

**NOTICE OF FUNDING AVAILABILITY (NOFA)
EMEGRENCY HOUSING AND ASSISTANCE PROGRAM (EHAP 15)**

The State Emergency Housing and Assistance Program (EHAP) Operating Facility grants are component funds for emergency shelter, transitional housing, safe havens, and temporary rental assistance and winter shelter programs. The funds are to assist housing programs with their operational costs, as well as for the expansion of bed capacity and/or supportive services offered to clients.

The Local Board of the Los Angeles Emergency Food and Shelter Program is acting as a Designated Local Board (DLB) in accordance with EHAP regulations. All interested, qualified non-profit community organizations and local units of government are invited to request Operating Facility grants to provide rental assistance, winter shelter, and/or emergency shelter, transitional housing, or safe havens to homeless people in Los Angeles County. **All application materials are due to the Emergency Food & Shelter Program located at 523 West 6th Street, Suite 345, Los Angeles, CA 90014 no later than Monday, December 10th, 2007 at 4:00 p.m.** Late, incomplete, or faxed applications will **not** be accepted.

MAJOR CHANGES FROM EHAP 14 APPLICATION

- All applicants must mark what Service Planning Area (SPA) their program site is located in (DLB is no longer using a regional allocation process) – Application Page 2 & Exhibit 1
- Domestic Violence shelters are required to provide the actual project site address or submit waiver – Application Page 18
- All applicants must sign Statement of Applicant Eligibility – Application Page 16
- Site control in the form of a grant deed, lease agreement, etc is required of all applicants – Page 10
- All applicants must submit copy of Secretary of State’s Corporate Status – Application Page 6
- All applicants must submit Articles of Incorporation – Application Page 6

LOCAL PRIORITIES AND RESTRICTIONS

Funding Priorities

The Local Board will allocate funding as follows: 1) shelter operations; 2) a central coordinating agency to administer a rental assistance and eviction prevention program countywide; 3) a central coordinating agency to administer the County-wide winter shelter program; and 4) the maximum allowable 2% DLB administration costs. The categories and levels of funding are as follows:

Category of Funding	Percent	Funding Level
Shelter Operations	76.8%	\$780,000
Rental Assistance and Eviction Prevention Programs	9.1%	\$92,000
Winter Shelter Program	12.1%	\$122,773
Local Board Administration	2%	\$20,301
Total	100%	\$1,015,074

In order to ensure that the funds are distributed to shelters operating in all parts of Los Angeles County, the Local Board has determined that the majority of the funding will be distributed among the eight Service Planning Areas (SPAs) of the county. The formula to determine the allocation in each

SPA weights the need (or the number of homeless persons in each SPA) with the capacity (or the number of shelter beds in each SPA). The following table lists the number of grants that will awarded in each SPA:

Service Planning Area (SPA)	Grants Available
SPA 1 (Lancaster and Antelope Valleys)	1
SPA 2 (San Fernando Valley)	3
SPA 3 (San Gabriel Valley)	2
SPA 4 (Central City, Downtown)	7
SPA 5 (West Los Angeles)	2
SPA 6 (South Los Angeles)	4
SPA 7 (East Los Angeles)	2
SPA 8 (South Bay)	4
Countywide Pool	1 or more
TOTAL	26

Restrictions on Funding:

- EHAP funds will be used to establish new emergency shelter, transitional housing, or safe havens, expand existing facilities in order to increase the number of homeless persons served, expand existing eligible supportive services, or bring existing facilities up to a level that meets State health and safety standards. Applicants must have provided client housing continuously each day since September 20th, 2006, or, for winter shelter providers, throughout the area’s prior cold weather season.
- EHAP funds may be used to fund the maintenance of current shelter beds and/or supportive services.
- EHAP funds may not be used to supplant (substitute) existing emergency shelter or transitional housing funding.

Types of Funding

- Separate applications will be accepted for agencies proposing maintenance and/or expansion of beds or supportive services for emergency shelter and transitional housing beds for homeless persons. Applicants submitting proposals for these activities must have provided client housing to homeless persons since September 20th, 2006.
- Separate applications will be accepted to fund one central coordinating agency to administer a rental assistance and eviction prevention program countywide (includes providing the payment of initial rent and rent in arrears).
- Separate applications will be accepted to fund one central coordinating agency to administer the winter shelter program countywide. This funding can only be used to cover the cost of rent for up to 5 armories. The applicant must be a local government entity or a Joint Powers Authority.

Definitions of Expansion

- Expansion of shelter beds may include increasing the current shelter capacity to serve and house more clients or creating a new program/project.
- Expansion of supportive services may include offering a new supportive service and/or increasing the number of clients receiving a currently offered supportive service.

Definitions of Housing & Program Types

- Target Population is defined as the group of individuals who are in need of and expected to be benefited by the specific design of the proposed project, and who share similar demographic, clinical characteristics, or life history (e.g., women, youth, persons living with HIV/AIDS, mentally ill individuals). A project can serve more than one target population. However, the **primary target population** refers to the group that comes first in priority. Please see the HCD memo Serving Selected Populations with EHAP Funding, on pages 18-20 of the NOFA.
- Emergency Shelter is defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person and that is not withheld due to a client's inability to pay.
- Transitional Housing is defined as housing with supportive services that is limited to occupancy of up to 24 months with at least three supportive services offered, exclusively designated and targeted for recently homeless persons. Transitional housing includes self-sufficiency development services, with the ultimate goal of moving recently homeless persons to permanent housing as quickly as possible, and limits rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development's requirements for subsidized housing for low-income persons. (See page 5 for restrictions on fees.)
- Rental Assistance is defined as the payment of initial rent consisting of no more than the first month's rent or the last month's rent, or both if required as a condition of the occupancy of permanent housing (refer to State Regulations Section 7964).
- Eviction Prevention is defined as the payment of rent in arrears, not to exceed one month's rent plus a reasonable late charge. Program funds shall only be used if: 1) the client is unable to pay the rent in arrears and is threatened with eviction; 2) no other resources are available to pay; and 3) the client has not received more than one EHAP payment of rent in arrears in the immediate past two years (refer to State Regulations Section 7964).

Restrictions on Operational Grants for Single Site Applicants:

In order to achieve the goal of: 1) expanding shelter beds and supportive services; 2) distributing funds fairly; and 3) being consistent with program requirements, the Local Board has determined that each grant will be for \$30,000.

Single site applicants requesting funds for shelter operations must, among other things:

- request an amount equal to \$30,000;
- have provided client housing to homeless persons since September 20th, 2006; and
- have at least five shelter beds currently in operation, or propose to meet the five shelter bed requirement with EHAP funding.

If your request includes administration funds (not to exceed 5% of the total grant request), include them as part of the \$30,000 mandatory request. If an agency requests an amount not equal to \$30,000, they will be deemed ineligible. Please note that for EHAP 15, there are no funds available for capital development-type activities.

Restrictions on Operational Grants for Multi-Program and/or Multi-Area Applicants:

In order to achieve the goal of distributing the limited available funds to as many shelter providers as possible, the Local Board has determined that multi-program and/or multi-area applicants may submit multiple applications (one application per project). However, the DLB will impose a maximum number of grant requests for the *agency* as well as the *program*. Rental assistance, eviction prevention, and winter shelter programs will have different restrictions on grant levels than shelter operations funding.

Multi-program and/or multi-area applicants requesting funds for shelter operations may submit a maximum of two applications for any one agency (one application per project) regardless of the score (except for agencies applying for the rental assistance, eviction prevention, and winter shelter program applicants). Agencies submitting multiple applications must make certain that:

1. Each program requests **\$30,000**;
2. The agency-combined request does not exceed two applications.

If an agency submits more than two applications, all applications will be deemed ineligible. If an agency asks for an amount not equal to \$30,000 per application, that application will be deemed ineligible. It is the applicant's responsibility to determine the programs for which funding will be sought and to ensure that no more than two applications are submitted.

Applicants applying for the *Rental Assistance and Eviction Prevention Program* must apply to be a central coordinating agency. A Central Coordinating Agency is defined as an agency that has the fiscal and programmatic ability to distribute and monitor EHAP funds in accordance with the established DLB guidelines.

Applicants must request **\$92,000** (including 5% administration). Agencies that apply for the rental assistance and eviction prevention program may also be eligible to apply for funding for operational grants for emergency shelter or transitional housing. The DLB will require the selected central coordinating agency (or agencies) to impose a maximum assistance (not to exceed the fair market rent based upon family size) to any one client *per assistance*. The payment of initial rent shall consist of no

more than the first month's rent or the last month's rent, or both if required as a condition of the occupancy of permanent housing (refer to State Regulations Section 7964[b]).

Agencies interested in referring clients for rental assistance and/or eviction prevention must be EFSP or EHAP funded agencies for the current year. Referral agencies will not be entitled to any administrative funding to implement the program, but will be able to access, on behalf of their clients, rental assistance and/or eviction prevention funding. Referring agencies must attend a training session conducted by the central coordinating agency (held quarterly).

Applicants applying for the Winter Shelter Program must apply to be a central coordinating agency. *A Central Coordinating Agency is defined as an agency that has the fiscal and programmatic ability to distribute and monitor EHAP funds in accordance with the established DLB guidelines.* **Applicants must request \$122,773. There will be no allowance for administration costs.**

Bed Level Requirements:

All shelters must have a minimum of five shelter beds currently in operation or propose to expand their shelter bed capacity to meet the five bed minimum requirement for the intended EHAP funded program to be eligible for EHAP 15 funds (does not include rental assistance/eviction prevention or winter shelter programs).

To calculate the total number of beds utilized for the funding request, add the current number of beds at the site (EHAP and non-EHAP funded) and the number of beds being added with EHAP funds (note: if these funds are to maintain current shelter beds this number would be zero). This will equal the total number of beds at the site if an EHAP award is given.

(A)	+	(B)	=	(A+B)
Current number of beds for the program.		Number of additional beds to be funded with EHAP Funds – or zero if EHAP funds are to be utilized for maintenance only.		Number of beds after expansion.

The total number of beds is the number utilized to determine eligibility. If the agency maintains or will expand to less than 5 shelter beds, then the agency is not eligible to apply for EHAP 15 funds.

Restrictions on Grant Term

The term for all grants is 14 months from the effective date of the contract, and no extensions will be given (see State Regulations Section 7970[c]).

Restrictions on Minimum Score

In order to ensure that agencies selected for funding have the capacity to provide quality shelter and services, the Local Board has determined that the minimum threshold score an operational applicant must receive in order to be considered for funding is a score of 70.

Restriction on Fees

Emergency shelters applying for EHAP funds cannot charge fees. Transitional Housing providers may charge up to 30% of their clients' adjusted household income, providing that at least 10% of the fees charged are set aside in a separate savings account for clients' use upon graduating from the program to assist the client in moving to permanent housing. The 30% limitation applies to all monies that could otherwise be the discretionary income of the clients.

Eligible Use of Funds:

Eligible activities and allowable costs for shelter operational grants include, but are not limited to:

- Supervisory staff who provide services *directly* to clients;
- Line staff who provide services *directly* to clients;
- Counseling clients and supervising the counseling services;
- Utilities, telephone, office supplies for the shelter;
- Routine maintenance and repair (such as interior painting and cleaning and plumbing)
- Rent or lease payments for a shelter or transitional housing facility up to 14 months

See State Regulations Section 7961 for more eligible uses.

Ineligible Use of Funds:

EHAP funds will not be used for costs of ineligible activities including, but not limited to:

- The purchase of, for recreational purposes, radios, televisions, and other appliances or equipment;
- Operating costs for emergency shelters that charge occupancy fees for clients;
- On-site improvements beyond those directly necessary for the development of emergency or transitional housing (such as walls, fencing, parking lots, storage sheds, shade structures, and landscaping);
- To provide activities which do not directly provide client housing such as:
 - i. drop-in or day centers;
 - ii. food, food services, and food handlers;
 - iii. program security;
 - iv. general relief;
 - v. medical care;
 - vi. transportation;
 - vii. child care (except as required by client to participate in the self-sufficiency development services, or seek employment or permanent housing);
- Staff, other than the allowable administrative costs, not directly related to the provision of client housing such as security guards, food handlers, and landscape personnel;
- Off site costs, special requirements, assessments, or anything more than is directly necessary for the development of emergency shelter or transitional housing; and
- General Liability Insurance, Auto insurance, Director and Officers insurance.

See State Regulations Section 7962 for ineligible uses.

Common Mistakes to Avoid:

Below and on the next page is a list of commonly made mistakes that may deem your application ineligible or cause a reduction in funding. The list is by no means exhaustive of the reasons for ineligibility, and is only printed here to give you an idea of the reasons applications have been ineligible in the past. Please consult the State regulations section 7962 for more information.

- ⊗ Agency operates less than 5 beds.
- ⊗ Emergency Shelter allows clients to stay longer than 6 months.
- ⊗ Emergency shelter charges rent.
- ⊗ Emergency Shelter serves a sub-population exclusively and does not meet State requirements. *
- ⊗ Failed to include mandatory attachments.
- ⊗ Failed to submit financial audit.
- ⊗ Failed to submit financial statements.
- ⊗ Failed to submit Form 990.
- ⊗ Incomplete Application.
- ⊗ Inconsistent Budget Request - Budget did not match narrative or activities summary.
- ⊗ Request exceeds maximum amount allowed.
- ⊗ Request was less than the minimum amount allowed.
- ⊗ Requested funds for auto insurance, Directors and Officers Insurance. **
- ⊗ Requested funds for after-care. ***
- ⊗ Requested funds for board games.
- ⊗ Requested funds for board member salaries.
- ⊗ Requested funds for building security.
- ⊗ Requested funds for consultants and trainers for staff development.
- ⊗ Missing narrative questions or budget pages
- ⊗ Submitted EHAP forms and application materials from previous EHAP round
- ⊗ Requested funds for developing donation resources.
- ⊗ Requested funds for expensive computer network (inefficient use of funds).
- ⊗ Requested funds for financial audit fees.
- ⊗ Requested funds for food. ***
- ⊗ Requested funds for general liability insurance. **
- ⊗ Requested funds for health assessments and health screenings. ***
- ⊗ Requested funds for landscaping.
- ⊗ Requested funds for maintenance worker.
- ⊗ Requested funds for manager to implement and track data of program.
- ⊗ Requested funds for professional liability insurance. **
- ⊗ Requested funds for recreational and socialization activities.
- ⊗ Requested funds for soliciting and distributing community donations.
- ⊗ Requested funds for television for recreational use.
- ⊗ Requested funds for transportation. ***
- ⊗ Requested funds for umbrella policies.
- ⊗ Requested funds for van maintenance.
- ⊗ Requested funds to purchase vehicle. ***
- ⊗ Requested funds to resurface parking lot.
- ⊗ Requested funds for outreach services. ***
- ⊗ Requested funds for drop-in center. ***
- ⊗ Requested funds for general relief. ***
- ⊗ Requested funds for medical care. ***
- ⊗ Requires attendance of religious service.
- ⊗ Transitional housing program charges more than 30% of client income for rent.
- ⊗ Transitional housing program does not set aside 10% of client's rent for assistance moving into permanent housing.
- ⊗ Transitional housing program has a maximum stay of 60 days.

*Please see the HCD memo Serving Selected Populations with EHAP Funding on pages 18-20.

**EHAP Regulation Section 7961(b)(7) does permit the use of EHAP funds to cover insurance cost. However, Regulation Section 7962(f) prohibits the use of EHAP funds for activities that do not directly provide client housing. Taken together, these two provisions only permit payment of EHAP funds of insurance costs of the housing site itself, such as property insurance and crime prevention insurance.

***EHAP Regulation Section 7962(f) establishes that activities that do not directly provide client housing (emergency, transitional housing, residential rental assistance), such as drop-in or day centers, food and food services, general relief, medical care, and transportation, are ineligible. The regulation provides an exception to this general rule for child care services required by adult clients so they can participate in self-sufficiency development services, seek employment or look for permanent housing.

As a general rule, if you are requesting funding for an activity that is not obviously directly related to the provision of services in housing to your clients, please call Kelly Whited at (213) 808-6612 for clarification prior to submitting your proposal.

DESCRIPTION OF THE APPLICATION PROCESS

Timeline

A general timeline for EHAP 15 activities is as follows:

November 2007	- NOFA release
December 2007	- Application review
Late January 2008/Early February 2008	- Notification of Funding Awards & Appeals
February 2008	- Submission of funding recommendations to HCD

The DLB reserves the right to amend the timeline if necessary. Exact dates and deadlines are not a formal part of the LESS and do not need to go through the formal amendment process if changes are needed. Note: This timeline may be adjusted if HCD does not take the full time allowed to approve the LESS or if there are delays on the part of HCD in approving the LESS.

Notification of Fund Availability to Agencies [based on State Regulation Section 7955(e)(2)]

Notification of fund availability will be provided to agencies on the Local Board mailing list. This includes applicants for EHAP 14 and EFSP Phase 25, as well as other agencies and individuals who have expressed an interest (in writing) in being notified of Local Board activities. Shelter Partnership will notify all agencies on its funding alert list of EHAP 15 funding availability. Application forms will be available on the Local Board website at www.losangelesefsp.org beginning November 9th, 2007. Please note that applications will not be sent by mail nor will they be given out in hard copy at the Bidders Conference.

Notification of Eligibility Requirements

The Local Board will use a checklist to determine applicant eligibility, based on State Regulations Section 7959.

The following is a partial list of eligibility requirements. Please refer to section 7959 of the program regulations for the complete list.

- Applicants must be continuous and current providers of housing, from at least one year prior to the publication date of the statewide NOFA. The publication date of the statewide NOFA was September 20th, 2007 therefore, applicants must have provided client housing continuously each day since September 20th, 2006.
- Applicants must not require participation in any religious or philosophical services or meetings by clients as a condition of client housing.
- Applicants shall not discriminate on the basis of race, religion, marital status, ethnicity, place of origin, physical or mental disability, etc., unless otherwise permitted pursuant to EHAP program requirements. Any form of arbitrary discrimination is also prohibited under State law. See pages 18-20 for a description of EHAP program requirements regarding nondiscrimination in the provision of emergency and transitional housing.

- Emergency shelters shall not charge fees of their clients.
- Emergency shelters must provide services on a first-come first-serve basis and may not reserve space.
- Transitional housing providers may not charge more than 30% of the client's income; at least 10% of the fees charged must be reserved for each client separately to assist clients to transition to permanent housing.
- Transitional housing providers must offer clients at least three types of self-sufficiency services; participation must be required in at least one self-sufficiency service.
- Applicants requesting funds for any EHAP activity except residential rental assistance must provide evidence of site control sufficient to implement the activities to be funded by the EHAP grant for the entire 14-month term of the EHAP contract. Failure to provide adequate documentation of site control may disqualify an application. Evidence of site control must be submitted even if it has been submitted in previous applications, and even if the applicant owns the site. Pre-approval of site control is not required; however, technical assistance is available from the Department if you have questions regarding the adequacy of site control documentation.

Evidence of site control can be shown by providing such documents as:

- A grant deed demonstrating ownership in fee title. In cases where no street address is provided on the grant deed, please provide other evidence that the parcel number listed on the grant deed belongs to the street address for the site provided in the application.
- A lease demonstrating a leasehold interest in the site and its improvements. The lease must be for at least the term of the EHAP grant or any forgivable, deferred interest loan received from the Emergency Housing and Assistance Program Capital Development component (EHAPCD), if applicable.
- A purchase agreement signed by both the buyer and seller indicating site control by the commencement date of the EHAP grant.
- An enforceable option contract to purchase or lease, which extends at least through the anticipated closing date of an EHAP Capital Development (EHAPCD) loan.
- In the case of a lease, the lease (or option to lease) must contain: permission to use the site for the entire 14-month term of the EHAP contract; the monthly lease rate; the address of the site(s); intended use of site; and be signed and dated by both the lessor and lessee.

Procedures for Application Submission

- Submit TWO (2) signed original applications with all required attachments and TWO (2) copies without required attachments. Please submit applications to the attention of Kelly Whited, EFSP Program Associate, at 523 West 6th Street, Suite 345, Los Angeles, CA 90014.
- Proposals need to be received in the EFSP office, either by hand delivery or mail, no later than **Monday, December 10th, 2007 at 4:00 p.m. No late, faxed, or incomplete proposals will be accepted. Please note that applications cannot be postmarked by the deadline date – all applications must be received by the deadline.**
- Applications should be **BINDER CLIPPED ONLY**. Do not staple, bind, or place the applications in notebooks or folders.
- All applications must be typed and shall be in at least 10-point font. The applications must not exceed maximum page limits. If an application exceeds the maximum page limits, DLB staff will remove any narrative questions from the application that exceed the specified limits.
- If the applicant was not a recipient of EHAP 14 or EFSP Phase 25 funds, the agency must submit additional attachments to ensure fiscal and organizational capacity and eligibility. A list of required attachments is included in the attachments checklist (page 6 of the application packet).
- The NOFA, Application, and the Local Emergency Shelter Strategy (LESS) are available to download from the Los Angeles EFSP website located at www.losangelesefsp.org.

To access the documents, go to the website and click on the “EHAP” link on the left hand side. Scroll down and find the link to the EHAP 15 Application, LESS, and NOFA.

The documents are in PDF format and require the Acrobat Reader software to open. The Acrobat Reader is free and can be downloaded at:

<http://www.adobe.com/products/acrobat/readstep2.html>.

- Except as requested by DLB or State EHAP staff, agencies cannot submit additional information or make changes to their application once it has been submitted to DLB staff. Under no circumstances will agencies be contacted regarding missing or incomplete narrative questions.
- Include only those attachments specified in the on page 6 of the EHAP application. **DO NOT INCLUDE ADDITIONAL ATTACHMENTS** other than those specified in the application.
- It is the sole responsibility of the applicant to determine that the proposal is turned in on time and is complete.

- The proposal must be submitted in the legal name of the corporation. All proposals must be signed by the person or persons (e.g. Executive Director or designated board member) who have legal authority to bind the agency in a contract with HCD.

Technical Assistance for Applicants

Please note that Local Board staff will no longer offer Pre-Submission and Post-Submission reviews beginning with EHAP 15. However, all applicants are still encouraged to contact the Local Board at (213) 808-6612 or via email at kwhited@unitedwayla.org with questions regarding the application and related materials.

Rating, Ranking and Allocating Procedures

- Staff will verify applicant, application and activity eligibility, prior to rating and ranking by the committee pursuant to sections 7959 through 7962 of the Regulations. The following procedure will be used for applications that include requests for a combination of eligible and ineligible EHAP activities and/or expenses.
 1. If an EHAP application contains ineligible expenses activities and/or expenses, the ineligible expenses will be deleted from the application and the EHAP grant request reduced to the amount of the remaining eligible activities.
 2. After deleting the ineligible activities and expenses for which EHAP funds were requested, if the DLB determines the project or program proposed in the application is still feasible, the application will be rated and ranked pursuant to the selection criteria set forth in the NOFA.
 3. Rating points shall not be deducted from application scores to penalize the applicants for including ineligible expenses.
- Reading and scoring of proposals will be conducted by a committee of the Local Board, comprised of Local Board members and other individuals who have been appointed by EFSP staff, none of whom have a conflict of interest, pursuant to Regulations Section 7953(f).
- Site visits will be conducted of new applicants and may be conducted of agencies funded in prior EHAP phases.
- Eligible proposals will be scored according to the scoring criteria outlined on pages 21-24 of the NOFA. Proposals will be reviewed and initially scored by at least two committee members. The full committee will review and finalize the score and provide comments on each eligible application. The final scores will be arranged in descending score order for funding.
- Shelter operations allocations will be calculated for each SPA. Funds will be allocated in descending score order. Grants will be allocated to applicants in each SPA until the grants available in that SPA have been depleted. Applicants that were not funded or recommended for funding in each SPA will then be ranked in descending order and become eligible for

funding in the countywide pool. Grants available in the countywide pool will be allocated to the highest ranked applicant until the countywide pool funds have been depleted.

- Agencies with a score below 70 will not be considered for shelter operations funding. Agencies are selected for funding in the amount of their request in descending score order in each SPA. If there are funds still remaining, and the next applicant has a score less than 70, such an agency will not be selected for funding; rather, the remaining funds will be placed in the countywide pool and reallocated to the highest ranking applicant not funded on a countywide basis.
- Prior performance on EHAP contracts will be taken into account when determining agency score. This pertains to agencies that have not drawn down completely in EHAP 13 and/or EHAP 14 phases or experienced significant difficulty in initiating or completing EHAP-funded projects. Agencies that have returned, reallocated, or disencumbered funds will be penalized one (1) point per \$1,000 that has been unused. Agencies that have returned, reallocated, or disencumbered over \$5,000 will be penalized a maximum 5 points.
- The Local Board reserves the right to contact grantees, if deemed necessary, to clarify information contained in the proposal, but will not contact grantees in the event of missing or incomplete narrative questions. The Local Board also reserves the right to contact other entities listed in the applicant's proposal (e.g., other funders).

Award Notification

Applicants will be notified by mail of the outcome of their application. Once award recommendations have been made, a list of funded, not funded, and ineligible agencies will be made available on www.losangelesefsp.org under the EHAP section of the website.

All award notifications from the DLB are provisional until the Department of Housing and Community Development approves the DLB award recommendations, and the applicant receives an award letter from the Department.

Appeals

- Any applicant shall be entitled to appeal the grant selection or other activities of the DLB for the area it serves and to which it applied, by submitting a written petition for a hearing to the DLB within seven days following the date the DLB makes the final rating and ranking of applications available.
- No agency may appeal on the basis of a late or incomplete application.
- The written petition shall provide background information on the petitioner, clearly describe each activity disputed, explain why the activity is disputed, and state the remedy the petitioner is seeking.

- Upon receipt of the complete petition, the DLB shall set a time and place for a hearing and shall provide the petitioner with written notice of the hearing, which shall be scheduled within 15 days following the date of the petition.
- The hearing shall provide the petitioner with the opportunity to be heard and to show cause why the activity is disputed and why the remedy sought is appropriate.
- Within seven days following the hearing, the DLB shall provide the petitioner with a written determination of the appeal.
- A petitioner who has received a negative determination from a DLB shall be entitled to appeal to the HCD for a review of the determination, if the appeal is regarding the DLB's failure to follow the procedures in the LESS and application NOFA, or for violating the program requirements. Please refer to the State Regulations Section 7968 for a complete description of the process of appealing to the State.

Anticipated Process for Redistribution of Unawarded Funds

If additional funds should become available, eligible shelter operation applicants that were not funded would be ranked in descending score order on a countywide basis and would be recommended for a grant in the amount of their request in descending score order.

Public Noticing Process

The Local Board will ensure that its activities are conducted in an open, fair and competitive manner.

Adequate public notice will be provided to agencies on the mailing list regarding the availability of EHAP 15 funds. In addition, Shelter Partnership, Inc. will send funding alerts to agencies on its mailing list.

Agencies that have submitted a written request to the EFSP Local Board, as well as prior and currently funded agencies, will be provided a notice of public meetings or hearings regarding EHAP at least 10 days in advance of the meeting or hearing, as required by Government Code (Section 11120 through 11132).

GRANTEE MONITORING AND EVALUATION

In accordance with State Regulations Section 7975, the Local Board will monitor and evaluate EHAP 15 grantees.

Milestones:

The DLB is responsible for monitoring grant performance. The DLB will review and approve each request for disbursement from grant funds before submittal to the California Department of Housing and Community Development (Department) for review, approval, and payment. The DLB shall report immediately to the Department any failure by a grantee to comply with the requirements of the program and/or standard agreement, and any need for the Department to halt the disbursement of grant funds or halt activities funded by a grant.

Grantees must submit semi-annual reports, EHAP related correspondence, and requests for disbursement to the DLB. The DLB will assist EHAP staff in obtaining compliance with the Standard Agreement via correspondence and phone calls. Materials sent to the Department will be forwarded to the DLB for review before payment can be made.

Grant Agreement and Draw-down:

The DLB will advise successful grantees of the necessity to execute the Standard Agreement within 45 days of receipt. EHAP staff will be requested to provide the DLB with periodic status reports of executed contracts and grantees out of compliance with estimated grant draw-down schedules.

After the agency receives the Standard Agreement, if the Standard Agreement is not signed and returned within 45 days, then the DLB has the right to remove and reallocate the funds upon notification and approval of the State Department of Housing and Community Development.

After the Standard Agreement is signed, if funds are not being spent in a timely manner within the term of the contract, the DLB has the right to remove the unspent funds and reallocate them before expiration of the term of the contract upon notification and approval of the State Department of Housing and Community Development.

The DLB will supervise the close-out activities, and shall provide a written certification that all grant-supported activities were conducted in compliance with program requirements. In order to close-out a grant, the grantee shall provide a summary of the activities serving clients during the period of the grant, an estimate of the number of clients served with EHAP funds, and the corresponding expenditures for each approved eligible activity. Grantees may be asked by the DLB to support all expenditures with invoices and receipts.

Periodic Review of Expenditures and Records:

Grantees will be required to report current status of expenditures and units of service directly to the DLB. The certification will include the grantee's maintenance of fiscal controls and accounting procedures in accordance with generally accepted accounting principles. Site visits will automatically be conducted by the DLB and/or EHAP staff for grantees with disallowed costs related to the EHAP award.

Site Visits:

Grantees that are awarded funds from this EHAP 15 allocation may receive an annual site visit to monitor their program, fiscal records and site condition. Site visits will be conducted by either DLB members or volunteers nominated by DLB members or staff. It is anticipated that each year approximately 50% of all funded agencies will receive a site visit. A copy of the EHAP Site Visit Form is available for review prior to the site visit.

AMERICAN WITH DISABILITIES ACT (ADA) COMPLIANCE PLAN/ MANUAL DEVELOPMENT

The ADA was enacted in 1990 and by January of 1992 facilities providing product and services to the general public needed to have begun making programs accessible to people with disabilities. The law does not mandate immediate changes by every agency, but does require that service providers develop long term plans on how to comply with the ADA regulations.

Although your agency is not required to submit a full ADA Compliance Manual with your application, the Local Board is still interested in what your agency is currently doing and will be doing in the future to meet the 1990 American with Disabilities Act (ADA). When your agency is due for its bi-annual site visit, the site visit monitor visiting your agency will be reviewing your ADA Compliance Manual in its entirety. *Please note that agencies not funded in EFSP Phase 24 or EHAP 13 are required to have a completed ADA Compliance Manual available for review at the first site visit. This site visit will take place the month following application submission.*

The Local Board has a FREE guide for EFSP agencies that is available for download off the EFSP Web page that is hosted on the United Way of Greater Los Angeles website.

To access the document, go to the Los Angeles EFSP website located at www.losangelesefsp.org and click on the “ADA” link on the left hand side. Click on the “ADA Compliance Guide” link. Scroll down and find the link to the ADA Compliance Guide. The document is in PDF format and requires the Acrobat Reader to open. The Acrobat Reader is free and can be downloaded at <http://www.adobe.com/products/acrobat/readstep2.html>. Due to copyright laws, the ADA Compliance Guide is available only to EFSP funded agencies and applicants. Therefore, a password is required to open the ADA Compliance Guide document.

To access the ADA Compliance Guide, click on the ADA Compliance Guide link and enter the password below:

The password is → losangelesefsp

The completed ADA compliance manual is VERY important in demonstrating that your agency can meet the shelter needs of persons with disabilities. The EFSP Compliance Plan Guide contains forms to develop and complete your own manual. The free ADA guide can assist your agency in developing an ADA compliance plan that will assist your agency in meeting the steps that are needed to:

- ✓ Designate a responsible person (ADA Coordinator) to oversee ADA compliance
- ✓ Consider consulting with qualified people with disabilities who are well trained in ADA compliance to assist your agency in identifying problems, physical obstacles and/or barriers, and to develop creative solutions to overcoming barriers. The guide gives resources of groups that can assist your agency with this process
- ✓ Complete the checklists provided in the guide to assist your agency in developing a compliance plan that addresses program access, physical access, communication access, and employment practices
- ✓ Develop long term plans on how to meet program access, physical access, communication access, and employment practices
- ✓ Establish a system for evaluating progress and updating the compliance plan

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Serving Selected Populations With EHAP Funding
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The following is a simplified layman's guide for shelter providers seeking to serve selected populations using Emergency Housing and Assistance Program (EHAP) Operating Facility and Emergency Housing and Assistance Program Capital Development (EHAPCD) grant funds administered by this department.

Legal Requirements:

Generally, service to selected populations must comply with a variety of legal requirements, including the 14th Amendment to the U. S. Constitution, the U. S. Fair Housing Act (and amendments) of 1968 (and 1988), the California Fair Employment and Housing Act and the California Unruh Civil Rights Act. Depending on the circumstances, other statutes may apply, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Additionally, there are specific applicable provisions of the EHAP Statutes (Health and Safety Code Section 50800, et seq.) Given the potential overlap of legal requirements, shelter providers should consult an attorney to identify the specific applicable requirements for serving any selected population of clients.

EHAP Emergency Shelter "First-Come, First-Served" Requirements:

Emergency shelter facilities receiving funds from EHAP are required (See Health and Safety Section 50801.5(b)) to provide emergency shelter and services "*...on a first-come, first served basis for whatever time periods are established for the shelter.*" HCD believes that this provision prohibits the use of EHAP funds for emergency shelters for selected populations. However, recognizing that many shelter providers have mission-driven restrictions, HCD has allowed the funding of such shelters provided that no homeless individual or family is forced to remain without shelter while there is available bed space. In such circumstances where any client is denied shelter when there is a vacancy, EHAP emergency shelter providers must ensure that there is adequate alternate accommodation - including referral arranging for a bed or providing a voucher for a bed at an alternate facility and reasonable transportation to that facility – to any client denied shelter when there is a vacancy.

EHAP Transitional Housing:

Transitional housing facilities receiving funds from EHAP are not subject to the first come, first-served provisions like emergency shelter facilities, but they are still subject to other legal

requirements affecting client service. Among those requirements are EHAP regulations (Section 7959(e)), which, as an eligibility requirement, prohibit EHAP applicants or grantees from providing client housing in a manner that denies benefits on an arbitrary basis, and case law for the Unruh Civil Rights Act, which prohibits all arbitrary discrimination. Under Unruh, discrimination is considered non-arbitrary if the nature of the physical facilities or the nature of the services provided reasonably necessitates a particular restriction. Because whether a transitional housing provider is in compliance with Unruh is a fact driven question, applicants and contractors are encouraged to consult their own legal counsel regarding this issue.

If a State or Federal law or regulation requires an EHAP transitional housing facility to exclusively serve a select homeless subpopulation, such a restriction would not be considered arbitrary.

Stewart B. McKinney Homeless Assistance Act (McKinney Act) Compatibility:

Health and Safety Section 50800(c) allows EHAP funds to be used in emergency shelter facilities receiving funds from McKinney Act Programs which require exclusive services to selected populations – provided that the McKinney Act client restrictions arise in the McKinney Program requirements law or regulations (as opposed to restrictions arising from those self-imposed by the applicant/shelter provider). Contracts between the shelter provider and HUD that merely codify client restrictions proposed by McKinney Act recipients are insufficient basis for invoking the McKinney Act exemption to the EHAP first-come, first-served requirements.

Selecting Clients on the Basis of Sex:

Health and Safety Section 50801.5(b) effectively allows emergency shelter and transitional housing providers using EHAP funds to restrict occupancy on the basis of sex – provided that the restrictions are not arbitrary. Generally, that means that in EHAP funded facilities, notwithstanding the Unruh Civil Rights Acts or any other provision of law, shelter and services may be offered exclusively for either women or men – provided that any such exclusivity is based on a reasonable service need.

Selecting Clients on the Basis of Age

Health and Safety Section 50801.5(b) also permits emergency shelter and transitional housing providers to restrict occupancy exclusively to persons 24 years of age or younger. Generally, that means that in EHAP-funded facilities, notwithstanding the Unruh Civil Rights Act or any other provision of law, shelter and services may be offered exclusively to persons 24 years of age or younger—provided that any such exclusivity is based on a reasonable service need.

Government Code Section 11139.3 was amended to include anyone 24 years of age and younger who is also homeless or at risk of becoming homeless, is no longer eligible for foster care based on age, or has run away from home.

“Homeless Youth” means either of the following:

- A) A person who is not older than 24 years of age and meets one of the following conditions:

- (i) Is homeless or at risk of becoming homeless.
- (ii) Is no longer eligible for foster care on the basis of age.
- (iii) Has run away from home.

B) A person who is less than 18 years of age who is emancipated pursuant to Part 6 (commencing with Section 7000) of Division 1 of the Family Code and who is homeless or at risk of becoming homeless.

Homeless, unemancipated minors shall be allowed to participate in the emergency and transitional housing programs subject to EHAP Regulation **Section 7962**. **Section 7962(e) prohibits the use of EHAP funds to provide temporary housing for minor children separated from their families due to a court order or an administrative order.**

Serving Clients on the Basis of Military Veteran Status

Health and Safety Section 50801.5(b) also permits emergency shelter and transitional housing providers to restrict occupancy exclusively to military veterans if the veterans served possess significant barriers to social reintegration and employment due to a physical or mental disability, substance abuse, or the effects of long-term homelessness that require specialized treatment and services and the provider of emergency shelter or transitional housing also provides the specialized treatment and services.

Generally, that means that in EHAP funded facilities, notwithstanding the Unruh Civil Rights Act or any other provision of law, shelter and services may be offered exclusively to military veterans, provided that any such exclusivity is based only on the criteria set forth in Health and Safety Section 50801.5(b). Furthermore, emergency or transitional housing providers with facilities that serve military veterans exclusively must demonstrate that there is a reasonable relationship between the specialized treatment and services offered to military veterans and the population restriction itself.

Selecting Clients on the Basis of Family Status:

With respect to using EHAP funds for shelter and services exclusively for either women or men (as allowed under Health and Safety Section 50801.5(b) indicated above) there are limits to the restrictions that can be imposed when serving families. In the case of families, providers of emergency shelter or transitional housing which operate single sex facilities shall provide, to the greatest extent feasible, adequate facilities within their range of services so that all members of a family may be housed together, regardless of age and gender. In other words, families should not be forced to split up in order to stay in EHAP funded facilities that would otherwise exclusively serve either men or women.

If there are any questions regarding these issues, please contact the HCD Homeless Programs at (916) 445-0845.

SCORING CRITERIA

Shelter Operations

1. IMPACT & EFFECTIVENESS (50 points)

- a) Up to 10 points will be awarded for description of shelter operations (including size of shelter, target population and geographic area served, eligibility requirements, description of facility, length of stay, how long such services have been provided, number of people served in the past fiscal year, and any other information related to the provision of shelter at this location).
- b) Up to 10 points will be awarded for the description of how services assist clients to become stable and placed in longer-term housing, how many of the agency's clients have been placed in permanent and/or transitional housing within the last year, and how many clients have remained housed in permanent and/or transitional housing.
- c) Up to 10 points will be awarded for a description of whether or not the agency works with other social services providers, the ways in which the agencies coordinates services with other social service providers, what steps the agency takes when it has a client that it can not accommodate, and what collaborations/coalitions the agency participates in.
- d) Up to 10 points will be awarded for a description of how the agency collects input from clients and former clients for new program development and program changes or enhancements, a description of how the information collected is utilized, and how the agency has implemented any changes or suggestions through client input.
- e) For transitional housing programs only. Up to 10 points will be awarded for supportive services provided on-site and off-site, including transportation to and from off-site service.
- f) For emergency shelter programs only. Up to 10 points will be awarded for supportive services provided on-site and off-site, including transportation to and from off-site services.

2. PROPOSED PLANS AND ACTIVITIES (20 points)

- a) Up to 10 points will be awarded for a description of what eligible activities EHAP 15 funds will be used for and the need for these funds. (Please refer to the State Regulations Section 7961 for eligible costs.)
- b) Up to 10 points will be awarded for a description of how over all program goals and outcomes will be established, how outcomes will be measured, the plan of action to achieve outcomes, and any corrective actions the agency will take if goals are not achieved.

3. ORGANIZATIONAL STRUCTURE AND CAPABILITY (30 points)

- a) Up to 10 points will be awarded for your agency's organizational structure, including roles of board and staff members, and the use of volunteers.

- b) Up to 10 points will be awarded for the history of fund development, experience in using State or other public funds, current committed sources of support, and fundraising plan of the program for which EHAP funds is being requested.
- c) Up to 10 points will be awarded for a description of how the agency ensures fiscal and programmatic accountability.

SCORING CRITERIA

Rental Assistance and Eviction Prevention Programs

1. CURRENT PROGRAM AND EXPERIENCE (25 points)

Up to 25 points will be awarded for the description of current programs, including experience operating a rental assistance and eviction prevention program.

2. FISCAL AND PROGRAMMATIC ACCOUNTABILITY (25 points)

Up to 25 points will be awarded for the description of procedures in place to ensure fiscal and programmatic accountability and the requirements of referral agencies.

3. PROGRAM PLAN AND EVALUATION (30 points)

Up to 30 points will be awarded for the description of number of persons and specific geographic areas to be served and outreach mechanisms. Points will be given for the methodology for certifying required documentation, internal monitoring process, and procedure for follow-up and after-care services.

4. COMMUNITY INVOLVEMENT (20 points)

Up to 20 points will be awarded to describe community linkages that the agency has in place and the description for the process by which participating referral agencies are selected.

SCORING CRITERIA

Winter Shelter Program

1. CURRENT PROGRAM AND EXPERIENCE (35 points)

Up to 35 points will be awarded for the description of current programs, including experience administrating a winter shelter program as the central coordinating agency.

2. FISCAL AND PROGRAMMATIC ACCOUNTABILITY (30 points)

Up to 30 points will be awarded for the description of procedures in place to ensure fiscal and programmatic accountability and the requirements to ensure this of winter shelter providers.

3. PROGRAM PLAN AND EVALUATION (35 points)

Up to 35 points will be awarded for the description of number of persons and specific geographic areas to be served and outreach mechanisms. Points will be given for the process by which you select participating shelter providers, methodology for certifying required documentation, and the plan for internally monitoring the quality of service.