

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

Section 7980. Purpose and Scope.

(a) The purpose of these regulations is to establish policies and procedures for the administration of state contracts (known as a “Standard Agreements”) entered into between the Department of Housing and Community Development (Department) and awardees of federal Homelessness Prevention and Rapid Re-housing Program (HPRP) funds.

(b) These regulations apply to all contractors that are parties to a Standard Agreement entered into with the Department for receipt and administration of HPRP funds.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: Public Law 111-5 (American Recovery and Reinvestment Act of 2009), Sec. 2, Div. A, Title 12.

Section 7980.1. Definitions.

(a) “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.

(b) “Subgrantee” means any entity that is a party to a Standard Agreement, other than the Department.

Note: Authority cited: Sections 50406(h), 50406(i), 50406(n) and 50407 Health and Safety Code. Reference: Public Law 111-5 (American Recovery and Reinvestment Act of 2009), Sec. 2, Div. A, Title 12.

Section 7980.2. Drawdown of Funds and Financial Management.

(a) Requests for drawdown of grant amounts shall be made in a format provided by the department requesting the following information:

- (i) Subgrantee identification, grant number, and contact information.
- (ii) List of budget activities, approved budget amount, amounts previously drawn down, and requested draw amount.
- (iii) Certification by an authorized representative of the subgrantee that the request is in accordance with the terms of the approved Standard Agreement.

(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: Public Law 111-5 (American Recovery and Reinvestment Act of 2009), Sec. 2, Div. A, Title 12.

Section 7980.3. 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 as 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: Public Law 111-5 (American Recovery and Reinvestment Act of 2009), Sec. 2, Div. A, Title 12.