

CE Policy and Procedure Addendum for COVID Response

Approved by the board: June 2020

Update approved by board: October 2020

Updated: December 2020

Updated: April 2021

Updated: August 2021

Updated: November 2021

In response to COVID-19, NY-508 Continuum of Care (Erie, Niagara, Genesee, Orleans and Wyoming Counties) has updated and changed some of its Coordinated Entry Policies and Procedures to position the system to respond to the COVID-19 public health crisis. This CE Policies and Procedures addendum (“the addendum”) reflects those updates made to date and the date they are currently planned to expire. Please note, this is a constantly evolving crisis and response so dates and policies are subject to change as the CoC continues to refine its COVID-19 response. Wherever applicable, the addendum supersedes the currently adopted CE Policy and Procedure for the duration of the COVID-19 crisis within NY-508 CoC, which is the timeframe during which this addendum is intended to be in effect.

ESG-CV Funds (Emergency Solutions Grant - Coronavirus Funds)

Through the HUD CARES Act, ESG-CV funds have provided our communities in Erie and Niagara counties with \$6,178,586 during the first allocation and \$4,407,791 during the second allocation, \$10,586,377 in total. ESG-CV funding will be allocated towards **preventing, preparing, and responding to the coronavirus pandemic** (COVID-19) and keeping those who are experiencing homelessness or at risk of becoming homeless safe through accessible housing during the global pandemic.

As a result of these additional funds, we will be able to serve and house clients at a much faster rate than before, though it remains our mission to serve those who are most in need first.

ESG-CV funding can be used to:

- Make more emergency shelters for homeless individuals and families
- Operate emergency shelters (food, rent, security, maintenance, repair, fuel, equipment, insurance, utilities, furnishings, and supplies needed for operation)
- Provide Hotel/Motel Vouchers

- Provide essential services to people experiencing homeless (childcare, education services, employment assistance, outpatient services, mental health services, substance abuse treatment services, and transportation)
- Prevent individuals and families from becoming homeless and rapidly rehouse.

Accessing shelters:

Shelter:

If a person has tested positive for COVID-19, and in need of shelter, they will be placed in a Department of Health funded motel. This can be requested through the Department of Social Service or through calling 211 in Erie. Or directly contracting the Department of Health in other areas.

Additional shelter has been in place in Buffalo:

Effective 3/29/2020, the County of Erie in collaboration with the City of Buffalo and local providers established a 24/7 shelter facility at ECC Flickinger Athletic Center (The Flick). Restoration Society, Inc. (RSI) will serve as the pass through for funds through an amended contract with the City of Buffalo. RSI will function as the lead organization in the management and oversight of the Shelter. The Flick is set up to shelter 85 guests, with a maximum of 100 guests, following CDC recommended guidelines for social distancing.

The Flick will operate 24/7 with three (3) eight hour shifts daily. Each shift will be staffed with 3-4 individuals. Erie County is providing law enforcement services 8pm-8am through Erie County Sheriff's Office. Contracted, private security will be onsite 24/7 to work with Code 19 staff in managing guest relations, incident management and de-escalation strategies. Meals will be provided to guests 3 times daily. Guests will have access to shower facilities following strict guidelines for social distancing, limiting the number of guests using the shower facility at a time. Several behavioral health and homeless services will occur on site. The list of services and availability of providers is subject to change. Services include, but not limited to, Coordinated Entry, Tele-Health and Tele-Mental Health, Mobile Services, physical health screenings.

UPDATE: Effective 06/30/20, the Flickinger Center is closed as a Code 19 shelter. The new location is the Lincoln Community Center, 10 Quincy St. and Holy Cross, 412 Niagara St. Throughout the COVID19 crisis, each location will be set up to shelter 35 guests and will operate 24/7 with three (3) eight hour shifts daily. Coordinated Entry and resource center are available at both locations.

Transitional Housing, Rapid Rehousing and Permanent Supportive Housing priority:

The current priorities were determined based on the Vulnerability Index and length of time homelessness. During the effectiveness of this addendum, households with a person who is 65+ or people of all age with an underlying medical condition, per CDC (when information is

available) will act as a tiebreaker to current prioritization for CoC and ESG funded PSH/regular RRH.

Homeless Prevention

Eligibility:

There are several situations a household may qualify for ESG Homeless Prevention (HP) that are not impacted by an eviction moratorium.*

Both initial and continued eligibility for ESG HP are based on 1. Housing status, 2. Household income; and 3. need for assistance.

1. Housing Status
 - a. "At-risk of Homelessness - Category 1c"
 - b. "Homeless- Categories 2, 3, or 4"
2. Household Income
 - a. Regular ESG - Individuals and Families must have an annual household income below 30% AMI (average median family income) for the area
 - b. ESG-CV - individuals and Families must be under 50% AMI
3. Need for Assistance
 - a. Regain stability in their current permanent housing; or
 - b. Move into other permanent housing and achieve stability in that housing

*If a landlord proceeds with an eviction in violation of the eviction moratorium, the household would qualify for ESG HP assistance. In such situations, providers are encouraged to pursue other options first, such as explaining the terms of the applicable eviction moratorium to the landlord, enlisting legal services PRIOR to providing financial assistance or rental assistance.

Legal Services in WNY for Housing Issues:

Neighborhood Legal Services (716) 847-0650	Legal Aid Bureau (716) 853-9555	Center for Resolution and Justice (mediation) (716) 362-2323	Center for Elder Law & Justice (age 60 & over) (716) 853-3087
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Additional Guidance for Non-Lease Holders:

Individuals or families not on a lease that are being asked to leave by the leaseholder and are at risk of homelessness are eligible for HP Assistance if they meet household income requirements and lack resources and support networks.

Documentation of this:

1. 3rd Party Documentation (signed letter from individual asking them to leave)
2. Record of phone call from individual asking them to leave
3. Self-Certification (if the other ways are not attainable)**

** If presented DV/SV or contact with person asking them to leave would cause harm, self-certification is sufficient

Further guidance on Homeless Prevention Eligibility during Eviction Moratoria can be found: <https://files.hudexchange.info/resources/documents/COVID-19-Grants-Management-ESG-Homelessness-Prevention-Eligibility-During-Eviction-Moratoria.pdf>

Waivers & Flexibilities

The CARES Act provides various flexibilities and authority for HUD to issue waivers and alternative requirements to make it easier for ESG and CoC grantees to use ESG-CV and CoC funds. This section provides a summary of the different waivers and flexibilities that are available to ESG/CoC grantees. For Further information on each individual waiver, the link to the memorandum has been provided. A summary is available here: [ESG-CV Notice Summary](#)

Waivers: Communities and projects must inform their HUD office that they are applying for these waivers.

Flexibility: Are available for the whole ESG-CV grant period (ends September 30, 2022). These are changes to the regular ESG policies and practices that apply to ESG-CV funds and Regular Annual ESG funds that are dedicated to prevent, prepare, and respond to Covid.

[COVID-19 Homeless System Response: Summary of ESG Program Waivers and Alternative Requirements](#)

EFFECTIVE: July, 19 2021 as described in the [Waivers and Alternative Requirements for the Emergency Solutions Grants \(ESG\) Program Under the CARES Act](#)

This Notice supersedes Notice CPD-20-08, published on September 1, 2021, and reestablishes the allocation formula and amounts and reestablishes and announces new requirements for the \$3.96 billion in funding proved for the Emergency Solutions Grant (ESG) - CV. HUD may reassess any waivers established under this Notice prior to September 30, 2022.

Notice CPD-21-05 – [Waiver and Alternative Requirements for the Emergency Solutions Grants \(ESG\) Program Under the CARES Act](#) will continue to apply as written and without alteration by this Notice.

HUD SNAPS office provided a webinar on July 29, 2021: [Recorded webinar, PowerPoint Slides, and chat during the meeting.](#)

Highlight of Changes:

1. Emergency Shelter Activities
2. Temporary Emergency Shelter Activities
3. New Eligible Activities
4. Aligning Eligibility and Re-evaluation Income Limits
5. New Rental Assistance Allowances
6. Helping Current ESG Program Participants Maintain Housing
7. Permanent Housing - Habitability and Housing Quality Standards
8. Housing Stability Case Management
9. Permitting Recipients and Subrecipients to Subaward Funds to tribes and tribally-designated housing authorities.
10. Including Indian Tribes in the Definition of “Subrecipient”
11. Providing Additional Flexibilities for Puerto Rico & the Territories

Flexibilities:

1. States may use up to 100% of grant funds awarded to carry out activities directly (Con Plan needs to be reflective of this)
2. States may subaward funds to Public Housing Agencies
3. States may subaward funds to Indian tribes and tribally designated housing entities

Program Components and Eligible Activities

1. Emergency Shelter and Street Outreach Cap: Recipients may expend as much of their funding on street outreach and emergency shelter activities as needed to respond to COVID19
2. Pre-Award Cost: Funds incurred by a recipient or subrecipient on or after January 21, 2021 to prevent, prepare, and respond to COVID19 can be covered or reimbursed.
3. Additional Costs (please read guidelines on these): Cell Phones, Internet, PPE for HP&RRH Program Participants, Furniture and Household Furnishings, Essential Services for RRH/HP/Hotels/motels, Centralized Coordinated Assessment, Renters Insurance, Vaccine Incentives, Laundry, Sponsor-Based Rental Assistance.

EFFECTIVE: April 14, 2021 as described in the [Waiver and Alternative Requirements for the Emergency Solutions Grants \(ESG\) Program Under the CARES Act](#)

1. Eligibility for Rapid Rehousing Assistance

2. Minimum Standards for Permanent Housing

Retroactive Effect

As authorized by the CARES Act, the additional ESG-CV flexibilities provided in this Notice shall be deemed to be effective as of the date a State or unit of local government began preparing for coronavirus, which HUD shall presume to be January 21, 2020 – the date the first confirmed case was reported in the United States. However, each recipient must maintain adequate documentation to assure these waivers and alternative requirements are used only with respect to ESG- or ESG-CV eligible activities the recipient or its subrecipients implemented to prevent, prepare for, and respond to coronavirus, including documentation demonstrating when their particular state or local government began preparing for coronavirus, such as notes on formal planning meetings or calls

EXPIRED: Effective September 1, 2020 as Described in ['Waivers and Alternative Requirements for the Emergency Solutions Grant \(ESG\) Program Under the CARES Act'](#)

Flexibilities (available for the entire grant period-expires September 30, 2022-No waiver needed from HUD)

1. At-Risk of homelessness definition - Income limit raised from 30% to 50% AMI.
2. Emergency Shelter & Street Outreach Cap- Waived
3. Administration Cap Waived - Recipient may use up to 10% of total ESG-CV Grant
4. Waived Match Requirement
5. Waived Fair Market Rent Limit - Rent Reasonableness standards must be met
6. HMIS Lead Activities - Recipients may pay for HMIS lead activities even when not HMIS Lead
7. Waived Consultation with CoC
8. Waived Coordination with other Homeless Services/Mainstream Resources
9. Hotel/Motel Costs - expanded
10. Extension of RRH and HP Assistance

Additional Eligible Activities

11. Handwashing Stations & Portable Bathrooms
12. Volunteer incentives
13. Training
14. Temporary Emergency Shelters
15. Landlord Incentives

EXPIRED:CoC & ESG-CV Waivers April 1, 2021 (Expires on June 30, 2021)

Full Descriptions, justifications, applicability, and documentation requirements for Waivers: [April 1, 2021 - June 30, 2021 - April 14, 2021, Additional ESG Waiver](#)

Summary of Waivers

CoC & YHDP

1. Third Party Documentation of Income
2. Housing Quality Standards- Initial Inspection of Unit
3. Suitable Dwelling Size & Housing Quality Standards
4. Assistance Available at Time of Renewal
5. PH-RHH Monthly Case Management
6. Fair Market Rent For Individual Units and Leasing Costs
7. One-Year Lease Requirements
8. Limit on Eligible Housing Search and Counseling Services
9. HQS- Re-inspection of Units
10. Homeless Definition - Temporary Stays in Institutions

ESG & ESG-CV (retroactive - eligible from start of pandemic)

1. Homeless Definition - Temporary Stays in Institutions
2. Eligibility for RRH Assistance
3. Minimum Standards for Permanent Housing

EXPIRED: CoC & ESG-CV Waivers December 30, 2020 (EXPIRED on March 31, 2021)

Full Descriptions, justifications, applicability, and documentation requirements for Waivers:
January 1, 2021 - March 31, 2021

Summary of Waivers

CoC & YHDP

1. Third Party Documentation of Income
2. Housing Quality Standards - Initial Inspection of Unit
3. Suitable Dwelling Size & Housing Quality Standards
4. Assistance Available at Time of Renewal
5. PH-RRH Monthly Case Management
6. Fair Market Rent for Individuals and Leasing Costs
7. One-Year Lease Requirements

EXPIRED: CoC & ESG-CV Waivers September 30, 2020 (EXPIRED on December 31, 2020)

Full Descriptions, justification, applicability, and documentation requirements for Waivers:
September 30, 2020 - December 31, 2020 HOPWA, ESG, & CoC Waivers

Summary of Waivers

1. HQS- Initial Inspection Waived with Documentation. The recipient or subrecipient has written policies to physically reinspect the unit within 3 months after Covid.
2. Suitable Dwelling size & HQS (CoC & YHDP) Waived - follow state/local laws

3. Homeless Definition extends time in institution from 90 to 120 days (CoC, YHDP & ESG-CV)
4. Coordinated Entry annual ongoing planning & Stakeholder Consultation Waived for 1 year
5. One-Year Lease Requirement Waived (Initial lease must be at least 1month)
6. Assistance Available at Time of Renewal - further waived for projects that amend agreement through end of year.
7. FMR Waived - Rent Reasonableness documentation in case file
8. RRH Monthly Case Management Waived
9. Third Party Documentation of Income Waived - Self Certification
10. Disability Documentation for PSH Waived - Self-recorded observation by case manager or Self Certification by participant - Will not have to go back to find documentation later

EXPIRED: CoC & ESG-CV Waivers March 31, 2020 (EXPIRED September 30, 2020)

Full Descriptions, justification, applicability, and documentation requirements for Waivers: [March 31, 2020 - September 30, 2020 HOPWA, ESG, & CoC Waivers](#)

Summary of Waivers

CoC

1. Fair Market Rent Waived - Rent Reasonableness documentation in case file.
2. Disability Documentation for Permanent Supportive Housing (PSH) - Documentation must be obtained once healthcare workers are no longer responding to COVID19.
3. Limit on Eligible Housing Search & Counseling Services - CoC funds can pay 6 months of rental arrears & 6 months utility arrears. **(expires March 31, 2021)**
4. Rapid Re-housing Monthly Case Management Waived
5. Housing Quality Standards (HQS) - Initial Physical Inspection of Unit Waived
6. HQS - Re-Inspection of Units
7. One-Year Lease Requirement - initial lease must be at least one month.

ESG

1. HMIS Lead Activities Waived
2. Re-evaluations for Homeless Prevention Assistance waived **(2 years - March 31, 2022)**
3. Housing Stability Case Management Waived
4. Restriction of Rental Assistance to Units with Rent at or Below FMR waived- Rent reasonableness documentation in case file.

On June 22, 2020, HUD provided Guidance on all CARES act Flexibilities and Waivers.

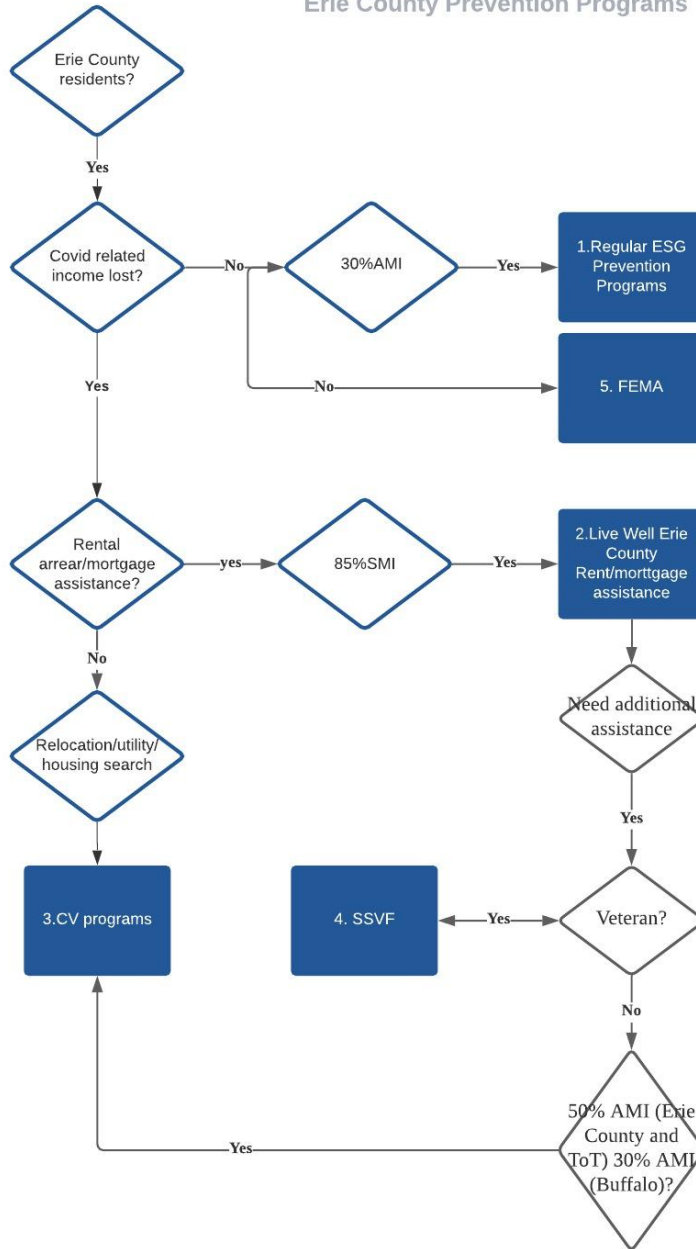
[Link to U.S. Department of Housing and Urban Development Flexibilities/Waivers by CARES Act + Mega Waiver and Guidance \(6/22/20\)](#)

WNY Programs:

Erie County Prevention Programs:

The below flowchart describes the basic eligibility of all the prevention programs that are available in Erie County. The Live Well Erie County Rent Arrear and Mortgage Assistance will only be available from 10/1/2020-12/31/2020. All clients in need will be prioritized to utilize that program until funding is no longer available. Additional assistance could be provided by CV or regular ESG/CDBG programs if a client is eligible. Buffalo Prevention programs will utilize chart 1 below to prioritize clients. Clients who score 10 points or above will be prioritized. Other ESG programs within Erie County will prioritize clients within their consortium area but if funding is available, they could serve City of Buffalo residents as well. Live Well Erie County program and ESG programs will be collaborating and recording payment information in HMIS to prevent duplicate use of funds.

Erie County Prevention Programs



1. Regular ESG prevention programs:

Erie: Gerard Place, Kaitlin Price <kprice@gerardplace.org>, Catholic Charities: Stephanie Mejia <stephanie.mejia@ccwny.org>.
Buffalo: Catholic charities

Town of Tonawanda (TOT): RSI: Jean Bennett <jbennett@rsiwny.org>, Compass House- Youth under 25: Tricia Mendez <tmendez@compasshouse.org>

2. Live Well Erie County Rent/Mortgage assistance program: Call 211 or 211wny.org. Max \$3500 per household

3. CV funded prevention program:

Erie: RSI
Buffalo: Urban League: Ed Jackson <ejackson@buffalourbanleague.org>, Catholic Charities, RSI
TOT: RSI, Compass house -youth under 25.

4. SSVF: Contact Veteran One Stop. Jamie Reid <jreid@vocwny.org>

5. FEMA: Only one month rent/Mortgage assistance. Urban League :bmoore@buffalourbanleague.org CAO:Drew D. Canfield dcanfield@caowny.org

* CV fund and Regular ESG must serve client meet HUD at risk definition.

** Regular ESG could be used regardless income lost due to Covid or not.

*** Legal services, please contact Neighborhood Legal Services: Grace Andriette: GAndriette@nls.org

**** For Erie County and TOT program, they will prioritize people who are within their consortium, but when funding available, they could serve Buffalo residents as well.

	Household Size							
	1	2	3	4	5	6	7	8
85% SMI**	\$42,405	\$55,453	\$68,501	\$81,549	\$94,597	\$107,645	\$110,091	\$112,538
50% AMI**	\$27,200	\$31,050	\$34,950	\$38,800	\$41,950	\$45,050	\$48,150	\$51,250
30% AMI**	\$16,350	\$18,650	\$21,720	\$26,200	\$30,680	\$35,160	\$39,640	\$44,120

*Expires 3/31/2021, **As of 2020

Fig. 1 Erie County Prevention Programs Flowchart

Criteria	Check if Applicable	Point Value	Score
High risk factors			
Zip Code (14215,14211, 14207,14213,14208)*	<input type="checkbox"/>	3	
At least one dependent child under age 6	<input type="checkbox"/>	5	
Single parent with minor child(ren)	<input type="checkbox"/>	3	
Household size of 5 or more requiring at least 3 bedrooms (due to age/gender mix)	<input type="checkbox"/>	3	
Have stayed in a homeless shelter in the past or slept on the street in the past	<input type="checkbox"/>	5	
Medically fragile or over age 62	<input type="checkbox"/>	3	
Is your current living situation one of the following?			
Has moved 2+ times in 60 days	<input type="checkbox"/>	2	
Exited out of jail/facility	<input type="checkbox"/>	2	
Fleeing DV	<input type="checkbox"/>	2	
Potential Barriers			
Rental evictions within the past 7 years (select only one) [Staff Note: Only include formal eviction actions (i.e., Notice to Quit) taken by a landlord due to lease non-compliance and that ultimately resulted in loss of rental housing.]			
4+ prior evictions	<input type="checkbox"/>	5	
2-3 prior evictions	<input type="checkbox"/>	4	
1 prior eviction	<input type="checkbox"/>	3	
Head of household with disabling condition (physical health, mental health, substance use) that directly affects ability to secure/maintain housing	<input type="checkbox"/>	3	
Income			
Current household income is 0	<input type="checkbox"/>	5	
Total Points:			

Chart 1: Buffalo CV Prevention program prioritization tool

* Denotes only difference between Buffalo CV Prevention Program Prioritization Tool and Niagara Prevention Tool

Niagara County Prevention Programs:

Niagara Falls prevention programs will serve eligible residents of the City of Niagara Falls only. Niagara County prevention programs will serve eligible residents of Niagara County excluding the City of Niagara Falls. Niagara Falls and Niagara County prevention programs will screen applicants using the Niagara Prevention Tool (see Chart 1 above). Clients who meet program eligibility, residency requirements, and the prioritization threshold will receive prevention services. Clients who are not eligible for services or meet the point threshold for prioritization may be directed to other programs as appropriate.

GOW Prevention Program

GOW prevention program will use 50% AMI and assist clients on a first come first serve basis.

Rapid Rehousing

Additional CV fund allows Rapid Re-housing to serve more clients and adapting a more flexible criteria based on each region's needs will allow clients to leave shelter sooner to prevent spread of Covid. There will still be programs adopt the same criteria as stated in the CoC Coordinated Entry Policy and Procedure, however programs may act as Bridger for PSH, which allow more PSH clients to be served as well as providing short term assistance to assist lower accuracy clients who have income in order to exit shelter quicker. ESG recipients and subrecipients will work with HAWNY in the planning process to determine each program's priority and length of financial assistance.

Changing decision making structure:

In order to quickly respond to the crisis related to COVID, a COVID- ad hoc team will be created in Niagara and Erie counties once ESG funds are allocated. This team will include HAWNY staff, shelter, DSS, ESG recipient and subrecipient, outreach programs, and possible current and previous program participants in order to evaluate and make recommendations on prioritizing clients the use of the CARES fund.

Any decision the COVID-ad hoc team makes will be communicated with the impacted providers via email and implemented immediately. The implementation plan will be reviewed by the CE Oversight Committee and if needed, the CoC board has the authority to approve, reject, modify and request additional information before giving their final approval..

Mission of the COVID-ad hoc committee:

- Create effective interventions for different subpopulations based on vulnerability to public health outbreaks and the economic hardship it creates

- Actively evaluate policies and procedures affecting access and interventions for different subpopulations based on vulnerability to public health outbreaks.
- Create values to specifically address your community's immediate needs and guide decisions
- Simplify the criteria to quickly assess people

Additional HUD resources:

Further guidance could be found Homeless System Response: [Changes to Coordinated Entry Prioritization to Support and Respond to COVID-19](#)

All COVID-19 HUD Resources can be located here:

<https://www.hudexchange.info/homelessness-assistance/diseases/>

FAQs : [How Does the Federal Eviction Moratorium Impact the Emergency Solutions Grant and Continuum of Care Program?](#)