



Written Standards for Homeless Housing and Services

April 2, 2024

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I. Introduction

A. Background and Purpose

The Louisiana Balance of State Continuum of Care (LA BOSCO) was created in 2015 to provide for the efficient, effective, and ethical delivery of housing and supportive services to people who are experiencing homelessness or at risk of experiencing homelessness throughout its membership area.

The LA BOSCO has adopted these Written Standards for providing housing and services to people experiencing homelessness to help move the LA BOSCO meet the goals in Louisiana's statewide plan to end homelessness. In addition to meeting federal requirements, these standards best practices and standardize program design and implementation across agencies that serve people experiencing homelessness.

These Written Standards establish the following for projects serving people experiencing homelessness:

- Community-wide expectations about project operations to create consistency, coordination, and cooperation
- Minimum standards and expectations for project quality
- Transparency about local, state, and LA BOSCO priorities for funds

All projects funded by the Continuum of Care (CoC) Program and Emergency Solutions Grant (ESG) Program are required to abide by these standards.

The LA BOSCO strongly encourages homeless housing and services projects that are not required to abide by these standards to adopt them.

Recipients and sub-recipients of CoC Program, ESG, and other funds may develop additional standards for administering program assistance, but any additional standards cannot conflict with these Written Standards or other LA BOSCO governance documents.

Appendix B, "Supplemental Resources," includes links to other documents that may contain additional standards or requirements, including federal regulations and LA BOSCO governance documents.

B. Applicability and Implementation

These Written Standards are divided into several sections.

- The "Requirements for All Projects" section applies to all projects;
- The "Project Type Specific Requirements" subsections apply only to projects of that type;
- Appendices apply as noted in each appendix.

Projects must update their policies, procedures, and practices to reflect the requirements in this document by December 31, 2019. Projects should ensure that implementing this document does not cause any current participant to return to homelessness.

II. Requirements for All Projects

The requirements in this section apply to all projects funded by the CoC Program and ESG.

A. Policies and Procedures

Projects must maintain and follow written policies and procedures that define and describe the project's implementation (also called a policies and procedures manual).

Written policies and procedures must apply consistently to all participants.

Policies and procedures should include information about every aspect of project implementation (e.g. case management, housing provision, payment procedures, file maintenance, data entry, etc.).

B. Recordkeeping

Projects must follow all applicable recordkeeping requirements in 24 CFR 578.103. Projects must maintain standard operating procedures for ensuring that state and federal program funds are used in accordance with all requirements. These procedures should include maintaining agency and participant records.

i. Organizational Recordkeeping Requirements

Projects must maintain the following at the organizational level:

- **Standard Operating Procedures:** procedures for ensuring that program funds are used in accordance with all applicable requirements;
- **Conflict of Interest Policies:** conflict of interest policies and evidence of compliance with CoC, organizational, or funding entity conflict of interest requirements;
- **Homeless Consumer Participation:** documentation that at least one person experiencing homelessness or who formerly experienced homelessness sits on the board of directors or other equivalent policymaking entity;
- **Affirmatively Furthering Fair Housing:** documented compliance with the requirement that they are making appropriate efforts to reach out to eligible program participants who would be least likely to apply for program participation without such effort.

ii. Project-Specific Recordkeeping Requirements

Projects must maintain the following for each of their specific projects:

- **Project-Specific Policies and Procedures:** maintain policies and procedures regarding documentation of program participant eligibility and all other aspects of program operation to ensure compliance and consistence among staff;
- **Services Provided:** at both the individual participant and project levels: documentation of the types of supportive services provided to participants and the amount spent on those services, as well as evidence that ongoing assessment of overall service needs was offered and/or provided;
- **Annual Assessments of Service Needs:** documentation that the project conducts assessments at least annually each project participant's service needs and adjusts services accordingly;
- **Housing Quality Standards (CoC Program Only):** documentation that, for each unit that was paid for with Leasing or Rental Assistance, an HQS inspection was completed and passed before unit move-in and at least annually thereafter;
- **Matching Funds:** documentation of the source and use of all cash and in-kind contributions used to satisfy federal/state matching fund (match) requirements. These records must further indicate the grant/project and fiscal year for which the match was provided.

C. Coordinated Entry System

Projects must fully participate in the LA BOSCOG's Coordinated Entry System (CES).

For more information about CES, including its requirements for each project type, refer to the most recent version of the LA BOSCOG Coordinated Entry Policies and Procedures at <https://laboscoc.org/policies-and-procedures>.

D. Housing First

This section applies to:

- All ESG projects;
- All CoC Program projects that indicated in their most recently funded project application to HUD that they are "following a 'Housing First' approach."

Housing First is a program model under which people experiencing homelessness are (1) quickly connected to permanent housing without preconditions or barriers to entry like sobriety or income and (2) maintained in permanent housing without participation requirements or threat of removal except under the most serious circumstances.

i. Housing First Practices

Rapid Exit from Homelessness

Whether at the emergency shelter or permanent housing point, Housing First providers work to get homeless individuals and families out of homelessness and into permanent housing as quickly as possible. For shelter providers, this means working hard to identify any rapid rehousing assistance that may be needed to move the household out of homelessness, or referring to permanent supportive housing where available and appropriate. For permanent housing providers, this means speeding up and/or streamlining intake processes wherever possible, and ensuring that prioritized participants are coming from literally homeless locations.

Minimal Barriers to Project Entry

Housing First practices remove every barrier to entry possible in part to make their programs and services available to those with the most severe needs and longest histories of homelessness, i.e. people who likely would have been screened out of their program under previous practices. Although the Housing First model involves reducing barriers to entry, including removing drug testing at program entry, this does not mean that homeless services providers are required to serve/house persons who are significantly under the influence or actively using to the point where their presence in the program poses a danger to themselves, staff, or other residents.

Voluntary Supportive Services

The Housing First model requires that all supportive services be offered to participants on a voluntary basis. Refusal to participate in supportive services cannot be a reason to terminate someone from a homeless program. However, even under a voluntary services model, participants may be required to participate in regular assessment of needs in order to determine if ongoing assistance is needed and desired – in fact, monthly meetings with case management staff are required in CoC Program-funded rapid rehousing programs. Similarly, PSH projects should regularly check in with all participants, including those not receiving or requesting supportive services, to ensure that the participant has ongoing need for PSH.

Housing Focused Assistance

Housing First programs offer voluntary supportive services that are first and foremost focused on obtaining and maintaining housing. In emergency shelters, for example, case managers should work with shelter residents to

identify permanent housing options and help residents get connected to housing. Homeless programs providing supportive services designed to address other persona issues should ensure that those services are directly connected to helping participants obtain or maintain housing.

E. Participant Eligibility

Projects must serve eligible participants. Eligibility is defined by local, state, and Federal rules, regulations, and Notice of Funding Availability (NOFA).

Projects must keep written documentation of eligibility decisions for each referral it receives through CES, including attempts to contact referrals who do not enter the project.

i. Intake Policy and Documentation of Homelessness

Projects must maintain and follow written intake policies that meet the following requirements:

- Projects must ensure participants meet the applicable definitions of homelessness¹ and, as applicable to PSH, chronic homelessness²;
- In their intake policies, projects must establish the following order of priority for obtaining documentation of homelessness:
 1. Third party documentation;³
 2. Intake worker⁴ observation;
 3. Self-certification in writing from the person seeking assistance.

Projects must retain documentation of homelessness for participants who receive project entry. Projects must retain documentation of attempts to obtain third party documentation and intake worker observation for each participant whose homelessness is verified via self-certification.

ii. Identification

Projects cannot require specific identification documents as a condition of project intake.

Projects cannot require participants to be citizens or permanent residents of the United States as a condition of project intake.

F. Eligible Costs and Activities

Eligible costs and activities are not defined by this document.

CoC Program eligible costs are defined by 24 CFR 578, Subpart D.

ESG eligible costs are defined by 24 CFR 576, Subpart B.

Projects are further restricted to the eligible activities described in their most recently executed project application.

CoC Program projects must also follow any restrictions in the NOFA under which they were originally funded.

G. Mainstream Benefits and Community Partnerships

Projects must assist participants in accessing mainstream benefits (e.g. health insurance, income from social security (SSI/SSDI), the Supplemental Nutrition Access Program (SNAP)).

¹ <https://www.hudexchange.info/resource/1928/hearth-defining-homeless-final-rule/>

² <https://www.hudexchange.info/resource/4847/hearth-defining-chronically-homeless-final-rule/>

³ Records in the CoC's HMIS and HMIS-comparable database constitute third party documentation.

⁴ In some areas of the CoC, the case worker may be acting as the intake worker

Projects should include the following in their written policies and procedures:

- How they will assist participants in applying for mainstream benefits;
- How they will assist participants in securing transportation assistance as needed to apply for mainstream benefits and to attend employment or job training;
- How they will assist participants in applying for healthcare as available;
- How they will assist participants in following up on mainstream benefits for which they apply.

Projects must coordinate with other homeless services and mainstream resources in the CoC for which participants may be eligible, including housing, social services, employment, and education and youth programs. Projects should include their plans to coordinate with these services in their written policies and procedures.

i. Educational Services for Children and Youth

Projects that serve households with children and households with youth aged 24 and under must demonstrate they are assisting participants in meeting the educational needs of their children/youth through proactive service planning, community linkages, and designating staff to participate in service planning for participants with extensive or significant unmet educational needs.

Projects must:

- Establish policies and practices that are consistent with the education subtitle of the McKinney-Vento Act and other laws related to education and related services for people experiencing homelessness (e.g. Head Start, the Individuals with Disabilities Education Act, the Higher Education Act). Those policies and practices must include:
 - Informing participants of their eligibility for McKinney-Vento Act education services during the intake process;
 - Not requiring children to enroll in a different school as a condition of project intake;
 - Not establishing project requirements that prohibit children from remaining in their school of origin;
 - Developing relationships with colleges to access higher education services specifically for youth experiencing homelessness per the Higher Education Act;
 - Ensuring that children are enrolled in school and connected to educational services in the community (e.g. McKinney-Vento education services, Head Start, Part C of the Individuals with Disabilities Education Act);
- Designate a specific staff person to be responsible for ensuring the above requirements are met. That staff person should participate for participants with extensive or significant unmet educational needs.

H. Property Standards

CoC Program projects must meet the following requirements:

Environmental Review: projects must retain Environmental Review compliance documentation. For more information, refer to HUD's CoC Program Environmental Review Flow Chart at <https://www.hudexchange.info/resource/4045/coc-program-environmental-review-flow-chart/>;

Lead Based Paint Visual Assessment: projects must conduct and retain evidence of a Lead Based Paint Visual Assessment for all residential properties built before 1978 where a child under the age of 6 or a pregnant woman is or will be living.

Housing Quality Standards (HQS)

As required, projects that provide housing must meet the following requirements: all assisted units must pass a Housing Quality Standards (HQS) inspection:

- Before the participant moves into the unit and before the assistance begins; and,
- At least annually thereafter; and,
- At the participant's request.

I. Project Termination

Projects must have written termination policies that detail:

- The reasons participants can be terminated, which must comply with section 2.D., "Housing First" of this document and be related to project requirements or conditions of occupancy;
 - ESG-funded Emergency Shelter projects have additional requirements; refer to 4.B.iii, "Termination";
- How the project will examine all extenuating circumstances in determining when violations are serious enough to warrant termination;
- The project's internal level of review plan to ensure termination is only the most serious cases;
- The project's termination procedure and due process steps, including but not limited to:
 - Before assistance begins: providing participants with a written copy of the project's participation rules and termination process;
 - Which staff person/people are responsible for deciding a participant should be terminated;
 - The project's process for informing the participant in writing that they are being terminated, including a clear statement of the reasons for termination;
 - The appeal process, including:
 - The timeframe in which the participant can submit an appeal;
 - The form in which the appeal must be submitted;
 - To whom the appeal must be submitted;
 - The information that must be included in the appeal;
 - The project's appeal response process, which must be prompt;
 - How the project will refer terminated participants to other shelter, housing and service options.

J. Nondiscrimination

Projects must comply with the nondiscrimination provisions of Federal civil rights laws, including but not limited to the Fair Housing Act, Section 504 of the Rehabilitation Act, Title VI of the Civil Rights Act, Titles II and III of the Americans with Disabilities Act, the HUD Equal Access to Housing Final Rule, and the HUD Equal Access in Accordance with Gender Identity Final Rule.

These civil rights include but are not limited to the following provisions:

i. Reasonable Accommodations for People with Disabilities

Projects must provide reasonable accommodations for people with disabilities. Projects must inform participants during the intake process of their right to request a reasonable accommodation or modification. A reasonable accommodation is an exception to the project's rules, policies, or services that enables a given person with a disability to have equal opportunity access to that project; a reasonable modification is a structural change to the project's rules, policies, or services to ensure all people have equal opportunity access to that project. For more information, refer to

https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview

ii. Equal Access

Projects must serve all people according to each person's self-identified gender. Projects cannot require a person to provide documentation of their gender or otherwise question or contest a person's gender self-identification.

In their written policies and procedures, projects must define whether they serve:

1. Exclusively single-person households;
2. Both single-person and multi-person households;
3. Exclusively multi-person households.

Projects that serve multi-person households, either exclusively or in addition to single-person households, must serve all people regardless of their gender. A very limited number of projects that provide housing through a congregate living facility may be exempt from this rule if they meet the exemption criteria in the Equal Access to Housing Final Rule and Equal Access in Accordance with Gender Identity Final Rule. The LA BOSCOG strongly encourages any project that believes it is exempt to ratify that exemption with the appropriate program manager at the Louisiana Housing Corporation.

Projects that serve exclusively single-person households may choose to exclusively serve a specific gender as defined by their project application and in their written policies and procedures.

Projects must serve each family (i.e. household) exactly as presented and without discrimination on the basis of its size, marital status, the actual or perceived sexual orientation or gender of any of its members, the age of any of its members, whether or not the family includes children, and whether or not any of its members has a disability. Projects must include in the family any child who is temporarily away from home because of placement in foster care.

Projects cannot separate families either as a condition of project intake or after project intake.

K. Data and Reporting

In addition to data collection required by their funders, projects must:

- Collect and record data in HMIS;
 - *Domestic Violence (DV) Service Providers*: must use an HMIS-comparable database created using the EmpowerDB software and provide aggregate data at least annually to the CoC;
 - *Non-DV Providers*: must use the LA BOSCOG's HMIS, ServicePoint;
- Comply with Louisiana Services Network Data Consortium (LSNDC) and LA BOSCOG Data Quality Standards;
- Follow the LA BOSCOG's HMIS policies and procedures as contained in the LSNDC Policies and Procedures Manual and the LA BOSCOG Governance Charter's HMIS governance section;
- Respond to data requests from the LA BOSCOG or the HMIS Lead Agency within the specified timeframe.

CoC Program projects must complete an Annual Performance Report (APR) on an annual basis, which means:

- Submitting an APR to LHC for review within 60 days of the project's operating year end date;
- Submitting an APR to HUD within 90 days of the project's operating year end date.

Links to documents referenced in this section can be found in Appendix B, "Supplemental Resources." For information for how to produce an APR from HMIS or an HMIS-comparable database, please contact LHC for technical assistance.

L. Emergency Transfer Policy

The LA BOSCOG has implemented an Emergency Transfer Policy (ETP) for the CoC's housing providers that outlines the emergency transfer process for project participants who are victims of domestic violence, dating violence, sexual assault, human trafficking, and/or stalking.

The ETP is implemented in accordance with the Violence Against Women Act (VAWA) requirements, and as such, it serves all people regardless of their sex, sexual orientation, or gender identity.⁵

Eligible participants will be offered another housing unit for temporary or permanent occupancy once their current housing provider has identified another housing unit that is available and determined to be safe by the project participant.

The ETP is based on a model emergency transfer plan published by the HUD, the federal agency that oversees the LA BOSCOG and ensures its housing providers are in compliance with VAWA.

i. Eligibility for Emergency Transfers

A participant who is a victim of domestic violence, dating violence, sexual assault, and/or stalking⁶ is eligible for an emergency transfer if that participant reasonably believes that there is a threat of imminent harm from further violence if they remain in their current housing unit.

A participant who is a victim of sexual assault is also eligible for an emergency transfer if the sexual assault occurred on the premises of their current housing unit within the 180 calendar day period immediately preceding their request for an emergency transfer.

To be considered eligible for an emergency transfer, a participant must request that transfer in accordance with the procedures described in the ETP.

A housing provider cannot refuse to provide an emergency transfer for a participant whom they do not consider in "good standing" (i.e. a participant who is late on rent or is not currently meeting their service plan goals) but who otherwise qualifies as eligible under this section.

ii. Emergency Transfer Request Documentation

To request an emergency transfer, a participant must submit a request in writing to their housing provider. There is no specific form for these requests; housing providers must honor requests received either in physical writing or by email. Further, housing providers are required to provide reasonable accommodations for people with disabilities in fulfilling this requirement.

A participant's written request for an emergency transfer must meet ONLY ONE of the following three criteria:

1. The participant's written request includes a statement that the participant reasonably believes that there is a threat of imminent harm from further violence if the participant were to remain in their current housing unit; OR,
2. The participant is a sexual assault survivor, and their written request includes a statement that the participant was a victim of sexual assault and that the sexual assault occurred on the premises of their current housing unit within the 90-calendar-day period immediately preceding their request for an emergency transfer; OR,

⁵ All HUD-funded housing must be made available to all people regardless of their actual or perceived sexual orientation, gender identity, or marital status. Housing providers cannot discriminate against any person on the basis of any federally protected characteristic, including race, color, national origin, religion, sex, familial status, disability, and age.

⁶ 24 CFR Part 5, Subpart L

3. The participant's written request is a self-certification form that meets all HUD criteria for self-certification of domestic violence.

The housing provider cannot require or request further documentation from the victim. Once the housing provider has received the written request, the housing provider must begin the process of approval and transferring the participant.

iii. Emergency Transfer Approval

A housing provider must approve a participant's emergency transfer request if the participant meets the eligibility criteria in this policy.

Housing providers must review and approve emergency transfer requests within 3 business days.

Housing providers should identify in their written policies and procedures the people/roles responsible for the following activities:

- Reviewing and approving emergency transfer requests;
- Facilitating the emergency transfer process.

iv. Emergency Transfer Process

Once a housing provider approves a participant's emergency transfer request, the housing provider will act as quickly as possible to move the participant from their current housing unit into another housing unit subject to unit availability, and safety.

For external transfers, the housing provider cannot guarantee the timeframe in which a new unit will be available beyond the ETP's requirement that the housing provider attempt to identify a new unit as quickly as possible.

The proposed unit must reasonably be considered safe by both the housing provider and the participant. If the participant reasonably believes the proposed unit would not be safe, the participant may request a different unit. This request does not have to be in writing.

Once a unit is identified, the participant must agree to abide by the terms and conditions that govern occupancy in that unit.

If the housing provider is not able to identify any units that are safe and available and for which the participant is eligible, the housing provider must assist the participant in identifying other housing providers who may have safe and available units to which the participant could transfer (i.e. an external transfer). This can include a safe, short term placement while the housing provider works to identify a longer-term placement for the participant. Some housing providers and project types may have the flexibility to use their funding for a short term placement (e.g. some CoC Program-funded RRH); those housing providers are strongly encouraged to do so as needed by the participant.

At the participant's request, the housing provider must also assist the participant in contacting local organizations that offer assistance to victims of domestic violence, dating violence, sexual assault, and/or stalking.

Housing providers should attempt to complete the emergency transfer process within 20 business days.

v. Emergency Transfer Unit Housing Quality Standards

When a participant requests and is approved for an emergency transfer, the housing provider should work to identify a new unit for the participant that meets Housing Quality Standards (HQS) before the participant moves into the unit insofar as HQS is required by the participant's project's funder.

If the housing provider is unable to identify a unit that meets HQS before move-in, the housing provider may move the participant into a unit that does not meet HQS before move-in. In this case, the housing provider must ensure the unit meets HQS within 30 days of move-in; if the housing provider is unable to do so, the housing provider must transfer the participant to another unit as described in the "Emergency Transfer Process" section of the ETP.

vi. Safety and Security

Participants are urged to take all reasonable precautions to be safe throughout the emergency transfer process, including lock change and other safety provisions in their current and future units. Housing providers should facilitate those safety provisions, including mechanisms to fund them.

Participants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233 or a local domestic violence shelter for assistance in creating a safety plan. For people who have hearing impairments, the Hotline can be accessed by calling 1-800-787-3224 (TTY).

Participants who are or have been victims or sexual assault may call the Rape, Abuse & National Incest Network's National Sexual Assault Hotline at 1-800-656-HOPE or visit the online hotline at <https://ohl.rainn.org/online/>.

Participants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center/>

M. VAWA Lease Language

In accordance with VAWA requirements, all leases subsidized with tenant-based rental assistance by the CoC Program or ESG must have the following protections in place for, at minimum, the duration of the tenant-based rental assistance, either in the body of the lease or in a lease addendum:

1. Prohibited basis for denial or termination of assistance or eviction (24 CFR 5.2005(b)):
 - a. The Tenant may not be evicted from the housing on the basis or as a direct result of the fact that the Tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the Tenant otherwise qualifies for occupancy; and
 - b. Protection also applies to criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking, engaged in by a member of a Tenant's household or any guest or other person under the Tenant's control, if the Tenant or an affiliated individual of the Tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking;
2. Construction of lease terms and terms of assistance (24 CFR 5.2005(c)):
 - a. Incidents or threats of domestic violence, dating violence, sexual assault, or stalking will not be considered a serious or repeated lease violation by the victim, or good cause to terminate tenancy or occupancy rights of the victim or threatened victim.
3. Notice of Occupancy Rights (24 CFR 5.2005(a)):
 - a. The Landlord is required to give a Tenant the VAWA Notice of Occupancy Rights and Form HUD-5382, in the appropriate language consistent with the Landlord's duty to provide meaningful access to services for limited English proficient persons, with any notification of

eviction that the Landlord provides to the participant during the period for which the participant is receiving tenant-based rental assistance.

4. Emergency Transfer (24 CFR 5.2005(e)):

- a. Tenant may terminate the lease if the Tenant has met the conditions for an emergency transfer as outlined in the Emergency Transfer Policy section of the LA BOSCO's Written Standards.

5. Documentation (24 CFR 5.2007 (a)):

- a. The Landlord may choose to accept a Tenant's oral statement as documentation of victim status. The Landlord may request in writing that the Tenant certify that the individual is a victim of abuse using the VAWA self-certification form (HUD-5382), or other documentation as noted on the self-certification form. The request must be made in writing and the Tenant has 14 business days, or an agreed upon extension date, to respond in order to receive protection under the VAWA. Failure to provide the certification or other supporting documentation within the specified timeframe may result in an eviction for Tenant, or a lawful occupant that commits a violation of a lease.

6. Confidentiality (24 CFR 5.2007(c)):

- a. Any information submitted to a Landlord, including the fact that a Tenant is a victim of domestic violence, dating violence, sexual assault, or stalking, must be maintained in confidence.
 - i. Employees of and/or the Landlord (or those who administer assistance on their behalf, e.g., contractors), must not have access to the information unless explicitly authorized by Landlord for reasons that explicitly call for these individuals to have access to such information under applicable Federal, State, or local law (e.g. the information is needed by the employee to provide the VAWA protections to the victim); and
 - ii. The Landlord must not enter this information into any shared database or disclose this information to any other entity or individual, except to the extent that the disclosure is:
 1. Requested or consented to in writing by the Tenant (victim) in a time-limited release;
 2. Required for use in an eviction proceeding or hearing regarding termination of assistance; or
 3. Otherwise required by applicable law.

7. Limitations of VAWA protections (24 CFR 5.2005(d)):

- a. Nothing in the VAWA Final Rule limits the authority of the Landlord, when notified of a court order, to comply with a court order with respect to:
 - i. The rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or
 - ii. The distribution or possession of property among members of a household.
- b. Nothing in the VAWA Final Rule limits the Landlord from evicting the Tenant for a lease violation that is not premised on an act of domestic violence, dating violence, sexual assault, or stalking, as long as the owner does not subject the Tenant who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, or is affiliated with an individual who is or has been a victim of domestic violence, dating violence, sexual assault or stalking to a more demanding standard than other Tenants when deciding whether to evict or terminate assistance.
- c. Nothing in the VAWA Final Rule limits the Landlord from evicting the Tenant (including the victim of domestic violence, dating violence, sexual assault, or stalking) if the Landlord can demonstrate an actual and imminent threat to other Tenants or those employed at or providing services to the property would be present if the Tenant is not evicted.
 - i. In this context, words, gestures, actions, or other indicators will be considered an "actual and imminent threat" if they meet the following standards: An actual and imminent threat consists of a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the

duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

- ii. Any eviction due to “actual and imminent threat” should be utilized by the Landlord only when there are no other actions that could be taken to reduce or eliminate the threat, including, but not limited to, transferring the Tenant (victim) to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety cannot be based on stereotypes, but must be tailored to particularized concerns about individual residents.

8. Bifurcation (24 CFR 5.2009 (a)):

- a. The Landlord may choose to bifurcate a lease in order to evict a household member for engaging in criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking; allowing the victim to remain in the unit.

N. General CoC Program Requirements

All CoC Program projects must follow the requirements in federal regulation 24 CFR 578 (otherwise known as the CoC Program interim rule) and its related and referenced regulations.

Note that while some of the requirements indicated in the CoC Program interim rule may be reiterated in this document, all projects must follow the CoC Program interim rule and any related and referenced rules and regulations to operate a compliant CoC Program project.

Additionally, all organizations that receive funding through the CoC Program must review and ensure they meet all requirements listed in the LA BOSCOG Monitoring Tool, which for each organization is comprised of the General Section, the Financial Section, and individual project type sections for each of their CoC Program projects. The LA BOSCOG Monitoring Tool is available at <https://laboscoc.org/monitoring>

General ESG Program Requirements

All ESG projects must follow the requirements in federal regulation 24 CFR 578 (otherwise known as the ESG interim rule), except where LHC or the City of Baton Rouge have implemented requirements that are more stringent than those in the ESG interim rule.

All projects must follow the ESG interim rule, any associated rules and regulations, and the ESG policies and procedures created by their funder (either LHC or the City of Baton Rouge) to operate a compliant ESG project.

III. Project Type Specific Requirements

A. Homeless Prevention

Homeless Prevention (HP) may provide housing relocation and stabilization services and short-term rental assistance necessary to prevent an individual or family from moving into an emergency shelter or another place described in paragraph (1) of the "homeless" definition in 24 CFR 576.2.

This document does not create any additional standards or requirements for this project type.

B. Emergency Shelter

Emergency Shelter (ES) may provide essential emergency shelter services, including case management, education services, employment assistance and job training, outpatient health services, legal services, life skills training, child care, food, personal care items, mental health services, substance abuse treatment services, transportation, and services for special populations.

i. Written Policies and Procedures

Projects' written policies and procedures must include information regarding length of stay, including whether participant stays can be extended and under what circumstances.

ii. Documentation of Homelessness for Emergency Shelter Projects

Emergency Shelter projects have a different standard of documentation than other projects. For more information, refer to the following HUD FAQ: <https://www.hudexchange.info/faqs/1843/what-is-acceptable-documentation-of-eligibility-for-homeless-individuals/>

iii. Minimum Standards of Assistance

Projects cannot deny project intake on the basis of a child's age when serving families with children under the age of 18.

iv. Termination

Emergency Shelter participants cannot be terminated unless they meet one or more of the following criteria:

- Participant no longer meets project eligibility criteria
- Participant no longer meets project occupancy requirements
- Participant has egregiously violated project rules
- Participant presents a clear and direct threat of harm to other participants or to project staff

C. Transitional Housing

Transitional Housing (TH) provides people experiencing homelessness with the stability and support required to successfully move to and maintain permanent housing.

This document does not create any additional standards or requirements for this project type.

D. Rapid Re-Housing

Rapid Re-housing (RRH) is a permanent housing intervention that may provide housing relocation and stabilization services and short or medium term rental assistance as needed to help a homeless individual or family move as quickly as possible to permanent housing and achieve stability in that housing.

i. Written Policies and Procedures

Projects' written policies and procedures must include all of the following elements.

Eligibility requirements for homeless status eligible categories and documentation standards.

How long participants can receive:

- Rental assistance through the project;
 - *CoC Program Only*: rental assistance cannot exceed 24 months;
- Supportive services through the project after rental assistance has been terminated;
- Any form of assistance through the project (i.e. the total length of time participants can remain in the project).

Whether participant stays can be extended and under what circumstances.

The amount of rent each participant must pay and how that amount is determined.

How frequently participant income is recalculated, which must be at least annually; if more than annually, under what circumstances.

E. Permanent Supportive Housing

Permanent Supportive Housing (PSH) provides permanent housing to people experiencing homelessness who are living with a disability. PSH provides supportive services and housing assistance with no enrollment time limits to help people achieve self-sufficiency.

i. Written Policies and Procedures

Projects' written policies and procedures must include all of the following elements.

Eligibility requirements for homeless status eligible categories and documentation standards.

Eligibility requirements for disability status and documentation standards;

- PSH projects can only serve individuals living with a disability or families in which at least one member is living with a disability;
 - *Note*: if the household is qualifying under chronic homelessness eligibility criteria an adult must be the person with a disability unless there are no adults and then it could be the unaccompanied minor;
- Refer to the 4.E.iii, "Documentation of Disability," for specific documentation requirements.

If the project is designated as "Dedicated" to chronic homelessness: a tracking system for chronic homelessness status documentation that complies with the "Defining Chronically Homelessness" final rule⁷;

- At least 75% of project participants must have third party documentation of chronic homelessness for at least 9 months of their time experiencing homelessness;
 - *Suggestion*: one method to consider for tracking compliance with this item is maintaining a list of participants experiencing chronic homelessness by operating year indicating which method the participants utilized.

If the project is designated as "DedicatedPLUS": an eligibility and tracking system for homelessness documentation that complies with the most recently executed project application.

- *Note*: DedicatedPLUS was introduced in the FY17 CoC Program NOFA.

How frequently participant income is recalculated, which must be at least annually; if more than annually, under what circumstances.

⁷ <https://www.hudexchange.info/resource/4847/hearth-defining-chronically-homeless-final-rule/>

ii. Minimum Standards of Assistance

Projects cannot designate a maximum length of stay.

Unless otherwise specified by the mostly recently executed project application, leases must:

- Have an initial term of at least 12 months;
- Automatically renew on a month to month basis (or longer).

Projects must provide supportive services to all participants for the full duration of each participant's term in the project; supportive services must meet the following standards:

- Supportive services, including content and frequency, must be tailored to the needs of each participant;
- Supportive services must enable participants to live as independently as possible;
- Projects must initially create, and thereafter update at least annually, an individual service plan for each participant to assist them in achieving permanent housing stability, offering additional services as needed to assist in a path to permanent housing stability.

iii. Documentation of Disability

Disability documentation must be obtained from a qualified third party who is licensed by the State of Louisiana to diagnose and treat the disability being documented.

On a limited basis, projects may use an intake worker's observation of a participant's disability as documentation. Intake worker observations must be confirmed by a qualified third party within 45 days of the participant's date of application for assistance;

- *Note:* this option should be used cautiously due to the possible financial impact of serving ineligible participants if the project is unable to obtain qualified third party documentation within the specified timeframe.

iv. Order of Prioritization for People Experiencing Chronic Homelessness and Other Vulnerable People in Supportive Housing

Notice CPD-16-11, *Notice on Prioritizing Persons Experiencing Chronic Homelessness and Other Vulnerable Homeless Persons in Permanent Supportive Housing*,⁸ establishes recommended orders of prioritization for PSH projects.

The LA BOSCOG has adopted that notice and its related policy and procedure recommendations. For more information, including the orders of prioritization, please refer to the LA BOSCOG Coordinated Entry Policies and Procedures at <https://laboscoc.org/policies-and-procedures>.

⁸ <https://www.hudexchange.info/resources/documents/notice-cpd-16-11-prioritizing-persons-experiencing-chronic-homelessness-and-other-vulnerable-homeless-persons-in-psh.pdf>

Appendix A: Participant Files for CoC Program TH, TH-RRH, RRH, and PSH Projects

CoC Program TH, TH-RRH, RRH, and PSH projects that provide housing to participants are required to maintain the following documents for each participant.

Projects are strongly encouraged to maintain each participant's documents in a single place (i.e. a "participant file"); however, each project may determine its own document filing method at its discretion as long as that method:

- Meets all applicable confidentiality requirements;
- Meets all applicable recordkeeping requirements;
- Is accessible to HUD and the LA BOSCOG.

A. Required Documents

These documents are listed in no particular order.

Document	Contents
Coordinated Entry Documentation	Coordinated Entry documentation demonstrating that the participant was referred from and received intake according to the most recent version of the LA BOSCOG Coordinated Entry Policies and Procedures, available at https://laboscoc.org/policies-and-procedures .
Certification of Homelessness Form	LA BOSCOG form certifying the participant meets the applicable definition of homelessness; the form can be downloaded from LINKLINKLINK
Documentation of Homelessness	Documentation of homelessness as defined by the Intake Policy and Documentation of Homelessness section of this document
Documentation of Chronic Homelessness	<i>As required by project eligibility criteria:</i> documentation that the participant meets the definition of chronic homelessness
Documentation of Disability	<i>As required by project eligibility criteria:</i> documentation of disability as defined by the Documentation of Disability section of this document
Documentation of Other Eligibility Criteria	<i>As required by project eligibility criteria:</i> documentation of other project eligibility criteria
Signed Lease	<i>As required by project type/project application:</i> a current signed lease or occupancy agreement for the participant's housing
Housing Payment Contract (HAP)	A current signed HAP specifying (1) the amount of rent being paid by the project and (2) other applicable project requirements
Rent Reasonableness Certification	<i>For projects providing housing under the Leasing or Rental Assistance budget categories:</i> signed certification by the project demonstrating that the unit meets Rent Reasonableness standards
Participant Rent Calculation (<i>Non-RRH Projects</i>)	<i>If participants are required to pay rent:</i> income calculation (signed by project staff) demonstrating (1) the participant's rent amount and (2) that the participant's rent amount was calculated according to the standards in 24 CFR 5.609 and 24 CFR 5.611 (also known as "Part 5 Income Calculation")
Housing Quality Standards (HQS) Inspection	<i>For projects providing housing under the Leasing or Rental Assistance budget categories:</i> a signed, passed HQS inspection form dated on or immediately before the participant's move-in date
Lead Based Paint Disclosure	Demonstration that the participant received required information about lead based paint hazards

Termination, Appeal, and Grievance Information	Demonstration that the participant received information about the project's termination process, appeals process, and grievance filing process
Annual Recertification Documents	<i>For participants that have been in the project more than 12 months:</i> all required annual recertification documentation for each 12 month period of participant enrollment
Case Notes	Documentation of contact with the participant and documentation that the participant received supportive services in accordance with the all applicable requirements

Appendix B. Supplemental Resources

A. National Documents

CoC Program Interim Rule: focuses on the regulatory implementation of the CoC Program. Contains many of the rules, regulations, and requirements applicable to CoC Program-funded projects. It can be found at: <https://www.hudexchange.info/resource/2033/hearth-coc-program-interim-rule/>

ESG Program Interim Rule: focuses on the regulatory implementation of the ESG Program. Contains many of the rules, regulations, and requirements applicable to ESG-funded projects. It can be found at: <https://www.hudexchange.info/resource/1927/hearth-esg-program-and-consolidated-plan-conforming-amendments/>

B. Louisiana Documents

LA BOSCOG Coordinated Entry Policies and Procedures: establishes and provides detailed guidance for using the LA BOSCOG's Coordinated Entry System (CES), its centralized process for assessing, prioritizing, and referring people experiencing homelessness for housing and services. The most recent version can be found at: <https://laboscoc.org/policies-and-procedures>

LA BOSCOG Governance Charter: defines the basic aspects and functions of the CoC, including its geography and governance structure. The most recent version can be found at: <https://laboscoc.org/policies-and-procedures>

LA BOSCOG Written Standards (this document): establishes community-wide standards and expectations for projects serving people experiencing homelessness, particularly those funded by the CoC Program or ESG. The most recent version can be found at: <https://laboscoc.org/policies-and-procedures>

Emergency Solutions Grant Program (ESGP) Written Standards: establishes standards and expectations for ESG projects funded by the Louisiana Housing Corporation. The most recent version can be found at: <https://www.lhc.la.gov>

Appendix C: Change Log

This change log provides a comprehensive overview of the significant changes made to the CoC's Written Standards in any given version; however, it is not intended to be all-inclusive.

Version 2.0

All Projects

- All projects are required to have written policies and procedures (i.e. a 'Program Manual'); requirements for these policies and procedures can be found throughout the Written Standards
- Projects cannot require specific forms of identification as a condition of project intake
 - This is a clarification, not new policy
- Projects cannot require participants to be citizens or permanent residents of the United States as a condition of project intake
- Detailed information about what projects must include in their termination policies
- Housing project participants who are victims of sexual assault have 180 days to request an emergency transfer (up from 90 days)
- Included Violence Against Women Act (VAWA) lease language that must be incorporated into all leases/occupancy agreements

Emergency Shelter

- Included information about Emergency Shelter's standard of documentation for homelessness insofar as it differs from other projects
 - This is a clarification, not new policy
- Detailed information about when Emergency Shelter projects can terminate participants

Transitional Housing

- *CoC Program only*: included Appendix A, which contains a list of documents that must be retained by the project for each participant

Joint Transitional Housing – Rapid Re-Housing

- *CoC Program only*: included Appendix A, which contains a list of documents that must be retained by the project for each participant

Rapid Re-Housing

- Written policies and procedures must include:
 - How long participants can receive rental assistance
 - How long participants can receive supportive services after rental assistance ends
 - Total length of time a participant can remain in the project
 - Whether participants can be extended and under what circumstances
 - The amount of rent each participant must pay and how it is determined
 - How frequently rent is recalculated, and if more than annually, under what circumstances
- *CoC Program only*: included Appendix A, which contains a list of documents that must be retained by the project for each participant

Permanent Supportive Housing

- For Dedicated projects: detailed information about recordkeeping around third party documentation
 - This is a clarification, not new policy
- Written policies and procedures must include how frequently rent is recalculated, and if more than annually, under what circumstances
- Included a suggestion about intake worker observation related to documentation of disability

- This is not a requirement
- *CoC Program only*: included Appendix A, which contains a list of documents that must be retained by the project for each participant

Approval

Approval Process Timeline

- September 13, 2019 -- released for public comment
- September 24, 2019 -- approved by the Written Standards Committee
- October 1, 2019 -- approved by the Board
- February 15, 2024 - approved by the Written Standards Committee
- April 2, 2024 - approved by the Board

Signature

For this document to take effect, it must bear the signature of either the Board Chair or the Board Vice Chair.

This document is effective as of the date on its first page, not as of the date of this page’s authorizing signature. This document’s effective date cannot be earlier than the date of this page’s authorizing signature.

By signing below, the signatory certifies that this document has been reviewed and approved for release according to the procedures of both the LA BOSCO’s Coordinated Entry Committee and the LA BOSCO Board. If the signatory is the Board Vice Chair, the signatory also certifies that they have the authority to sign this document as granted by most recently approved version of the LA BOSCO Governance Charter.

Winona Connor

Winona Connor, Chair
LA BOSCO Board

4/2/2024

Date

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