prevention funding must be served in order of priority established by WI BOS policy and procedure.

For ESG-CV funds from the cares act, client income must be below 50% AMI.

Program Eligibility

5. Homeless Definition - Temporary Stays in Institutions of 90 days or Less

Requirement:

The definition of homeless in 24 CFR 578.3 includes under paragraph (I)(iii) an individual who is exiting an institution where he or she resided for 90 days or less and has resided in an emergency shelter or place not meant for human habitation immediately before entering that institution, which is an interpretation of §103(a)(4) of the McKinney-Vento Act which includes an individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided (emphasis added).

Citation:

24 CFR 578.3, definition of "homeless," (I)(iii)

Explanation:

An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution are considered homeless per 24 CFR 578.3, definition of "homeless."

Justification:

Recipients are reporting that program participants are residing in institutions for longer periods of time as a result of COVID-19 (e.g., longer time in jail due to a postponed court dates due to court closings or courts operating at reduced capacity and longer hospital stays when infected with COVID-19). Allowing someone who was residing in an emergency shelter or place not meant for human habitation prior to entering the institution to maintain their 7 homeless status while residing in an institution for longer than 90 days is necessary to prevent the spread of COVID-19 by expanding housing options for people who were experiencing homelessness and institutionalized for longer than traditionally required due to COVID-19. This waiver is in effect for 6-months beginning on the date of this memorandum.

Applicability:

An individual may qualify as homeless under paragraph (1)(iii)the homeless definition in 24 CFR 578.3 so long as he or she is exiting an institution where they resided for 120 days or less and resided in an

emergency shelter or place not meant for human habitation immediately before entering that institution. This waiver is in effect for 6-months beginning on the date of this memorandum.

8. Fair Market Rent for Individual Units and Leasing Costs

Requirement:

Rent payments for individual units with leasing dollars may not exceed Fair Market Rent (FMR)

Citation:

24 CFR 578.49(b)(2) 9

Explanation:

The CoC Program regulation at 24 CFR 578.49(b)(2) prohibits a recipient from using grant funds for leasing to pay above FMR when leasing individual units, even if the rent is reasonable when compared to other similar, unassisted units.

Justification:

HUD originally waived this requirement for 6-months on March 31, 2020. On September 30, 2020 HUD again waived this requirement until December 31, 2020. Extending this waiver on the limit on using grant leasing funds to pay above FMR for individual units, but not greater than reasonable rent will assist recipients in locating additional units to house individuals and families experiencing homelessness and reduce the spread and harm of COVID-19.

Applicability:

The FMR restriction continues to be waived for any lease executed by a recipient or subrecipient to provide transitional or permanent supportive housing from the date of this memorandum until March 31, 2021. The affected recipient or subrecipient must still ensure that rent paid for individual units that are leased with leasing dollars meet the rent reasonableness standard in 24 CFR 578.49(b)(2).