

HPRP  
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**Title 25. Department of Housing and Community Development**

**Chapter 7. Programs**

**Homelessness Prevention and Rapid Re-Housing Program Regulations**

**Adopt Subchapter 12.5. as follows:**

**Subchapter 12.5.**

**Homelessness Prevention and Rapid Re-Housing Program**

**Article 1. General**

**Section 7980. Purpose and Scope.**

(a) These regulations establish policies and procedures for state administration of federal funds from the Homelessness Prevention and Rapid Re-housing Program (“HPRP”) established by the HUD Notice (as defined below).

(b) In addition to these regulations, HPRP participants shall comply with all of the applicable federal HPRP rules set forth in the HUD Notice. These include, without limitation, all of the “Other Federal Requirements” set forth in Section VII of the HUD Notice.

(c) In the event of a conflict between these regulations and the provisions of the HUD Notice, the HUD Notice provisions shall prevail.

(d) The purpose of the HPRP is to provide homelessness prevention assistance to households that would otherwise become homeless and to provide assistance to rapidly re-house persons who are homeless.

(e) In the event that Congress, the California Legislature, or HUD add or change any statutory or regulatory requirements concerning the use or administration of HPRP funds, subgrantees shall comply with such requirements.

(f) The Department shall utilize these regulations to administer any additional allocation of HPRP funds from HUD modified as necessary to comply with HUD requirements and the HUD-approved substantial amendment to the Department’s consolidated plan.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code.  
Reference: “Notice of Allocations, Application Procedures, and requirements for Homelessness

Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009” published on March 19, 2009, as Docket No. FR 5307-N-01; and “Corrections and Clarifications” published on June 8, 2009, as Docket No. FR 5307-N-02.

### **Section 7980.1. Definitions.**

(a) “Consolidated plan” means the plan the Department is required to submit to HUD outlining how the Department will allocate and utilize HUD funds.

(b) “Entitlement Application” means:

(1) For a Single Agency Application, an application received from an entitlement jurisdiction.

(2) For a Multi-Agency Application, an application received from an entitlement jurisdiction with all Partner Agency(s) and service areas in entitlement or nonentitlement jurisdictions.

(c) “Entitlement jurisdiction” means a city, county, or city and county which received a formula allocation of HPRP funds from HUD.

(d) “Homeless” and “persons who are homeless” have the same meanings as set forth in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11302).

(e) “HMIS” means the HUD Homeless Management Information Systems.

(f) “HPRP” means the Homelessness Prevention and Rapid Re-Housing Program established by the HUD Notice.

(g) “HUD” means the U.S. Department of Housing and Urban Development.

(h) “HUD Notice” means the “Notice of Allocations, Application Procedures, and Requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009” published on March 19, 2009, as Docket No. FR-5307-N-01, which is hereby incorporated by reference; and the “Corrections and Clarifications” published on June 8, 2009, as Docket No. FR 5307-N-02, which is hereby incorporated by reference.

(i) “Individualized Housing and Service Plan” (Plan) means the primary base document developed by an HPRP applicant and utilized by all HPRP participating agencies (Lead and Partner Agencies). The Plan shall be used to follow each client and the client’s HPRP eligible activities agreed upon between the client and the subgrantee. At minimum, the Plan should capture the following kinds of activities:

- (1) Client initial consultation;
- (2) Screening questionnaire;
- (3) Income determination;
- (4) Homeless and/or at risk determination;
- (5) Case management notes;
- (6) Specific client assistance agreement and budget;
- (7) Client eligibility tracking and fiscal expenditure report;
- (8) Client data collection;
- (9) Program data collection;
- (10) HMIS reporting client data to Lead Agency/single Agency;
- (11) HMIS reporting program data to Lead Agency/single agency; and
- (12) Reporting program data to the Department.

For audit purposes, this Plan shall be the primary document used to identify program compliance with HPRP and Department requirements.

(j) "Lead Agency" means the applicant agency in a Multi-Agency Application that shall: enter into a standard agreement with the Department; report on the eligible activities performed by the Lead Agency and the Partner Agencies; and shall agree to meet all fiscal monitoring, reporting, and standard agreement administration requirements set forth by HUD and the Department.

(k) "Multi-Agency Application" means a joint application for a grant under HPRP consisting of a Lead Agency that submits the application to the Department proposing the joint provision of eligible activities by the Lead Agency and one or more eligible Partner Agencies.

(l) "NOFA" is the acronym for Notice of Funding Availability. The NOFA is the document used by the Department to announce that funds are available and applications may be submitted.

(m) "Non-Entitlement Application" means:

- (1) For a Single Agency Application, an application received from a nonentitlement jurisdiction, or a nonprofit corporation located in a nonentitlement jurisdiction, with all service areas in nonentitlement jurisdictions.

(2) For a Multi-Agency Application, an application received from a nonentitlement jurisdiction and all Partner Agencies and with all service areas in nonentitlement jurisdictions.

(n) "Nonentitlement jurisdiction" means an "eligible city" or an "eligible county" as defined in Section 8401.

(o) "Nonprofit corporation," for the purposes of these regulations, also includes a public school district or a housing authority created pursuant to the Housing Authorities Law (Chapter 1 of Part 2 of Division 24 of the Health and Safety Code commencing with Section 34200).

(p) "Partner Agency" means a nonprofit corporation, entitlement jurisdiction, or nonentitlement jurisdiction that participates under a Lead Agency in a Multi-agency application and provides significant HPRP eligible activities within an approved HPRP budget. Casual service providers and vendors shall not be considered a Partner Agency.

(q) "Reasonable cost" means costs as determined by a subgrantee based on the current cost of comparable services generally available in the subgrantee's service area.

(r) "Service Area" means the geographic area for which HPRP services will be provided.

(s) "Single Agency Application" means an application for a grant under HPRP consisting of one applicant organization entering into one standard agreement with the Department, where the applicant organization will administer and provide the eligible activities proposed in the application.

(t) "Subgrantee" means an entity that has received an award of HPRP funds from the Department.

(u) "Substantial amendment" means the amendment to the Department's consolidated plan that must be filed with HUD as a requirement for obtaining HPRP funds outlining how the Department will allocate and utilize HPRP funds.

(v) "Sustainability" means the subgrantee's ability to continue the HPRP program activities beyond the termination of the HPRP contract.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code.  
Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and

Reinvestment Act of 2009” published on March 19, 2009, as Docket No. FR 5307-N-01; and “Corrections and Clarifications” published on June 8, 2009, as Docket No. FR 5307-N-02.

## **Article 2. Eligibility Requirements**

### **Section 7982. Eligible Application Types.**

(a) For activities to be conducted in a nonentitlement jurisdiction:

(1) A Single Agency Application.

(2) A Multi-Agency Application. The application shall be submitted by a designated Lead Agency, and if selected for funding, the designated Lead Agency shall enter into a single contract with the Department for the joint administration of eligible activities by one or more of the partner agencies. The Lead Agency shall be responsible for fiscal monitoring, reporting and administration of the contract with its partner agencies and the state.

(3) An entitlement jurisdiction shall not be eligible to apply to administer activities in a nonentitlement jurisdiction unless the entitlement jurisdiction has obtained approval from each city or county in which the program will be conducted.

(b) For activities to be performed in an entitlement jurisdiction:

(1) A Single Agency Application submitted by the entitlement jurisdiction.

(2) A Multi-Agency Application submitted by the entitlement jurisdiction as the Lead Agency with one or more city, county, or nonprofit corporation partner agencies.

(c) To be considered a Partner Agency, an agency shall provide significant activities within the approved budget.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: “Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009” published on March 19, 2009, as Docket No. FR 5307-N-01; and “Corrections and Clarifications” published on June 8, 2009, as Docket No. FR 5307-N-02.

**Section 7982.1. Eligible Programs.** HPRP funds shall be awarded to administer any of the following Programs: (a) Homelessness Prevention Program (assistance to non-homeless persons); and (b) Rapid Re-housing Program (assistance to homeless persons).

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

### **Section 7982.2. Minimum and Maximum Application Amounts.**

(a) For a single agency application, the minimum application amount shall be three hundred thousand dollars (\$300,000) and the maximum application amount shall be five hundred thousand dollars (\$500,000)

(b) For a multi-agency application, the minimum application amount shall be three hundred thousand dollars (\$300,000) and the maximum application amount shall be three hundred thousand dollars (\$300,000) for the Lead Agency and three hundred thousand dollars (\$300,000) for each Partner Agency, up to a maximum of one million six hundred thousand dollars (\$1,600,000).

(c) Award amounts may be increased above the maximums if additional HPRP funding becomes available.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

### **Section 7982.3. Coordination with Local Continuum(s) of Care and Data Collection.**

(a) Each applicant for HPRP funds shall coordinate with the local continuum(s) of care ("CoC") to ensure that Program activities are aligned with the CoC's strategies for preventing and ending homelessness.

(b) Successful applicants shall participate in the HMIS. Costs of such participation shall be borne by the successful applicant and shall be eligible for reimbursement from HPRP funds provided for data collection and evaluation.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

### **Section 7982.4. Eligible Activities.**

(a) All HPRP funds shall be used only for eligible activities as described in the HUD Notice.

(b) For information purposes only, there are four categories of eligible activities: financial assistance; housing relocation and stabilization services; data collection and evaluation; and grant administration.

(c) For the initial NOFA, the grant awarded to a subgrantee shall be limited to the following maximums: fifty-six percent (56%) for homeless prevention programs; thirty-two percent (32%) for rapid re-housing programs; eleven percent (11%) for data collection and evaluation; and one percent (1%) for grant administration.

(d) The maximums set forth in subsection (c) may be exceeded upon approval of the Department if the application includes a written justification reflecting the need for the increased dollar amounts based upon need and service delivery.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

### **Article 3. Application Procedures**

#### **Section 7983. Notice of Funding Availability.**

(a) HPRP funds shall be made available by the Department through the issuance of one or more NOFA's.

(b) Among other things, a NOFA shall provide notification of: the amount of funds available; the amount or proportion of funds allocated to the major eligible activities of homelessness prevention, rapid re-housing, data collection and evaluation, and grant administration; the existence and applicability of the HUD Notice and these regulations; the deadline for submitting applications; the schedule for rating and ranking applications and awarding funds; the schedule for obligating and spending funds; and the general terms and conditions of funding commitments.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness

### **Section 7983.1. Application Form and Content.**

Application for HPRP funds shall be made in a format provided by the Department that requests the information necessary to complete evaluation of the application pursuant to Sections 7983.2 and 7983.3 including but not limited to the following:

(a) Project and applicant identification information including: name, address, telephone number, contact person, fiscal representative, data collection coordinator, list of legislative representatives for the area where the program or project will be undertaken and, for nonprofit corporations that are not public school districts or housing authorities, confirmation of 501(c)(3) status.

(b) Local need assessment.

(c) Detailed list of proposed services and target populations.

(d) Description of outreach and marketing including: outreach plan; marketing plan; and individualized housing service plan.

(e) Initial outcome estimates in terms of: number of individuals and families to be served; number of jobs created; and identification of all service areas where HPRP services will be provided by each participating agency.

(f) Detailed budget information including service costs, personnel costs, and budget activities.

(g) Requested funding by activity.

(h) Fund draw schedule.

(i) Applicant capability information including past experience, current activities, information on 10-year plan to end homelessness, and plan for sustainability.

(j) Description of the applicant’s fiscal management experience including a current balance sheet.

(k) HMIS and continuum of care participation information, including a letter of intent to participate in HMIS as applicable.

(l) Local jurisdictional approvals.

(m) Governing board resolution which legally authorizes the application.

(n) List of partner agencies and copies of all Partner Agency and service provider agreements.

(o) HPRP administrative procedures.

(p) Audit report findings (if any).

(q) Payee data record.

(r) If awarded funds, the applicant certifies that:

(1) It will follow the requirements of the HUD Notice and the NOFA under which the applicant applied.

(2) It will comply with the requirements of the standard agreement.

(3) It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided with assistance; and that the address or location of any assisted housing will not be made public, except to the extent that this prohibition contradicts a preexisting privacy policy of the subgrantee.

(4) It will comply with HUD's standards for participation in a local HMIS and the collection and reporting of client-level information.

(5) It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

(6) It will affirmatively further fair housing opportunities in its administration of HPRP funds.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

**Section 7983.2. Initial Application Review.** To be considered for further review and funding, an application shall have been received by the Department by the application deadline stated in the NOFA and demonstrate that the following conditions exist:

(a) The application contains substantially all of the information required by Section 7983.1 and contains sufficient information to allow the Department to apply the rating factors set forth in Section 7983.3.

(b) The applicant is eligible.

(c) The applicant proposes eligible activities.

- (d) The applicant proposes an eligible use of the funds.
- (e) The applicant has included at least one of the following additional at-risk household types to focus on in its outreach plan.
  - (1) Living doubled up with relatives or friends.
  - (2) Incomes of 15-20% of area median income.
  - (3) Facing eviction from public or assisted housing.
  - (4) History of homelessness or repeated moves over the last two years.
  - (5) Current domestic violence.
  - (6) Presence of one or more children under the age of two (2).
  - (7) Presence of transition-age children or young adults (16-24).
  - (8) History of missing two or more appointments with a caseworker.
  - (9) Serious mental or physical disability.
  - (10) A history of involvement with the child welfare system.
  - (11) Recent discharge or expected discharge from an institutional setting.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

**Section 7983.3. Rating Criteria.** Applications that pass the initial threshold set forth in Section 7983.2 shall be rated and ranked using the following criteria. The Department may establish points to be allocated among subcriteria in each NOFA. Applications that do not receive the required minimum points for each and every one of the criteria set forth in subsections (a) – (d) shall not be considered for funding.

(a) Applicant Capability – minimum required score 60 points, maximum possible score 90 points, based on:

- (1) Number of years serving the homeless and at risk population.
- (2) Experience operating a rental assistance program (30 points maximum);
  - (i) 0-5 years = 10 points.
  - (ii) 5+ -10 years = 20 points.
  - (iii) 10+ years = 30 points.
- (3) Currently providing homelessness prevention activities (18 points maximum).

- (i) Not currently providing homelessness prevention or rapid re-housing activities – 0 points.
- (ii) If at least one agency is currently providing homelessness prevention and/or rapid re-housing activities – 10 points.
- (iii) If the lead agency and all partners are currently providing homelessness prevention and/or rapid re-housing services – 18 points.
- (3) Well-defined service area (15 points maximum).
- (4) A certification of local government approval of the proposed program in a format acceptable to the Department (6 points maximum).
- (5) Program alignment with the 10-year Plan to End Homelessness and/or Continuum of Care need priorities (12 points maximum).
- (6) HMIS or comparable data collection system (9 points maximum).
- (b) Services – minimum required score 50, maximum possible score 75 points, based on:
  - (1) Number of services provided (21 points maximum).
    - (i) 1-9 services – 4 points.
    - (ii) 10-15 services – 7 points.
    - (iii) 16-20 services – 14 points.
    - (iv) 20+ services – 21 points.
  - (2) Percentage of HPRP funds proposed to be used for financial assistance (12 points maximum).
    - (i) 70% and above – 12 points.
    - (ii) 60-69% - 8 points.
    - (iii) 50-59% - 4 points.
    - (iv) Less than 50% - 0 points.
  - (3) Percentage of HPRP funds proposed to be used for housing relocation and stabilization (12 points maximum).
    - (i) 30% and below – 12 points.
    - (ii) 31% - 40% - 8 points.
    - (iii) 41% - 50% - 4 points.
    - (iv) More than 50% - 0 points.

(4) Percentage of HPRP funds proposed to be used for data collection and evaluation (10 points maximum).

(i) 5% and below – 10 points.

(ii) 6% - 11% - 6 points.

(iii) 12% - 15% - 3 points.

(iv) More than 15% - 0 points.

(5) Application proposes to provide homelessness prevention services and activities (10 points).

(6) Application proposes to provide rapid re-housing services and activities (10 points).

(c) Outreach and Marketing -- minimum required score 65 points, maximum possible score 100 points, based on:

(1) Application adequately describes and quantifies local need (24 points maximum).

(2) Outreach plan (35 points maximum) based on the plan's discussion of the following components, each of which is worth a maximum of five (5) points:

(i) Points of contacts.

(ii) Networking.

(iii) Targeting strategies.

(iv) Coordination of services.

(v) Challenges in meeting the needs of the homeless.

(vi) Challenges in meeting the needs of persons at risk of becoming homeless.

(vii) Discussion of HUD risk factors.

(3) Targeting to 50% or less of the area median income (the HUD target group) – 5 points.

(4) State targeting to 10% - 30% of area median income – 5 points.

(5) Marketing plan (20 points maximum) based on the plan's discussion of the following topics, each of which is worth four (4) points:

(i) Marketing materials to be used to involve participants.

(ii) Strategies to be used to involve participants.

(iii) Strategies to be used to involve community organizations.

- (iv) Strategies to be used to involve leaders.
- (v) Strategies to be used to involve other federal, state and local programs serving the homeless population and those at risk of becoming homeless.
- (6) Discussion of utilization of CalWORKS homeless assistance (2 points).
- (7) Discussion of general assistance caseload (3 points).
- (8) Identification of homeless count (3 points).
- (9) Utilization of waiting lists for subsidized emergency shelters (3 points).
- (d) Fiscal Management Plan -- minimum required score 40 points, maximum

possible score 60 points, based on:

- (1) EHAP grant management (within past 3 years) (3 points maximum):
  - (i) 1 grant – 1 point.
  - (ii) 2-3 grants – 2 points.
  - (iii) 4 or more grants – 3 points.
- (2) Federal Emergency Shelter Grant management (within past 3 years) (3 points maximum).
  - (i) 1 grant – 1 point.
  - (ii) 2-3 grants – 2 points.
  - (iii) 4 or more grants – 3 points.
- (3) Other State or federal grant management (3 points maximum).
  - (i) 1 grant – 1 point.
  - (ii) 2-3 grants – 2 points.
  - (iii) 4 or more grants – 3 points.
- (4) No audit findings (6 points maximum).
  - (i) No audit findings – 6 points.
  - (ii) Unresolved audit findings with explanation – 3 points.
  - (iii) Unresolved audit findings without explanation – 0 points.
- (5) Identifiable estimated drawdown schedule (6 points maximum).
  - (i) Drawdown schedule that complies with required expenditure rate – 6 points.
  - (ii) Drawdown schedule that does not meet the required 60% expenditure rate with a two-year period – 3 points.

(iii) Drawdown schedule does not meet the required 100% expenditure rate within the three-year period – 0 points.

(6) Individualized housing and service plan (24 points maximum) based on the plan's inclusion of the following activities, each of which is worth two (2) points.

- (i) Client initial consultation.
  - (ii) Screening questionnaire.
  - (iii) Income determination.
  - (iv) Homeless and/or at-risk determination.
  - (v) Case management notes.
  - (vi) Specific client assistance agreement and budget.
  - (vii) Client eligibility tracking and fiscal expenditure report.
  - (viii) Client data collection.
  - (ix) Program data collection.
  - (x) HMIS reporting client data to lead agency/single agency.
  - (xi) HMIS reporting program data to lead agency/single agency.
  - (xii) Reporting program data to the Department.
- (7) Positive net worth (6 points maximum).
- (i) Balance sheet assets are greater than liabilities – 6 points.
  - (ii) Assets are equal to liabilities – 3 points.
  - (iii) Liabilities are greater than assets – 0 points.
- (8) Working capital:
- (i) Working capital is positive – 6 points.
  - (ii) Working capital is negative – 0 points.
- (9) Identifiable use of professional fiscal services – 3 points.

(e) Multi-agency Applications substantiated by Partner Agency collaborative documents shall be awarded up to 50 bonus points based on the number of partner agencies in the collaboration:

- (i) 1 agency – 0 points.
- (ii) 2 agencies – 25 points.
- (iii) 3 agencies – 40 points.
- (iv) 4 or more agencies – 50 points.

(f) Non-entitlement applications that achieve minimum threshold points under subsections (a), (b), (c) and (d) may receive up to 75 additional points based on the number of entitlement and non-entitlement areas the application proposes to serve calculated as follows: the number of non-entitlement areas the application proposes to serve (“NETBS”) divided by the sum of the number of NETBS and the number of entitlement areas proposed to be served multiplied by 75. For example, if an application proposes to conduct programs in two (2) non-entitlement areas and one (1) entitlement area, the calculation would be: 2 divided by (2 + 1) times 75 which equals 50 points.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: “Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009” published on March 19, 2009, as Docket No. FR 5307-N-01; and “Corrections and Clarifications” published on June 8, 2009, as Docket No. FR 5307-N-02.

#### **Section 7983.4. Funding Awards.**

(a) HPRP funds shall be awarded based on scores awarded pursuant to Section 7983.3, in descending order, until funds in a NOFA are exhausted.

(b) Subgrantees not currently belonging to an HMIS shall associate with and establish HMIS as a condition of receiving an award of funds.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: “Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009” published on March 19, 2009, as Docket No. FR 5307-N-01; and “Corrections and Clarifications” published on June 8, 2009, as Docket No. FR 5307-N-02.

#### **Section 7983.5 . Application Budget Adjustments.**

(a) The Department reserves the right to change a proposed program budget in funded applications due to the following: one or more of the program activities or cost(s) is ineligible; the remaining NOFA funds will not fully fund the application for the amount requested.

(b) In determining whether a proposed eligible cost is reasonable, reasonable cost shall be determined based on the current cost of comparable services generally available in the applicant’s service area.

(c) If the Department increases a proposed program budget, the applicant/subgrantee shall be required to submit revised budget forms for the Department’s review and approval.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

#### **Article 4. Post-Award Process and Program Operations**

##### **Section 7984. Subgrantee Contract Requirements.**

(a) Upon the award of HPRP funds the Department shall enter into a contract known as the "Standard Agreement" with the subgrantee constituting a conditional commitment of funds. This Standard Agreement shall require the parties to comply with the requirements and provisions of these regulations, the NOFA, and the HUD Notice.

(b) The Standard Agreement shall contain:

(1) Requirements for the manner, timing and conditions of disbursement of HPRP funds.

(2) Requirements to comply with all applicable federal requirements.

(3) Any special conditions attached to the Department's approval of the application.

(4) Time frames for commencement and completion of the program or project.

(5) Remedies available to the Department in the event of a violation, breach, or default of the Standard Agreement.

(6) Requirements that the subgrantee permit the Department or HUD, or their respective employees or designees, the right to inspect the project or local program and all books, records and documents maintained by the subgrantee in connection with the project or local program.

(7) Requirements for records retention.

(8) Other provisions necessary to ensure compliance with these regulations and the HUD Notice, and to participate in HUD-sponsored research and evaluation of the Program, if requested.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

##### **Section 7984.1. Drawdown of Funds and Financial Management.**

(a) Requests for drawdown of grant amounts shall be made on current forms provided by the Department.

(b) Upon execution of a Standard Agreement by the Department, a subgrantee may request a cash advance as permitted under the HUD Notice. The Department shall not approve such requests unless all special conditions to disbursement described in the Standard Agreement have been met and an expenditure detail for any prior advance has been submitted to the Department.

(c) Subgrantees shall be bound by expenditure requirements set forth in the HUD Notice.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.

## **Section 7984.2. Record Keeping and Reporting Requirements.**

(a) Subgrantees shall abide by all record keeping and reporting requirements of the HUD Notice.

(b) HPRP funds are subject to reporting requirements established by the American Recovery and Reinvestment Act of 2009 ("ARRA"), as specified by HUD and the federal Office of Management and Budget.

(c) Reporting requirements include evaluating and certifying eligibility of program participants for persons receiving medium term rental assistance at least once every three (3) months. "Certification" means a written assertion, based on supporting evidence that must be kept available for inspection by HUD, by the Inspector General of HUD, and by the public.

(d) The Lead Agency of a multi-agency agreement is responsible for obtaining, consolidating, and reporting all data from partner agencies.

(e) Following are the minimum reporting requirements for subgrantees (the timing of these reports shall be established in the Standard Agreement):

(1) Initial performance report.

- (2) Quarterly performance reports.
- (3) Annual performance reports.
- (4) Transparency and Accountability requirements for recipients of ARRA funds.
- (5) OMB ARRA Performance Progress Report Data Elements.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code.  
Reference: "Notice of Allocations, Application Procedures, and requirements for Homelessness Prevention and Rapid Re-Housing Program Grantees under the American Recovery and Reinvestment Act of 2009" published on March 19, 2009, as Docket No. FR 5307-N-01; and "Corrections and Clarifications" published on June 8, 2009, as Docket No. FR 5307-N-02.