



# ELIGIBLE ESG-CV COSTS

*A refresher given ongoing moratoria and new ESG-CV regulations.*

*This presentation is being recorded.*

# INTRODUCTIONS

- Jill Casey, Senior CPD Representative
- Karen Kist, Senior CPD Representative
- Mary Ann Oliver, Senior CPD Representative
- Asia Blissett, Senior Funding Analyst
- Kirstin Jones, Director of Grants and Operations
- Kelsey Addy, Director of Planning

# GOALS

- To reiterate eligible ESG-CV spending during a moratorium.
- To review additional eligible costs recently approved by HUD.

# MORATORIUM END DATES

- New York State: Tuesday, August 31<sup>st</sup>, 2021
  - The financial hardship part of the moratorium was struck down by the courts.
- CDC: Sunday, October 3<sup>rd</sup>, 2021
  - Does not apply if a community does not have high and substantial transmission of COVID-19.
  - Review this [link](#) to monitor your community.

# MORATORIUM RESTRICTIONS ON ESG SPENDING

- ESG/ESG-CV funds cannot be used to pay rent and/or back rent except for certain situations\*.
  - The client cannot be evicted due to nonpayment of rent.
- ESG/ESG-CV funds cannot be used to pay utilities/ utility arrears
  - Gas, electric, water, & sewage
  - Clients can self-certify to utility companies or municipality to protect accounts from shutoff.

\*Exempt situations explained later in presentation

# HOMELESS PREVENTION CRITERIA

- Clients are eligible for Homeless Prevention if:
  - Their income does not exceed Very Low Income for the area.
  - They do not have access to a support network or sufficient resources to avoid emergency.
  - Meet the at risk of homeless definition, or
  - Meet the homeless definition (parts 2, 3, and 4)
    - 2) Residence will be lost in 14 days (needs a court order as evidence)
    - 3) Unaccompanied youth under 25/families with youth
    - 4) Fleeing domestic violence
  - Necessary to regain stability in current housing or move into permanent housing to gain stability.

Regulation § 576.2



**AM I ALLOWED TO UTILIZE  
PREVENTION FUNDING DURING THE  
EVICTION MORATORIUM?**

# IT DEPENDS ON THE SITUATION

If someone would be at risk of eviction, but covered by the moratorium:

- Then they are not at risk of homelessness and not eligible for ESG-CV prevention assistance.

If someone is at risk of eviction even though covered by moratorium (i.e., a landlord is trying to evict the tenant even though there's a moratorium):

- Prevention funding can be utilized to provide legal or case management assistance.
- Agencies should document the circumstances that make the client at-risk of becoming homeless and eligible for prevention assistance funding.

# HOMELESS PREVENTION QUESTIONS

- If an owner/manager is proceeding with an eviction or if a court orders an eviction that may appear to be in violation of an eviction moratorium, the household may qualify for ESG homelessness prevention assistance.
- In such situations, providers are encouraged to pursue other options first:
  - Explaining the terms of the applicable eviction moratorium to the owner/manager/landlord
  - Enlisting legal services prior to providing financial or rental assistance
  - Reach out to CARES and the Grantee. HUD encourages the Field Office to be contacted for guidance if a landlord is proceeding with evictions in violation of the moratorium.

# IT DEPENDS ON THE SITUATION

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- Then they are not at risk of homelessness and not eligible for ESG-CV prevention assistance.

If someone is at risk of eviction even though covered by moratorium (i.e., a landlord is trying to evict the tenant even though there's a moratorium):

- Prevention funding can be utilized to provide legal or case management assistance.
- Agencies should document the circumstances that make the client at-risk of becoming homeless and eligible for prevention assistance funding.

If someone is not covered by the moratorium/still at-risk of homelessness:

- Then they are eligible for eviction prevention assistance.

# HOMELESS PREVENTION CRITERIA DURING A MORATORIUM

- Financial assistance CAN be provided to clients during a moratorium for the following (without an eviction notice)
  - Clients who qualify for assistance and are doubled up.
  - Multiple moves (two or more times for 60 days immediately preceding application)
  - Clients who are self-paying and residing in hotel/motel.
  - Overcrowded housing (e.g., SRO with two or more people living there or more than 1.5 persons per room)
  - Exiting publicly funded institutions (jail, prison, psychiatric hospital, etc.)
  - Other situations of housing instability as identified in the recipient's Consolidated Plan.
  - 14/21 days prior to end of eviction moratoria with a 14/21-day notice.

[HUD Reference Sheet](#)

# HOMELESS PREVENTION CRITERIA DURING A MORATORIUM CONTINUED

- Clients at risk of eviction for causes not covered by the eviction moratorium (i.e., nuisance)
- Intake staff need to work with clients to obtain third-party documentation
  - If unable to obtain, intake staff must certify their efforts.

Regulation § 576.500

# ELIGIBLE HOMELESS PREVENTION COSTS

## Staffing for Case Management

- For assisting clients with less than a 50% AMI

## Contractual Costs

- For example: Moving company

## Equipment

- For example: PPE and agency-owned furniture to lend clients

## Assistance to Eligible Clients

- Financial or Rental

# HOMELESS PREVENTION ASSISTANCE DURING A MORATORIUM

- Rental Assistance (back rent AND rent moving forward for eligible clients)
  - Check your Continuum's Written Standards for any applicable limits
- Financial Assistance (Rental application fees, moving costs, utility deposits, etc.)
- Additional Activities
  - Vaccine incentives
  - Hazard Pay
  - Landlord incentives (no more than three times the rent)
  - Furniture and Household Furnishings
  - Wireless plan and cell phones temporarily provided to clients (to be returned to agency at close of grant)
  - Hotel/motel

# OTHER PROJECT TYPES



Emergency Shelter



Street Outreach



Rapid Rehousing

# EMERGENCY SHELTER

- Case Management
- Renovation and Major Rehab
- Shelter Operations (rent, security, food, equipment, etc.)
- Transportation
- Hotel/motel can be used when typical shelters are full
- Additional Activities
  - Vaccine incentives
  - Hazard Pay

# STREET OUTREACH

- Case Management & Engagement
- Essential Services
  - Meals
  - Blankets
  - Clothes
  - Toiletries
- Transportation
- Additional Activities
  - Laundry Services
  - Vaccine incentives
  - Hazard Pay
  - Handwashing stations and portable bathrooms

# RAPID REHOUSING

- Relocation and Stabilization Services
  - Financial Assistance
- Rental Assistance
- Additional Activities
  - Furniture and household furnishings
  - Wireless plan and cell phones temporarily provided to clients (to be returned to agency at close of grant)
  - Renters insurance for clients
  - Vaccine Incentives
  - Hazard Pay
  - Landlord incentives (no more than three times the rent)

# ESG-CV ADDITIONAL ELIGIBLE COSTS

- Hazard Pay
- Training on infectious disease
- Handwashing stations and portable bathrooms
- Landlord incentives (no more than three times the rent)
- Volunteer incentives
- Hotel/motel as alternative shelter
- [Vaccine Ambassadors](#)
- Cell phones for staff or clients
- Furniture and household furnishings
- Wireless plan for clients
- Renters insurance for clients
- Vaccine incentives
- Laundry Services
- PPE

# LOCAL STANDARDS

- Remember to check your Continuum's Written Standards for any limitations among each category.

# MOVING FUNDS

- If spending does not meet HUD-determined thresholds, there is a potential that the ESG-CV funding could be recaptured.
  - Think about reconfiguring budgets within your agency and within the community.



**QUESTIONS?**