

2024

# Policy and Procedure Manual



**YOUR WAY HOME**  
MONTGOMERY COUNTY

## Table of Contents

<b>An Introduction to Your Way Home Montgomery County .....</b>	<b>1</b>
<i>Housing Instability in Montgomery County .....</i>	<i>1</i>
<i>An Overview of Your Way Home Montgomery County Continuum of Care (CoC) .....</i>	<i>1</i>
<i>The Your Way Home Montgomery County CoC Public-Private Partnership .....</i>	<i>3</i>
<i>Your Way Home Montgomery County Expansion to Eviction and Homelessness Prevention .....</i>	<i>3</i>
<i>Your Way Home Montgomery County Equity Initiative .....</i>	<i>4</i>
<i>Structure of the Your Way Home Montgomery County Operations Manual .....</i>	<i>5</i>
<b>Homelessness Prevention .....</b>	<b>7</b>
<i>Guiding Principles of Homelessness Prevention: .....</i>	<i>7</i>
<i>Target Population .....</i>	<i>7</i>
<b>Eviction Prevention &amp; Intervention Coalition (EPIC) .....</b>	<b>9</b>
<i>Target Population .....</i>	<i>10</i>
<i>Major Steps .....</i>	<i>11</i>
Prior to Hearing: .....	11
1. Schedule Hearings .....	11
2. Written Notification Distributed to Potential Clients .....	11
Day of Hearing: .....	11
1. Schedule Hearing .....	11
2. Screen Tenants for Eligibility .....	11
3. Complete Free Legal Case Consultation .....	12
4. Legal mediation .....	12
5. Create Housing Stability Plan & Follow Up .....	12
6. Hearing .....	13
7. Finalize Housing Stability Plan and Payment .....	13
Post- Hearing .....	14
1. Complete Data Entry .....	14
2. Visual Inspections - Minimum Standards for Permanent Housing (24 CFR 576.403) .....	14
3. Check/Payment Issuance .....	14
4. Follow Up .....	14
<i>Output and Outcome Measures for EPIC .....</i>	<i>14</i>
<b>Your Way Home Montgomery County Policies .....</b>	<b>15</b>
1. System Performance Policies .....	15
1.1 File Maintenance .....	15
1.2 Monitoring .....	16

1.3 Participation of People with Lived Experience .....	16
1.4 Conflicts of Interest.....	16
1.5 Minimizing Displacement.....	16
1.6 Residency .....	17
1.7 Participation in Your Way Home Montgomery County CoC Events .....	17
1.8 Your Way Home Montgomery County Training Expectations .....	17
1.9 Affirmatively Furthering Fair Housing (AFFH) .....	18
1.10 Meaningful Communication & Translation for Persons with Limited English Proficiency.....	18
1.11 Non-Discrimination Policy .....	18
1.12 Rights under the Violence Against Women Act (VAWA) 2022 .....	19
1.13 Your Way Home Montgomery County CoC Housing Inspection Policy and Lead-Safe Housing .....	21
1.14 Program Exit Plan.....	22
1.15. Case Notes.....	23
1.16 Case Note Sharing .....	23
1.17 Data Entry & Compliance .....	24
1.18 Client Location .....	24
1.19 Housing First .....	24
1.20 Defining Family and Preventing Family Separation .....	24
1.21 Faith-Based Program Requirements.....	25
1.22 Document Retention .....	25
1.23 McKinney-Vento Compliance .....	25
1.24 Mainstream Benefits Access .....	25
1.25 Providing Reasonable Accommodations.....	25
1.28 Grievance Procedures .....	26
<b>General Standards for Homelessness Prevention .....</b>	<b>26</b>
<b>Entering Non-Identifying Information into YWH Montgomery County CoC Data Systems .....</b>	<b>27</b>
<b>Entering Non-Identifying Information into YWH Montgomery County COC Data Systems for Persons Fleeing Domestic Violence .....</b>	<b>28</b>
Gender Identity Non-Discrimination Policy .....	28
Recording Ineligibility or Denial.....	30
Housing Program and Communication with Community Partners .....	30
Housing Stability Case Management & Planning.....	30
Determining Rent Reasonableness and Fair Market Rent .....	31
Units Paid for with Financial Assistance and/or Rental Assistance.....	31
Housing Lease and Tenancy Education .....	32
Housing Case Management .....	32

Connection to Supportive Services .....	32
Client Contribution to Housing Costs .....	33
<b>Housing Client Exit/Termination .....</b>	<b>34</b>
Housing Clients Committed to Institutions.....	35
Housing Program Agreement and Client Rights and Responsibilities .....	35
Grievances with Termination .....	36
Eligible Uses For Funding .....	36
Your Way Home Initiative Fund Eligible Use Policy.....	37
Lease Violations by a Your Way Home Montgomery County Client Policy .....	38
Prohibition Against Involuntary Family Separation .....	38
Tenant Protections under Violence Against Women Act (VAWA) for Rapid Re-Housing Clients .....	38
Your Way Home Montgomery County Landlord Engagement Policy .....	38
Your Way Home Montgomery County Landlord Client Information Policy.....	39
Emergency Transfer for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking .....	39
<b>7. Homelessness Prevention Policies .....</b>	<b>41</b>
7.1 Attorney Insurance .....	41
7.2 Landlord-Tenant Law Training .....	41
7.3 Limited Representation .....	41
7.4 Homelessness Prevention Eligibility for New Clients .....	41
7.5 Eligible Uses for Homeless Prevention Funding.....	43
7.6 Housing Stability Case Management & Planning in Homeless Prevention .....	44
7.7 Determining Rent Reasonableness and Fair Market Rent.....	44
7.8 Units Paid for with Financial Assistance and/or Rental Assistance .....	45
<b>Glossary .....</b>	<b>46</b>

## An Introduction to Your Way Home Montgomery County

### *Housing Instability in Montgomery County*

Montgomery County, Pennsylvania is a suburban county northwest of Philadelphia. As of the 2020 census, the population was 827,100, making it the third-most populous county in Pennsylvania, after Philadelphia and Allegheny Counties. Of those, 78% identify as white, 10% Black or African American, 2% are mixed race and less than 1% are Native; 6% of Montgomery County is Hispanic or Latino.

The median household income in Montgomery County is \$93,518, about 1.5 times the median income for all of Pennsylvania, which is \$63,627. In all of Montgomery County, 5.8% of residents are persons in poverty, including 7% of children and 5% of seniors. 25% of households in Montgomery County make less than \$50,000 annually. In 2022 5.4% of rental units in Montgomery County were vacant, a 2.1% decrease in availability from 2021.

According to the National Low Income Housing Coalition, in 2023 the housing wage (the hourly wage needed to afford a two bedroom apartment) in Montgomery County was \$28.27 per hour; the minimum wage is \$7.25 hr. In order for a worker making minimum wage to afford to rent a two bedroom apartment in Montgomery County, they would have to work 156 hours per week or make \$58,800 annually. This is a 20 hour and nearly \$8,000 increase from the minimum working hours and income needed to live in Montgomery County in 2022. Between January 2022 and May 2023 there were more than 10,000 eviction filings in Montgomery County. The percentage of households has significantly increased, rising from an average of 378 per month in 2021 to an average of 635 per month in 2022- a roughly 60% increase in two years.

In 2022, Your Way Home served approximately 9,500 people experiencing homelessness and housing instability throughout Montgomery County. The population served includes working and low-income families and individuals, veterans, seniors, youth, people fleeing abuse and violence at home, and the medically frail, as well as people with one or more disabling conditions, including HIV/AIDS, serious mental illness, substance abuse and intellectual or developmental disabilities.

Historically, Montgomery County residents experiencing a housing crisis or homelessness were served by a relatively uncoordinated and fragmented continuum of care for housing and services under a complex web of public, nonprofit and community funding agencies and service providers employing a “housing ready” approach to ending homelessness. From 2009 through 2013, public, philanthropic, nonprofit and community partners gradually began a series of aligned planning initiatives, research studies, community conversations and pilot projects to explore and design a more coordinated, comprehensive community response to homelessness and housing stability based on data, best/promising practices in policy, programs and funding inclusive stakeholder engagement. The end result of these collaborative efforts is Your Way Home Montgomery County CoC.

### *An Overview of Your Way Home Montgomery County Continuum of Care (CoC)*

In January 2014, Your Way Home Montgomery County was established as the county’s unified and coordinated housing crisis response system for families and individuals experiencing homelessness or at imminent risk of homelessness. Your Way Home Montgomery County embraces a “housing first” approach to ending homelessness by first helping people find or maintain permanent housing with stability, without preconditions, and then connecting them with community, health, human, and financial services they need to prevent future experiences of homelessness. Through coordinated entry and assessment, Your Way Home Montgomery County prioritizes housing and services based on vulnerability and need rather than on a first come, first serve basis. Through progressive engagement, consumers are given just as much services and

support that they need to succeed in order to preserve costly interventions like permanent supportive or subsidized housing for families and individuals with significant and lasting barriers to housing stability.

The major components of Your Way Home Montgomery County include:

- Coordinated Entry through the Your Way Home Montgomery County Call Center and Street Outreach Team
- A By-Name List to prioritize households for housing and services based on vulnerability and severity of need
- Housing-Focused and low-barrier Emergency Shelter services, including centralized shelter bed management
- Diversion and rapid resolution services to help people find alternative, safe & appropriate housing other than entering shelter
- Housing Resource Centers staffed by Coaches and Housing Locators to rapidly re-house people who are literally homeless
- Transitional Housing for select populations, including transitional age youth and people fleeing abuse and violence at home
- Permanent Supportive Housing for people with significant barriers to permanent housing stability
- Best practice Homelessness Prevention programs and pilots to serve those at imminent risk of homelessness
- Connections to mainstream and community services, including child care, food security, physical, mental and behavioral health, employment and job training, public benefits access and veterans' services, among others

Your Way Home Montgomery County CoC funders, service providers, landlords and community partners share a common agenda to improve the housing stability, economic security and health of people experiencing, or at imminent risk of, homelessness. As the lead agency for Your Way Home Montgomery County CoC, the Montgomery County Office of Housing and Community Development is responsible for the leadership and oversight of contracts, programs, policies, procedures, compliance, communications, community outreach, training, planning, budgeting, strategy, interdepartmental collaboration and cross-sector partnership development. The Operations Team is currently comprised of an Administrator, Deputy Director, Program Managers, HMIS Data Manager, Development and Communications Manager, and Program Coordinators. The Office of Housing and Community Development also manages the Clarity Homeless Management Information System (HMIS), which is Your Way Home Montgomery County CoC's unified data system.

The ultimate vision of Your Way Home Montgomery County CoC is to make the experience of homelessness in our community rare, brief and one time only.

### *The Your Way Home Montgomery County CoC Public-Private Partnership*

Informed by the collective impact model of solving complex and deeply rooted social problems, the Your Way Home Montgomery County Public-Private Partnership is a cross-sector collaboration between county agencies, nonprofit service providers, philanthropic foundations, landlords, faith organizations, homeless advocates, people with lived expertise, and other community partners committed to ending and preventing homelessness in Montgomery County.

Major components of the Your Way Home Montgomery County Public-Private Partnership include:

- The Your Way Home PA-504 Continuum of Care Governing Board, often comprised of elected representatives, including funders, service providers, community partners, advocates and people with lived experience, is responsible for ensuring that the CoC implements any and all plans, goals, activities, or actions steps reported to the United States Department of Housing and Urban Development through the CoC funding application and/or through any other reporting mechanism. It is also the responsibility of the Governing Board to approve the methodology of the Point-In-Time Count of persons experiencing homelessness.
- Your Way Home Montgomery County CoC Advisory and Action Teams that provide cross-sector, data-driven recommendations to improve Your Way Home Montgomery County CoC's system and provider performance.
- The Your Way Home Initiative Fund provides flexible private funding for Your Way Home Montgomery County CoC Eviction Prevention Specialist, housing locators and homeless street outreach workers to quickly and effectively help families and individuals exit from homelessness to permanent housing with stability after all public and community resources have been exhausted.
- The Your Way Home Montgomery County CoC Community of Practice for core housing crisis response system provides for shared learning, training, and quality improvement.
- The Your Way Home website ([www.yourwayhome.org](http://www.yourwayhome.org)), social media, forums, publications and Annual Summit to engage, inform and inspire our partners.

The Your Way Home Montgomery County Public-Private Partnership is continually focused on efforts to scale the positive impact of Your Way Home Montgomery County CoC, engage a broader set of active community partners, and moving homelessness prevention "upstream" to address poverty, trauma, inequity, and other root causes of homelessness in our community.

### *Your Way Home Montgomery County Expansion to Eviction and Homelessness Prevention*

Your Way Home Montgomery County has improved service coordination, provider collaboration, and the use of metrics to inform decision-making across sectors, organizations and communities. A significant element of Your Way Home Montgomery County's success has come from building in light support and diversion strategies at the access points to the homeless response system, to preserve housing when possible or resolve a housing crisis quickly without requiring further support from the homeless system.

Still, Your Way Home Montgomery County believed that the homeless response system transformation was incomplete as it was missing a broader prevention component using evidence-based interventions to prevent



evictions and secure ongoing housing stability. Specifically, Your Way Home Montgomery County wanted to add effective homelessness prevention “upstream” at the point where households begin to experience instability, even if they are not on the immediate verge of homelessness, by connecting families, youth and single adults with opportunities to improve their mental and physical health and economic security. Your Way Home Montgomery County also set out to engage, inspire and mobilize support across sectors, organizations, and communities through Montgomery County, Pennsylvania and beyond.

As Your Way Home Montgomery County continues to prioritize its commitment to ending literal homelessness, we recognize that we must also develop solutions that will help prevent more families and individuals from losing their housing. Homelessness prevention is an expansion of the work already done by Your Way Home Montgomery County CoC, and targets those who are at risk of losing their housing. As Your Way Home Montgomery County CoC’s homeless crisis response system is able to more effectively divert, triage, and re-house literally homeless residents, our partnership can now begin to identify strategies for preventing homelessness from occurring among vulnerable populations.

As a result of a 2017 research study with [Barbara Poppe and Associates](#) and the [HealthSpark Foundation](#), Your Way Home has developed several homeless prevention program models that are currently being used to provide assistance to residents of Montgomery County. These programs are the Emergency Rent and Utilities Coalition (ERUC) and the Eviction Prevention Intervention Coalition (EPIC). See the results of that study by reading the report [here](#).

### *Your Way Home Montgomery County Equity Initiative*

Despite Your Way Home Montgomery County CoC’s innovative and effective programs, partnerships and policies, the tragedy of homelessness persists in Montgomery County. Your Way Home needed to take a hard look at why. In spring of 2018, Your Way Home Montgomery County CoC adopted “advancing equity” as a core guiding principle in its work to end homelessness. Your Way Home Montgomery County CoC decided to evaluate the racial inequities in the homeless service system and use that information to design a more equitable system moving forward. Through support from the [HealthSpark Foundation](#), Your Way Home Montgomery County CoC brought in the Supporting Partnerships for Anti-Racist Communities (SPARC) initiative team at [C4 Innovations](#), a firm that is leading equity work nationally, to analyze data, conduct listening sessions with consumers, talk to providers about their experiences, evaluate board and staff diversity, and evaluate for impact, not intent. The full report can be read [here](#).

The Phase 1 report fully describes what was learned about the specific disparities in Your Way Home Montgomery County CoC, including that 23% of people experiencing homelessness are Black/African American children, compared to 5% being white children, and that the Hispanic/Latinx community and LGBTQIA2S+ community don’t feel welcome in the Your Way Home Montgomery County CoC network. These findings have led Your Way Home Montgomery County CoC to recognize that the existing approach to ending homelessness must fundamentally shift. Phase 2 of the equity report outlines key actions and best practices in order to advance equity, including recommendations on changing how decisions are made, how programs are funded and created, and how services are delivered.

In 2020, Your Way Home Montgomery County CoC began applying the best practices presented in this study. In partnership with consulting firm [Just Strategies](#) the local community was educated on historical racial inequities in Montgomery County. The firm interviewed people with lived expertise, direct service professionals and as a result several suggestions were presented to improve access to Your Way Home’s Coordinated Entry system. At the same time, the consulting firm [Focus Strategies](#) completed a national survey of equity-driven



work being done in other communities and presented the findings with the goal for that work to be applied within Your Way Home Montgomery County CoC.

Policies, procedures, and programs outlined in this Operations Manual reflect Your Way Home Montgomery County CoC's commitment to advancing equity to the greatest extent possible.

### *Structure of the Your Way Home Montgomery County Operations Manual*

The Your Way Home Montgomery County Operations Manual is designed to provide written standards and guidance to all Your Way Home Montgomery County service partners, including those funded through federal Emergency Solutions Grants (ESG) and HUD Continuum of Care (CoC), as well as state, local, and private funding sources, for the implementation of Your Way Home Montgomery County program activities, as listed below. Though all partners should be familiar with Your Way Home Montgomery County CoC programming, staff are fully responsible for understanding and implementing the policies and procedures that are related to the program they operate. For example, Eviction Prevention Specialist must be familiar with Street Outreach operations but will only need to fully understand the Rapid Rehousing policies and procedures.

This document is aligned with and organized to follow the major processes of Montgomery County's unified housing crisis response system:

- Coordinated Entry, including Call Center and Street Outreach activities
- Emergency Shelter
- Rapid Re-Housing
- Transitional Housing, including TH/RRH
- Permanent Supportive Housing
- Homelessness Prevention
  - Eviction Prevention and Intervention Coalition (EPIC)
  - Emergency Rent & Utility Coalition (ERUC)
  - Community Based Care Management (CBCMP) Pilot Program

The following information is included within each major process:

- **Guiding Principles:** Informed by best or promising practices in the field of homeless services, each section's Guiding Principles provide the policy foundation upon which Your Way Home Montgomery County CoC's services are built. Your Way Home Montgomery County CoC is aligned with principles, best practices, and policies promoted by *Home, Together*: the federal strategic plan to prevent and end homelessness, the United States Department of Housing and Urban Development (HUD), the United States Inter-Agency Council, the National Alliance to End Homelessness, national thought leaders, scholars, and peer communities, among others.
- **Target Population:** Describes the population that is engaged by the service or program; typically defined by the HUD Homeless categories used.

- **Major Steps:** Describe the major procedures to be undertaken by YWH Montgomery County COC service providers within the component. Links to related policies and Program Guidance are included within the Major Steps so that users may easily find other relevant information.
- **Program Guidance:** Provides additional information, tips, and strategies to YWH Montgomery County COC service providers on how to effectively carry out services related to the component. Program Guidance is meant to provide an additional, more thoughtful framework for making program-related decisions and carrying out the case management services in the manual.
- **Outcome and Output Measures:** Outline program goals, and describe how programs and services will be evaluated for effectiveness.

Following these chapters outlining program procedures, the [Your Way Home Montgomery County CoC Policies](#) then outline applicable policies across the major processes.

Program Managers through the County's Office of Housing and Community Development, in coordination with the Operations Team, is responsible for the review and revision of all policies and procedures outlining the written standards for all programs in this Operations Manual. The revision process is completed at least once annually with input solicited from providers, community partners, and consumers via an open-invite forum. Final approval of policies and procedures for CoC funded programs is by the Your Way Home Montgomery County CoC Governing Board. All housing & homeless service providers participating with Your Way Home Montgomery County are required to follow the policies and procedures outlined in this manual. The latest version of the Operations Manual is publically-viewable [here](#).

Finally, the YWH Montgomery County Operations Manual has a companion document, called the [Your Way Home Montgomery County CoC HMIS Policy & Procedure Manual](#) – which outlines policies and procedures related to HMIS use and data input. All related forms can be found in the “Provider Forms” section on [Yourwayhome.org](#).

## Homelessness Prevention

Your Way Home Montgomery County Homelessness Prevention programs are targeted to serve those who are at imminent risk of homelessness, homeless under other federal definitions, those who are disproportionately affected by homelessness, and those who are under-served by the homeless crisis response system as identified in Your Way Home's [equity evaluation](#). Since 2017, Your Way Home Montgomery County CoC has launched two evidence-informed best practice pilots in homelessness prevention as identified in Your Way Home's report, [Unlocking Doors](#). Both pilots are described within this chapter. Your Way Home Montgomery County CoC is continuously working on bringing each pilot up to scale, and develop new programming for greater impact to address the full scale of need in Montgomery County, Pennsylvania.

### *Guiding Principles of Homelessness Prevention:*

- **Equitably Targeting Vulnerable Populations-** Your Way Home Montgomery County CoC recognizes that homelessness disproportionately affects people of color, particularly Black/African American mothers and their children in Montgomery County. Furthermore, Your Way Home Montgomery County CoC recognizes that some populations or communities are not accessing or utilizing services within Coordinated Entry or the homeless crisis response system (such as people who are transgender, or the Latinx community). To the maximum extent possible, Homelessness Prevention programs are targeted and evaluated for its effectiveness in serving these populations who are underserved, underrepresented, or overrepresented in the homeless crisis response system.
- **Flexibility-** To the maximum extent possible, Homelessness Prevention assistance (including financial assistance) should be flexible and responsive to the needs of the household.
- **Progressive Engagement-** A Homelessness Prevention program should make efforts to maximize the number of households it is able to serve by providing households with the financial assistance in a progressive manner, providing only the assistance necessary to stabilize their housing crisis. Some Homelessness Prevention programs have limits in the amount of financial assistance that will be offered; others do not. In either case, only enough financial assistance should be offered to help stabilize the household.
- **Use of evidence-based practices-** An environment of effective, evidenced-based program guidelines for homelessness prevention.

### *Target Population*

<b>Imminent Risk of Homeless (HUD Homeless Category 2)</b>	<p>Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> <li>• Residence will be lost within 14 days of the date of application for homeless assistance;</li> <li>• No subsequent residence has been identified; and</li> <li>• The individual or family lacks the resources or support networks needed to obtain other permanent housing.</li> </ul>
--	--

<p><b>Homeless under other Federal statutes (HUD Homeless Category 3)</b></p>	<p>Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under the HUD definitions, but who:</p> <ul style="list-style-type: none"> <li>• Are defined as homeless under the other listed federal statutes;</li> <li>• Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to a homelessness prevention program;</li> <li>• Have experienced persistent instability as measured by two moves or more during the preceding 60 days; and</li> <li>• Can be expected to continue in such status for an extended period of time due to special needs or barriers.</li> </ul>
<p><b>Fleeing/ Attempting to Flee Domestic Violence (HUD Homeless Category 4)</b></p>	<p>Any individual or family who-</p> <ul style="list-style-type: none"> <li>• Is experiencing trauma or lack of safety related to, or fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized;</li> <li>• Has no other safe residence; and</li> <li>• Lacks the resources to obtain other safe permanent housing.</li> </ul>

## Eviction Prevention & Intervention Coalition (EPIC)

The Eviction Prevention and Intervention Coalition (EPIC) is a court-based eviction prevention program that provides individuals facing eviction with temporary financial assistance to pay rent arrears/court fees, free landlord/tenant mediation services, free legal representation where applicable, and housing stability case management services. EPIC's mission is to provide a safety net to help stabilize vulnerable low-income families and individuals in Montgomery County who are facing eviction.

EPIC is the result of a cross-system partnership between the following organizations:

- Legal Aid of Southeastern Pennsylvania
- The Montgomery County Bar Association
- The Montgomery County Bar Foundation
- Eights (8) Participating Montgomery County Magisterial District Court
- The Montgomery County Foundation Inc.
- The Montgomery County Office of Housing & Community Development
- PA-504 Continuum of Care Your Way Home public-private partnership

EPIC utilizes the resources of its major partner sponsors in the following ways:

- Free, limited legal representation is provided through the coordination of pro bono attorneys and paralegals.
- The Montgomery Bar Association serves as the volunteer recruiter and coordinator.
- Legal training for volunteer lawyers, paralegals, and social service staff is provided by the Legal Aid of Southeastern Pennsylvania.
- Court administration is supported by the Montgomery County Courts.
- General program management is provided by Your Way Home Montgomery County CoC/ Montgomery County Office of Housing and Community Development.
- The Montgomery County Foundation serves as fiscal sponsor to EPIC grants.
- The Montgomery Bar Foundation serves as a champion and partner.

EPIC was designed to address the significant and debilitating impact that evictions have on vulnerable populations. Of the 154 households served since program inception in January 2018-2022, 61% of participants are African Americans and 53% are women. Among EPIC participants, Black or African American women paid the highest rent, yet earned the second-lowest monthly income. Both local and national data were used to design the EPIC program, and the following points were particularly important to its development:

- Of the 66 zip codes in Montgomery County, 60% of evictions are concentrated in two zip codes: 19401 (Norristown) and 19464 (Pottstown).
- Most tenants use pro se representation during eviction hearings, and most legal evictions are due to nonpayment of rent.
- Evictions disproportionately affect women, households with children, and African Americans.
- Evictions are often the cause of poverty and job loss, not a result of them. Once evicted, most households are forced to find more expensive and lower quality housing due to the negative impact that an eviction has on one's credit and rental history.

EPIC currently operates in 8 (eight) Magisterial District Judge courts:

- Hon. Marc Alfarano – East Norriton 19401
- Hon. Christopher Cerski – Jenkintown 19046
- Hon. Edward Levine – Lansdale 19446

- Hon. Scott Palladino – Pottstown 19464
- Hon. Edward C. Kropp, Sr. – Pottstown 19464
- Hon. Todd Barnes – Norristown 19401
- Hon. Denise Ashe – Norristown 19401
- Hon. Hakim Jones– Norristown 19401

EPIC does not currently operate in the following MDJ Courts:

- Hon. Albert J. Augustine – Harleysville 19438
- Hon. Maureen C. Coggins- Upper Hanover Township 18076
- Hon. Andrea Duffy- Hatfield Township 18915
- Hon. Jay S. Friedberg-Lower Moreland Township 19006
- Hon. James P. Gallagher- Bridgeport Township 19405
- Hon. Jodi L. Griffis Plymouth -Township 19428
- Hon. John D. Kessler Abington- Township 19001
- Hon. Patrick O. Krouse- Upper Merion Township 19406
- Hon. Paul N. Leo- Hatboro Borough 19040
- Hon. Suzan Leonard -Whitpain Township 19422
- Hon. Deborah A. Lukens -Whitemarsh Township 19444
- Hon. Katherine E. McGill -Springfield Township 19075
- Hon. Elizabeth McHugh- Cheltenham Township 19046
- Hon. Harry J. Nesbitt 3rd- Horsham Township 19044
- Hon. Juanita A. Price- Abington Township 19046
- Hon. Micheal P. Quinn- Lower Merion Township 19072
- Hon. Cathleen K. Rebar- Lower Providence Township 19426
- Hon. Maurice H. Saylor –Douglass Township 19525
- Hon. Henry Schireson Lower Merion Township 19072
- Hon. Richard H. Welsh- Limerick Township 19468
- Hon. Patricia Zaffarano- Upper Dublin Township 19002
- Hon. Karen Eisner Zucker- Lower Merion Township 19072

### Target Population

<b>Imminent Risk of Homeless (HUD Homeless Category 2)</b>	<p>Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ol style="list-style-type: none"> <li>I. Residence will be lost within 14 days of the date of application for homeless assistance;</li> <li>II. No subsequent residence has been identified; and</li> <li>III. The individual or family lacks the resources or support networks needed to obtain other permanent housing.</li> </ol>
--	--

**EPIC will target Montgomery County residents who have received an eviction notice and whose situation is one (1) of the following:**

- Nonpayment of rent due to defensible claim: Tenants who have a legal defense for withholding rent (such as non-habitability of unit).
- Nonpayment of rent due to temporary financial crisis: Tenants who have undergone a recent (temporary) life event that has caused them to fall behind in their rent.
- Vulnerable population: Tenants who are considered vulnerable populations including: Victims of domestic violence/PFA Order (where the abuser is the main source of income, and leaves the home due to being arrested and/or jailed, as a result the victim falls behind on rent); households with children under 6 years old, women who are pregnant, senior citizens, persons who have significant medical and mental health condition, Veterans, and **YWH clients with a history of chronic homelessness** recently exited from a RRH, TH-RRH or PSH program in the last 24 months.
- American with Disabilities Act (ADA) matters: Individuals being charged rent/fees due to a service animal or Emotional Support Animal (ESA) and being evicted on that basis.
- Scheduled to appear for an eviction hearing in one of the eight participating Magisterial District Court.
- Household income at or below 30% Area Median Income (AMI).
- Have not received financial assistance from any Your Way Home Homelessness Prevention program in the past 12 months

**\*Any Household at or above 60% Area Median Income (AMI) are not eligible for EPIC\***

**Each eligible household may receive up to 6 months of assistance for rental payments and/or court fees dating back to March 13, 2020 (inclusive of any assistance already received through any other federally-funded program). There is no financial limit.**

## *Major Steps*

### *Prior to Hearing:*

#### *1. Schedule Hearings*

- Magisterial District Court administrative staff will schedule landlord-tenant hearings in blocks of time and days so that EPIC Staff assistance may be available.

#### *2. Written Notification Distributed to Potential Clients*

- Written notification of the EPIC program is included as an attachment in the hearing notification to all persons receiving an eviction notice from participating MDJ courts.

### *Day of Hearing:*

#### *1. Schedule Hearing*

- Court Administration staff will provide basic information on EPIC to all tenants checking in. The participating judge will hear cases for which no tenants have appeared in court first.

#### *2. Screen Tenants for Eligibility*

- Eviction Prevention Specialist provides an overview of the EPIC program. Coach completes Section A of the EPIC Screening Tool with all tenants who are present in court on the day of hearing and interested in the program.



- Coach will review the reason for eviction and any documentation and evidence that tenant has brought to court.
- Nonpayment of rent cases: Coach will review reason for nonpayment and future ability to pay rent, tenant's ability to pay arrearages and whether EPIC financial assistance would be sufficient to prevent eviction, and any other budgetary issues related to future ability to pay.
- Violation of lease cases: Coach will briefly interview client regarding circumstances of the violation.
- Vulnerable population cases: Coach will identify whether the household includes a vulnerable population and will make a recommendation for whether EPIC services could be used to prevent further trauma from occurring to the household.
- Coach will make social service eligibility determination (Section B) and note outcome and follow up date as appropriate on the Screening Tool.
- Coach will complete HMIS Release of Information paperwork for all households who have completed Section A of the screening tool.
- Coach will forward all completed screening tools to EPIC Attorney for free legal consultation.

### 3. Complete Free Legal Case Consultation

EPIC Attorney reviews Sections A & B of the Screening Tool and conducts a free, short-term (approximately 10 minute) legal consultation with the tenant.

- The EPIC Attorney will review any relevant documentation or evidence.
- The purpose of the Case Consultation is to assess the case and any counterclaims and prepare a negotiation or defense in order to help achieve one or more of EPIC's outcomes.
- If deemed ineligible for representation, the EPIC Attorney will provide the tenant with the EPIC Self-Representation Packet.
- If deemed eligible for representation, the EPIC Attorney will have the tenant sign the limited representation waiver. The EPIC Attorney will prepare the defense, possible counterclaims, and negotiation options. These could include any (or any combination of) the following:
  1. Reduction in arrearages or fees
  2. "Pay and stay" terms
  3. Payment plan
  4. Vacate without eviction
  5. Repairs
  6. Other as appropriate
- EPIC Attorney, Coach, and tenant review and agree upon the proposed defense or negotiation.
- EPIC Attorney will complete Section C of the Screening Tool and return Screening Tool to the Coach.

### 4. Legal mediation

The EPIC Specialist will schedule a home visit to complete a visual inspection.

EPIC Attorney meets with Landlord/ Property Manager to confirm amount of rent due and to negotiate an agreement prior to hearing. EPIC Attorney presents negotiated agreement options as discussed with Eviction Prevention Specialist and tenant. Ideally, the EPIC Attorney and Landlord/ Property Manager will come to agreement prior to going before the Judge.

Eviction Prevention Specialist acting as mediator meets with Landlord/Property Manager and tenant to confirm amount due and to facilitate an agreement between Landlord/Property Manager and tenant.

### 5. Create Housing Stability Plan & Follow Up

Eviction Prevention Specialist meets one-on-one with the tenant to complete a Housing Stability Plan and follow-up plan for any household who is eligible for any portions of Section B or Section C of the Screening Tool.

- Note: If ineligible for all portions of Section B and Section C, client will be deemed ineligible for EPIC and no further action is needed.
- Eligible: An applicant for EPIC is considered enrolled into the program when they sign the Program Agreement. An applicant that refuses to sign the Program Agreement will not be enrolled into EPIC Program. Refusal to sign the Program Agreement must be documented.

The Specialist will provide the tenant with one or more of the following:

- A. Specific phone numbers and referral forms to connect to supportive services such as but not limited to:
- Financial counseling classes or services/ credit repair services
  - Health and mental health services
  - Domestic violence services
  - Employment services
  - Childcare subsidy services
  - Veteran services
  - Other legal services
- B. A Housing Stability Plan which outlines the steps the tenant agrees to take in order to prevent eviction or gain housing stability, as guided by client choice.
- C. An EPIC Payment Letter if the tenant is offered EPIC financial assistance (pending agreement to “pay and stay” from landlord).
- If financial assistance from EPIC is included in plan, the Housing Stability Plan and Agreement Letter indicate that tenants are expected to follow the agreed upon payment terms between the tenant, landlord, and Your Way Home Montgomery County.
  - Confirmation of follow-up date, time and best contact information. Tenant will be provided with Specialist’s contact information.

## 6. Hearing

- EPIC Attorney, Eviction Prevention Specialist, and tenant review and agree upon the proposed defense or negotiation agreement.
- EPIC Attorney presents case and any negotiated mediation/settlement to the Court.
- Tenant meets with Court to present case, defense and eviction prevention plan which may include financial support from EPIC. Provides EPIC support letter.
- Judge reaches determination on case and gives notification of judgment to landlord, tenant and housing stability Eviction Prevention Specialist.
- Eviction Prevention Specialist will attach the notification of judgment to the screening tool as part of the tenant’s file and track EPIC outcomes.

## 7. Finalize Housing Stability Plan and Payment

Eviction Prevention Specialist completes Housing Stability Plan and other paperwork as appropriate, per the judgment and provides a copy to the tenant and landlord.

- Eviction Prevention Specialist includes clear instructions on how tenant may provide proof of payment (text picture, confirmation call from landlord, etc.).
- Eviction Prevention Specialist confirms the tenant’s contact information and confirms the follow-up date as outlined in the Screening Tool and Eviction Prevention Plan.

- It is encouraged, but not required, for all households to contribute 30% of their monthly gross income towards their payment agreement. The contribution requirement to be determined by EPIC provider after review of household's current financial ability and/or availability of funding.

Provider must conduct a visual inspection and sign off on minimum habitability standards prior to financial assistance being processed.

## Post- Hearing

### 1. Complete Data Entry

The Eviction Prevention Specialist creates an HMIS Profile for head of household, enrolls into EPIC program in HMIS, and enters EPIC Assessment in HMIS. The Eviction Prevention Specialist completes all data entry as appropriate.

### 2. Visual Inspections - Minimum Standards for Permanent Housing (24 CFR 576.403)

Inspection of permanent housing units is required, but does not need to be a direct physical inspection. Visual inspection options includes live video streaming, walk -through video, or date - stamped photos. As best practice, when safe, the EPIC provider completes direct physical inspection accompanied by client and the landlord / property manager. The EPIC Specialist will complete the **Minimum Standards for Permanent Housing Checklist**. Proof of visual inspections must be maintained, and documented in case file.

### 3. Check/Payment Issuance

Initiate check request process within 48 hours and ensure check request and all related paperwork is submitted to confirm check issuance within two (2) weeks of program enrollment.

### 4. Follow Up

**Within 30 days after the hearing, and every 30 days after, for a minimum of one year, Eviction Prevention Specialist engages tenant to conduct follow-up.**

- Effective follow up will:
  - Ensure tenants are connected to supportive services as identified in the Housing Stability Plan.
  - Ensure tenants are complying with terms of agreement, such as payment plan.
  - Make referral to more intensive social services/ support as needed.
  - Ensure that tenant is not evicted within one year of program enrollment.
- Eviction Prevention Specialist updates EPIC Assessment in HMIS to include outcome as outlined in notice of judgment (once received via mail) and outcomes as discussed during follow-up phone call.
- Eviction Prevention Specialist closes EPIC program enrollment when all referrals, follow ups and processing are complete.

## Output and Outcome Measures for EPIC

The following measures will be used to evaluate the EPIC program:

- Number of persons/Households seen & pre-screened
- Number of persons/Households Eligible & Served with one or more services of EPIC (financial, social service, and/or legal services)
- Number of persons/Households with a reduction or elimination of judgment
- Number of persons/Households with eviction delayed
- Number of persons/Households residing in stable housing one year after hearing

Ongoing evaluation of EPIC will be conducted by Your Way Home Montgomery County CoC Operations Team to ensure the effectiveness and efficiency of the program. This may include a yearly consumer feedback survey, on-site provider monitoring and file review, and regular reviews of HMIS data and quarterly reporting submitted by provider.

The EPIC Social Services partner will be responsible for reporting on the following metrics quarterly:

- Number of households/clients enrolled
- Number of households/clients retained housing
- Number of evictions prevented
- Number of households with completed eviction prevention plan
- Total amount of assistance disbursed
- Average monthly rent for all participating tenants
- Total funding leveraged by project
- Average funding leveraged for all participating tenants
- Overall Project Cost

Provider Performance Goals:

- 90% of payments issued to landlord within two (2) weeks of confirming eligibility
- 75% of participants avoid eviction for the 12 months following assistance
- 90% of participants avoid homelessness for the 12 months following assistance
- 90% of participants complete eviction prevention plan
- 90% of participants connected to at least 2 eviction prevention and/or supportive service

## Your Way Home Montgomery County Policies

Your Way Home Montgomery County Service Provider staff are encouraged to become familiar with all Your Way Home Montgomery County CoC Policies.

### 1. System Performance Policies

All Your Way Home Montgomery County CoC programs are expected to follow System Performance Policies. Programs must be aligned and/or in compliance with the following planning and policy documents:

- The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009;
- Current Fiscal Year HUD CoC Grant Program Guidelines (for CoC grant-funded projects);
- Current Fiscal Year Emergency Solutions Grant and DCED Emergency Solutions Grant Guidelines (for ESG-funded projects);
- The Federal Strategic Plan to End and Prevent Homelessness; and,
- The Your Way Home PA-504 CoC Strategic Plan

#### 1.1 File Maintenance

It is the responsibility of the social services partner to maintain complete and accurate records on clients receiving assistance through Your Way Home Montgomery County. This includes: all intake documentation and paperwork, case notes, Housing Stability Plan, financial assistance records, data entry compliance, and other documents associated with the case. Client and financial records must be kept in accordance with HUD guidelines and comply with the following requirements:

- Records containing personally identifying information must be kept secure and confidential;
- Records must include: (\*Does not apply to EPIC)

- Documentation of homelessness (per HUD guidelines for program type)\*
  - A record of services and assistance provided to each participant
  - Documentation of program entrance through Coordinated Entry, including assessment score and other factors used to inform priority, vulnerability, and housing placement\*
  - Documentation of all costs charged to any particular grant
  - Documentation that funds were spent on allowable costs
  - Documentation of the receipt and use of program income
  - Documentation of compliance with expenditure limits and deadlines for expenditure
  - Copies of all procurement contracts
  - Documentation of amount, source, and use of matching fund resources
- Identification must be collected for Head of Household and all household members over 18 such as:
- State IDs Driver's Licenses, or passports, Social Security Cards, and birth certificates
  - Records must be retained for amount of time prescribed by applicable funding source.

Montgomery County Office of Housing and Community Development reserves the right to review any and all case files at its discretion.

## 1.2 Monitoring

All social service agencies providing programming and services under Your Way Home Montgomery County are subject to yearly monitoring and review of compliance with these written standards, policies, and procedures by the Your Way Home Operations Team. Agencies will be notified in writing of an upcoming audit. Any findings or concerns will be provided to the agency in writing, and the agency will have 30 days to provide written feedback which must include a plan to correct any concerns or findings.

## 1.3 Participation of People with Lived Experience

To the maximum extent possible, social services partners shall provide for the participation of at least one person with the lived experience of homelessness on the board of directors or equivalent policymaking entity of the provider. Per Regulation 24 CFR 578.75(g), any Your Way Home Montgomery County CoC provider funded through Continuum of Care and/or Emergency Solutions Grant must have at least one representative of a person with lived experience of homelessness on the board of directors or equivalent policymaking entity. Your Way Home Montgomery County CoC will also have a person with lived experience of homelessness represented on the Continuum of Care Governing Board, the decision making entity of the CoC. Additionally, to the maximum extent possible, social service partners will provide opportunities in paid or volunteer work within Your Way Home Montgomery County CoC services to those with lived experience of homelessness.

## 1.4 Conflicts of Interest

Your Way Home Montgomery County programs and services will not be contingent on a household's acceptance or occupancy of emergency shelter or housing owned by a social service provider or a provider's subsidiary or parent. No provider, with respect to individuals or families occupying housing owned by the provider or a provider's subsidiary or parent, will carry out the initial evaluation under 24 CFR 576.401 or administer homelessness prevention assistance under 24 CFR 576.103. When procuring goods and services, providers will comply with codes of conduct and conflict of interest requirements under 24 CFR 84.42.

## 1.5 Minimizing Displacement

Your Way Home Montgomery County CoC programs and services will minimize the displacement of persons at all times. A "displaced person" is defined as any person that moves from a permanent home as a result of a Your Way Home acquisition, rehabilitation, or demolition of a project. No temporary relocation shall be required

for a Your Way Home Montgomery County program. If a tenant has to move, the tenant shall be treated as permanently displaced and offered relocation assistance and payments so long as they qualify under all eligibility and policies as outlined in these written standards. A displaced person shall be provided with relocation assistance and advised of Fair Housing Rights.

### 1.6 Residency

Your Way Home Montgomery County CoC programs will provide assistance to qualified applicants without boundaries or barriers. Programs will not place residency requirements on participants to receive assistance. However, a person experiencing or at risk of homelessness must be physically located in Montgomery County.

### 1.7 Participation in Your Way Home Montgomery County CoC Events

To the maximum extent possible, social service partners shall participate in all trainings (both virtual and in-person) and meetings offered by Your Way Home Montgomery County CoC. Additional events include: Provider In-Services, Action Teams, Advisory Teams, CoC Governing Board Meetings, Your Way Home Forums, Your Way Home Annual Summit, and others.

### 1.8 Your Way Home Montgomery County Training Expectations

Your Way Home Montgomery County is committed to providing the most up-to-date and quality services to all in need. In order to ensure that program staff are able to deliver these services affectively, an ongoing and comprehensive array of training and professional development is required. The information conveyed in these trainings is meant to empower all provider staff, and offer best practice skill development that can be implemented while working with consumers.

All Your Way Home Montgomery County providers including Coordinated Entry, Emergency Shelter, Rapid Rehousing, Permanent Supportive Housing, and Homelessness Prevention will be expected to show evidence of completion of the following trainings:

- Trauma Informed Care
- Harm Reduction
- Assertive Engagement
- Housing First Philosophy
- Motivational Interviewing
- Domestic Violence and Safety Planning
- An introduction to Rapid Rehousing
- Fair Housing
- Child Risk and Safety Assessment
- Personal Safety in the Field
- Mandated Reporter Training
- Addiction and Suicide Prevention
- De-Escalation and Problem Solving
- Diversion
- Racial Equity
- Compulsive Hoarding

Additionally, some programs require specific trainings to be completed by new staff within 30 days of hire in order to ensure a comprehensive understanding of programmatic expectations.

All partner agency staff including direct management are expected to complete at least **10 hours** of professional training/development each year. These hours can come from trainings directly offered by Your



Way Home Montgomery County CoC, trainings provided by other reputable service providers, coalitions and advocacy groups, such as the [National Alliance to End Homeless](#) and the [Pennsylvania Coalition Against Domestic Violence](#). Proof of all training should be documented by agency leadership and submitted to the assigned Your Way Home Montgomery County Program Manager by January 20<sup>th</sup> of each year.

### 1.9 Affirmatively Furthering Fair Housing (AFFH)

Your Way Home Montgomery County is committed to affirmatively furthering fair housing and is in full compliance with the Fair Housing Act. Your Way Home Montgomery County takes meaningful actions, in addition to combating discrimination, that overcome patterns of historic segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. All Housing Location services across all Your Way Home Montgomery County programs are prohibited from using race, color, religion, sex, national origin, disability, or familial status as a factor in the housing search process. All housing location services are delivered as informed by the household's neighborhood of choice, accessibility or other ADA needs, transportation needs, community support needs, and other considerations designated by the household. These housing choices are made in collaboration with the household and outlined in the household's signed Housing Search Planner (Form 5.8). All Your Way Home Montgomery County CoC providers receive yearly training in Fair Housing Law and AFFH. It is unlawful for a Landlord to refuse to make reasonable accommodations to rules, practices or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to access that dwelling. Where a policy or practice, such as criminal background checks, have a disparate impact on members of a protected class, that policy or practice is unlawful if it is not necessary to serve a legitimate nondiscriminatory interest, or if it could be served by another practice that will have less discriminatory affect.

Staff are required to work with landlords in order to provide reasonable accommodation or modification for clients with disabilities in order to offer them equal opportunity to use and enjoy a dwelling unit. If any Your Way Home Montgomery County staff suspect discriminatory practices by Landlords participating in the Your Way Home program, the staff must immediately contact the [Housing Equality Center of Pennsylvania](#) as well as the Your Way Home Program Manager.

### 1.10 Meaningful Communication & Translation for Persons with Limited English Proficiency

Your Way Home Montgomery County providers will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs and other benefits. All interpreters, translators and other aids needed to comply with this policy shall be provided without cost to the person being served, and households will be informed of the availability of such assistance free of charge.

Language assistance will be provided through use of competent bilingual staff when available, or through the use of the telephonic interpretation service Language Line. All Your Way Home Montgomery County programs will have access to the use of Language Line, free of charge.

### 1.11 Non-Discrimination Policy

Your Way Home Montgomery County CoC Coordinated Entry, as well as all Your Way Home Montgomery County housing and homeless service providers, must be in compliance with all applicable civil rights and fair housing laws and requirements. Recipients and subrecipients of CoC Program and ESG Program funded projects must comply with the nondiscrimination and equal opportunity provisions of Federal civil rights laws as specified at 24 C.F.R. 5.105(a), including, but not limited to the following:

- Fair Housing Act prohibits discriminatory housing practices based on race, color, religion, sex, national origin, disability, or familial status;



- Section 504 of the Rehabilitation Act prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance; and
- Title II of the Americans with Disabilities Act prohibits public entities, which includes state and local governments, and special purpose districts, from discriminating against individuals with disabilities in all their services, programs, and activities, which include housing, and housing-related services such as housing search and referral assistance. Title III of the Americans with Disabilities Act prohibits private entities that own, lease, and operate places of public accommodation, which include shelters, social service establishments, and other public accommodations providing housing, from discriminating on the basis of disability.
- HUD's Equal Access Rule at 24 CFR 5.105(a)(2) prohibits discriminatory eligibility determinations in HUD-assisted or HUD-insured housing programs based on actual or perceived sexual orientation, gender identity, or marital status, including any projects funded by the CoC Program, ESG Program, and HOPWA Program. The CoC Program interim rule also contains a fair housing provision at 24 CFR 578.93. For ESG, see 24 CFR 576.407(a) and (b), and for HOPWA, see 24 CFR 574.603.

All people in different populations and subpopulations in the CoC's geographic area, including people experiencing chronic homelessness, veterans, households with children, youth, LGBTQIA2+ individuals, and survivors of domestic violence, shall have fair and equal access to the coordinated entry process.

All persons accessing Coordinated Entry and/or receiving services from a Your Way Home Montgomery County housing or homeless service provider have a right to file a nondiscrimination complaint. All persons receive information (verbally or in writing) that outlines how to file a complaint when they believe the nondiscrimination policy has been violated in their case, as well as information on how to access the appeal process if they are not satisfied with or have any questions regarding how their complaints are handled.

### 1.12 Rights under the Violence Against Women Act (VAWA) 2022

The Violence Against Women Act (VAWA), which was reauthorized in early 2023 as VAWA 2022, provides protections for victims of domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the individual or a family member in the individual's or family's current housing situation, including where the health and safety of children are jeopardized. VAWA protections are equally available to all individuals regardless of sex, gender identity, or sexual orientation. Your Way Home Montgomery County CoC is in compliance with all updated expectations under VAWA 2022 and the CoC Emergency Transfer Plan and supports all client and tenant rights under VAWA. The following housing protections are guaranteed for survivors under the Violence Against Women Act 2022:

- Non-discrimination: It is illegal to deny admission to or assistance under, or to evict from or terminate participation in, a covered housing program if a client or a member of their household is or has been a survivor of VAWA violence/abuse. Clients or other household members must be otherwise eligible for the program.

In addition, it is illegal to deny tenancy or occupancy rights (for example, clients cannot be evicted) in a covered housing program solely on the basis of criminal activity directly relating to the VAWA violence/abuse. HUD refers to these protections as VAWA's "core" housing protections. (See 24 C.F.R. § 5.2005(b))

- **Confidentiality:** Housing providers have specific obligations to maintain the confidentiality of the fact that a person is a survivor of domestic violence, dating violence, sexual assault, or stalking. Any information clients provide under VAWA's housing protections, including the fact that they are a survivor, must be kept confidential by the covered housing provider. These obligations include keeping any such information out of a shared database and not disclosing such information to others unless they receive consent in writing to such disclosure, it is required for use in an eviction proceeding, or the law otherwise requires it. If client information is used by a covered housing provider in violation of the confidentiality requirements, clients may file a formal VAWA complaint with HUD. (See 34 U.S.C. § 12491(c)(4); 24 C.F.R. § 5.2007(c)).
- **Notification of Occupancy Rights:** All covered housing providers must provide applicants and tenants two HUD-approved documents: (1) Notice of Occupancy Rights under VAWA, and (2) VAWA certification form. All participants should receive the HUD 5380 Form: Notice of Occupancy Rights. The covered housing provider must provide you these forms during program enrollment. (See 34 U.S.C. § 12491(d); 24 C.F.R. § 5.2005(a))
- **Documentation:** If a client informs a public housing agency or owner or manager of housing assisted under a covered housing program that they are a survivor of VAWA violence/abuse, or are entitled to VAWA protections, the covered housing provider may request, in writing, that they submit documentation of the occurrence of the domestic violence, dating violence, sexual assault, or stalking. If the housing provider simply provides a VAWA reporting form, without a dated letter requesting documentation, the housing provider has not sufficiently made the request in writing. All clients have the discretion to choose which documentation to provide from the list identified in HUD's VAWA rule, unless there is conflicting information of VAWA violence/abuse. For example, a housing provider may not require a police report to provide VAWA housing protections. (See 34 U.S.C. § 12491(c); 24 C.F.R. § 5.2007).
- **Lease Addendum-** Units rented using Your Way Home rental assistance funding must have leases or rental agreements that incorporate VAWA protections including prohibition of denial or eviction, lease bifurcation and emergency transfers; HUD-91067 can be used as an example
- **Lease Bifurcation:** VAWA protects clients and other household members when a housing provider removes a household member from a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to a household member who engages in criminal activity directly relating to VAWA violence/abuse (known as "bifurcating" a lease). Providers may choose whether to bifurcate the lease, and if it is done, it must be done consistent with applicable federal, state, or local laws and the requirements of the housing program. In the event of a lease bifurcation, if the household member who was removed was the tenant who made said household eligible for assistance the housing provider must give those who remain a reasonable time (90 days) to establish eligibility under the same program, under a different program, or to find other housing. (See 24 C.F.R. § 5.2009)

- Prohibition on Retaliation: It is illegal for a public housing agency or an owner or manager of housing assisted under a covered housing program to retaliate against any client you because they opposed any action or practice of the provider that is prohibited by VAWA. The housing provider also cannot subject any client to retaliation, coercion, intimidation, or threats because they testified, assisted, or participated in an action to enforce their VAWA rights, including encouraging another or exercising their own rights under VAWA. This includes retaliating against any client for filing a complaint with the office Fair Housing and Equal Opportunity or another entity, or for participating in an investigation of their own complaint or another complaint by giving information as a witness. This right applies even if clients did not file a complaint over what they believe was the initial violation of VAWA rights or if they filed such a complaint and received a determination that there is no reasonable cause to believe that a VAWA violation occurred or is about to occur. (See 34 U.S.C. § 12494)
- Emergency Transfers: All households can request an emergency transfer in a covered housing program if they:
  - Expressly request the transfer; and
  - Reasonably believe there is a threat of imminent harm from further violence if they remain in the same unit; OR
  - In the case of sexual assault, the sexual assault occurred at their housing during the 90-calendar-day period preceding the date of the transfer request.

Public housing agencies and other covered housing programs must adopt an emergency transfer plan based on a model plan from HUD. This emergency transfer plan must, among other requirements, allow clients to make an internal emergency transfer (to a unit where survivors would not be categorized as a new applicant) when a safe unit is immediately available. A safe unit is a unit that the client believes is safe. (See 24 C.F.R. § 5.2005(e)).

All Your Way Home Montgomery County CoC programs comply with the Emergency Transfer Plan. This plan allows participants in permanent housing to request an emergency transfer to prioritize the survivor's safety needs; it also allows for funds to pay amounts owed for participants breaking the lease if a household requests an emergency transfer.

- The Right to Report Crime and Emergencies from One's Home: Landlords, homeowners, tenants, residents, occupants, guests of, or applicants for, any housing have the right to seek law enforcement or emergency assistance on their own behalf or on behalf of another person in need of assistance. They may not be penalized based on their requests for assistance, based on criminal activity for which they are a victim, or based on activity for which they are otherwise not at fault under a law, ordinance, regulation, or policy adopted by or enforced by a governmental entity that receives certain HUD funding. This means it is unlawful to threaten or subject individuals seeking assistance to any of the following: monetary or criminal penalties, fines, or fees; eviction; refusals to rent or renew tenancy; refusals to issue an occupancy or landlord permit; withdrawing certifications or permits for operation of the property; and designation of the property as a nuisance or a similar negative designation. (See 34 U.S.C. § 12495)

### 1.13 Your Way Home Montgomery County CoC Housing Inspection Policy and Lead-Safe Housing

Your Way Home Montgomery County CoC is committed to providing safe housing that meets basic housing standards for all residents. In order to approve move-in costs for clients, all new units must undergo and pass a

Housing Inspection completed through the Montgomery County Housing Authority. Housing programs must ensure that any Your Way Home Montgomery County funds used to help maintain or move in to new housing must only be used if the housing meets minimum habitability standards.

A unit that has passed a Housing Inspection through the Montgomery County Public Housing Authority does not need a new inspection completed if a new Your Way Home Montgomery County client moves into that same unit, so long as the new inspection is ordered within a year of the prior inspection date.

All units for which Your Way Home Montgomery County is subsidizing for a period of one year or longer must complete a new Housing Inspection once per year, and maintain a copy of this inspection report. If a unit fails an annual inspection, landlords and property owners must complete all non-emergency repairs within 30 days and schedule a second inspection. If a landlord fails to make repairs or schedule the inspection within 30 days, Housing Locators will schedule a second inspection. Housing locators and landlords should work together to ensure all necessary repairs are made in a timely fashion. If a unit fails an annual inspection twice, that unit will enter into abatement and the housing provider will withhold rental payments until the unit is able to pass inspection and communicate this decision to the landlord in writing. While a unit is in abatement, both housing providers and clients will withhold their rental payments per the Fair Housing Act. Payments will resume on the date of the passed inspection, including all withheld rent.

Additionally, before or upon move-in, any household receiving housing support must receive a copy of the Environmental Protection Agency's brochure "**Protect Your Family from Lead in Your Home.**" The head of household must sign off that they have received this brochure. A copy of this receipt must be maintained in the client's file.

When funds are being used to maintain permanent housing (i.e., Homelessness Prevention), an HQS inspection is not required. However, a visual inspection must take place to document housing units as habitable.

Your Way Home Montgomery County CoC programs must maintain documentation in the clients' files showing that the unit has passed HQS inspection and/or meets minimum habitability standards.

#### 1.14 Program Exit Plan

All Your Way Home Montgomery County providers are expected to provide all households with sufficient guidance when exiting from services/ programs so that the household has a connection to the resources needed to maintain their housing and supports after assistance ends.

All Your Way Home Montgomery County providers are required to develop a Program Exit Plan for every household that is exited from their program or services. The Program Exit Plan is a standard template for use by all Your Way Home Montgomery County CoC providers. The Program Exit Plan includes the household's plan for housing, as well as plans for connections to community supports. Any resource information- such as phone numbers of community supports- must be included on the plan.

A Program Exit Plan is required for any household being terminated from services from any Your Way Home Montgomery County provider.

Case managers/coaches will complete the Program Exit Plan prior to a client's exit from a shelter, Rapid Re-Housing program, Transitional Housing Program, Homeless Prevention Program, or Permanent Supportive Housing Program, and provide the client with a copy of this plan.

Program Exit Plans are not required for clients that leave a program without notice to the case manager, or are unable to be contacted, so long as written documentation of the efforts to contact the client are documented in case notes.

Program Exit Plans will be reviewed during program monitoring visits, client grievance review, or otherwise as requested by the Your Way Home Montgomery County CoC Operations Team.

### 1.15. Case Notes

All interactions between clients and Your Way Home Montgomery County provider staff must be documented in Clarity HMIS with a case note corresponding to the date of the interaction. Case notes must include the mode of communication (in person meeting, email, text, phone call, office visit) and date. It is expected that case management notes are written using proper grammar, spelling, etc., and that they convey the professionalism with which the services are provided.

The case note must include a summary of the discussion and any information provided by the case manager to the client. This summary is to be written in objective language only and should not contain any language that reflects the writer's assessment or subjective opinion.

Case notes documenting case management meetings should provide a full accounting of the work done during the meeting. This includes: case management support provided during the meeting, such as progress on meeting goals, new action items identified, income and budget work, review of service connections, etc. Any discussion that could be referenced later for an appeal- such as a discussion regarding compliance with the program's agreement policy or progress on meeting goals- must be documented clearly in the case notes.

It is the expectation that case notes are submitted into Clarity in a timely manner, reflecting current status and real-time. All case notes are to be entered into Clarity at minimum monthly. Case notes must reflect all contact or attempted contact made (which includes voicemails left, calls put in, texts exchanged). *If a case note is not entered, it did not happen!*

For privacy issues, see policy on Case Notes in the YWH Montgomery County COC Data Systems Policies and Procedures.

### 1.16 Case Note Sharing

Case note features are available within Clarity for use by any participating agency, though some programs are required to keep case notes in order to better facilitate service coordination: 1) Referral notes are used by the Call Center to more fully describe housing crisis situations at the point of referral, 2) Provider staff are required to maintain a publicly-viewable case note on client's progress towards moving into permanent housing, and 3) Shelter staff are required to maintain case notes during each meeting, documenting a client's progress while in the shelter including: the completion of Assessments, Budgets, and Housing Stability Plans, housing location efforts, and referrals to community resources.

Participating agencies and case workers may wish to maintain internal case notes within Clarity as well.

Notes that are intended to be shared with other agencies for the purposes of service coordination must be maintained as publicly viewable, including but not limited to notes on referrals and on housing plans. Case notes that are intended as internal notes should be marked as private at the discretion of the case worker.

Persons with access to Clarity are prohibited from viewing case notes recorded for clients other than those on their case load or referred for services, in accordance with the HMIS Policy on Ethical Data Use.

### 1.17 Data Entry & Compliance

Unless otherwise specified in writing by Your Way Home Montgomery County CoC and the Montgomery County Office of Housing and Community Development, all funded providers (including coordinated entry, street outreach, emergency shelter, transitional housing, TH/RRH, RRH, PSH, and homelessness prevention programs) must input program data into the Clarity HMIS data system.

Providers who enter program data into Clarity are required to participate in data quality monitoring every three months and/or as requested. Program Supervisors/Managers must:

1. Run a *Program Roster Report* and compare enrolled households to the program's active clients served, ensuring that household family members are properly linked in Clarity and that all individuals have been properly enrolled or closed out of a program or service.
2. Run an *HMIS Data Quality Report* and review any identified fields where a service provider entered "Client Doesn't Know", "Client Refused", "Data Not Collected", or the data field was left blank. To the best of their ability, these fields must be completely filled out to reflect accurate and proper information. **IMPORTANT: Providers must only report what is truthful. Sometimes data quality will not be 0%. If information is truly not available, then Clarity should reflect that.**

Communication for Data Quality reviews is largely done via email and other digital communication. Program supervisors are expected to respond to all communication in a timely manner and address data quality issues by the stated deadline.

### 1.18 Client Location

Your Way Home Montgomery County CoC provider agencies will utilize the "Location" feature in Clarity HMIS to identify the current location of any client that is receiving services. Providers should identify the following locations for all household actively enrolled in their programs:

- **Coordinated Entry**-Last Known Address: the last place a household resided that was indoors
- **Street Outreach**- current location based on previously established location types
- **Permanent Housing**- Home: the address where the client receives services; should be added with the Housing Move-In Date

### 1.19 Housing First

Your Way Home Montgomery County CoC embraces a housing first approach to ending and preventing homelessness. Mainly, this means that Your Way Home Montgomery County CoC providers may not mandate households to participate in services or programs in order to receive housing assistance and/or financial assistance for housing. This includes, but is not limited to, mandatory participation in religious programming, drug and alcohol detox/rehab programming, mental health treatment, financial counseling, etc.

### 1.20 Defining Family and Preventing Family Separation

Your Way Home Montgomery County CoC programs and services must comply with HUD's definition of family in the Equal Access Rule. Under this definition, family includes, but is not limited to, regardless of marital status, actual or perceived sexual orientation, gender identity, any group of persons presenting for assistance together with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child who is temporarily away from the home because of placement in foster care is considered a member of the family. Any group of people that present together for assistance and identify themselves as a family are considered to be a family and must be served together as such. Your Way Home



Montgomery County CoC programs must make every effort to keep families together in shelter or housing unless separation is absolutely necessary for the family's well-being or safety.

### 1.21 Faith-Based Program Requirements

Per CoC Interim Rule 578.87(b) and ESG Interim Rule 576.406, federal funds cannot be used to provide for nor discriminate against participants based on religion or religious belief. Faith-based providers delivering Your Way Home Montgomery County CoC programs, including but not limited to CoC-funded and ESG-funded programs, must ensure that:

- Any engagement in explicitly religious activities are performed and offered outside of programs that are supported with federal financial assistance separately from the programs or services funded in the CoC, ESG, or other-funded Your Way Home Montgomery County CoC program;
- Participation in any such explicitly religious activities must be voluntary for the program beneficiaries;
- CoC/ESG program funds do not support any explicitly religious activities, including activities that involve overt religious content, such as worship, religious instruction, or proselytization, or any manner prohibited by law; and
- Program participants are not discriminated against based on religion or religious belief.

At minimum, Your Way Home Montgomery County PA-504 CoC programs must develop, implement, and document procedures used to market services to eligible persons regardless of race, color, national origin, religion, sex, gender identity, sexual orientation, age, familial status, or disability who are least likely to apply in the absence of special outreach. In addition, programs must provide participants with information on rights and remedies available under federal, state, and local fair housing and civil laws.

### 1.22 Document Retention

Your Way Home Montgomery County CoC prohibits the knowing destruction, alteration, mutilation, or concealment of any record, document, or tangible object with the intent to obstruct or influence the investigation or proper administration of any matter within the jurisdiction of any local, state, or federal department or agency.

### 1.23 McKinney-Vento Compliance

Your Way Home Montgomery County CoC programs and their staff must understand and inform program participants with school-aged children about their children's educational rights under the federal McKinney-Vento Act and Every Students Succeeds Act (ESSA). Case managers should have strong working relationships with local school district homeless liaisons and publicly-funded Pre-K/Head Start/Early Head Start programs to ensure streamlined and prioritized access to educational programs for children experiencing homelessness. All Your Way Home Montgomery County CoC program participants are provided information relating to McKinney-Vento rights during intake.

### 1.24 Mainstream Benefits Access

All Your Way Home Montgomery County CoC programs must assist program participants with identifying and accessing eligible mainstream benefits, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Medicaid, Health Insurance, Children's Health Insurance Program (CHIP), and SSI/SSDI, among others.

### 1.25 Providing Reasonable Accommodations

Section 504 of the Rehabilitation Act of 1973, as amended, requires federally-assisted housing programs to provide reasonable accommodations for people with disabilities. A reasonable accommodation is a change, exception, or adjustment to a rule, policy practice or service that may be necessary for a person with a



disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Adaptation, or modification should be made to policies, programs, services, and workplaces which will allow a qualified person with a disability to participate fully. Reasonable accommodations may include those which may be necessary in order for the person with a disability to use and enjoy a dwelling, including public and common use spaces. Since persons with disabilities may have unique needs due to their disabilities, in some cases, simply treating persons with disabilities exactly the same as others may not ensure that they have an equal opportunity to use and enjoy a dwelling.

HUD's Section 504 regulations at 24 CFR 8.27 require recipients to adopt suitable means to assure that information on available accessible units reaches otherwise qualified individuals with disabilities who need the features of those units. The regulations also require reasonable nondiscriminatory steps to maximize the utilization of accessible units. Under this process, whenever a unit that meets the requirements of the Uniform Federal Accessibility Standards (UFAS) or HUD's Deeming Notice for a person with a mobility disability becomes available for occupancy, a recipient shall first offer the unit to a qualified individual with disabilities currently residing in a non-accessible unit in the same project or comparable projects, under common control, who requires the accessible features. If there are no such persons currently residing in the recipient's projects, the recipient shall then offer the unit to the next available qualified individual with disabilities on its waiting list, provided that the person requires the accessibility features of the unit. The recipient shall skip over applicants without disabilities on the waiting list to offer the unit to the next qualified individual who requires the unit's accessibility features.

If no qualified applicant with disabilities requires the accessible features of a unit, and the recipient places a household where none of the family members have disabilities in that unit, the recipient may include language in the lease requiring this family to agree to move to a non-accessible unit, as soon as one becomes available that otherwise meets the family's needs.

### 1.28 Grievance Procedures

All Your Way Home Montgomery County partner agencies must have internal grievance procedures established. Households should first raise all relevant issues relating to Your Way Home programs or service delivery directly with the assigned partner agency. If the household is not satisfied with the outcome or the matter is not resolved, a formal written grievance may be filed with the Program Manager at the Office of Housing and Community Development within 10 business days. The Program Manager will review the matter, interview all relevant parties, and make a final determination within 10 business days of receiving the grievance.

## General Standards for Homelessness Prevention

People who qualify as homeless based on category 2, 3, or 4 of the homeless definition found at 24 CFR 576.2 are eligible for the following minimum activities in Homelessness Prevention:

- Rental assistance: short- to medium-term rental assistance and/or maximum of 6 months' rental arrears, including late fees and/or court fees
- Financial assistance: rental application fees, security and utility deposits, utility payments, utility arrears, last month's rent, moving costs
- Supportive Services

These activities must help the household move into permanent housing and/or maintain permanent housing which meets the following minimum standards:

- The building must be structurally sound, protect participants from the elements and not pose any threats to their health or safety.
- Each resident must have adequate space and security for themselves and their belongings and an acceptable place to sleep.
- Each room or space must have proper ventilation and be pollutant free.
- Water supply must be free of contamination.
- Residents must have access to sufficient, sanitary facilities that are in proper operating condition, private and adequate for personal cleanliness and disposal of human waste.
- The housing must have the necessary, properly operating heating/cooling facilities.
- The structure must have adequate and appropriate lighting and safe electrical sources.
- All food preparation areas contain suitable space and equipment to store, prepare, and serve safe and sanitary food.
- The housing must be in sanitary condition.
- There must be a second means of exiting the building in case of an emergency.
- Each unit must include at least one properly working smoke detector on each occupied level of the unit, located when possible in a hallway adjacent to a bedroom.

## Entering Non-Identifying Information into YWH Montgomery County CoC Data Systems

Every client has the right to choose to opt out of sharing their personally-identifying information within the YWH Montgomery County CoC Data Systems. “Personally-identifying information” refers to the combination of the person’s name and date of birth or their full social security number. If a client chooses to opt out of sharing personally-identifying information, then the agency staff person will use the standardized convention for entering de-identified information into Clarity, which together is known as the client’s YWH Code. The staff will record the YWH Code on the client’s Release of Information where indicated. The YWH Code will be used in all YWH Montgomery County CoC Data Systems in place of the client’s name.

It is the participating agency’s responsibility to accurately update and otherwise maintain the YWH Montgomery County CoC Data System records of any client choosing to opt out of entering personally-identifying information. Agencies must establish internal policies ensuring the YWH Code is properly recorded and maintained in client’s file such that a supervisor would be able to locate the YWH Code within the client’s file at any time.

Client Profile Data Element	De-Identified Response
First Name	First three letters of first name + First letter of last name
Last Name	Clarity-generated Unique Identifier
Quality of Name	Partial, street name, or code name provided
Social Security Number	000-00-0000
Quality of Social Security Number	Partial, street name, or code name provided
Date of Birth	1/1/year of birth
Quality of Date of Birth	Approximate or Partial DOB Reported

## Entering Non-Identifying Information into YWH Montgomery County COC Data Systems for Persons Fleeing Domestic Violence

All people actively fleeing domestic violence, or who are being entered into HMIS directly from a Domestic Violence service provider, will be entered into YWH Data Systems without the use of personally-identifying information regardless of whether a client wishes to provide the data or not. A Release of Information must be signed for all persons actively fleeing domestic violence. Please note domestic violence survivors may authorize that personally-identifying information be recorded normally in HMIS after signing a Release of Information. However, an agency's primary concern must be the client's safety; profiles may remain de-identified whenever necessary.

Projects should be especially sensitive to the collection of domestic violence information from clients and should implement appropriate interview protocols to protect client privacy and safety such as: asking [about domestic violence status] in a private location and not in the presence of a romantic partner and delaying all entry of data about clients identified with a recent history of domestic violence.

If the domestic violence status changes to actively fleeing domestic violence for a person and/or household already entered into HMIS, their profile should be de-identified using the procedure below.

Client Profile Data Element	De-Identified Response
First Name	DV+ first three letters of first name + first letter of last name
Last Name	Clarity-generated Unique Identifier
Quality of Name	Partial, street name, or code name provided
Social Security Number	000-00-0000
Quality of Social Security Number	Partial, street name, or code name provided
Date of Birth	1/1/year of birth
Quality of Date of Birth	Approximate or Partial DOB Reported

For households in which the head of household is fleeing domestic violence, the profiles for other household members must also be de-identified. When recording personally-identifying information within the YWH Montgomery County COC Data Systems for each dependent child in a household, follow the same rules as above and utilize the following guidelines for recording this information.

Client Profile Data Element	De-Identified Response
First Name	DVK+ first three letters of first name + first letter of last name
Last Name	Clarity-generated Unique Identifier
Quality of Name	Partial, street name, or code name provided
Social Security Number	000-00-0000
Quality of Social Security Number	Partial, street name, or code name provided
Date of Birth	1/1/year of birth
Quality of Date of Birth	Approximate or Partial DOB Reported

## Gender Identity Non-Discrimination Policy

Your Way Home Montgomery County CoC consumers shall be treated according to their self-reported gender identity regardless of appearance, genital or other physical characteristics, or inconsistent legal documentation (such as a driver's license).

No client presented for Coordinated Entry or any other Your Way Home Montgomery County CoC program shall be turned away or referred to another program because of their gender identity or presentation and/or because they do not meet the expectations of what a man or a woman is supposed to look like. Private information, such as medical information about a Your Way Home Montgomery County CoC consumer's gender identity and/or transition, is confidential.

Staff shall address Your Way Home Montgomery County CoC consumers with names, titles, pronouns, and other terms consistent with their gender identity. For example:

- A transgender woman shall be referred to by her preferred name and female pronouns.
- A transgender man shall be referred to by his preferred name and male pronouns.
- A client who requests to be referred to using they/them pronouns shall be referred to by those pronouns.

Your Way Home Montgomery County CoC does not tolerate verbal or physical harassment of any consumer, including that directed at transgender consumers. If a transgender consumer experiences harassment, the incident of harassment shall be reported to a staff member as soon as possible, and the staff shall take immediate action to ensure the safety of the transgender consumer. If harassment is committed by staff member(s), the incident of harassment shall be reported to the appropriate supervisor(s) as soon as possible and the supervisor(s) shall take immediate action to ensure the safety of the transgender consumer. All incidents of harassment must be documented in writing.

All assertions by Your Way Home Montgomery County CoC clients of their gender identity will be presumed accurate and shall not be questioned by staff without a credible, objective, demonstrable basis. When a Your Way Home Montgomery County CoC client's gender identity is questioned, staff who have been trained on the program's policy and practices with regard to transgender clients:

- May initiate a conversation with the client in order to evaluate the consumer's gender identity and any other gender-related concerns;
- May request documentation supporting the client's stated gender identity including a letter from a medical provider, therapist, social worker, member of the clergy, etc. \* Note: documentation of gender identity for transgender consumers is not expected or required in the majority of cases – this provision shall only be triggered upon a credible, objective, demonstrable basis for calling into question the consumer's stated gender identity.

It is impermissible for Your Way Home Montgomery County CoC clients to assert a gender identity solely for fraudulent or other improper purposes.

Any evidence supporting the fact that the client's stated gender identity is sincerely held as part of a person's core identity, including evidence demonstrating that the client presents and lives consistent with the stated gender identity shall be accepted by Your Way Home Montgomery County CoC providers.

### Recording Ineligibility or Denial

During intake, the provider may determine that a client is ineligible for the program. If the whereabouts of the client are known, the case manager must provide a written determination of ineligibility to the applicant. All applicants denied entry into Your Way Home programs may appeal this determination by writing to the Program Manager at the Office of Housing and Community Development within 10 business days of receiving the denial.

### Housing Program and Communication with Community Partners

In order to provide consistent, coordinated services to clients, it is imperative that program staff maintain constant communication directly with case management services that are also supporting the household. Communication with services such as Critical Time Intervention (CTI), Office of Children and Youth (OCY), Recovery Coaching, and other community partners is imperative for integrated goal planning and housing success. Direct communication refers to email or phone messages between case workers; case workers should not expect or ask clients to relay messages between case workers. It is expected that staff are to answer emails and phone calls from community partners within 1 business day.

Direct communication is expected to occur when: (\*not applicable to EPIC)

- Intake appointments for Rapid Re-Housing are scheduled\*
- Housing Stability Plans are created and signed
- Periodically during housing location to update on progress achieved in locating housing
- Inspections are approved
- Lease signings are scheduled
- Move-in dates are scheduled
- A client's enrollment in the Rapid Re-Housing program is in jeopardy or the client is otherwise not fulfilling expectations set forth in the Rapid Re-Housing Program Agreement or Housing Stability Plan
- A client receives a strike with the Rapid Re-Housing program\*
- A client experiences a crisis or additional support in order to maintain housing is needed
- A household is being discharged from the Rapid Re-Housing program\*

### Housing Stability Case Management & Planning

All Eviction Prevention Specialist must meet monthly, at a minimum, with enrolled households. All Eviction Prevention Specialist must complete a Housing Stability Plan with every client at least once every three months, or more frequently as needed. The Housing Stability Plan must clearly outline the action steps of both the Specialist and the client, the due dates for each task, and the required documentation or follow-up for each task. Every Housing Stability Plan must be signed by the Specialist and the client. A copy of every Housing Stability Plan must be given to the client and a copy must be retained in the clients' file. It is expected that each Housing Stability Plan will identify multiple areas/ domains for action (such as Housing, Health, Public Benefits). The number of tasks included on the Housing Stability Plan should be consistent with the client's abilities.

Eviction Prevention Specialist must document the results of each Housing Stability Plan, including client's follow-through with tasks and completion of tasks by the assigned deadlines. The results of the Housing

Stability Plan must be shared with the client, so the client is able to see their own progress on the plan, and is aware of any missed items or tasks. All follow-up documentation must be retained in the client's file.

In instances where a client is discharged as a result of lack of follow-through on goals, the appropriate Housing Stability Plan(s) must be referenced as back-up documentation. A discharge for lack of follow-through on goal planning that does not include appropriate Housing Stability Plan documentation will be overturned.

### **Determining Rent Reasonableness and Fair Market Rent**

Housing programs providing financial assistance and/or ongoing rental assistance must develop and implement standards which ensure a mechanism for determining that the actual rental costs of units assisted are in compliance with HUD's Fair Market Rent, as provided under 24 CFR part 888 and complies with HUD's standard of "rent reasonableness" as established under 24 CFR 982.507. Rent Reasonableness means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units. See HUD's worksheet on [rent reasonableness](#) and [Fair Market Rent Documentation System](#).

Programs should determine rent reasonableness by considering the gross rent of the unit and the location, quality, size, type, and age of the unit, and any amenities, maintenance, and utilities to be provided by the owner.

To calculate the gross rent for purposes of determining whether it meets the rent reasonableness standard, consider the entire housing cost: rent plus the cost of any utilities that must, according to the lease, be the responsibility of the tenant. Utility costs may include gas, electric, water, sewer, and trash. However, telephone, cable or satellite television service and internet service should be excluded. The gross rent also does not include pet fees or late fees that the program participant may accrue for failing to pay the rent by the due date established in the lease.

Comparable rents can be checked by using a market study of rents charged for units of different sizes in different locations or by reviewing advertisements for comparable rental units. For example, a program participant's case file might include the unit's rent and description, a printout of three comparable units' rents, and evidence that these comparison units shared the same features (location, size, amenities, quality, etc.). The Your Way Home Rent Reasonableness Form is also available for this use. Another acceptable method of documentation is written verification signed by the property owner or management company, on letterhead, affirming that the rent for the unit assisted with Rental Assistance funds is comparable to current rents charged for similar unassisted units managed by the same owner.

### **Units Paid for with Financial Assistance and/or Rental Assistance**

Rental units paid for with RRH Financial Assistance (move-in costs) and/or ongoing Rental Assistance must:

- Comply with Fair Market Rent limits as calculated in 24 CFR §982.503.
- Comply with Rent Reasonableness requirements outlined in 24 CFR §982.507.
- Comply with Housing Quality Standards, including lead-based paint requirements.
- Have a Rental Assistance Agreement with specific lease stipulations between the RRH agency and the landlord.
- Have a legally binding, written lease agreement between tenant and landlord. CoC funds require a one year lease minimum.
- The unit must not be paid for with other subsidies of the same type.



- The building/property/unit must be free of tax liens. NOTE: This is not a federal regulation. If a RRH program would like to request a waiver or accommodation on this requirement, they may contact the Your Way Home Program Manager.

If the aforementioned criteria are met, then rental assistance are an allowable expenditure of federal Financial Assistance and/or Rental Assistance funds for persons meeting program client eligibility requirements. Assistance may be provided for apartments, rental houses, rented rooms in houses, etc.

### Housing Lease and Tenancy Education

The housing provider is responsible for ensuring that the client understands the terms of their lease agreement. To do so, review all provisions of the lease with the client.

The housing provider is responsible for helping clients to abide by the terms of lease and exhibit good tenancy skills, as appropriate for their abilities. This may include additional sessions in which the Housing Specialist/Coach provide additional educational materials or guidance to the client about tenancy issues, especially following any incident that violates a lease agreement or could lead to poor landlord-tenant relationships.

The signed lease must be uploaded into Clarity HMIS.

### Housing Case Management

A core component of Housing is providing regular case management support to clients to help them obtain and maintain stable housing.

Eviction Prevention providers are required to meet with enrolled clients at least once per month, though Specialists are expected to meet more frequently with clients with identified high needs, barriers to housing stability, or difficulty meeting Housing Stability Plan goals as described in the [Program Guidance on Progressive Engagement in Rapid Re-Housing](#).

It is expected that these meetings are held in the client's home as often as feasible.

During case management meetings, Eviction Prevention Specialist are expected to review and record the client's progress on meeting goals identified in the Housing Stability Plan, review the client's budget and payment of bills, and to connect to supports or other services that will assist the client in maintaining their housing. Case management is not a one-size-fits-all approach, and so certain clients may require more or less work in certain areas than others. However, all case management meetings should cover the basics of progress towards attaining income to meet basic needs, and maintaining housing stability.

The level of case management support will vary based on the client's needs, and it is the responsibility of the Eviction Prevention Specialist and their Supervisor to determine the appropriate level of case management support for each client. In general, Eviction Prevention Specialist are expected to provide more intensive and frequent case management support to clients with high acuity/ needs, and less intensive case management support to clients with fewer support needs. Eviction Prevention Specialist are expected to increase or decrease the frequency and intensity of case management supports to clients as they work with clients and are able to better assess their acuity.

### Connection to Supportive Services

It is expected that most clients will need to connect to other community or professional supports in order to maintain their housing long-term. These supports include, but are not limited to, mental health case

management/ services, medical services, subsidized childcare, public benefits, employment/ career counseling, legal services, and budgeting/ credit counseling.

Eviction Prevention Specialist are responsible for appropriately identifying the additional areas in which the household needs more support. The primary tools for identifying these areas are the stability plan and budget, though Eviction Prevention Specialist may use other information or their own assessment to inform this as well.

While Eviction Prevention Specialist are not expected to provide case management services in other identified support areas, Eviction Prevention Specialist are responsible for ensuring that clients are connecting to appropriate services. This includes:

- Including all support connections as goals and action steps on the Housing Stability Plan,
- Assisting with or making referrals on behalf of clients to the appropriate service,
- Recording the referral to these services as a Service Record in Clarity
- Ensuring that the client has completed the necessary intake paperwork for the service,
- Following up on the status of the application for service,
- Advocating for the client to receive the service by reporting connection issues to their Supervisor.

Once a client has been connected to the service(s) needed, the Eviction Prevention Specialist is responsible for ensuring that the client is maintaining an active role in this service by:

- Identifying attendance/ participation in the service on the Housing Stability Plan,
- Maintaining regular communication with the service case worker/ contact,
- Maintaining an active knowledge of the case work or activities being completed by the client through this service,
- Reviewing meeting attendance/ participation with the client,
- Adjusting the Housing Stability Plan and/or notifying the Supervisor if services provided are not meeting the client's needs.

### Client Contribution to Housing Costs

Because Housing assistance is time-limited, households are expected to contribute financially to their housing costs. Eviction Prevention Specialist are expected to help clients identify an appropriate amount to contribute to security deposit/ move in costs, ongoing rent and utilities, and other costs (such as basic household goods) based on the household's ability to pay.

*Households with income:* Households with income are expected to pay 30% of their income towards their housing costs (rent and utilities). It is encouraged, but not required, for all households with income to contribute to their move-in costs as well. Eviction Prevention Specialist may determine the most appropriate method for clients to contribute this amount; however, it is encouraged that clients begin paying a portion of each bill they are responsible for (rent and utility) so that they begin developing the habit of paying these bills on time and to the appropriate vendor.

Housing Supervisors will provide final approval for payment of client's portion.

In certain cases, the Eviction Prevention Specialist and their Supervisor may approve payment of a client's portion of rent to the landlord. These cases include:

- Sudden loss of income source
- Financial crisis

In either case, the incident and inability to pay must be clearly documented. In cases where income was diverted to resolve another crisis, the client must be able to document how funds were spent (i.e. through receipt of payment). Clients are expected to provide proof of payment of rent within 5 days of the rent due date.

### Housing Client Exit/Termination

Clients may be exited or terminated from the program for the following reasons listed below.

1. Documented lack of compliance with the Program Agreement as outlined or Client Rights and Responsibilities. In order for a client to be terminated due to non-compliance with the Program Agreement (including no contact/ no show at meetings), the Eviction Prevention Specialist must:
  - a. Have complete, accurate case note documentation and/or additional documentation as appropriate to document lack of compliance with the Program Agreement and/or Client Rights and Responsibilities.
  - b. Have provided 2 separate letters to client, and confirmed receipt of the letters to the client, informing the client that they have received a first and second warning
  - c. Have met with the client and their Supervisor to discuss the reason for each warning and provided written documentation to the client as to what they need to do going forward to maintain their good standing in the program, following each meeting.

Upon the third documented warning, clients will be exited from the program immediately.

Clients terminated from program due to non-compliance are not eligible for re-enrollment for a period of three (3) years from the program exit date unless the provider receives written permission from the Program Manager at the Office of Housing and Community Development (OHCD).

2. Documented falsification of information regarding housing status, eligibility, and/or income. In this case, clients will not be eligible for re-enrollment.
3. All EPIC assistance ends immediately at 12 months. Clients are not eligible for re-enrollment for a period of three (3) years after discharge **unless the provider receives written permission from the Program Manager at OHCD.**
4. Client is engaging in criminal activity directly related to domestic violence, dating violence, sexual assault, or stalking of another household member. In these instances, client will be immediately discharged from the program following Your Way Home Program Manager approval. Other household members who have been the victims of this criminal activity will continue receiving assistance as outlined in the policy on [tenant protections under VAWA](#). Clients terminated due to criminal activity directly related to domestic violence, dating violence, sexual assault or stalking of another household member are not eligible for re-enrollment for a period of 60 days from the program exit date.

5. Verbal or physical assault of a staff person. Clients verbally threatening to cause imminent physical harm to a Your Way Home Montgomery County CoC staff person, or any client that physically harms a staff person, will be immediately discharged from the program following Your Way Home Program Manager approval. Clients terminated due to verbal/ physical assault are not eligible for re-enrollment.
6. Client is living in other housing. Clients that begin living in housing other than the arranged unit (such as with family or friends) will be discharged immediately from the program.
7. Client is committed to a public institution (jail, detox, etc.) voluntarily or involuntarily for a time period greater than 90 days. Once it has been confirmed by a medical or social service professional that the client will be remaining in a public institution for more than 90 days, the client will be discharged from the program immediately. These clients are eligible for re-enrollment should they recidivate.

In all cases of clients exiting the program (voluntarily or involuntarily), the Eviction Prevention Specialist must provide written communication to the both the client and the landlord. Eviction Prevention Specialist must also inform any other Your Way Home Montgomery County CoC partner case workers with whom the client is currently working. All clients must be provided a Housing Stability Plan for Exit and the Grievance Procedures.

### Housing Clients Committed to Institutions

Clients committed to institutions for a period of 90 days or less:

- If a client and/or their case worker do not maintain regular contact during the time in the institution, the Eviction Prevention Specialist may discharge the client from the Housing program, with Supervisor approval. In this instance, any current Agreement will be honored but case management services will end immediately.
- Clients committed to institutions for longer than 90 days will be discharged from the program immediately.

### Housing Program Agreement and Client Rights and Responsibilities

Housing Program Agreement outlines the expectations for both clients and case managers. The Eviction Prevention Specialist must read and explain every provision in the Program Agreement and Client Rights and Responsibilities to the client during the intake process prior to enrollment into the program. Clients must agree to and comply with the Housing Program Agreement in order to be or remain eligible for assistance.

Clients must be provided written notice if their standing in the program is in jeopardy. Any time a client is provided notice that their standing in the program is in jeopardy, they must be provided an opportunity to meet in-person with their Coach and Coach's Supervisor to discuss the issues. In all instances, clients must be provided clear, written guidance on how to improve their standing in program.

Clients receiving more than two notices (for two separate incidents/ issues) may be terminated from the Housing program, so long as the Eviction Prevention Specialist has done the following:

1. Ensured that the client understands the terms and expectations of the Program Agreement and Client Rights and Responsibilities. Efforts should be made to ensure that clients with high needs, such as those with disabilities, limited English proficiency, or otherwise, are held to fair and reasonable standards based on their abilities.
2. Collected all documentation necessary to clearly demonstrate lack of compliance with the Program Agreement. This includes: documentation of missed meetings through case notes, correspondence

from the landlord, correspondence from partner organizations of missed meetings, documentation on the Housing Stability Plan(s) of lack of follow through on action steps, or similar.

3. Provided written communication to the client notifying them that their standing in the program is in jeopardy as a result of not meeting Program Agreement expectations. Eviction Prevention Specialist must be able to provide proof that they ensured the client received all notices, offered the opportunity to meet with themselves and their Supervisor, and provided guidance on how to comply with the Program Agreement.
4. Received approval from their Supervisor to terminate the case.

When appropriate and reasonable, Eviction Prevention Specialist are encouraged to meet with clients for a final in-person meeting in order to discuss the reason for their termination and to develop a Housing Stability Plan for Exit.

In all cases, the Eviction Prevention Specialist must provide/ send the client written documentation explaining the client's reason for termination, termination date, and remaining financial assistance. The Eviction Prevention Specialist must also provide a written Housing Stability Plan for Exit. Finally, the Eviction Prevention Specialist must provide a copy of the Grievance Procedures.

The Eviction Prevention Specialist must send a letter to the landlord informing him/her of the last date of financial assistance.

The Eviction Prevention Specialist must also contact any other current Your Way Home Montgomery County CoC partner agency case workers with whom the client is currently working to inform them of the client's exit date from the program.

### Grievances with Termination

Any household exited from the Your Way Home Montgomery County program may appeal this decision by writing to the Program Manager at the Office of Housing and Community Development within 10 business days of receiving notice of their termination from the program. The Program Manager will review the case and make a final determination on whether to reinstate the client into the Housing program or to confirm the termination. When reviewing appeal cases, the Program Manager will assess whether the reason for termination is consistent with termination policies and procedures, and whether the documentation supporting the termination meets the standards outlined in the Program Agreement policy. The Program Manager will inform the client and the Provider of the decision within 10 business days of receiving the household's written appeal.

### Eligible Uses For Funding

EPIC funding may be used to provide the following for clients enrolled in the program. Providers must also reference the Subrecipient agreement, and the Invoicing and Eligible Costs Checklist Form to ensure invoicing compliance.

- Financial Assistance (Move-in costs)
  - Rental Application Fees (When charged by owner to all applicants)
  - Security Deposits
  - Last Month's Rent
  - Utility Deposits (When required by utility company for all customers)
  - Utility Payments (Up to 6 months of arrearages per service)

- Moving Costs (Cost of truck rental, moving company, up to 3 months of storage)
- Rental Assistance
  - Short-term rental assistance (0-3 months)

#### *Additional Requirements*

- Assistance cannot be provided to a program participant that is receiving Tenant-Based Rental Assistance or living in a unit receiving Project-Based Rental Assistance or operating assistance through other public sources.
- Utility assistance should only be provided when other utility assistance programs are not available

#### **Your Way Home Initiative Fund Eligible Use Policy**

The Your Way Home Montgomery County CoC public-private partnership maintains a Your Way Home Initiative Fund at the Montgomery County Foundation, Inc. for philanthropic grants and donations contributed to the cause of ending and preventing homelessness in Montgomery County. Resources permitting, the Your Way Home Initiative Fund provides flexible funding for Your Way Home Montgomery County CoC providers to quickly and effectively help families and individuals exit from homelessness to permanent housing with stability, divert a household from needing to utilize emergency shelter, or to prevent a household from becoming homeless in the first place. Using a progressive engagement approach, Your Way Home Montgomery County CoC service providers offer only those resources necessary to help clients succeed and only after all public and community resources have been exhausted.

Your Way Home Montgomery County CoC providers should make every reasonable effort to procure items at low prices to conserve the limited private dollars available through the generosity of grant makers and individual donors to the Fund.

Your Way Home Initiative Fund eligible uses include the following:

- Birth certificate or ID replacement costs
- Car repair/car insurance
- Job training program costs (fees, uniforms and equipment)
- Child care/day care services
- Extermination (if not paid for by public dollars or lease agreement)
- Food gift cards
- GED and College Entrance testing costs
- Motel/hotel stay per Your Way Home [hotel policy](#)
- Renters insurance
- School uniforms and books
- Transportation costs for housing, health, child care, employment and job training appointments (bus tokens, train passes, taxi rides, etc.)
- Bedroom Items (Beds, bedbug mattress protectors, pillows, blankets, sheets, etc.)
- Kitchen Items (Kitchen/cooking items, food staples, etc.)
- Living Room Items (Furniture, fans, AC Units – medical need only, etc.)



- Home Maintenance Items (Vacuums, cleaning supplies, etc.)
- Personal Care Items (Towels, bathroom items, personal hygiene, etc.)
- Landlord mitigation for damage beyond security deposit
- Landlord signing bonuses for leasing to Your Way Home Montgomery County CoC clients
- Landlord mitigation payments for back rent owed by a previous Your Way Home client
- Landlord engagement events
- Holding costs to hold a vacant unit (e.g., while it is being inspected)
- Assistance with Landlord Legal Fees

It is the responsibility of the Your Way Home Montgomery County CoC providers to budget and manage all funds awarded through the Your Way Home Initiative Fund.

#### **Lease Violations by a Your Way Home Montgomery County Client Policy**

Neither the landlord nor the Provider have the ability to directly evict. Furthermore, Your Way Home Montgomery County CoC staff may not discuss tenancy directly with a subtenant or guest. The landlord is responsible for properly evicting a tenant for violation of the lease through legal measures, if they choose to do so. Your Way Home Montgomery County CoC may only take programmatic action against the tenant per YWH Montgomery County COC policies.

#### **Prohibition Against Involuntary Family Separation**

Housing providers are prohibited from denying housing children with their custodial parent due to the age or gender of a child under the age of 18. Housing providers are required to reasonably accommodate all members of a family experiencing homelessness as defined by that family and not deny enrollment or housing of any custodial parent or dependent child.

#### **Tenant Protections under Violence Against Women Act (VAWA) for Rapid Re-Housing Clients**

A Client may not be denied assistance, terminated from participation, or be evicted from rental housing because of victimization of domestic violence, dating violence, sexual assault, or stalking. Additionally, a client who is experiencing or has experienced domestic violence, dating violence, sexual assault, or stalking by a household member or guest of the household may not be denied assistance from the program solely on the basis of criminal activity directly related to that domestic violence, dating violence, sexual assault, or stalking. Victims receiving Housing assistance may request a transfer as outlined on the policy of [emergency transfer for victims](#).

#### **Your Way Home Montgomery County Landlord Engagement Policy**

To engage landlord and property managers, providers are expected to:

1. Continuously, actively engage, recruit, and find new landlords willing to work with Your Way Home program.
2. Provide landlords and property managers with one telephone number for any questions or concerns about the program or a specific client.
3. Be accessible and responsive to landlords and property managers via email, phone, postal mail, etc.; generally defined as responding within two business days.

4. If an issue arises between a Your Way Home Montgomery County client, such as unpaid rent or a lease violation, connect landlords, property managers and clients with neutral mediation services through the Department of Housing and Community Development's legal services contracted provider or another nonprofit legal aid provider to avoid a costly and time consuming eviction.

### Your Way Home Montgomery County Landlord Client Information Policy

Your Way Home Montgomery County housing providers should help landlords and property managers to understand that eligible families and individuals have needs and goals related to achieving housing stability, health and economic security that may change over time. Patience, flexibility and honest communications are critical to helping them succeed.

Staff should communicate the following information to landlords and property managers as frequently as needed and appropriate while following the strictest protocols of client confidentiality required by policy and law:

1. With the client's permission, providers will communicate with the landlord or property manager describing in broad terms specific barriers to housing stability identified through the assessment process and steps being taken to address them in the Housing Stability Plan.

Eviction Prevention Specialist and Housing Resource Center Supervisors are expected to work closely with [the Housing Equality Center](#) of Pennsylvania in order to fully understand policies & law related to promoting Fair Housing.

### Emergency Transfer for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Your Way Home Montgomery County CoC is concerned about the safety of its households, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), Your Way Home Montgomery County CoC allows Housing clients who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of Your Way Home Montgomery County to honor such request for clients currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether Your Way Home Montgomery County has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

A client who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer if:

- The client reasonably believes that there is a threat of imminent harm from further violence if the client remains within the same unit, and/or
- The client was a victim of sexual assault occurring on the premises within 90 calendar days preceding a verbal request for emergency transfer.

If a client wishes to request an emergency transfer, they must do so via a written request. Reasonable accommodations to this policy will be provided for individuals with disabilities. The client's written request for emergency transfer must include either:

- A statement expressing that the client reasonably believes that there is a threat of imminent harm of further violence if the client were to remain in the same unit OR
- A statement that the client was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the client's request for an emergency transfer.

Your Way Home Montgomery County CoC will keep confidential any information that the client submits in requesting an emergency transfer. This information will not be uploaded into Clarity. All further notes will be marked as private and all data and information being put into HMIS will follow the policy on entering [non-identified information](#).

Clients must be provided with the contact information to the local organizations that assist victims (including, but not limited to, Laurel House and The Women's Center of Montgomery County). Clients who are or who have been victims of domestic violence are urged to take all reasonable precautions to be safe and to work with Laurel House domestic violence shelter for assistance in creating a safety plan.

People who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233 (for persons with hearing impairments, 1-800-787-3224).

People 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>.

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

## 7. Homelessness Prevention Policies

The following policies should be applied to the delivery of services for all PA-504 Your Way Home Continuum of Care homeless prevention programming including but not limited to the Emergency Rent and Utilities Coalition (ERUC) and the Eviction Prevention and Intervention Coalition (EPIC).

### 7.1 Attorney Insurance

All attorneys are required to maintain and provide proof of malpractice insurance prior to providing services for EPIC. Montgomery Bar Association maintains the right to review the insurance policy of any attorneys volunteering with EPIC.

### 7.2 Landlord-Tenant Law Training

All attorneys and paralegals are required to attend training on Landlord-Tenant law and the EPIC program policies and procedures as determined by the Montgomery County Office of Housing and Community Development/ the Montgomery Bar Association prior to rendering their services to EPIC. Volunteers may be required to attend re-fresher training if more than a year has passed since their training date, or as otherwise required by the Montgomery County Office of Housing/ Montgomery Bar Association, to participate in EPIC.

### 7.3 Limited Representation

Legal representation provided to clients through the EPIC program is considered limited representation. All clients must sign a waiver for ongoing representation prior to receiving legal services from EPIC.

In the event of a continuance of a case, the tenant will request the continuance from the Judge. While efforts will be made to provide pro bono representation through EPIC on the day the hearing is scheduled, there is no guarantee that this program will provide pro bono representation in the event of a continuance (for example, if volunteers are not available).

### 7.4 Homelessness Prevention Eligibility for New Clients

In order to be eligible as a new client for Homeless Prevention (HP), households must be able to provide documentation of the following:

Homeless Status: households must meet one of the following definition of homeless status, and HP providers must obtain the Recordkeeping Requirements listed below and maintain in the client's file:

- *At Imminent Risk of Homelessness:* Individual or family who will imminently lose their primary nighttime residence, provided that:
  - Residence will be lost within 14 days of the date of application for homeless assistance;
  - No subsequent residence has been identified; and
  - The individual or family lacks the resources or support networks needed to obtain other permanent housing.
- *Homeless Under Other Federal Statutes:* Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
  - Are defined as homeless under the other listed federal statutes;

- Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application;
  - Have experienced persistent instability as measured by two moves or more during the preceding 60 days; and
  - Can be expected to continue in such status for an extended period of time due to special needs or barriers.
- *Fleeing or Attempting to Flee Domestic Violence, Dating Violence or Stalking:* Any individual or family who is fleeing or attempting to flee domestic violence, has no other residence, and lacks the resources or support networks to obtain other permanent housing, and live in an emergency shelter or other place described in Category 1 of the homeless definition.

Recordkeeping requirements:

*For At Imminent Risk of Homelessness:*

- A court order resulting from an eviction action notifying the individual or family that they must leave; or
- For individuals or families leaving a hotel or motel – evidence that they lack the financial resources to stay; or
- A documented and verified oral statement; and
- Certification that no subsequent resident has been identified; and
- Self-certification or other written documentation that the individual lacks the financial resources and support necessary to obtain permanent housing

*For Homeless Under Other Federal Statutes:*

- Certification by the non-profit or state or local government that the individual or head of household seeking assistance met the criteria of homelessness under another federal statute; and
- Certification of no PH in last 60 days; and
- Certification by the individual or head of household, and any available supporting documentation, that they have moved two or more times in the last 60 days; and
- Documentation of special needs or 2 or more barriers.

*For Fleeing or Attempting to Flee Domestic Violence, Dating Violence or Stalking:*

- An oral statement by the individual or head of household seeking assistance which states they are fleeing, they have no subsequent residence; and they lack resources. Statement must be documented by a self-certification or a certification by an intake worker.

Additionally, households must be at or below 30% Area Median Income. Income documentation must be collected.

All eligibility documentation must be maintained in the client's file.

### 7.5 Eligible Uses for Homeless Prevention Funding

YWH Montgomery County Homeless Prevention funding may be used to provide the following for clients enrolled in Homeless Prevention programs. HP providers must also reference the Invoicing and Eligible Costs Checklist Form to ensure invoicing compliance.

#### *Homeless Prevention Direct Client Subsidies:*

- Financial Assistance (Move-in costs)
  - Rental Application Fees (When charged by owner to all applicants)
  - Security Deposits
  - Last Month's Rent
  - Utility Deposits (When required by utility company for all customers)
  - Utility Payments (Up to 24 months per household, per service (gas, electric, water/sewage), including up to 6 months of arrearages per service)
  - Moving Costs (Cost of truck rental, moving company, up to 3 months of storage)
- Rental Assistance
  - One-Time Rental Arrearage assistance of up to 6 months' worth of rent, which can include late fees and court fees
  - Short-term rental assistance (0-3 months)
  - Medium-term rental assistance (4-24 months)

#### *Additional Requirements*

- Short or Medium Term Rental assistance cannot be provided to a program participant that is receiving Tenant-Based Rental Assistance or living in a unit receiving Project-Based Rental Assistance or operating assistance through other public sources.
- Utility assistance should only be provided when other utility assistance programs are not available

Distribution of assistance is provided following an assessment of client need, ability to maintain the unit after assistance is provided, and available funding. Financial assistance is not guaranteed in any amount to any client. Homelessness Prevention programs reserve the right to refuse financial assistance to clients based on a client's assets or financial ability to pay, a client's inability to maintain the rent even after arrearages are paid, or if funding is not available.

Financial assistance will only be paid directly to the approved vendor (i.e. landlord), and will not be paid directly to a client. Households must have a written lease in order to receive rental assistance or financial assistance.

Records of financial assistance must be maintained in compliance with all funding requirements as outlined by the Montgomery County Foundation and/or the Montgomery County Office of Housing and Community Development.



The program participant's income must be verified prior to approval for initial and additional financial assistance. Documentation of the participant's income and expenses, including how the participant is contributing to housing costs, if at all, shall be maintained in the client's file.

Households are eligible to receive assistance with Rental Application fees only if these fees are charged by the owner to all applicants.

Households are eligible to receive Security Deposit financial assistance equal to no more than two months' rent. Households are eligible to receive Last Month's Rent financial assistance paid to the owner of housing at the time security deposit is paid if necessary to obtain housing.

### 7.6 Housing Stability Case Management & Planning in Homeless Prevention

All Eviction Prevention Specialist must meet in person monthly, at a minimum, with enrolled HP households, particularly for any HP household receiving ongoing Rental Assistance. All Eviction Prevention Specialist must complete a Housing Stability Plan with every client at least once every three months, or more frequently as needed. The Housing Stability Plan must clearly outline the action steps of both the Coach and the client, the due dates for each task, and the required documentation or follow-up for each task. Every Housing Stability Plan must be signed by the Coach and the client. A copy of every Housing Stability Plan must be given to the client and a copy must be retained in the clients' file.

Eviction Prevention Specialist should use any relevant information to develop Housing Stability Plans. It is expected that each Housing Stability Plan will identify multiple areas/ domains for action (such as Housing, Health, Public Benefits). The number of tasks included on the Housing Stability Plan should be consistent with the client's abilities.

Eviction Prevention Specialist must document the results of each Housing Stability Plan, including client's follow-through with tasks and completion of tasks by the assigned deadlines. The results of the Housing Stability Plan must be shared with the client, so the client is able to see their own progress on the plan, and is aware of any missed items or tasks. All follow-up documentation must be retained in the client's file.

### 7.7 Determining Rent Reasonableness and Fair Market Rent

Homeless Prevention programs providing financial assistance and/or ongoing rental assistance must develop and implement standards which ensure a mechanism for determining that the actual rental costs of units assisted are in compliance with HUD's Fair Market Rent, as provided under 24 CFR part 888 and complies with HUD's standard of "rent reasonableness" as established under 24 CFR 982.507. Rent Reasonableness means that the total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same time period for comparable non-luxury unassisted units. See HUD's worksheet on [rent reasonableness](#) and [Fair Market Rent Documentation System](#).

HP programs are responsible for determining what documentation is required in order to ensure that the rent reasonableness standard is met for a particular unit. HP programs should determine rent reasonableness by considering the gross rent of the unit and the location, quality, size, type, and age of the unit, and any amenities, maintenance, and utilities to be provided by the owner.

To calculate the gross rent for purposes of determining whether it meets the rent reasonableness standard, consider the entire housing cost: rent plus the cost of any utilities that must, according to the lease, be the responsibility of the tenant. Utility costs may include gas, electric, water, sewer, and trash. However,

telephone, cable or satellite television service and internet service should be excluded. The gross rent also does not include pet fees or late fees that the program participant may accrue for failing to pay the rent by the due date established in the lease.

Comparable rents can be checked by using a market study of rents charged for units of different sizes in different locations or by reviewing advertisements for comparable rental units. For example, a program participant's case file might include the unit's rent and description, a printout of three comparable units' rents, and evidence that these comparison units shared the same features (location, size, amenities, quality, etc.). The Your Way Home Rent Reasonableness Form is also available for this use. Another acceptable method of documentation is written verification signed by the property owner or management company, on letterhead, affirming that the rent for the unit assisted with Rental Assistance funds is comparable to current rents charged for similar unassisted units managed by the same owner.

### 7.8 Units Paid for with Financial Assistance and/or Rental Assistance

Rental units paid for with HP Financial Assistance (move-in costs) and/or ongoing Rental Assistance must:

- Comply with Fair Market Rent limits as calculated in 24 CFR §982.503.
- Comply with Rent Reasonableness requirements outlined in 24 CFR §982.507.
- Comply with Minimum Habitability Standards, including lead-based paint requirements.
- Have a Rental Assistance Agreement with specific lease stipulations between the HP agency and the landlord.
- Have a legally binding, written lease agreement between tenant and landlord. CoC funds require a one year lease minimum.
- The unit must not be paid for with other subsidies of the same type.
- The building/property/unit must be free of tax liens. NOTE: This is not a federal regulation. If an HP program would like to request a waiver or accommodation on this requirement, they may contact the Your Way Home Program Manager.

If the aforementioned criteria are met, then financial assistance and/or rental assistance are an allowable expenditure of federal Financial Assistance or Rental Assistance funds for persons meeting HP program client eligibility requirements. Assistance may be provided for apartments, rental houses, rented rooms in houses, etc.

## Glossary

### *Programmatic Definitions*

#### Category 1 Homeless:

An individual who belongs to one of the following categories:

- An individual who lacks a fixed, regular, and adequate nighttime residence, meaning:
  - An individual with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
  - An individual living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals);
  - An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution

#### Category 2 Homeless

- An individual who will imminently lose their primary nighttime residence, provided that:
  - The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance
  - No subsequent residence has been identified; and
  - The individual lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;

#### Category 4 Homeless

- Any individual who:
  - Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual that has either taken place within the individual's primary nighttime residence or has made the individual afraid to return to their primary nighttime residence;
  - Has no other residence; and
  - Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing

#### Continuum of Care (CoC)

A community plan to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximize self-sufficiency. It includes action steps to end homelessness and prevent a return to homelessness.”

#### Coordinated Entry System (CES)

CES is a regionally based system that connects new and existing programs into a “no wrong-door network” by assessing the needs of individuals/ families/youth experiencing homelessness and linking them with the most appropriate housing and services to end their homelessness.

## Emergency Shelter (ES)

Any facility whose primary purpose is to provide temporary shelter for homeless in general or for specific populations of the homeless.

## Homeless Prevention

Activities or programs designed to prevent the incidence of homelessness, including, but not limited to:

- 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 its own apartment;
- Mediation programs for landlord-tenant disputes;
- Legal services programs that enable 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.
- Permanent Supportive Housing (PSH) – Long-term, community-based housing that has supportive services for homeless persons with disabilities. This type of supportive housing enables the special needs of populations to live independently as possible in a permanent setting.
- Rapid Rehousing (RRH) – A support intervention that uses a combination of case management, Housing Navigation, and short to medium term financial assistance to assist mid-range acuity homeless households identify and stabilize in tenant-based, scattered site, permanent housing.

## Transitional Housing (TH)

Transitional housing (TH) is designed to provide homeless individuals and families with the interim stability and support to successfully move to and maintain permanent housing.

## General Terminology

### Americans with Disabilities Act (ADA)

A civil rights law passed in 1990 that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, housing, schools, transportation, and all public and private places that are open to the general public. ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex (including gender identity and expression), national origin, age, and religion.

### Assigned/Designated Sex at Birth

Frequently a binary designation of "male" or "female". Based on the person's internal or external anatomy at birth. Assigned at birth, typically by a medical professional (e.g., sex listed on birth certificate). May or may not correspond to one's gender identity

### Case Management

Case management is defined by the Case Management Society of America as "a collaborative process of assessment, planning, facilitation, care coordination, evaluation, and advocacy for options and services" to meet individual needs.

### Chronically Homeless

A homeless individual with a disability who lives either in a place not meant for human habitation, a safe haven, or in an emergency shelter, or in an institutional care facility if the individual has been living in the facility for fewer than 90 days and had been living in a place not meant for human habitation, a safe haven, or in an emergency shelter immediately before entering the institutional care facility. In order to meet the "chronically

homeless” definition, the individual also must have been living as described above continuously for at least 12 months, or on at least four separate occasions in the last 3 years, where the combined occasions total a length of time of at least 12 months. Each period separating the occasions must include at least 7 nights of living in a situation other than a place not meant for human habitation, in an emergency shelter, or in a safe haven.

### Cisgender

Refers to a non-transgender person. The prefix “cis” means “matches”. So, cisgender means that one’s sex assigned at birth “matches” one’s gender identity

### Disability

A physical or mental impairment that substantially limits one or more of the major life activities of such for an individual.

### Equality

The state of being equal, especially in status, rights, and opportunities

### Equity

The quality of being fair and [impartial](#)

### Fair Housing Act

1968 act (amended in 1974 and 1988) providing the HUD Secretary with fair housing enforcement and investigation responsibilities. A law that prohibits discrimination in all facets of the home buying process on the basis of race, color, national origin, religion, sex, familial status, or disability

### Fair Market Rent (FMR)

Primarily used to determine payment standard amounts for the Housing Choice Voucher program, to determine initial renewal rents for some expiring project-based Section 8 contracts, to determine initial rents for housing assistance payment contracts in the Moderate Rehabilitation Single Room Occupancy program, and to serve as a rent ceiling in the HOME rental assistance program

### Gender Expression

External expression of gender identity (note that many times people do not feel they can safely express their gender identity). Exhibited through: behavior, clothing, hairstyle, body language, and voice. Does not always correspond to a person’s gender identity. May change over time or even day-to-day

### Gender Identity

Internal or innate sense of being male, female, or another gender. May or may not match their assigned sex at birth. May not be visible based on outward appearance

### Gender-Neutral

Language used to describe “all gender” or unisex spaces, (i.e., gender-neutral or all gender bathrooms), language about relationships (spouse or partner, instead of wife/husband or boyfriend/ girlfriend), etc.

### Gender Non-Conforming

Someone who does not conform to traditional gender roles or stereotypes. Traditional roles and stereotypes vary based on different cultural and societal ideals. Individuals may be perceived as having a different gender than their outward appearances (behavior, clothing, hairstyle, body language, voice).

## Housing First

An approach that helps individuals who are unsheltered or living in an emergency shelter find permanent housing without preconditions or barriers. It then connects them with the community, health, human, and financial services they need to prevent future experiences of homelessness

## Lease

A written agreement between an owner and a family for the leasing of a decent, safe, and sanitary dwelling unit to the family.

## Lease Term

The period of time for which a lease agreement is written

## McKinney Vento Homeless Assistance Act

A federal law created to support the enrollment and education of homeless students. McKinney-Vento is intended to provide homeless students the same educational opportunities as housed students by removing as many barriers to learning for homeless students as possible.

## Non-Binary Person

A person who does not identify as male or female (male/female are the two ends of the gender spectrum).

## Rent Reasonableness

The total rent charged for a unit must be reasonable in relation to the rents being charged during the same time period for comparable units in the private unassisted market and must not be in excess of rents being charged by the owner during the same period for comparable non-luxury unassisted units. Such determinations should consider: (a) location, quality, size, type, and age of unit; and (b) any amenities, housing services, maintenance and utilities to be provided by the owner. Comparable rents may be verified by using a market study, reviewing comparable units advertised for rent, or by obtaining written verification from the property owner documenting comparable rents for other units owned.

## Security Deposit

A payment required by an owner to be held during the term of the lease (or the time period the tenant occupies the unit) to offset damages incurred due to the actions of the tenant. Such damages may include physical damage to the property, theft of property, and failure to pay back rent. Forfeiture of the deposit does not absolve the tenant of further financial liability

## Sexual Orientation

Describes who an individual experiences physical or emotional attraction to. Distinct from one's gender expression or identity.

## Transitioning (Gender Transition)

Process that some (but not all) transgender people go through to begin living as the gender with which they identify, rather than the sex assigned to them at birth. Transitioning does not require medical treatment.

## Transgender

Umbrella term for people whose gender identity is different from their assigned sex at birth. Occasionally, an individual may determine they no longer identify as transgender after they transition.

## Trans Woman

Someone who lives or identifies as a woman, even though they were assigned male at birth. May or may not have undergone medical treatments. Sometimes referred to as "Male-to-Female" or "MTF," but these terms



may not be preferred as they can over-emphasize that the person was born male rather than her current identity.

### Trans Man

Someone who lives or identifies as a man, but was assigned female at birth. May or may not have undergone medical treatments. Sometimes referred to as “Female-to-Male” or “FTM,” but these terms may not be preferred as they can over-emphasize that the person was born female rather than his current identity.

### Violence Against Women Act (VAWA)

A comprehensive legislative package passed in 1994 and designed to improve criminal justice responses to sexual assault, domestic violence, dating violence, and stalking and to increase the availability of services for victims and survivors. VAWA has been reinstated 2000, 2005, 2013 and 2022.