

# ESG SUBSTANTIAL AMENDMENT

This document is the substantial amendment to the 2011 State of Colorado Annual Action Plan. The amendment addresses the second allocation of the Emergency Solutions Grant (ESG) program. This substantial amendment is organized by the categories that the U.S. Department of Housing and Urban Development (HUD) requires to be included in the ESG Substantial amendment.

## A. REQUIREMENTS FOR PREPARATION

### 1. Consultation

Consult with the Continuum(s) of Care within the geographic area on:

- o Determining how to allocate ESG funds for eligible activities;
- o Developing the performance standards for activities funded under ESG; and
- o Developing funding, policies, and procedures for the operation and administration of HMIS.

### 2. Citizen Participation

Follow existing citizen participation plan for completing a substantial amendment.

## B. REQUIRED CONTENTS

### 1. Standard Form SF424

(Please see APPENDIX 1 Form SF424)

### 2. Summary of Consultation Process

#### COLORADO'S CONTINUUMS OF CARE

Colorado's Continuums of Care	Service Area
Metropolitan Denver Homeless Initiative	Counties of Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson
Homeless Pikes Peak Continuum of Care	El Paso County and City of Colorado Springs
Balance of State Continuum of Care	Remaining 56 counties of Colorado

The State of Colorado convened meetings with representatives of CoCs who in turn communicated with member agencies regarding implementation strategies for the Emergency Solution Grant. On February 15 in Denver and March 15 in Greeley, the State requested input about programs, funding policies and procedures and distribution methodology for the second ESG allocation of 2011 and new 2012 allocation. Comments received at these meetings are attached below.

#### Meetings with Continuums of Care Regarding Emergency Solutions Grant

##### February 15, 2012, Denver

Tom Luehrs, St Francis Center, representing Metropolitan Denver Homeless Initiative;  
Linda Barringer, Family Tree, representing Metropolitan Denver Homeless Initiative;

Paul Andrus, City of Aurora

John Parvensky, Colorado Coalition for the Homeless, representing Balance of State Continuum of Care

Valorie Jordan, City of Colorado Springs, representing Homeward Pikes Peak:

Comments of the Group:

- Ensure emergency housing needs are met;
- Hold the shelter system harmless for this year, but make a shift from “doing business as usual” to rapid re-housing;
- Move shelters towards doing more to link people to housing supports
- No expansion of Transitional Housing;
- Get better relationship with the CoC agencies in the state;
- Empower the agencies to utilize a rapid re-housing model;
- Prioritize the areas of greatest need.

Colorado Coalition for the Homeless sent emails to BOS agencies and HPRP subrecipients. Mr. Parvensky and DOH received email statements from three agencies:

I certainly would support the use of ESG funds to continue the HPRP collaborative.

**Sr. Karen Bland - Grand Junction Coalition and Grand Valley Catholic Outreach.**

Family Tree supports the use of the supplemental allocation of the Emergency Solutions Grant to continue HPRP activities. Of course, as you've already responded and pointed out, the need to balance the funding of different programs to meet the needs of different homeless and at-risk populations (and communities) is still very important, especially in this climate of decreasing federal funding to support this work. We agree with the vision that emergency and transitional shelter should be diminished over time, but until adequate housing inventory and appropriate resources and programs are developed and available, these services will fill a critical need in the continuum. – **Scott Shields, Chief Executive Officer, Family Tree**  
Our community is feeling the loss of HPRP already. Its unfortunate that the resource was not renewed, yet it remains a national strategy priority.

As you know, the term "shelter" has a poor reputation nationally and statewide, a reason that DC wants to use "Emergency Solution Grant," instead of "Emergency Shelter Grant." HPRP and transitional shelter programs such as La Puente serve somewhat different populations. If your letter is saying the traditional ESG funds are being recommended to serve HPRP instead of transitional shelter support, I can't agree. Its choosing one population over another. If the recommendation seeks to provide some additional funding for HPRP work, then great. Something does need to happen to offset the loss of HPRP.

HPRP has been a challenging, and expensive program to operate in terms of # of successes for each dollar spent, when compared to transitional shelters. It holds its value for a narrow window of vulnerable households/homeless who are high enough functioning to transition out of their crisis, yet low enough functioning to need the resource. We need *both* HPRP and transitional shelter resources to address homelessness, regardless of what DC dictates.

Thanks for your work on this.

**Lance Cheslock, Executive Director, La Puente Home, Alamosa**

### **March 15, 2012 Greeley– Northern Front Range Continuum of Care Meeting**

Kim Larson, Catholic Charities, Fort Collins

Enita Kerns-Haut, Catholic Charities, Greeley

Sherry Anderson, Catholic Charities, Greeley

Beverly Walker, City of Loveland

Jodi Hartmann, Greeley Transitional House, Greeley

Ileani Thompson, North Range Behavioral Health, Greeley

John Tuchsherer, City of Fort Collins Housing Authority  
Vanessa Stapert, Veterans Administration, Cheyenne  
Connie Kemrick, Catholic Charities, Greeley  
Bryce Hach, Homeward 2020, Fort Collins

- The Northern Front Range Continuum of Care has decided to remain with the Balance of State Continuum of Care
- Supportive Services are a critical part of the success of the homeless
- The need for shelters and transitional housing in Larimer and Fort Collins is huge. It is important to maintain homeless assistance
- This shelter has been full since the day it opened one year ago
- Rapid Re-housing is important to stabilizing families and individuals
- Homeless Prevention is important

DOH will continue to work with CoCs to develop performance standards.

HMIS participation will be required in order to receive funding. DOH will develop and MOU with the Colorado HMIS to ensure that the system operates and is capable of reporting in a reliable and responsive manner.

### **3. Summary Of Citizen Participation Process**

The State will post the Substantial Amendment on its website on April 6 to meet the 30-day comment period and hold three Public Hearings as follows: on April 18 by phone conference with the Balance of State (CoC); on April 19, in Colorado Springs; and on May 2 in Denver. The State will discuss the changes to the ESG program resulting from the HEARTH Act and its proposed distribution methodology for its second allocation of 2011 ESG funding.

An email notice about the hearings will be sent to approximately 240 contacts via DOH and CoC list-serves to ensure adequate notice to homeless shelters, service providers, Continuum of Care participants and ESG, HOPWA, HPRP grant recipients and the public . A notice was also published in a newspaper of general circulation on April 11.

This citizen participation process meets requirements for substantial amendments under the State's Citizen Participation Plan.

**ADD PUBLIC HEARING COMMENTS**

### **4. Matching Requirement**

The State ESG program will use match from a variety of federal, state and private sources. Each applicant requesting funds from DOH through the second ESG 2011 allocation must make matching contributions to supplement its ESG program in an amount that equals the amount of ESG funds awarded by DOH.

The matching contributions must meet all requirements that apply to the ESG funds provided by HUD.

## 5. Proposed Activities And Overall Budget

### a. Proposed Activities

#### **ACTIVITY: Rapid Re-housing – Financial Assistance (\$274,293)**

- (a). Corresponds with the following priorities from the 2011 and 2012 Annual Action Plan: (1) Provide rental subsidies for low income or other households who would otherwise pay more than 30% of their household income for housing. (2) Preserve or expand the existing supply of affordable housing (3) Prevent and eliminate homelessness
- (b). ESG will assist in moving homeless persons as quickly as possible into permanent housing and to achieve stable housing. DOH will target special need and homeless populations. DOH anticipates funding three subrecipient organizations whose activities will cover the state, thereby assisting an estimated #40 households with rental assistance statewide over the course of the award term. The state program will require subrecipients develop an outreach and centralized intake process for both the unsheltered and sheltered homeless populations.
- (c) Corresponding standard objective and outcome categories: provide tenant based rental assistance to stabilize 200 households during the 5-year planning period.
- (d) The anticipated start date for the rapid re-housing program is July 1, 2012 and completion date is June 30, 2013. The award term will be 12 months. Beneficiaries of the program can receive up to 12 months of rental assistance and 18 months of Housing Relocation and Stabilization Services.
- (e) Approximately 46.8%, or \$274,293 of the second round Emergency Solutions Grant allocation will be used directly for rapid re-housing financial assistance activities.

#### **ACTIVITY: Rapid Re-housing – Housing Relocation (\$68,488):**

- (a) Corresponds with the following priorities from the 2011 and 2012 State Annual Action Plan (1) Prevent and eliminate homelessness
- (b) Housing relocation and stabilization services will include payments to housing owners, utility companies and other third parties for one of the following costs: rental application fees, security deposits that equal no more than two months rent, last month's rent, rental deposits, utility payments including up to six months of utility arrears to support homeless individuals and families in moving as quickly as possible into permanent housing and to achieve housing stability. DOH anticipates funding three subrecipient organizations whose activities will cover the state, thereby assisting an estimated #35 households with housing relocation assistance statewide over the course of the award term.
- (c) Corresponding standard objective and outcome categories: Increase statewide supply of housing for persons with special needs coupled with services that increase/maintain independence.
- (d) The anticipated start date is July 1, 2012 and the completion date is June 30, 2013.
- (e) Approximately 11.7% or \$68,488 of the second round Emergency Solutions Grant allocation will be used for housing relocation and stabilization services.

#### **ACTIVITY: Homeless Prevention -- Financial Assistance (\$162,297):**

- (a) Corresponds with the following priorities from the 2011 and 2012 State Annual Action Plan (1) Prevent and eliminate homelessness
- (b) Housing relocation and stabilization services will include payments to housing owners, utility companies and other third parties for one of the following costs: rental application fees, security deposits that equal no more than two months rent, last month's rent, rental deposits, utility payments including up to six months of utility arrears to support homeless individuals and families in moving as quickly as possible into permanent housing and to achieve housing stability. DOH anticipates funding three subrecipient organizations whose activities will cover the state, thereby assisting an

estimated #40 households with housing relocation assistance statewide over the course of the award term.

(c) Corresponding standard objective and outcome categories: Increase statewide supply of housing for persons with special needs coupled with services that increase/maintain independence.

(d) The anticipated start date is July 1, 2012 and the completion date is June 30, 2013.

(e) Approximately 27.7%, or \$162,297 of the second round Emergency Solutions Grant allocation will be used for housing relocation and stabilization services.

**ACTIVITY: Homeless Prevention – Housing Relocation (\$45,658)**

(a) Corresponds with the following priorities from the 2011 and 2012 State Annual Action Plan (1) Prevent and eliminate homelessness

(b) Housing relocation and stabilization services will include payments to housing owners, utility companies and other third parties for one of the following costs: rental application fees, security deposits that equal no more than two months rent, last month's rent, rental deposits, utility payments including up to six months of utility arrears to support homeless individuals and families in moving as quickly as possible into permanent housing and to achieve housing stability thereby assisting an estimated 35 households with assistance statewide over the course of the award term.

(c) Corresponding standard objective and outcome categories: Increase statewide supply of housing for persons with special needs coupled with services that increase/maintain independence.

(d) The anticipated start date is July 1, 2012 and the completion date is June 30, 2013.

(e) Approximately 7.8%, or \$45,658 of the second round Emergency Solutions Grant allocation will be used for housing relocation and stabilization services.

**ACTIVITY: Homeless Management Information Systems (\$20,000)**

(a) Corresponds with the following priorities from the 2011 and 2012 State Annual Action Plan (1) Prevent and eliminate homelessness.

(b) This activity will include reimbursement for salary costs incurred by the subrecipient for completing data entry, monitor and reviewing data quality, reporting the HMIS lead agency training staff on using the HMIS or comparable database, and paying staff travel costs to conduct intakes. This activity is limited to 4% of the overall budget. Subrecipients will not be required to budget for this activity; however all are required to participate in the HMIS system. Subrecipients are required to produce regular reports from HMIS in conjunction with HMIS requirements.

(c) Corresponding standard objective and outcome categories: Supporting activities that improve the range of housing options for special needs populations

(d) The anticipated start date for the rapid re-housing program is July 1, 2012 and completion date of June 30, 2013. The award term will be 12 months.

(e) ESG is anticipated to fund the HMIS activity for approximately 3.4% of the total round allocation, which is \$20,000 total.

**ACTIVITY: State Administration (\$14,634)**

<b>Total ESG Allocation - \$585,370</b>
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**b. Discussion of Funding Priorities.**

The State of Colorado prioritized rapid re-housing activities with its second allocation based on its experience of administering Homeless Prevention and Rapid Re-housing and the demonstrated effectiveness of rapid re-housing.

#### Methodology in implementing ESG services

1. Focusing on moving homeless families and individuals more quickly from shelter into housing
2. Increasing the coordination of homeless services delivery at the community level (CoCs)
3. Reducing the duplication of services
4. Increasing the emphasis on homeless prevention
5. Leveraging other resources to help families and individuals maintain housing stability.

#### Objectives for an effective use of ESG resources to prevent and end homelessness.

1. ESG funds should supplement the HPRP program that is ending soon.
2. Program should provide enough assistance to prevent episodes of homelessness while stretching resources
3. Prevention resources should be targeted to households with the highest likelihood of becoming homeless.
4. Distribution of funds should achieve maximum access for needy individuals while minimizing administrative costs as much as possible
5. Homeless prevention and rapid re-housing services will be coordinated to meet the needs of homeless persons through the state.

Obstacles to completing these action steps are the large geographic area involved, the need for improved communications and the rapid implementation required.

#### **c. Detailed Budget**

Include detailed budget of planned activities and funding levels accounting for the entire second allocation and any reprogrammed funds from the first allocation.

See APPENDIX II. Detailed Budget.

### **6. Written Standards for Providing ESG Assistance**

Colorado requires its subrecipients to establish and consistently apply written standards for providing ESG assistance. At a minimum these written standards must include:

**(a) Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under Emergency Solutions Grant (ESG) consistent with the definition of homelessness and record keeping requirements of the ESG program.**

- (i) Standards for targeting and providing essential services related to street outreach;
- (ii) Policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, 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;
- (iii) Policies and procedures for assessing, prioritizing, and reassessing individuals' and families' needs for essential services related to emergency shelter;

**(b) Policies and procedures for coordination among emergency shelter providers, essential services providers, homelessness prevention, and rapid re-housing 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) Policies and procedures for determining and prioritizing which eligible families and individuals will receive homelessness prevention assistance and which eligible families and individuals will receive rapid re-housing assistance;**

(i) For homelessness prevention assistance, recipients must include the risk factors that will be used to help determine individuals and families who are most in need of homeless prevention assistance to avoid moving into a shelter or place defined in paragraph (1) of the 'homeless' definition in 24 CFR 576.2

**(d) 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;**

**(e) 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

**(f) 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.

**(g) Participation in HMIS.** The subrecipient must ensure that data on all persons served and all activities assisted under ESG are entered into the applicable community-wide HMIS in the area in which those persons and activities are located, or a comparable database, in accordance with HUD's standards on participation, data collection, and reporting under a local HMIS. If the subrecipient is a victim service provider or a legal services provider, it must use a comparable database that collects client-level data over time (i.e., longitudinal data) and generates unduplicated aggregate reports based on the data. Information entered into a comparable database must not be entered directly into or provided to an HMIS. Subgrantee organizations will be required to submit monthly data quality reports to ensure compliance with this provision.

## **7. Describe the Process for Making Sub-Awards**

DOH plans to allocate its \$570,736 (\$585,370 less \$14,634) to three CoC lead agencies. The exact allocation will be based on geographic need and capacity of applicant agencies to carry out responsibilities.

## **8. Homeless Participation Requirement**

Does not apply to the State.

## **9. Performance Standards**

The recipient must describe the performance standards for evaluating ESG activities, which must be developed in consultation with the Continuums of Care.

The performance standards were developed in conjunction with the governing body for the Balance of State Continuum of Care, Metropolitan Denver Homeless Initiative, and Homeward Pikes Peak by using the national standards outlined in Section 427 of the McKinney-Vento Act, as amended by the HEARTH Act. Baseline measurements for the system-wide objectives will be developed upon program inception by using the HMIS; however system outcomes will not be used to determine the FY2011 ESG allocations. In fiscal year 2013 ESG program, the allocations will be largely determined based upon program performance on the standards. The ESG program will set a minimum of five program standards. Three of the standards are specific to the suprecipient's program performance and the remaining two are specific to system outcomes. The first standard on

housing stability states at least 35% of Rapid Re-housing participants will discharge to permanent housing. The second standard, centered on increasing income, states at least 10% of discharged participants will increase or maintain their employment or income upon exit from the program. The third program standard states that at least 55% of participants will access mainstream resources while participating in the Rapid Re-housing program. The percentages are based upon the program performance of HPRP subrecipients and HUD national Supportive Housing Program standards.

The final two standards establish system wide standards for the Rapid Re-housing program. The first sets a standard on the length of time that an individual or family remains homeless in the ESG service area. The average length of stay of participants in shelters included in the Rapid Re-housing program should reduce by at least 10%. The second system standard involves the extent to which individuals and families who leave homelessness and experience additional spells of homelessness. Both of these standards were set based upon HUD's stated performance targets for a high performing Continuum of Care. The CoC will use the HMIS system to measure these outcomes.

## **10. Certifications**

Please see APPENDIX III. Certifications

## **C. "AT RISK OF HOMELESSNESS"**

"At Risk of Homelessness" is based on the risk factor "otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness as determined by CoCs.

## **APPENDIX I. SF424**

<b>Application for Federal Assistance SF-424</b>		Version 02
*1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s) A. Increase Award      A. Increase Award *Other (Specify) _____
3. Date Received:		4. Applicant Identifier:
5a. Federal Entity Identifier:	*5b. Federal Award Identifier:	
<b>State Use Only:</b>		
6. Date Received by State:	7. State Application Identifier:	
<b>8. APPLICANT INFORMATION:</b>		
*a. Legal Name: State of Colorado		
*b. Employer/Taxpayer Identification Number (EIN/TIN): 84-0644739	*c. Organizational DUNS: 87-8192483	
<b>d. Address:</b>		
*Street 1:	<u>1313 Sherman Street</u>	
Street 2:	<u>Room 500</u>	
*City:	<u>Denver</u>	
County:	<u>Denver</u>	
*State:	<u>Colorado</u>	
Province:	_____	
*Country:	<u>USA</u>	
*Zip / Postal Code	<u>80203</u>	
<b>e. Organizational Unit:</b>		
Department Name: Local Affairs	Division Name: Housing	
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Prefix: <u>Ms.</u>	*First Name: <u>Lynn</u>	
Middle Name: _____		
*Last Name: <u>Shine</u>		
Suffix: _____		
Title:	<u>Housing Initiatives Coordinator</u>	
Organizational Affiliation: Division of Housing		
*Telephone Number: 303-866-2046		Fax Number: 303-866-4077
*Email: <u>Lynn.Shine@state.co.us</u>		

**Application for Federal Assistance SF-424**

Version 02

**\*9. Type of Applicant 1: Select Applicant Type:**

A.State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\*Other (Specify)

**\*10 Name of Federal Agency:**

Department of Housing and Urban Development

**11. Catalog of Federal Domestic Assistance Number:**

14.231 \_\_\_\_\_

CFDA Title:

Emergency Solutions Grant \_\_\_\_\_

**\*12 Funding Opportunity Number:**

\_\_\_\_\_

\*Title:

\_\_\_\_\_

**13. Competition Identification Number:**

\_\_\_\_\_

Title:

\_\_\_\_\_

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

All areas of the State

**\*15. Descriptive Title of Applicant's Project:**

Emergency Solutions Grant Program

**Application for Federal Assistance SF-424**

Version 02

**16. Congressional Districts Of:**

\*a. Applicant: 1-7

\*b. Program/Project:

**17. Proposed Project:**

\*a. Start Date: 04/01/2012

\*b. End Date: 03/31/2013

**18. Estimated Funding (\$):**

*a. Federal	_____	585,370
*b. Applicant	_____	585,370
*c. State	_____	
*d. Local	_____	
*e. Other	_____	
*f. Program Income	_____	0
*g. TOTAL	_____	1,170,740

**\*19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on \_\_\_\_\_
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E. O. 12372

**\*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes
- No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U. S. Code, Title 218, Section 1001)

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions

**Authorized Representative:**

Prefix: Mr. \_\_\_\_\_ \*First Name: Reeves \_\_\_\_\_  
 Middle Name: \_\_\_\_\_  
 \*Last Name: Brown \_\_\_\_\_  
 Suffix: \_\_\_\_\_

\*Title: Executive Director

\*Telephone Number: 303-866-4904

Fax Number: 303-866-4077

\* Email: Reeves.Brown@state.co.us

\*Signature of Authorized Representative:

\*Date Signed:

**Application for Federal Assistance SF-424**

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**\*Applicant Federal Debt Delinquency Explanation**

The following should contain an explanation if the Applicant organization is delinquent of any Federal Debt.

**INSTRUCTIONS FOR THE SF-424**

Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

This is a standard form (including the continuation sheet) required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the Federal agency (agency). Required items are identified with an asterisk on the form and are specified in the instructions below. In addition to the instructions provided below, applicants must consult agency instructions to determine specific requirements.

Item	Entry:	Item	Entry:
1.	<b>Type of Submission:</b> (Required): Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> <li>• Preapplication</li> <li>• Application</li> <li>• Changed/Corrected Application – If requested by the agency, check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this to submit changes after the closing date.</li> </ul>	10.	<b>Name Of Federal Agency:</b> (Required) Enter the name of the Federal agency from which assistance is being requested with this application.
2.	<b>Type of Application:</b> (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> <li>• New – An application that is being submitted to an agency for the first time.</li> <li>• Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals.</li> <li>• Revision - Any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If "Other" is selected, please specify in text box provided. <ul style="list-style-type: none"> <li>A. Increase Award    B. Decrease Award</li> <li>C. Increase Duration    D. Decrease Duration</li> <li>E. Other (specify)</li> </ul> </li> </ul>	11.	<b>Catalog Of Federal Domestic Assistance Number/Title:</b> Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
		12.	<b>Funding Opportunity Number/Title:</b> (Required) Enter the Funding Opportunity Number and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	<b>Competition Identification Number/Title:</b> Enter the Competition Identification Number and title of the competition under which assistance is requested, if applicable.
		14.	<b>Areas Affected By Project:</b> List the areas or entities using the categories (e.g., cities, counties, states, etc.) specified in agency instructions. Use the continuation sheet to enter additional areas, if needed.
3.	<b>Date Received:</b> Leave this field blank. This date will be assigned by the Federal agency.	15.	<b>Descriptive Title of Applicant's Project:</b> (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For preapplications, attach a summary description of the project.
4.	<b>Applicant Identifier:</b> Enter the entity identifier assigned by the Federal agency, if any, or applicant's control number, if applicable.	16.	<b>Congressional Districts Of:</b> (Required) 16a. Enter the applicant's Congressional District, and 16b. Enter all District(s) affected by the program or project. Enter in the format: 2 characters State Abbreviation – 3 characters District Number, e.g., CA-005 for California 5 <sup>th</sup> district, CA-012 for California 12 <sup>th</sup> district, NC-103 for North Carolina's 103 <sup>rd</sup> district. <ul style="list-style-type: none"> <li>• If all congressional districts in a state are affected, enter "all" for the district number, e.g., MD-all for all congressional districts in Maryland.</li> <li>• If nationwide, i.e. all districts within all states are affected, enter US-all.</li> <li>• If the program/project is outside the US, enter 00-000.</li> </ul>
5a.	<b>Federal Entity Identifier:</b> Enter the number assigned to your organization by the Federal Agency, if any.		
5b.	<b>Federal Award Identifier:</b> For new applications leave blank. For a continuation or revision to an existing award, enter the previously assigned Federal award identifier number. If a changed/corrected application, enter the Federal Identifier in accordance with agency instructions.		
6.	<b>Date Received by State:</b> Leave this field blank. This date will be assigned by the State, if applicable.		
7.	<b>State Application Identifier:</b> Leave this field blank. This identifier will be assigned by the State, if applicable.		
8.	<b>Applicant Information:</b> Enter the following in accordance with agency instructions:	17.	<b>Proposed Project Start and End Dates:</b> (Required) Enter the proposed start date and end date of the project.
	<b>a. Legal Name:</b> (Required): Enter the legal name of applicant that will undertake the assistance activity. This is the name that the organization has registered with the Central Contractor Registry. Information on registering with CCR may be obtained by visiting the Grants.gov website.		
	<b>b. Employer/Taxpayer Number (EIN/TIN):</b> (Required): Enter the Employer or Taxpayer Identification Number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.		
	<b>c. Organizational DUNS:</b> (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting the Grants.gov website.		
	<b>d. Address:</b> Enter the complete address as follows: Street address (Line 1 required), City (Required), County, State (Required, if country is US), Province, Country (Required), Zip/Postal Code (Required, if country is US).		
	<b>e. Organizational Unit:</b> Enter the name of the primary organizational unit (and department or division, if applicable) that will undertake the	18.	<b>Estimated Funding:</b> (Required) Enter the amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.
		19.	<b>Is Application Subject to Review by State Under Executive Order 12372 Process?</b> Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the

	<p>assistance activity, if applicable.</p> <p><b>f. Name and contact information of person to be contacted on matters involving this application:</b> Enter the name (First and last name required), organizational affiliation (if affiliated with an organization other than the applicant organization), telephone number (Required), fax number, and email address (Required) of the person to contact on matters related to this application.</p>	<p>State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State</p>		
20.		<p><b>Is the Applicant Delinquent on any Federal Debt?</b> (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.</p> <p>If yes, include an explanation on the continuation sheet.</p>		
9.	<p><b>Type of Applicant: (Required)</b> Select up to three applicant type(s) in accordance with agency instructions.</p> <table border="0" data-bbox="198 436 867 993"> <tr> <td data-bbox="198 436 532 993"> <p>A. State Government</p> <p>B. County Government</p> <p>C. City or Township Government</p> <p>D. Special District Government</p> <p>E. Regional Organization</p> <p>F. U.S. Territory or Possession</p> <p>G. Independent School District</p> <p>H. Public/State Controlled Institution of Higher Education</p> <p>I. Indian/Native American Tribal Government (Federally Recognized)</p> <p>J. Indian/Native American Tribal Government (Other than Federally Recognized)</p> <p>K. Indian/Native American Tribally Designated Organization</p> <p>L. Public/Indian Housing Authority</p> </td> <td data-bbox="532 436 867 993"> <p>M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)</p> <p>N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education)</p> <p>O. Private Institution of Higher Education</p> <p>P. Individual</p> <p>Q. For-Profit Organization (Other than Small Business)</p> <p>R. Small Business</p> <p>S. Hispanic-serving Institution</p> <p>T. Historically Black Colleges and Universities (HBCUs)</p> <p>U. Tribally Controlled Colleges and Universities (TCCUs)</p> <p>V. Alaska Native and Native Hawaiian Serving Institutions</p> <p>W. Non-domestic (non-US) Entity</p> <p>X. Other (specify)</p> </td> </tr> </table>	<p>A. State Government</p> <p>B. County Government</p> <p>C. City or Township Government</p> <p>D. Special District Government</p> <p>E. Regional Organization</p> <p>F. U.S. Territory or Possession</p> <p>G. Independent School District</p> <p>H. Public/State Controlled Institution of Higher Education</p> <p>I. Indian/Native American Tribal Government (Federally Recognized)</p> <p>J. Indian/Native American Tribal Government (Other than Federally Recognized)</p> <p>K. Indian/Native American Tribally Designated Organization</p> <p>L. Public/Indian Housing Authority</p>	<p>M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)</p> <p>N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education)</p> <p>O. Private Institution of Higher Education</p> <p>P. Individual</p> <p>Q. For-Profit Organization (Other than Small Business)</p> <p>R. Small Business</p> <p>S. Hispanic-serving Institution</p> <p>T. Historically Black Colleges and Universities (HBCUs)</p> <p>U. Tribally Controlled Colleges and Universities (TCCUs)</p> <p>V. Alaska Native and Native Hawaiian Serving Institutions</p> <p>W. Non-domestic (non-US) Entity</p> <p>X. Other (specify)</p>	<p>21. <b>Authorized Representative: (Required)</b> To be signed and dated by the authorized representative of the applicant organization. Enter the name (First and last name required) title (Required), telephone number (Required), fax number, and email address (Required) of the person authorized to sign for the applicant.</p> <p>A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)</p>
<p>A. State Government</p> <p>B. County Government</p> <p>C. City or Township Government</p> <p>D. Special District Government</p> <p>E. Regional Organization</p> <p>F. U.S. Territory or Possession</p> <p>G. Independent School District</p> <p>H. Public/State Controlled Institution of Higher Education</p> <p>I. Indian/Native American Tribal Government (Federally Recognized)</p> <p>J. Indian/Native American Tribal Government (Other than Federally Recognized)</p> <p>K. Indian/Native American Tribally Designated Organization</p> <p>L. Public/Indian Housing Authority</p>	<p>M. Nonprofit with 501C3 IRS Status (Other than Institution of Higher Education)</p> <p>N. Nonprofit without 501C3 IRS Status (Other than Institution of Higher Education)</p> <p>O. Private Institution of Higher Education</p> <p>P. Individual</p> <p>Q. For-Profit Organization (Other than Small Business)</p> <p>R. Small Business</p> <p>S. Hispanic-serving Institution</p> <p>T. Historically Black Colleges and Universities (HBCUs)</p> <p>U. Tribally Controlled Colleges and Universities (TCCUs)</p> <p>V. Alaska Native and Native Hawaiian Serving Institutions</p> <p>W. Non-domestic (non-US) Entity</p> <p>X. Other (specify)</p>			

## **APPENDIX II. Detailed Budget**

## APPENDIX 2. Detailed Budget

**Table 1: Declaration of FY 2010 Grant Commitments**

Activity Type	Obligated Amount
Homeless Assistance	\$672,239
Homeless Prevention	\$227,000
Administrative Activities	\$47,328
<b>Total FY 2010 Award</b>	<b>946,567</b>
HUD FY10 Allocation	\$946,567
Uncommitted	\$-0-
Source: IDIS	

**Table 3: Detailed Budget:**

First Allocation	1040658	FY 2011			
Second Allocation	585370	Emergency Shelter Grants/Emergency Solutions Grants			
Grant Amount	1626028	Program Allocations			
Total Administration	121952				
		First Allocation		Second Allocation	Total Fiscal Year 2011
	Eligible Activities	Activity Amount	Reprogrammed Amount	Activity Amount	Activity Amount
Emergency Shelter Grants	Homeless Assistance		0		
	Rehab/Conversion		0		
	Operations	\$503,830	0		503,830
	Essential Services	\$222,796	0		222,796
	Homelessness Prevention	\$261,999.10	0		261,999.10
	Administration	\$52,032.90	0		52,032.90
32.9	<b>Emergency Shelter Grants Subtotal</b>	\$1,040,658	0		1,040,658
Emergency Solutions Grants Program	Emergency Shelter**				
	Renovation**				
	Operation**				
	Essential Services**				
	URA Assistance**				
	Street Outreach – Essential Services **				
	HMIS		0	\$20,000	\$20,000
	Rapid Rehousing		0	\$274,293	\$274,293
	Housing Relocation and Stabilization Services		0	\$68,488	\$68,488
	Tenant-Based Rental Assistance		0		
	Project-Based Rental Assistance		0		
	Homeless Prevention		0	\$162,297	\$162,297
	Housing Relocation and Stabilization Services		0	\$45,658	\$45,658
	Tenant-Based Rental Assistance		0		
	Project-Based Rental Assistance		0		
	Administration			14,634	\$14,634
	<b>Emergency Solutions Grants Subtotal</b>			\$585,370	\$1,626,028
		<b>Total Grant Amount: \$1,040,658 + 585,370 =</b>			<b>\$1,626,028</b>

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

<b>Combined street outreach and emergency shelter expenditures cannot exceed the greater of</b>	<b>\$975,616</b>
1) 60% of FY11 total ESG grant award	
2) Amt. Of FY10 committed to street outreach and emergency shelter activities	<b>\$672,239</b>

<b>Round 1- Shelter:</b>	<b>\$726,626 max. amount remaining for shelter/outreach</b>	<b>\$248,990</b>
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## **APPENDIX III. Certification**

## STATE CERTIFICATIONS

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

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

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

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

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under

subparagraph 4(b), with respect to any employee who is so convicted -

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

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

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

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

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

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

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Specific CDBG Certifications

The State certifies that:

**Citizen Participation --** It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR §91.115 and each unit of general local government that receives assistance from the State is or will be following a detailed citizen participation plan that satisfies the requirements of 24 CFR §570.486.

**Consultation with Local Governments --** It has or will comply with the following:

1. It has consulted with affected units of local government in the nonentitlement area of the State in determining the method of distribution of funding;
2. It engages in or will engage in planning for community development activities;
3. It provides or will provide technical assistance to units of local government in connection with community development programs; and
4. It will not refuse to distribute funds to any unit of general local government on the basis of the particular eligible activity selected by the unit of general local government to meet its community development needs, except that a State is not prevented from establishing priorities in distributing funding on the basis of the activities selected.

**Local Needs Identification --** It will require each unit of general local government to be funded to identify its community development and housing needs, including the needs of low-income and moderate-income families, and the activities to be undertaken to meet these needs.

**Community Development Plan --** Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objectives of Title I of the Housing and Community Development Act of 1974, as amended. (See 24 CFR 570.2 and 24 CFR part 570)

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

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available);
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 199\_ , \_\_\_, and \_\_\_. (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;

3. Special Assessments. The state will require units of general local government that receive CDBG funds to certify to the following:

It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

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

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

**Excessive Force --** It will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

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

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

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Specific HOME Certifications

The State certifies that:

**Tenant Based Rental Assistance** -- If it intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the State's consolidated plan.

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

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

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## ESG Certifications

Each State that seeks funding under the Emergency Solutions Grants Program must provide the following certifications:

**Matching Funds** – The State will obtain any matching amounts required under 24 CFR 576.201 in a manner so that its subrecipients that are least capable of providing matching amounts receive the benefit of the exception under 24 CFR 576.201(a)(2).

**Discharge Policy** – The State will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

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

The State will ensure that its subrecipients comply with the following criteria:

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

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

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

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

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

**Consolidated Plan** – All activities the subrecipient undertakes with assistance under ESG are consistent with the State’s current HUD-approved consolidated plan.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## HOPWA Certifications

The State HOPWA grantee certifies that:

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

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

1. For at least 10 years in the case of any building or structure purchased, leased, rehabilitated, renovated, or converted with HOPWA assistance,
2. For at least 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## APPENDIX TO CERTIFICATIONS

### INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

#### A. Lobbying Certification

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

#### B. Drug-Free Workplace Certification

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

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

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

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

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

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

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

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

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