



## Chester County Department of Community Development



### 2022 Housing and Community Construction Application Guidelines

The Chester County Department of Community Development (DCD) is seeking proposals from organizations for Housing and Community Construction beginning on January 1, 2022.

The goals of this RFP are to:

- 1) Promote Housing First best practices;
- 2) Address the needs of people experiencing homelessness, low income households, and communities;
- 3) Fund geographically accessible and impactful housing activities; and
- 4) Support affordable housing development and community improvements that improve the lives of Chester County residents.

**NOTE:** *This application is not intended for public services or municipal public works activities.*

#### **Application Workshop**

An online application workshops will be held on Wednesday April 28, 2021 at 10:30 a.m. Please register [here](#) for registration information. Additionally, programmatic questions may be directed to DCD program staff or to [ccdc@chesco.org](mailto:ccdc@chesco.org).

#### **Application Submissions**

- **Submission Format:** DCD will use an electronic submission format, available on DCD's website <https://chesco.org/1924/Apply-for-Grants> . Applicants are encouraged to study the information about DCD's priorities and objectives for funding prior to starting the application process.
- DCD staff will be available for programmatic assistance until **Thursday, May 13, 2021**.
- **Scoring:** Scores will be based on the following topics: Statement of Need, Organizational Capacity, Program Design and Service Strategy, and Performance Management.
- **Due Date:** Applications are due by **3:00 p.m. on Thursday, May 20, 2021**.
- **Attachments:** Attachments can be accessed at <http://www.chesco.org/1924/Apply-for-Grants>. Applications will not be accepted by the electronic system without the required attachments.
- Technical assistance with the online application can be directed to Trish Hennessy at [phennessy@chesco.org](mailto:phennessy@chesco.org) or Shaun Bollig at [sbollig@chesco.org](mailto:sbollig@chesco.org).

### **Required Attachments for ALL Applications**

- [Budget Forms](#) for service activities\*
  - Evidence of Public or Municipal Notification, if applicable
  - [Fair Housing Certification Form](#)\*
  - [Identification of Other Funds Form](#)\*
  - Implementation Timeline
  - List of Board or Council Members
  - List of Experience with Similar or Related Programs, with references
  - Organizational Chart
  - [Property Tax Certification Form](#)\*
- \* Indicates form is available at <https://www.chesco.org/1924/Apply-for-Grants>

### **Optional Attachments**

- Miscellaneous (photographs, plans, etc.)
- Support Letters
- Job Descriptions & Resumes
- *Audit or Financial Statements* (most recent; required for applicants without current audit on file with DCD)
- *Evidence of Liability Insurance* (required for applicants without current insurance certification on file with DCD)
- *Proof of Nonprofit Status* (if applicable; required for new providers)

### **Housing & Community Construction**

This application focuses on affordable housing development and public facility improvements that are eligible under the Community Development Block Grant (CDBG) and HOME Investment Partnerships Programs.

If applicants are proposing more than one activity that would fall under the same application category and the activities are distinct enough to be evaluated and ranked separately, then you must submit a separate application for each activity. Applications shall be ranked in order of priority, i.e. 1 of 2; 2 of 2, etc.

### **Strategic Alignment**

DCD strongly encourages all applicants to align the proposed activities with one or more of the following County and/or DCD-adopted documents as noted on the [Funding Opportunities](#) section of our website:

- [2018-2022 Consolidated Plan Strategies & Goals](#)
- [Department of Community Development Strategic Business Plan](#)
- [Chester County Strategic Business Plan](#)
- [Landscapes3](#)
- [Southeast PA Regional and Local Workforce Innovation & Opportunity Act Plans](#)
- [Chester County Assessment of Fair Housing](#)
- [VISTA 2025 Economic Development Strategy](#)

## County Requirements

- **Monitoring:** As a recipient of public funds, all successful applicants who sign a contract with DCD will be required to fully comply with ongoing reporting and monitoring requirements. Depending on the activity funded, for sub-recipients, this requirement could entail completion of detailed quarterly reports on all clients served, monthly or quarterly invoicing, programmatic and fiscal monitoring, pre-construction meetings, construction monitoring, and post-construction inspections and monitoring.
- **Fair Housing:** DCD follows federal fair housing, equal opportunity, and accessibility compliance guidelines and local regulations, where applicable, for all of its programs, notwithstanding the source of funds. DCD requires its recipients to affirmatively further fair housing, attend DCD sponsored fair housing trainings, and ensure that activities are accessible to all residents based on protected characteristics as defined by Title VI of the Civil Rights Act of 1964 and all related statutes, including: race, color, religion, national origin, gender, familial status, and disability.
- **Certifications and Reservations:** Provision of services specified in this RFP requires substantive knowledge and understanding of the applicable rules and regulations. Recipients of federal, state, or local funding must certify compliance with applicable funding regulations and adhere to applicable definitions described in the Application Instructions & Guidelines. Additional certifications may be required depending on the specific program. The County reserves the right to reject any and all proposals received as a result of this RFP, for any reason at its sole discretion, and to negotiate separately with competing applicants. The County reserves the right to waive any and all technical requirements and informalities, as it deems necessary. No costs associated with the preparation or submittals of this application are reimbursable.
- **Meetings:** Attendance and participation at required meetings as specified in DCD contracts.
- **Reporting:** Submission of reports, including but not limited to Annual Performance Reports (APRs), Consolidated Plan Quarterly Reports (CPQRs), and/or other required reports to be submitted through the Chester County Client Information Management System (CCCIMS).
- **Data:** All community service providers will be required to enter client data in CCCIMS.

## National Objectives

Within the Proposal Information section of the electronic application, applicants will need to select the National Objective category of the activity proposed. Applications generally fall into:

- **LMA** (low-moderate income area benefit); generally used for Public Works applications
- **LMC** (low-moderate income limited clientele benefit)
- **LMH** (low-moderate income household benefit); generally used for affordable housing development, housing rehabilitation, and first time homebuyer activities

The CDBG National Objectives Reference Guide can be accessed [here](#).

## Income Eligibility

The primary purpose of the federal entitlement funding is to benefit very low and low-moderate income people and areas with a majority concentration of very low and low-moderate income people. Families earning 80% of the area median income or less are considered “low-moderate income.”

Applicants are encouraged to use information from the [DCD Data](#) section of our website and/or U.S. Census data to obtain proposed numbers to be served with Area Benefit (LMA) activities. Any changes to U.S. Department of Housing and Urban Development (HUD) [Area Median Income data](#) will be updated on the DCD website.

### **Evaluation and Selection and Review Criteria**

Proposals will be reviewed, scored and evaluated through a review committee. The review committee will make recommendations to the Chester County Commissioners who will select the providers and make final decisions.

### **Scoring**

Proposals are to be divided into the following categories when submitted through the online grants management system. Please note that only the narrative submitted electronically will be scored. Additional narrative attachments will not be scored. All proposals will be scored based on these categories:

- **Statement of Need – 10 Points**
  - Include local-level data from reliable sources
  - Describe characteristics of target population and community
  - Identify any current gaps in service that would be filled by the proposed programming
- **Program Management and Organizational Capacity – 40 Points**
  - Objective score for fiscal effectiveness and organizational capacity in past performance with DCD, if applicable
  - Describe fiscal controls in place for auditing and accountability
  - Describe measures by the organization to ensure the protection of Personal Identifying Information
  - Numeric score form to be utilized
- **Program Design and Service Strategy – 40 Points**
  - Include a detailed description of the services and activities proposed
  - Explain the service delivery strategy and how DCD funding is required for this activity
  - Describe the target population to be served
  - Identify quantitative outcomes and describe qualitative benefits provided by the activity
  - Include timelines and milestones
  - Complete, detailed, and cost-effective budget
  - Describe any applicable collaboration with other organizations
  - Identify additional funding sources to be leveraged
- **Performance Management – 10 Points**
  - Include quantitative and qualitative outcomes regarding past performance in programming
  - Explain the outcomes to be achieved if this activity is funded
  - Indicate a cost per person or household projected to be served
  - Explain how the organization uses the Chester County Client Information Management System (CCCIMS) to track performance
  - Describe capabilities and processes regarding data collection and performance management and provide examples
  - Explain the organization's processes for tracking and reporting performance in meeting project benchmarks
  - Identify any databases, assessments, or other tools that will be utilized to maximize service delivery

- Describe how your organization communicates outcomes and success stories with the public and elected officials
- **Scoring Bonus**
  - A five (5) point bonus will be given to proposals whose activities further homeownership in the City of Coatesville
  - A five (5) point bonus will be given to proposals for small-scale rental rehabilitation targeting locations with public transit access. These proposals must provide affordable rental housing for existing residents who previously experienced homelessness.

### **Housing & Community Construction Activities**

*Will support affordable permanent housing activities and community construction activities targeted to assist very low, low-moderate income and individuals and families at risk of or literally experiencing homelessness. Activities may include, but are not limited to:*

- Creation of affordable permanent and/or supportive housing for low income residents
- Housing activities that specifically address the needs of the most vulnerable and chronically homeless and individuals and families experiencing homelessness
- Funding for acquisition and disposition of real property that meets a [national objective](#) for Community Development Block Grant funds
- Acquisition, construction, or rehabilitation of public facilities
- Removal of architectural barriers to facilitate accessibility for disabled or elderly individuals
- Preservation of historic structures and renovation of vacant buildings
- Construction and rehabilitation of housing or homeownership assistance
- Acquisition of property or facilities to expand rental or owner-occupied housing
- Rehabilitation of properties or facilities to expand or upgrade housing
- Please see the bonus criteria listed above

Applicants of the ***Housing & Community Construction*** RFP:

- If using Limited Clientele (LMC) to describe the activity beneficiaries, you will need to provide income breakdowns for all income category fields in the application form. Activities funded under this category will require that applicants maintain records and provide backup documentation of income levels of clients served through their program.
- Low- to moderate-income housing (LMH) benefit should be used for affordable housing development, housing rehabilitation, and first time homebuyer activities.
- If applying for an affordable rental housing activity, please note that the maximum [Area Median Income](#) a household may have is 60%.
- Please note that a period of affordability, tied to the amount of funding provided, is mandated by the different funding streams utilized for these programs.
- Applicants for affordable housing developments must submit:
  - Project specific budget
  - Evidence of zoning compliance
  - Rent pro forma (if applicable)
- If using low- to moderate-income area (LMA) benefit to describe the activity beneficiaries, refer to the [maps](#) on DCD's website to report on the number of people within the 0-80% (#Low-Mod) and 80%+ Area

Median Income categories of the application form. (*\*Note: please enter the 0-80% number of people field entitled, "For Area Benefit Only: Between 0-80% Area Median Income"*)

## ***GLOSSARY OF TERMS AND REGULATIONS***

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**Acquisition:** Acquisition of real property, in whole or in part, by purchase, long-term lease, donation, or other means for any public purpose.

**Affirmatively Furthering Fair Housing:** a legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act.

**Affirmative Marketing:** Actions to provide information and attract eligible persons, particularly those not likely to apply for housing without special outreach, to affordable housing units.

**Allowable Costs:** Allowable costs for local governments are determined in accordance with the provisions of OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments." Allowable costs for non-profit organizations are determined in accordance with the provisions of OMB Circular A-122, "Cost Principles for Non-Profit Organizations."

**Americans with Disabilities Act:** For major rehabilitation or conversion, the recipient of funding must comply with the Americans with Disabilities Act (42 U.S.C. 12131 through 121134, regulations at 28 CFR Part 35) and accessibility guidelines. The Act also prohibits discrimination based on disability in the provision of goods, services, privileges, advantages or accommodations in any place of public accommodation, including homeless shelters and social service center establishments. Section 504 of the Rehabilitation Act of 1973 also prohibits discrimination based on disability in activities or programs receiving federal assistance and the Fair Housing Amendments Act (FHAA) prohibits discrimination in housing based on a person's disability.

The ADA, Section 504, and the FHAA all follow the same definition of disability:

- (A) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- (B) A record of such an impairment; or
- (C) Being regarded as having such an impairment.

The phrase *physical or mental impairment* means --

- (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine;
- (2) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;
- (3) The phrase physical or mental impairment includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.
- (4) The phrase physical or mental impairment does not include psychoactive substance use disorders resulting from current illegal use of drugs.

NOTE: This definition of disability differs from the definition for "severely disabled person" (defined below), a class of people presumed under CDBG regulations to be low- or moderate-income.

**Audit:** Local government and private non-profit subrecipients are subject to the audit requirements contained in the Single Audit Act Amendments of 1996 (31 USC 7501-7507) and revised OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

**Bonding and Insurance:** Agencies are required to adhere to the standards of OMB Circular A-110, regarding bid guarantees, performance bonds, payment bonds and insurance.

**Certification Regarding Drug Free Workplace:** In accordance with the requirements of the Drug Free Workplace Act of 1988, all recipients of federal funding through HUD are required to comply with and execute the certification regarding the provision of a drug-free workplace.

**Individual Experiencing Chronic Homelessness:** An unaccompanied homeless individual with a disabling condition who has either been continuously homeless for a year or more OR has had at least four (4) episodes of homelessness in the past three (3) years. To be considered chronically homeless a person must have been on the streets or in an emergency shelter

(i.e. not transitional housing) during these stays.

**Family Experiencing Chronic Homelessness:** A chronically homeless family is a household with at least one adult member who has a disabling condition and who has either been continuously homeless for a year or more OR has had a least four (4) episodes of homelessness in the past three (3) years. To be considered chronically homeless, persons must have been sleeping in a place not meant for human habitation (e.g., living on the streets) and/or in an emergency shelter/safe haven during that time. Disabling condition is defined as "a diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness or disability, including the co-occurrence of two or more of these conditions.

**Clearance:** Demolition and removal of buildings and improvements, including movement of structures to other sites, or physical removal of environmental contaminants or treatment of such contaminants to render them harmless.

**Community Development Block Grant (CDBG):** Federal entitlement funding authorized by the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*) and Section 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)) and implemented under 24 CFR Part 570.

**Community Housing Development Organization:** A County-certified non-profit organization that has as one of its purposes the provision of decent housing that is affordable to low- and moderate-income persons.

**Community Services Block Grant (CSBG):** Federal entitlement funding authorized by the Department of Health and Human Services. CSBG funds are allocated to Community Action Agencies (CAAs), and eligible activities include employment services, education, income management, housing, nutrition, emergency services and health.

**Conflict of Interest:** In addition to conflict of interest requirements in OMB Circular A-110 and 24 CFR Part 85, no person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee, of any designated public agency, or of a subrecipient that receives federal funding from the County and who exercises or has exercised any functions or responsibilities with respect to funded activities or who is in a position to participate in a decision process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect to the activities, or with respect to the proceeds of the activities, either for themselves or for those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

**Consolidated Plan:** A Department of Community Development strategic planning project occurring every three-to-four years. The consolidated plan outlines funding strategies and goals for all of DCD's programs pertaining to housing, homelessness, employment, special needs and community development.

**Coordinated Entry System:** A centralized or coordinated process designed to coordinate program participant intake, assessment, and provision of referrals. A Coordinated Entry System covers Chester County is easily accessed by individuals, families and community organizations seeking emergency housing or supportive services, is well advertised, and includes a comprehensive standardized assessment tool.

**Davis-Bacon Act:** Applies to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates. The Davis-Bacon Act applies to contractors and subcontractors performing work on federal or District of Columbia contracts. The Davis-Bacon Act prevailing wage provisions apply to the "Related Acts," under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance.

For prime contracts in excess of \$100,000, contractors and subcontractors must also, under the provisions of the Contract Work Hours and Safety Standards Act, as amended, pay laborers and mechanics, including guards and watchmen, at least one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. The overtime provisions of the Fair Labor Standards Act may also apply to DBA-covered contracts.

Recipients must comply with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5) and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-332) regarding payment of wages and hours as required for construction projects. However, these requirements apply to the construction of residential property only if such property contains at least 8 units (CDBG) or 12 units (HOME). Volunteers must be used in accordance with 24 CFR Part 70.

**Debarred, Suspended, or Ineligible Contractors:** Engagement of services and awarding of contracts or funding of any contractors or subcontractors during any period of debarment, suspension, or placement in ineligibility status is strictly prohibited, in accordance with the provisions at 24 CFR Part 24.

**Decade to Doorways:** Chester County's strategic planning initiative that will align funding resources with identified priorities to prevent and end homelessness.

**Person with Disabilities:** See the definition for "person with severe disabilities" or *the Americans with Disabilities Act*, as applicable.

**Displaced Person:** A person (family, individual, business, non-profit organization, or farm) that permanently moves as a direct result of acquisition, rehabilitation, or demolition for a federally-funded project.

**Displacement and Relocation:** Recipients must assure that they have taken all reasonable steps to minimize the displacement of persons as a result of any federally funded activities. If such displacement is unavoidable, action must be taken to mitigate any adverse effects on these persons. Recipients must comply with all requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601-4655, regulations at 49 CFR Part 24). The County is responsible for ensuring compliance with all displacement and relocation requirements.

**Diversion:** Through communication, a strategy that prevents homelessness for people seeking shelter by helping these households to identify immediate and safe housing options they may already have and, if necessary, connecting them with services and financial assistance to help them stay in their current housing or quickly return to permanent housing without entering shelter whenever it is safe and appropriate to do so.

**Emergency Shelter:** Any facility, the primary purpose of which is to provide temporary shelter for persons experiencing homelessness.

**Employment and Contracting Opportunities:** Contractors and subcontractors of federal or federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment, layoff or termination, rates of pay, or other forms of compensation and selection for training and apprenticeship.

In addition, compliance is required with **Section 3 of the Housing and Urban Development Act of 1968** (12 U.S.C. 1701u) and the implementing regulations in 24 CFR part 135. This law requires that to the greatest extent feasible, opportunities for training and employment be given to low- and very low- income persons who reside within the local area in which the project is located, and where possible, work contracts should be awarded to eligible local business concerns. No person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of federally assisted construction contracts.

Compliance is required with Executive Orders 11625 and 12432 on Minority Business Enterprise, and Executive Order 12138 on Women's Business Enterprise. These orders require recipients to take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.

**Environmental Review Requirements:** Approval of specific activities is conditioned on the results of environmental reviews required by 24 CFR Part 58 and, if necessary, issuance by HUD of a formal Notice of Removal of Grant Conditions. Proposed activities are subject to change based on the results of the County's reviews of the environmental effects of activities. The County assumes such environmental review, decision-making and action responsibilities by execution of grant agreements with the HUD Secretary.

**Emergency Solutions Grant Program:** On November 15, 2011, the U.S. Department of Housing and Urban Development (HUD) released an interim rule for the new Emergency Solutions Grant (ESG) program, which was officially published in the Federal Register on December 5. The interim rule implements changes made by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009.

Formerly known as the Emergency Shelter Grants Program, the Emergency Solutions Grant Program is federal entitlement funding authorized by the Stewart B. McKinney Homeless Assistance Act, as amended (42 U.S.C. 11371-78) and implemented under 24 CFR Part 576. Eligible activities include funding for street outreach, emergency shelter, homelessness prevention, rapid re-housing, and Homeless Management Information System (HMIS) implementation costs, and coordination/planning expenses related to the Continuum of Care.

**Fair Housing Act:** [Title VIII of the Civil Rights Act of 1968 \(Fair Housing Act\)](#), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

**Faith-based Initiatives:** Efforts by the federal government to strengthen and expand the role of faith-based and community organizations in addressing the nation's social problems. The goal is to ensure faith-based organizations can compete equally with other groups to provide government or privately-funded services.

**Faith-based Organization:** Faith-based organizations (FBO) are of three types: (1) congregations; (2) national networks, which include national denominations, their social service arms (for example, Catholic Charities, Lutheran Social Services), and networks of related organizations (such as YMCA and YWCA); and (3) freestanding religious organizations, which are incorporated separately from congregations and national networks.

**Family:** All persons living in the same household who are related by blood, marriage, or adoption.

**Flood Insurance:** No site proposed for grant assistance may be located in area that has been identified by the Federal Emergency Management Agency as having special flood hazards, unless the community in which the area is situated is participating in the National Flood Insurance Program.

**Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act):** On May 20, 2009, President Obama signed the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. The HEARTH Act amends and reauthorizes the McKinney-Vento Homeless Assistance Act with substantial changes, including:

- A consolidation of HUD's competitive grant programs HEARTH Act Logo
- The creation of a Rural Housing Stability Assistance Program
- A change in HUD's definition of homelessness and chronic homelessness
- A simplified match requirement
- An increase in prevention resources
- An increase in emphasis on performance

To read the amended and reauthorized McKinney-Vento Act, see The McKinney-Vento Homeless Assistance Act, as amended by the HEARTH Act.

On July 6, 2012, the President signed into law P.L. 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21). Subtitle C, of Title II, Division F contained the following four HEARTH Act technical corrections:

- Replaced the definition of "local government"
- Replaced the definition of "State"
- Provided that HUD could continue permitting assistance and projects awarded under the McKinney-Vento Act to be subject to 24 CFR Part 58 for environment review requirements
- Provided that a metropolitan city and an urban county covered by a single Continuum of Care could jointly receive and administer a single grant under the Emergency Solutions Grant Program

**HOME Investment Partnerships Program:** Federal entitlement funding authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended (42 U.S.C. 12701 *et seq.*) and the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)) and implemented under 24 CFR Part 92.

**Homelessness:** HUD has issued the final regulation to implement changes to the definition of homelessness contained in the Homeless Emergency Assistance and Rapid Transition to Housing Act. The definition affects who is eligible for various HUD-funded homeless assistance programs. The new definition includes four broad categories of homelessness:

- People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided. The only significant change from existing practice is that people will be considered homeless if they are exiting an institution where they resided for up to 90 days (it was previously 30 days), and were in shelter or a place not meant for human habitation immediately prior to entering that institution.
- People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled up situation, within 14 days and lack resources or support networks to remain in housing. HUD had previously allowed people who were being displaced within 7 days to be considered homeless. The proposed regulation also describes specific documentation requirements for this category.
- Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This is a new category of homelessness, and it applies to families with children or unaccompanied youth who have not had a lease or ownership interest in a housing unit in the last 60 or more days, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
- People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing. This category is similar to the current practice regarding people who are fleeing domestic violence.

**Person Experiencing Homelessness:** A person is considered homeless if s/he: 1) lacks a fixed, regular, and adequate nighttime residence; and 2) has a primary nighttime residence that is -

- a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
- an institution that provides a temporary residence for individuals intended to be institutionalized; or
- a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Anyone imprisoned or otherwise detained pursuant to an Act of Congress or State law is not considered homeless according to HUD guidelines.

**Homelessness Prevention:** Activities including:

- intervention, coaching, and case management;
- short-term subsidies to defray rent and utility arrearages for families that have received eviction or utility termination notices;
- security deposits or first month's rent to permit a homeless family to move into their own apartment;
- mediation programs for landlord-tenant disputes;
- legal services programs for the representation of indigent tenants in eviction proceedings;
- payments to prevent foreclosure on a home; and
- other innovative programs and activities designed to prevent the incidence of homelessness.

**Household:** All persons occupying the same housing unit, regardless of their relationship to each other.

**Housing First:** A nationally-recognized method of addressing homelessness where permanent housing is immediately provided to individuals experiencing homelessness. This method is considered as an alternative to the emergency shelter and transitional housing models, as "wrap around" social services are delivered to the client in the setting of permanent housing.

**Housing Trust Program:** Funding from fees attached to mortgages and deeds filed at Chester County Recorder of Deeds. The Housing Trust Program is authorized by the Pennsylvania Optional County Affordable Housing Funds Act (Act 137 of 1992) and County of Chester Ordinance No. 93-3.

**Lead-Based Paint:** Compliance with the requirements of the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821 through 4846) must be assured. The Act requires that precautions are to be taken to avoid lead paint poisoning, such as routine maintenance and removal techniques to eliminate hazards. Also, the use of lead-based paint is strictly prohibited for any rehabilitation, conversions, or new construction project.

- Before conversion or rehabilitation of any building constructed prior to 1978 or any rehabilitation of a home with children under the age of 7, all applicable surfaces shall be inspected to determine if defective paint surfaces exist.
- Treatments, if necessary, will eliminate hazards and shall, at a minimum, consist of covering or removal of defective paint surfaces.

**Low- or moderate-income household:** household in which the total income of all of the household members is equal to or less than 80% of median family income for the Philadelphia Metropolitan Statistical Area.

**Low- or moderate-income person:** a member of a family having an income equal to or less than 80% of median family income for the Philadelphia Metropolitan Statistical Area.

**Microenterprise:** a business having five or fewer employees.

**Non-Discrimination, Equal Opportunity, and Fair Housing:** The Fair Housing Amendments Act prohibits any person from discriminating in the sale, rental or financing of housing or brokerage services on the basis of race, color, religion, sex, national origin, handicap or familial status. Recipients of federal funding also must affirmatively further fair housing, and they must certify that they will do so.

Under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*) and Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 *et seq.*), no person in the United States shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with HUD-administered funds on the grounds of race, color, religion, sex, or national origin. Additionally, the Age Discrimination Act of 1975 (42 U.S.C. 6101 *et seq.*) and Section 504 of the Rehabilitation Act of 1973 (which prohibits discrimination against the handicapped and is found at 29 U.S.C. 794) are applicable to any program funded as a result of this RFP.

Also see the *Americans with Disabilities Act* above.

**Permanent Supportive Housing:** Long-term, community-based housing that includes supports whether through a program or the community for persons or families experiencing homelessness who have a disability that impedes upon their ability for gainful employment

**Public Facilities:** Acquisition, construction, reconstruction, rehabilitation, or installation of public facilities and improvements carried out by public or private non-profit entities. Public facilities include but are not limited to: homeless shelters; convalescent homes, hospitals, and nursing homes; battered spouse shelters; halfway houses for runaway children, drug offenders or parolees; and group homes for mentally retarded persons. When such facilities are owned by non-profit entities, they shall be open for use by the general public during all normal hours of operation.

**Public Services:** Public services include but are not limited to: employment, crime prevention, childcare, health, drug abuse, education, fair housing counseling, energy conservation, welfare, homebuyer down payment assistance, or recreational needs.

**Rapid Re-housing:** § 576.104 Rapid re-housing assistance component.

ESG funds may be used to provide housing relocation and stabilization services and short- and/or medium-term rental assistance as necessary to help a homeless individual or family move as quickly as possible into permanent housing and achieve stability in that housing. This assistance, referred to as rapid re-housing assistance, may be provided to program participants who meet the criteria under paragraph (1) of the “homeless” definition in § 576.2 or who meet the criteria under paragraph (4) of the “homeless” definition and live in an emergency shelter or other place described in paragraph (1) of the “homeless” definition. The rapid re-housing assistance must be provided in accordance with the housing relocation and stabilization services requirements in § 576.105, the short- and medium-term rental assistance requirements in § 576.106, and the written standards and procedures established under § 576.400.

**Reconstruction:** The rebuilding or rehabilitation of housing on the same lot. The number of housing units on the lot may not change as a result of reconstruction, although the number of rooms per unit may change.

**Service Prioritization Decision Assistance Tool (SPDAT):** The SPDAT is an evidence-informed approach to assessing an individual’s or family’s acuity. The tool, across multiple components, prioritizes who to serve next and why, while concurrently identifying the areas in the person/family’s life where support is most likely necessary in order to avoid housing instability.

**Person with Severe Disabilities:** A person who is 15 years or older and

- uses a wheelchair or is a long-term user of a cane, crutches, or walker;
- is unable to perform one or more *functional activities* (seeing, hearing, speaking, lifting/carrying, using stairs, walking);
- needs personal assistance with an *activity of daily living* (including getting around inside the home, getting in or out of a bed or chair, bathing, dressing, eating, and toileting);

- needs personal assistance with an instrumental activity of daily living (including going outside the home, keeping track of money and bills, preparing meals, doing light housework, taking prescription medicines in the right amount at the right time, using the telephone);
- has a developmental disability or Alzheimer's disease;
- is unable to do housework;
- is 16 to 67 years old and unable to work at a job or business; or
- receives federal disability benefits.

**Small Business:** For-profit corporation, limited liability company, partnership, proprietorship, or other business entity having either one hundred (100) or fewer total employees, or the equivalent of one hundred (100) or fewer full-time equivalent employees, whichever is less.

**Street Outreach:** Activities related to the provision of essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, nonfacility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility.

**Transitional housing:** Project that is temporary and is not permanent. It provides emergency type shelter and is designed to provide supportive services. It is the program's job to move individuals and families to permanent housing as quickly as possible.

**Vulnerability Index Service Prioritization Decision Assistance Tool (VI-SPDAT):** An assessment that helps identify who should be recommended for each housing and support intervention, moving the discussion from simply who is eligible for a service intervention to who is eligible and in greatest need of that intervention. While the SPDAT is an assessment tool, the VI-SPDAT is a survey that anyone could complete, to help prioritize clients.