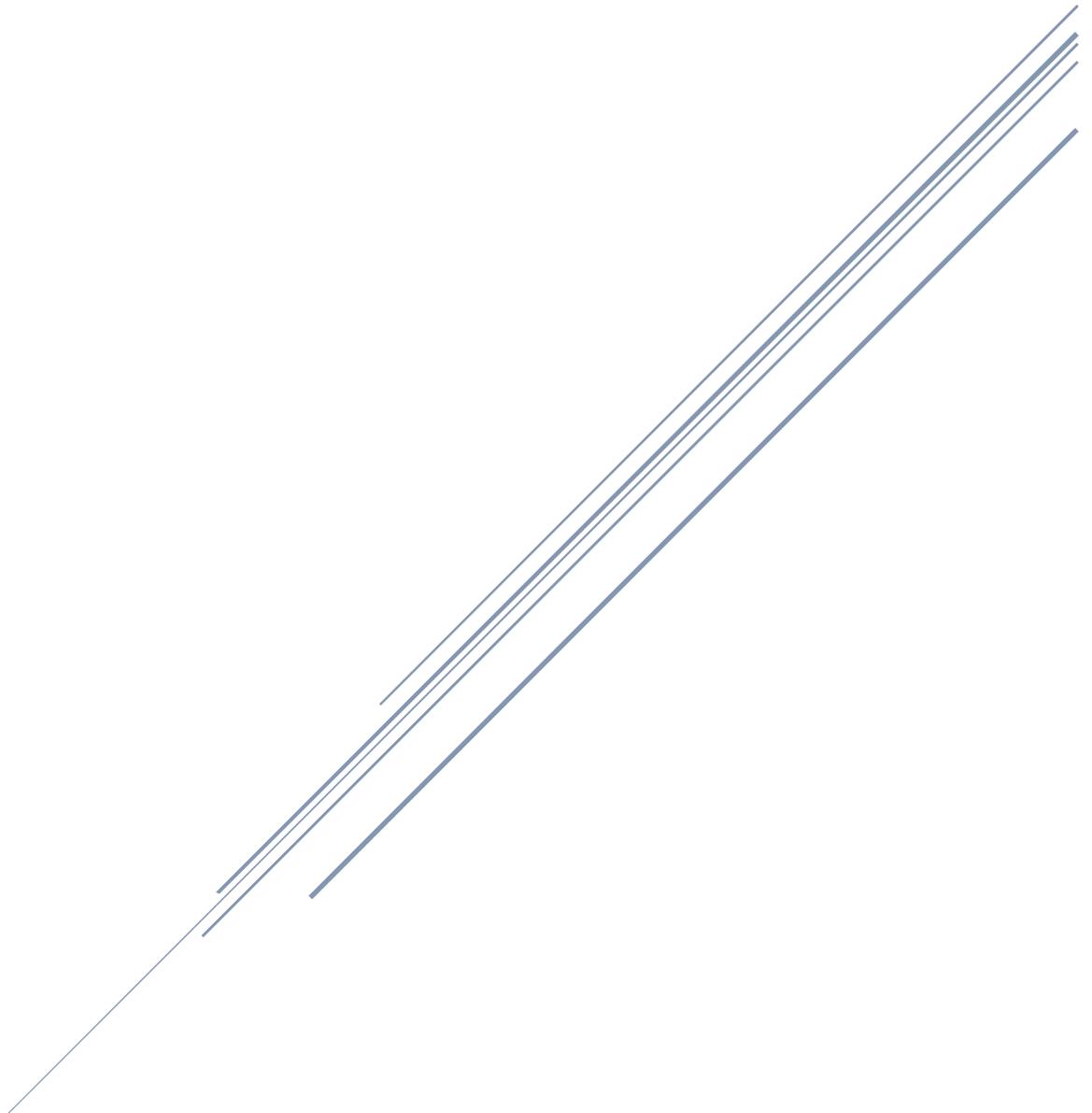
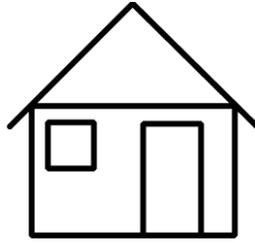


The Southeastern Oklahoma Continuum of Care

Continuum of Care (CoC) and Emergency Solutions Grant (ESG) Program Policies and Procedures





**The Southeastern Oklahoma Continuum of Care
Continuum of Care (CoC) and
Emergency Solutions Grant Program (ESG) Policies**

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Program Overview

The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) consolidated three separate homeless assistance programs administered by the U.S. Department of Housing and Urban Development (HUD) under the McKinney-Vento Homeless Assistance Act into a single grant program. The HEARTH Act revised the Emergency Shelter Grants program and renamed the program the **Emergency Solutions Grants (ESG)** program. The HEARTH Act also codified in law the **Continuum of Care (CoC)** planning process that is part of HUD's annual application for funding of programs and services that assist homeless persons.

24 CFR Part 576 Subpart B details the program components and eligible activities of the ESG program. The five components are:

1. Street Outreach
2. Emergency Shelter
3. Homeless Prevention
4. Rapid Re-housing
5. HMIS (Homeless Management Information System)

ESG provider sub-recipients are selected through a Request for Applications process conducted annually by Oklahoma Department of Commerce.

The Southeastern Oklahoma Continuum of Care (SEO CoC) is a community of individuals and organizations with the common purpose of planning for a housing and services continuum for people who are homeless.

The Southeastern Oklahoma Continuum of Care (SEO CoC) is committed to preventing and ending the tragedy of homelessness among individuals and families. Facilitate the development of a continuum of housing and services that provide sufficient opportunities to significantly mitigate homelessness in the SEO CoC, via:

- Full utilization of mainstream resources
- Coordination of service delivery and housing systems
- Systemic agreements and institutional focusing on populations at high risk of homelessness
- Creative cultivation of new resources
- Public awareness to foster a collective sense of responsibility for addressing homelessness

CoC funded providers operate permanent supportive housing and rapid rehousing programs and follow the program rules listed in **CoC Interim Rule 24 CFR Part 578**.

ESG provider sub-recipient contracts also include many ESG program requirements as detailed in the ESG Contractors Implementation Manual provided by the Oklahoma Department of Commerce. Each ESG and CoC provider may decide to set standards for their homeless services that exceed these minimum standards, but will at the very least comply with the guidance noted above and the following General Standards.

General Standards

Coordinated Entry

Minimum standards for the coordinated entry and assessment system are:

- All ESG and CoC providers shall participate in the Continuum of Care developed and adopted a coordinated entry system in accordance with HUD's requirements (24 CFR Part 578) for that assessment system.
- Victim services providers are encouraged to provide input in the planning and implementation of the coordinated entry system, but may choose not to use the Continuum of Care's coordinated entry system.

Homeless Management Information Systems (HMIS)

Minimum standards for CoC and ESG data are:

- Providers, except for victim service providers, shall utilize the Homeless Management Information System (HMIS), to enter data on people served and assistance provided under ESG and CoC.
- Victim service providers shall utilize a comparable data system that meets HUD's standards (24 CFR 576.107).
- All providers including victim services providers, shall adhere to the reporting and data quality standards in the current HMIS Policies and Procedures.

Performance Management

All CoC or ESG funded providers will submit Annual Performance Reports (APRs) to HUD. At least annually all providers will be measured using the following HUD CoC performance measures according to the type of project/service provided:

1. Ending Chronic Homelessness – Have providers met commitments made to HUD or have any new chronic persons been housed? (permanent housing projects)
2. Housing Stability – Have participants stayed in or moved to permanent housing? (transitional housing projects)
3. Jobs and Income Growth – Have participants increased their income? (all projects)
4. Mainstream Benefits – Have participants gotten access to services? (all projects)
5. Rapid Re-Housing – Have families been appropriately housed as quickly as possible? (RRH projects)

6. At least 30% of people exiting shelters go to rapid re-housing or permanent housing (shelter providers).

Education of Children 24 CFR 578.23 (c) 7

The SEO CoC strongly values education, believing that increased educational attainment lowers risk of future homelessness. ESG and CoC programs shall inform parents and unaccompanied youth of their educational rights, take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education. Providers and homeless school liaisons coordinate schooling for each school-age child, reducing school migration and connecting students to services.

Family Unity

The CoC and ESG providers of emergency shelter, rapid rehousing and permanent housing serving families shall ensure that no members of a household with children under 18 are denied admission or separated when entering shelter or housing.

Definition of Family

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, the following:

- (1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or,
- (2) A group of persons residing together, and such group includes, but is not limited to:
 - a. A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
 - b. An elderly family;
 - c. A near-elderly family;
 - d. A disabled family;
 - e. A displaced family; and,
 - f. The remaining member of a tenant family. In general, this definition of “family” applies to both the ESG and CoC Program rules. However, the [McKinney-Vento Act, as amended by the HEARTH Act](#), distinguishes individuals from families. Therefore, paragraph (1) of the definition of family under the Equal Access Rule is considered an individual under the CoC and ESG programs and the definition of family for these programs is defined as follows:

Family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, or gender identity, any group of persons presenting for assistance together with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child who is temporarily away from the home because of placement in foster care is considered a member of the family.

Reasonable Accommodations

The SEO CoC is committed to the equal treatment of all persons, and believes that no eligible individual with disabilities should, solely on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any CoC programs.

All providers will provide **Reasonable Accommodations** to applicants and participants of CoC and ESG Programs. A reasonable accommodation is an agency or program modification or change to its policies or procedures that will assist an eligible person with a disability to attain equal participation in programs.

Providers will assist clients in reviewing and understanding the agency or program Reasonable Accommodation Policy and completing any type of Request for Reasonable Accommodation documentation, as needed.

Termination of Assistance (24 CFR Part 578.91(a))

Minimum standards for termination of assistance are:

- **In general** – If a program violation occurs and the provider terminates assistance as a result, the termination shall follow an established process that recognizes the rights of the individuals affected. Termination shall only occur in the most severe cases.

- **Program participants receiving rental assistance or housing relocation or stabilization services** – When terminating rental assistance or housing relocation and stabilization services, the required formal process shall minimally consist of:
 - Written notice clearly stating the reasons for termination;
 - A review of the decision that gives the participant opportunity to present objections to the decision maker; and
 - A prompt written final notice.

- **Ability to provide further assistance** – Termination will not bar the provider from providing later additional assistance to the same family or individual.

Grievance Process (24 CFR Part 578.91(b))

All providers shall have a Grievance Process that recognizes the rights of individuals to due process when assistance is terminated. Individuals receiving assistance are informed at entry of the grievance process for that particular provider. The process shall consist of an informal process and a formal process.

Providers will assist clients in reviewing and understanding the agency or program Grievance Process and completing any type of Grievance Process documentation. Under no circumstances shall engaging in a grievance process negatively impact the services provided to the person or household.

Nondiscrimination/Equal Opportunity/Affirmative Outreach

CoC and ESG providers must maintain copies of their marketing, outreach, and other materials used to inform eligible persons of the program to document compliance with the requirements in 24 CFR 578.93(c).

ESG providers minimum standards shall comply with the requirements for nondiscrimination, equal opportunity and affirmative outreach identified in 24 CFR 576.407 (a-b).

Service providers must ascertain the preferred language of participants and make every effort to provide services in the preferred language.

CoC Standards - 24 CFR 578.7(a)(9)

- 1. Eligibility.** The CoC standard for evaluating individuals' and families' eligibility for assistance is to use an intake process that includes a coordinated assessment to determine and document participant eligibility. All CoC providers will follow CoC Program guidelines to establish the client's status as homeless and verify household income eligibility, if applicable. 24 CFR 578.103 and 24 CFR 576.500
- 2. Transitional Housing.** The CoC standard for determining and prioritizing which eligible individuals and families will receive transitional housing: CoC providers shall use an intake process with the coordinated assessment to prioritize which persons will receive any available transitional housing on a first come first served basis. The determination will be documented in the client file.
- 3. Rapid Re-housing (RRH).** The CoC standard for determining and prioritizing which eligible individuals and families will receive rapid re-housing assistance: CoC providers shall use an intake process with the coordinated assessment to prioritize which persons will receive any available Rapid re- housing units on a first come first served basis. The determination will be documented in the client file.

4. Participant share of RRH assistance. The CoC standard for determining what percentage or amount of rent each program participant must pay while receiving rapid re-housing assistance: CoC providers shall consider the income information for the last 30 days collected at intake and during the coordinated assessment to determine the percentage or amount each program participant must pay while receiving assistance. The determination will be documented in the client file. Participants will pay no more than 30% of their household income for rent per 24 CFR 578.77 (c).

5. Permanent Supportive Housing. The CoC standard for determining and prioritizing which eligible individuals and families will receive permanent supportive housing assistance: CoC providers shall use an intake process with the coordinated assessment to determine and prioritize which persons are best served by placement in any available Permanent Supportive Housing unit. Chronically homeless persons are prioritized for PSH beds in accordance with HUD guidance in CPD Notice 14-012 (Attachment D). The determination will be documented in the client file.

ESG Standards - 24 CFR 576.400 (e):

1. Evaluating Eligibility. Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under ESG:

Per 24 CFR 576.401: ESG (sub-recipients) providers must conduct an initial evaluation to determine each individual or family's eligibility for ESG assistance and the amount and types of assistance the individual or family needs to regain stability in permanent housing. All ESG providers will follow federal documentation guidelines to establish the client's status as homeless or at-risk of homeless and their income eligibility. These evaluations must be conducted in accordance with the centralized or coordinated assessment requirements set forth under §576.400(d).

2. Coordination Among Providers. Policies and procedures for coordination among all SEO CoC emergency shelter providers, essential service providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers, and mainstream service and housing providers:

The ESG providers must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other ending homelessness programs in the area covered by the Continuum of Care or area over which the services are coordinated to provide a strategic, community-wide system to prevent and end homelessness. The list of programs are included in 24 CFR Part 567.400(b)

ESG case managers shall participate Continuum of Care meetings to coordinate services and to discuss ESG policies and procedures. ESG providers receive feedback from other homeless services providers on all services available for low-income and homeless persons including; accessing mainstream services; housing, legal and health care services.

3. Determining and Prioritizing. 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:

ESG-funded providers will be responsible for ensuring that potential participants are served, with provisions for serving eligible households who meet prioritization criteria established through the Continuum of Care using coordinated assessment protocols.

Coordinated assessment tools thoroughly explore a family's or individual's situation and pinpoints their unique housing and service needs. Based upon the coordinated assessment, families and individuals should be referred to the type, level and duration of housing and services most appropriate to their situations and need.

Under homelessness prevention, ESG assistance is available to individuals and families below 30% of Area Median Income (AMI), and are homeless or at risk of becoming homeless.

ESG funds can be used to prevent an individual or family from becoming homeless and regain stability in current housing or other permanent housing. Rapid re-housing funds can be used to assist individuals and families who are literally homeless progress toward permanent housing and achieve housing stability.

- a. Homeless Prevention Households will be re-certified for continued eligibility every 3 months.
- b. Rapid Re-Housing Households will be re-certified annually.

4. Income Determination and Requirements

a) Income Eligibility

There are no income eligibility requirements for receiving street outreach, emergency shelter or transitional housing services and assistance. An applicant must be homeless for rapid re-housing, which has no income requirements. However, in order to continue to receive rapid rehousing assistance, clients must have an annual income that does not exceed 30% of AMI at time of re-evaluation. To qualify for homeless prevention assistance, applicants must have an annual income below 30% AMI at time of intake.

b) Calculating Gross Annual Income

Annual Income is the gross amount of income anticipated to be received by a household during the coming year based on the household's circumstances at the time of program intake and assessment. Annual Income determination is consistent with the Housing Choice Voucher definition of annual Income found at 24 CFR 5.609.

When determining the annual income of a household to establish eligibility for ESG assistance, Providers must count the income of all adults in the household, including nonrelated individuals, within the limitations imposed by 24 CFR 5.609. Not everyone living in the unit is considered a member of the household for the purposes of determining a household's income. Excluded persons include: foster children, foster adults, live-in aides, children of live-in aides and an unborn child. A child subject to a shared-custody agreement should be counted as a household member if the child resides with the household at least 50 percent of the time.

Income generated by an asset, such as the interest on a savings or checking account is considered household income even if the household elects not to receive it. For example, though an applicant may elect to reinvest the interest or dividends from an asset, the interest or dividends are still counted as income anticipated to be received during the coming 12 months. Asset income is discussed in 24 CFR 5.609. Income producing assets include: bank accounts; life insurance policies; lump sum additions (legal settlement, refund, etc.); personal property held as investments; retirement/pension funds; trusts; assets disposed of for less than fair market value; and stocks, bonds or mutual funds.

Street Outreach Standards

Minimum Standards

Targeting/Engagement:

Providers of Street Outreach services shall focus on unsheltered homeless individuals and families, meaning those with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station airport or camping ground.

Assessment/Service Provision/Referral/Prioritization:

- Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered the following Street Outreach services, as needed and appropriate: engagement, case management, emergency health and mental health, transportation services.

- When appropriate based on the individual's needs and wishes, the provision of or referral to rapid rehousing services that can quickly assist individuals to obtain safe, permanent housing shall be prioritized over the provision of or referral to emergency shelter or transitional housing services.

References: 24 CFR 576.101 and 576.400 e (3) (ii)

Emergency Shelter Standards

Minimum Standards

Admission:

Providers of Emergency Shelter services shall admit individuals and families who meet the HUD definition of "homeless," as specified in 24 CFR 576.2 (1, 2, 3 & 4) and agencies' eligibility criteria.

Assessment:

Individuals and families shall be offered an initial need and eligibility assessment and qualifying program participants, including those meeting special population criteria, will be offered Emergency Shelter services, as needed and appropriate.

Prioritization/Diversion/Referral:

When appropriate based on the individual's needs and wishes, the provision of or referral to Homeless Prevention or Rapid Rehousing services that can quickly assist individuals to maintain or obtain safe, permanent housing shall be prioritized over the provision of Emergency Shelter or Transitional Housing services.

Reassessment:

Program participants will be reassessed as case management progresses, based on the participant needs and goals as well as the individual service provider's policies.

Discharge/Length of Stay:

Program participants shall be discharged from Emergency Shelter services when they choose to leave or when they have successfully obtained safe, permanent housing. Any Length of Stay limitations shall be determined by the individual service provider's policies and clearly communicated to program participants.

Safety and Shelter Safeguards for Special Populations:

Safety and Shelter Safeguards shall be determined by the individual Special Population service provider's policies and clearly communicated to program participants.

References: 24 CFR 576.102 and 576.400 (e) (iii) and (iv)

Homelessness Prevention and Rapid Re-housing Standards (24 CFR 576.103 and 104)

Eligibility/Prioritization

Minimum standards for determining and prioritizing which eligible families and individuals shall receive homelessness prevention assistance and which eligible families and individuals shall receive rapid rehousing assistance:

Rapid Re-housing (RR) – To be eligible for RR Housing Relocation and Stabilization Services and Short-term and Medium-term Rental Assistance, people must:

- Meet the federal criteria under paragraph (1) of the “homeless” definition in 24 CFR 576.2 OR
- Meet the criteria under paragraph (4) of the “homeless” definition in 24 CFR 576.2 and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. (See Attachment A).

Homelessness Prevention (HP) – To be eligible for HP Housing Relocation and Stabilization Services and Short-term and Medium-term Rental Assistance, program participants must:

- require HP services to prevent moving into an emergency shelter or another place described in paragraph (1) of the “homeless” definition in 24 CFR 576.2 (See Attachment A).
- have an annual income below 30% of the median income for the area and: meet the federal criteria under the “at risk of homelessness” definition in 24 CFR 576.2 OR
- meet the criteria in paragraph (2), (3) or (4) of the “homeless” definition in 24 CFR 576.2 (See Attachment A).

Participant Contribution to Rent

Minimum standards for determining what percentage or amount of rent and utilities costs each program participant shall pay while receiving homelessness prevention or rapid rehousing assistance shall be based on the individual service provider’s policies and clearly communicated to program participants.

Rental Assistance Duration and Adjustment (24 CFR 576.105)

Minimum standards for determining how long a particular program participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time:

- Participants receive approval for the minimum amount of financial assistance necessary to prevent the current episode homelessness. If short-

term (1-3 months) or medium-term (4-12 months) is determined to be needed, documentation of financial need shall be kept in the participant's file for each month of financial assistance received. Participants shall not be approved for more rental assistance than can be justified given their income and expenses at a given time.

- Any additional requirements regarding how long a program participant shall be provided with rental assistance and whether and how the amount of that assistance shall be adjusted over time shall be determined by the individual service provider's policies and clearly communicated to program participants.

Re-evaluations

Minimum standards for completing eligibility re-evaluations of individuals and families:

Timing:

- Homelessness Prevention – participants shall be re-evaluated not less than once every three months
- Rapid Rehousing – participants shall be re-evaluated not less than once annually

Eligibility:

- To remain eligible, the participant shall have an annual income that is 30 percent of median family income for the area or less, as determined by HUD; **and**
- The participant shall lack sufficient resources and support networks necessary to retain housing without ESG assistance.

End of Standards

Attachment A

§ 576.2 Definitions.

At risk of homelessness means:

(1) An individual or family who:

- (i)** Has an annual income below 30 percent of median family income for the area, as determined by HUD;
- (ii)** Does not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately [available](#) to prevent them from moving to an [emergency shelter](#) or another place described in paragraph (1) of the “homeless” definition in this section; and
- (iii)** Meets one of the following conditions:
 - (A)** Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B)** Is living in the home of another because of economic hardship;
 - (C)** Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (D)** Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, [State](#), or local government programs for low-income individuals;
 - (E)** Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
 - (F)** Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
 - (G)** Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the [recipient's](#) approved [consolidated plan](#);

(2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and [Homeless Youth Act](#) ([42 U.S.C. 5732a\(3\)](#)), section 637(11) of the Head Start [Act](#) ([42 U.S.C. 9832\(11\)](#)), section 41403(6) of the Violence Against Women [Act](#) of 1994 ([42 U.S.C. 14043e-2\(6\)](#)), section 330(h)(5)(A) of the Public Health Service [Act](#) ([42 U.S.C. 254b\(h\)\(5\)\(A\)](#)), section 3(m) of the Food and Nutrition [Act](#) of 2008 ([7 U.S.C. 2012\(m\)](#)), or section 17(b)(15) of the Child Nutrition [Act](#) of 1966 ([42 U.S.C. 1786\(b\)\(15\)](#)); or

(3) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 725(2) of the McKinney-Vento [Homeless Assistance Act](#) ([42 U.S.C. 11434a\(2\)](#)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

Consolidated plan means a plan prepared in accordance with [24 CFR part 91](#). An *approved consolidated plan* means a [consolidated plan](#) that has been approved by HUD in accordance with [24 CFR part 91](#).

Continuum of Care means the group composed of representatives of relevant organizations, which generally includes nonprofit [homeless](#) providers; victim service providers; faith-based organizations; governments; businesses; advocates; public housing agencies; school districts; social service providers; mental health agencies; hospitals; universities; affordable housing developers; law enforcement; organizations that serve [homeless](#) and formerly [homeless](#) veterans, and [homeless](#) and formerly [homeless](#) persons that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; [emergency shelter](#); rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of [homeless](#) persons and persons [at risk of homelessness](#) for a specific geographic area.

Emergency shelter means any facility, the primary purpose of which is to provide a temporary shelter for the [homeless](#) in general or for specific populations of the [homeless](#) and which does not require occupants to sign [leases](#) or occupancy agreements. Any [project](#) funded as an [emergency shelter](#) under a Fiscal Year 2010 Emergency Solutions grant may continue to be funded under ESG.

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, [state](#), or local government programs for low-income individuals); or
 - (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an [emergency shelter](#) or place not meant for human habitation immediately before entering that institution;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime residence will be lost within 14 days of the date of application for [homeless](#) assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as [homeless](#) under this definition, but who:
 - (i) Are defined as [homeless](#) under section 387 of the Runaway and [Homeless Youth Act](#) ([42 U.S.C. 5732a](#)), section 637 of the Head Start [Act](#) ([42 U.S.C. 9832](#)), section 41403 of the Violence Against Women [Act](#) of 1994 ([42 U.S.C. 14043e-2](#)), section 330(h) of the Public Health Service [Act](#) ([42 U.S.C. 254b\(h\)](#)), section 3 of the Food and Nutrition [Act](#) of 2008 ([7 U.S.C. 2012](#)), section 17(b) of the Child Nutrition [Act](#) of 1966 ([42 U.S.C. 1786\(b\)](#)) or section 725 of the McKinney-Vento [Homeless Assistance Act](#) ([42 U.S.C. 11434a](#));
 - (ii) Have not had a [lease](#), ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for [homeless](#) assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for [homeless](#) assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

Homeless Management Information System (HMIS) means the information system designated by the [Continuum of Care](#) to comply with the HUD's data collection, management, and reporting standards and used to collect client-level data and data on the provision of housing and services to [homeless](#) individuals and families and persons at-risk of homelessness.

Metropolitan city means a city that was classified as a [metropolitan city](#) under [42 U.S.C. 5302\(a\)](#) for the fiscal year immediately preceding the fiscal year for which ESG funds are made [available](#). This term includes the District of Columbia.

Private nonprofit organization means a [private nonprofit organization](#) that is a secular or religious organization described in section 501(c) of the Internal Revenue Code of 1986 and which is exempt from taxation under subtitle A of the Code, has an accounting system and a voluntary board, and practices nondiscrimination in the provision of assistance. A [private nonprofit organization](#) does not include a governmental organization, such as a public housing agency or housing finance agency.

Program income shall have the meaning provided in [2 CFR 200.80](#). [Program income](#) includes any amount of a security or utility deposit returned to the [recipient](#) or [subrecipient](#).

Program participant means an individual or family who is assisted under ESG program.

Program year means the consolidated [program year](#) established by the [recipient](#) under [24 CFR part 91](#).

Recipient means any [State](#), [territory](#), [metropolitan city](#), or [urban county](#), or in the case of reallocation, any [unit of general purpose local government](#) that is approved by HUD to assume financial responsibility and enters into a grant agreement with HUD to administer assistance under this part.

State means each of the several [States](#) and the Commonwealth of Puerto Rico.

Subrecipient means a [unit of general purpose local government](#) or [private nonprofit organization](#) to which a [recipient](#) makes [available](#) ESG funds.

Territory means each of the following: the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.

Unit of general purpose local government means any city, county, town, township, parish, village, or other general purpose political subdivision of a [State](#).

Urban county means a county that was classified as an [urban county](#) under [42 U.S.C. 5302\(a\)](#) for the fiscal year immediately preceding the fiscal year for which ESG funds are made [available](#).

Victim service provider means a [private nonprofit organization](#) whose primary mission is to provide services to victims of domestic violence, dating violence, sexual assault, or stalking. This term includes rape crisis centers, battered women's shelters, domestic violence transitional housing programs, and other programs.