



Guidelines

FOR THE

Community Behavioral Health Rental Assistance Program (CBRA)

July 1, 2019 – June 30, 2021

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1 Grant Basics

1.1 Overview

The Community Behavioral Health Rental Assistance program (CBRA) provides permanent rental subsidy for high-risk individuals with behavioral health conditions and their households. When partnered with programs offering supportive housing services such as Washington’s Foundational Community Supports (FCS) program, Aging and Long-Term Supports (AL TSA) programs, Housing and Recovery through Peer Services (HARPS) programs, or others, highly-vulnerable persons with complex behavioral health needs have opportunities to live independently in the communities of their choice.

1.2 Fund Source

CBRA is funded by State General Funds as allocated by the Legislature.

2 Administrative Requirements

2.1 Grant Management

2.1.1 Changes to Guidelines

Commerce may revise the guidelines at any time. All lead grantees will be sent revised copies. Lead grantees are responsible for sending revisions to subgrantees, if any, in a timely manner.

2.1.2 Commerce Monitoring

Commerce will monitor lead grantees' CBRA grant activities. Lead grantees will be given a minimum of 30 days' notice unless there are special circumstances that require immediate attention. The notice will specify the monitoring components.

2.1.3 Subgrantee Requirements

The CBRA Grant General Terms & Conditions Section 32 identifies subgrantee requirements. In addition, all subgrantee agreements must be time-limited and have defined roles and responsibilities for each party, detailed budgets and performance terms. Commerce reserves the right to directly contact subgrantees at any time for data quality, monitoring, fiscal and other issues.

Lead grantees may enter into an agreement with any other nonprofit housing assistance organization who operate programs to end homelessness within a defined service area.

Lead grantees must provide Commerce with copies of subgrant agreements (upon request) and notify Commerce if subgrants are terminated during the grant period.

Lead grantees must notify Commerce of any changes in selection of subgrantees funded with CBRA, or changes in the interventions of those subgrantees.

2.1.3.1 Subgrantee Risk Assessment and Monitoring

Lead grantees are responsible for ensuring subgrantee compliance with all requirements identified in the CBRA guidelines. The lead grantee must conduct a risk assessment and develop a monitoring plan for each subgrantee within six months of contracting CBRA funds to the subgrantee. The risk assessment must inform the monitoring plan for each subgrantee. Monitoring plans must include monitoring dates, the type of monitoring (remote, on-site), and the program requirements being reviewed.

Commerce reserves the right to require lead grantees to undertake special reviews when an audit or other emerging issue demands prompt intervention and/or investigation.

2.2 Performance Measurement

Performance Measures help evaluate the effectiveness of the Permanent Housing Subsidy programs. For more details, see [Appendix D: Performance Requirements](#).

The Department of Commerce (Commerce) has identified the following as the most critical performance measures for Permanent Housing Subsidy programs:

- ✓ Prioritizing those exiting an institution setting or unsheltered homeless or fleeing violence with a behavioral health condition for PHS program enrollment.
- ✓ Increasing retention in the PHS program or exits to permanent housing

2.3 Reporting Requirements

Grantees must submit accurate and complete information for the Annual County Expenditure Report to the Consolidated Homeless Grant Lead Contractor in the communities in which they serve.

2.4 Fiscal Administration

2.4.1 Budget Caps

Administration - up to 15 percent of total reimbursed costs may be used for administration. See [Section 4](#) for details on allowable expenses for Administration and Program Operations.

2.4.2 Reimbursements

Lead grantees must bill Commerce monthly for reimbursement of allowable costs. Invoices are due on the 20th of the month following the billing period. Final invoices for a biennium may be due sooner than the 20th. If the lead grantee fails to submit an invoice within a three-month period, without a reasonable explanation, Commerce may take corrective action resulting in withholding of payment or reduction in contracted amount. Exceptions to billing procedures can be negotiated with Commerce on a case-by-case basis.

Invoices must be submitted online using the Commerce Contract Management System (CMS) via Secure Access Washington (SAW). Contact your Commerce representative for access to the online invoicing system.

2.4.2.1 Reimbursement Back-up Documentation

Requests for reimbursement must be accompanied by a general ledger report for the month reimbursement is being requested. The general ledger report should be attached to the online invoice and charges that comprise the reimbursement request must be highlighted. The sum of all highlighted charges must be equal to the requested amounts. Source documentation such as cancelled checks, purchase orders, or time sheets are not required.

Commerce may require a lead grantee to submit additional documentation as needed to approve reimbursement. Lead grantees must retain original invoices submitted by their subgrantees.

2.4.3 Budget Revisions

Budget revisions that move less than 10% of the grant total may be performed by

request to Commerce. The Administration budget cap must be maintained with each revision.

A contract amendment is required when revisions (in one or cumulative transfers) reach more than 10 percent of the grant total.

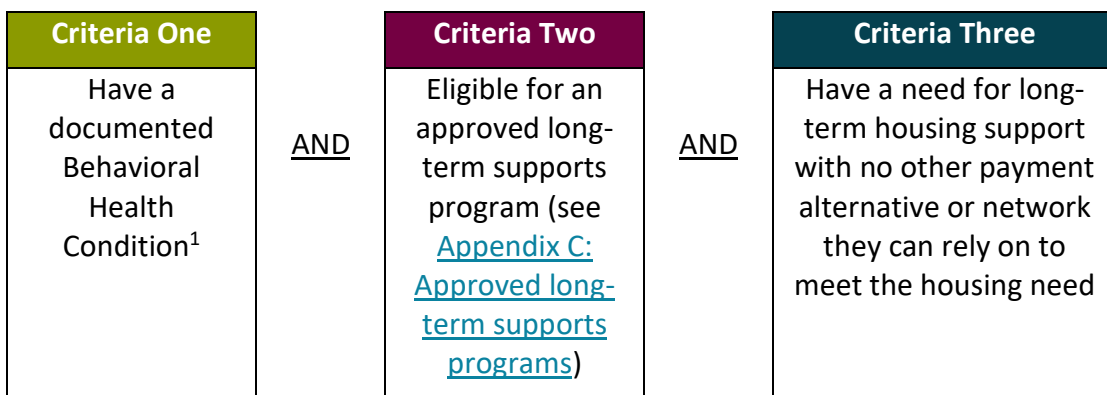
3 Program Eligibility and Priority Populations

3.1 Household Eligibility

3.1.1 Eligibility Criteria:

A household is one or more individuals seeking to obtain or maintain housing together. A household does not include friends or family that are providing temporary housing.

Households eligible for rental assistance under this program must have an adult member of the family who meets **ALL** of the following criteria:



3.1.1 Documentation of Eligibility

Grantees must document eligibility for at least one adult member of the household. The [CBRA Verification of Household Eligibility Form](#) and all applicable documentation (see below) is to be kept in the client file and dated within 30 days of program entry.

For a list of all required client file information and documentation see [Appendix B: Client File Information and Documentation](#).

3.1.1.1 Documentation of a Behavioral Health Condition

Grantees must verify and document a behavioral health condition for at least one adult member of the household prior to program entry.

Behavioral health conditions are mental health conditions or substance use disorders that impair an individual's capacity to address normal activities of daily living, and are expected to be of long duration.

Acceptable documentation includes one of the following:

^[1] A Behavioral Health Condition is a mental health condition or substance use disorder that impairs an individual's capacity to address normal activities of daily living, and is expected to be of long duration.

- ✓ Written verification of the behavioral health condition from an approved long-term supports program (see [Appendix D](#) for a list of approved long-term supports programs)
- ✓ Written verification from a licensed medical or behavioral health professional or social worker.
- ✓ Written verification from the Social Security Administration
- ✓ Written verification from the Department of Social and Health Services
- ✓ Disability check receipt (Social Security Disability Insurance check or Veteran Disability Compensation).
- ✓ Written self-attestation from the individual or statement from immediate family member. This method is to be used only if no other documentation method is available. Case manager must indicate why no other documentation is available.
- ✓ Other documentation as approved by Commerce.

3.1.1.2 Documentation of Eligibility from an Approved Long-Term Supports Program

Grantees must document eligibility for at least one approved long-term supports program prior to program entry. See [Appendix C: Approved Long-term Supports Programs](#) for a list of approved programs.

Acceptable documentation includes one of the following:

- ✓ Written verification of eligibility for a Foundational Community Supports (FCS) Program from Amerigroup or an FCS provider
- ✓ Written verification of eligibility for the Housing and Recovery through Peer Services (HARPS) program from a HARPS team or provider.
- ✓ Written verification of eligibility for an Aging and Long-Term Supports (AL TSA) program from DSHS.
- ✓ Written verification of eligibility from another long-term supports program with documentation of Commerce approval.

3.1.1.3 Documentation of Long-term Support Need and Lack of Resources and Supports

Grantees must provide documentation of the need of the individual for long-term housing support and that they have no other resources or support networks that can meet that need. The [CBRA Certification of Long-Term Housing Support Need](#) form can be used to collect a statement from a qualified party (below). Any type of written statement signed and dated within 30 days of program enrollment by the qualified party can be used as documentation.

Acceptable documentation includes one of the following:

- ✓ Statement from a Case Manager verifying the need for long-term housing support and the lack of sufficient resources and/or support networks to meet the housing need.
- ✓ Statement from a licensed medical or behavior health professional or social worker verifying the need for long-term housing support and the lack of sufficient resources and/or support networks to meet the housing need.

- ✓ Statement from a discharge professional verifying the need for long-term housing support and the lack of sufficient resources and/or support networks to meet the housing need.

3.1.2 Eligibility Recertification

As the conditions that determine eligibility for this program are unlikely to change from year to year, annual eligibility recertification is **not** required.

In the case that a household loses eligibility in the approved long-term support program (FCS, HARPS, etc), grantees must review whether the household is still eligible for the CBRA program based on the following criteria:

- ✓ Has had no change in behavioral health condition status.
- ✓ Has a documented need for continued long-term housing supports with no other identified payment alternative or network that they can rely on to meet the housing need.
- ✓ Has an income that does not exceed 50 percent of area median income as defined by HUD.

3.1.3 Determination of Income Eligibility at Recertification

For a household to remain eligible for the CBRA program after losing eligibility for an approved long-term supports program, the combined household income must not exceed 50 percent of area median gross income as defined by HUD.

Income limits are based on Area Median Income (AMI) which can be located for each county at: www.huduser.gov (Data Sets, Income Limits).

Income is money that is paid to, or on behalf of, any household member. Income includes the current gross income (annualized) of all adult (18 years and older) household members and unearned income attributable to a minor. Income eligibility determinations are based on the household's income at program recertification. Income inclusions and exclusions are listed in the Electronic Code of Federal Regulations, www.ecfr.gov, Title 24 – Housing and Urban Development: Subtitle A 0-99: Part 5: Subpart F: Section [5.609 Annual Income](#).

Gross Income is the amount of income earned before any deductions (such as taxes and health insurance premiums) are made.

Current Income is the income that the household is currently receiving. Income recently terminated should not be included.

3.1.3.1 Annualizing Wages and Periodic Payments

Use the [CBRA Income Eligibility Worksheet](#) (or equivalent) to calculate income based on hourly, weekly, or monthly payment information. Add the gross amount earned in each payment period that is documented and divide by the number of payment periods. This provides an average wage per payment period. Depending the schedule of payments, use the following calculations convert the average wage into annual income:

- ✓ Hourly wage multiplied by hours worked per week multiplied by 52 weeks.

- ✓ Weekly wage multiplied by 52 weeks.
- ✓ Bi-weekly (every other week) wage multiplied by 26 bi-weekly periods.
- ✓ Semi-monthly wage (twice a month) multiplied by 24 semi-monthly periods.
- ✓ Monthly wage multiplied by 12 months.

3.1.4 Documentation of Recertification of Eligibility

Grantees must provide the [CBRA Eligibility Recertification](#) form with the final determination of eligibility and documentation to support the determination in the client file. Documentation must be dated within 45 days of recertification date.

3.1.4.1 Documentation of Lack of Change in Behavioral Health Condition Status

If a household's Behavioral health condition continues to impair capacity to address normal activities of daily living, and is expected to be of long duration, no additional documentation is needed. In the case that behavioral health condition status has changed, the grantee should provide documentation that led them to determine this change in status. See [3.1.1.1 Documentation of a Behavioral Health Condition](#) for appropriate documentation standards.

3.1.4.2 Documentation of Continued Long-term Support Need and Lack of Resources and Supports

At recertification, grantees must provide documentation of the continued need of the individual for long-term housing support and verification that they have no other resources or support networks that can meet that need. See section [3.1.1.3 Documentation of Long-term Support Need and Lack of Resources and Supports](#).

3.1.4.3 Documentation of Income Eligibility at Recertification

Lead/subgrantees must verify and document income eligibility at recertification. [CBRA Income Eligibility Worksheet](#) (or equivalent) and all allowable income documentation ([See Appendix G](#)) must be kept in the client file.

3.1.5 Ineligible at Recertification

If a household is determined ineligible at recertification, grantees have the option of providing up to six additional months of rental subsidy to support the household to transition to self-sufficiency. The decision to provide additional rental subsidy of up to 6 months must be noted in the client file.

3.2 Priority Population

Grantees must prioritize individuals meeting eligibility criteria for the program that are discharging or needing to discharge from a psychiatric hospital or other behavioral health inpatient setting, unsheltered homeless, or fleeing violence. For more information about prioritization, see [Appendix D: Performance Requirements](#).

4 Eligible Activities and Costs

The primary activity of this program is payment of a Permanent Housing rent subsidy to a landlord on behalf of an eligible household. A comprehensive guide of eligible activities and costs to support the primary activity is found below.

4.1 Administration

Allowable administrative costs benefit the organization as a whole and cannot be attributed specifically to a particular program. Up to 15 percent of total reimbursed costs over the course of the grant period may be used for administration. This limit must be reconciled before the end of the grant period.

Administrative costs may include the same types of expenses that are listed in program operations (such as IT staff and office supplies), in the case that these costs are benefiting the agency as a whole and are not attributed to a particular program.

Administrative costs may include, but are not limited to, the following:

- ✓ Executive director salary and benefits.
- ✓ General organization insurance.
- ✓ Organization wide audits.
- ✓ Board expenses.
- ✓ Organization-wide membership fees and dues.
- ✓ General agency facilities costs (including those associated with executive positions) such as rent, depreciation expenses, and operations and maintenance.

All amounts billed to administration must be supported by actual costs, or portions of actual costs. These costs must be charged to grant cost centers by one of the following three methods:

- ✓ Billed directly such as IT services that are billed by the hour.
- ✓ Shared costs that are allocated directly by means of a cost allocation plan.
- ✓ Costs related to executive personnel such that a direct relationship between the cost and the benefit cannot be established must be charged indirectly by use of an indirect cost rate which has been appropriately negotiated with an approved cognizant agency or by use of the 10 percent de minimus rate.

4.2 Short-term Housing

Funds may be used to provide hotel or motel housing for not more than 60 days when no suitable shelter bed is available while a permanent housing search is conducted.

4.3 Rent and Utilities

Rent and other eligible housing costs must be paid directly to a third party on behalf of the household. Rent payments may not be made directly to the eligible household.

4.3.1 Rent and Associated Costs

- ✓ Monthly rent and any combination of first and last months' rent. Rent may only

be paid one month at a time, although rental arrears, pro-rated rent, and last month's rent may be included with the first month's payment.

- ✓ Rental arrears and associated late fees for up to three months. Rental arrears may be paid if the payment enables the household to obtain or maintain permanent housing.
- ✓ Costs of parking spaces when connected to a unit.
- ✓ Incentives paid to landlords
- ✓ Security deposits for households moving into new units.
- ✓ Utilities which are included in rent.
- ✓ Renter's insurance

4.3.2 Other Housing Costs

- ✓ Utility payments for households also receiving rental assistance.
- ✓ Utility arrears (see utility-only assistance below) for up to three months. Utility arrears may be paid if the payment enables the household to obtain or maintain permanent housing.
- ✓ Utility deposits for a household moving into a new unit.
- ✓ Application fees, background, credit check fees, and costs of urinalyses for drug testing of household members if necessary/required for rental housing.
- ✓ Other costs as approved by Commerce.

4.3.3 Special Circumstances

- ✓ **Master-lease: security deposit and monthly rent is allowable when an organization master-leases a unit, and then sub-leases the property to CBRA-eligible households. Tenants must have a sublease with the master lease holder.**
- ✓ Temporary absence: if a household must be temporarily away from the unit, but is expected to return (such as temporary incarceration, hospitalization, or residential treatment), grantees may pay for the household's rent for up to 60 days and charge the grant for eligible costs. Any temporary absence must be documented in the client file.

4.3.4 Ineligible Expenses

- ☒ Cable television deposits or services.
- ☒ Mortgage assistance and utility assistance for homeowners.
- ☒ Security and janitorial (salaries and benefits associated with providing security, janitorial services).
- ☒ Essential facility equipment and supplies (e.g. common-use toiletries, food served in shelters, bedding, mats, cots, towels, microwave, etc.)
- ☒ Expendable transportation costs directly related to the transportation of eligible households (bus tokens and fuel for a shelter van).
- ☒ On-site and off-site management costs related to the building.
- ☒ Facility-specific insurance and accounting.
- ☒ Replacement or operating reserves.

- Debt service.
- Construction or rehabilitation of shelter facilities.
- Mortgage payment for a facility.

4.4 Operations

Operations expenses are directly attributable to a particular program that include:

- ✓ Salaries and benefits for staff costs directly attributable to the program, including but not limited to program staff, information technology (IT) staff, human resources (HR) staff, bookkeeping staff, and accounting staff.
- ✓ Office space, utilities, supplies, equipment (up to \$1,500 per grant period unless approved in advance by Commerce), telephone, internet, and training/conferences/travel and per diem.
- ✓ Data collection and entry.
- ✓ Other costs as approved in advance by Commerce.

5 Requirements for Providing Permanent Housing Subsidy (PHS)

Permanent Housing Subsidy (PHS) is a rental subsidy with no time limit for households with behavioral health conditions in need of long-term housing assistance. PHS includes the availability of support services and may be provided as a scattered-site or master-leased model.

PHS has the following characteristics:

- ✓ **Permanent Housing-** A lease or rental agreement between the landlord and tenant is required (see [5.7.1 Lease or Rental Agreement](#) for conditions of lease and rental agreements) and eligible households may stay in their housing indefinitely as long as they meet the basic obligations of tenancy as called out in the lease or rental agreement.
- ✓ **Permanent or Long-Term Eligibility-** Services and the housing subsidy are available permanently as long as the household remains eligible. If a household loses eligibility for a long-term supports program, they can retain their eligibility for PHS as long as they meet basic criteria (see [3.1.3 Determination of Income Eligibility at Recertification](#)).
- ✓ **Voluntary Support Services-** Support services are made available to clients but participation is voluntary.

5.1 Referrals and Use of Coordinated Entry

Referrals for the CBRA program may come from a variety of sources. To support effective referrals for the priority population, grantees should actively create and maintain relationships with psychiatric, substance use, and other treatment institutions, correctional institutions, coordinated entry systems, and providers working with those fleeing violence in the communities that they are serving.

The CBRA program is not required to participate in the local coordinated entry process. For CBRA program prioritization requirements, see section [3.2 Priority Population](#)

5.2 Service Delivery

Commerce promotes evidence-based program delivery models that align with best practices for providing permanent supportive housing and permanent housing subsidy. The following requirements apply to grantees and subgrantees that deliver PHS.

5.2.1 Permanent Supportive Housing Core Elements

Grantees should adhere to the core elements of Permanent Supportive Housing when administering Permanent Housing Subsidy. For more information, visit the [Substance Abuse and Mental Health Services Administration \(SAMHSA\) Permanent Supportive Housing Evidence-Based Practices Kit](#).

5.2.2 Housing First

Programs should be operated in accordance with Housing First principles. For detail on Housing First, see the [National Alliance to End Homelessness's webpage](#) on the topic.

5.2.3 Voluntary Services

Grantees must not terminate or deny services to households based on a household's refusal to participate in supportive services. Supportive services are intensive services aimed at helping a person obtain and maintain housing. Supportive Housing providers work in partnership with various community entities to provide wrap around support, such as mental health services, alcohol and substance abuse services, long term care services, life skills or independent living skills services and vocational services. These services are not billable to CBRA, but are allowable expenses under the FCS program or other supportive services programs.

5.3 HMIS

All eligible clients and their household members served under this program must be entered into HMIS, in accordance with data entry and quality guidelines as issued by the Department of Commerce (See the most recent [HUD HMIS Data Standards](#)).

All grantees and subgrantees entering data into the HMIS system must sign and comply with the terms of the [Agency Partner HMIS Agreement](#) found on the Commerce [HMIS webpage](#).

5.3.1 Data Quality

Data quality is reviewed with each invoice submission and will be scored annually. Grantees and subgrantees are required to provide quality data to the best of their ability. For more information on data quality requirements and expectations, see [Appendix E: Data Quality](#).

5.3.2 Consent for Entry of Personally Identifying Information

Clients whose identifying data are entered into HMIS may only be done by written consent of the client.

5.3.2.1 Identified Records

- ✓ Personally identifying information (PII)² must not be entered into HMIS unless all adult household members have provided informed consent.
- ✓ Informed consent must be documented with a signed copy of [the Client Release of Information and Informed Consent Form](#) in the client file. If electronic consent has been received, a copy does not need to be printed for the client file but must be available in HMIS. If telephonic consent has been received, complete the

² PII includes name, social security number, birthdate, address, phone number, email, and photo.

consent form the first time the household is seen in person. See [Agency Partner HMIS Agreement](#).

5.3.2.2 Anonymous Records

The following types of records must be entered anonymously:

- ✓ Households in which one adult member does not provide informed consent for themselves or their dependents.
- ✓ Households entering a domestic violence program or currently fleeing or in danger from a domestic violence, dating violence, sexual assault, human trafficking or a stalking situation.
- ✓ Households in programs which are required by funders to report HIV/AIDS status.

5.3.2.3 Special Circumstances

If the reporting of the HIV/AIDS status of clients is not specifically required, the HIV/AIDS status must not be entered in HMIS.

If a combination of race, ethnicity, gender, or other demographic data could be identifying in your community, those data should not be entered for anonymous records.

5.4 Habitability

Grantees are responsible for documenting habitability for all housing units into which households will be moving, except where a household moves in with friends or family. Housing units must be documented as habitable prior to paying the rent subsidy and every 12 months thereafter.

5.4.1 Allowable Methods for Unit Habitability Determination

Habitability can be documented by the Landlord Habitability Standards Certification Form or inspection. Both methods are valid for 12 months from the date documentation was signed or inspection conducted. If the housing unit is provided to a different household within 12 months of documented habitability, an additional certification/inspection is not required. One of the following methods must be applied to each subsidized unit:

- The [CBRA Landlord Habitability Standards Certification](#) Form references the state Landlord Tenant Act (RCW 59.18.060) and requires the landlord (as defined in RCW 59.18.030) to certify that the unit meets the safety and habitability standards detailed in the law. The landlord's failure to comply with the law may result in termination of the rent subsidy.
- OR
- Inspections: in lieu of (or in addition to) the above landlord certification, grantees may choose to inspect all or some housing units. Grantees may use the

[Commerce Housing Habitability Standards \(HHS\)](#) form or the HUD [Housing Quality Standards \(HQS\) Inspection](#) form.

Documentation of habitability certification or inspection must be kept in the client file.

5.4.2 Habitability Recertification

Grantees must document recertification of habitability every 12 months for the duration of the time the household is enrolled in the program. ([see 5.4.1. Allowable Methods for Unit Habitability Determination](#)). Documentation of habitability recertification must be kept in the client file.

5.4.3 Habitability Complaint Procedure

Lead/subgrantee must have a written procedure describing the response to complaints regarding unit safety and habitability. The procedure must include:

- ✓ Mandatory inspection when a complaint is reported using the HHS Form, HQS Inspection Form, or documenting the specific complaint in an alternate format that includes follow-up and resolution.

Each household must be informed in writing of the habitability complaint process and assured that complaints regarding their housing unit's safety and habitability will not affect the household's program eligibility.

5.5 Lead Based Paint Assessment

The grantee must ensure that a lead-based paint visual assessment is completed prior to payment of a permanent housing subsidy if a child under the age of six or pregnant woman resides in a unit constructed prior to 1978.

To prevent lead poisoning in young children, grantees must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at [24 CFR 35, Parts A, B, M, and R](#).

A visual assessment must be conducted on an annual basis thereafter (as long as assistance is provided.) Visual assessments must be conducted by a [HUD-Certified Visual Assessor](#) and must be documented on the HQS Inspection Form or HHS Form and maintained in the client file.

For a guide to compliance see [Appendix F: Lead-Based Paint Visual Assessment Requirements](#).

5.5.1 Exceptions to the Lead-Based Paint Visual Assessment Requirement

Visual assessments are not required under the following circumstances:

- ✓ Zero-bedroom or SRO-sized units;
- ✓ X-ray or laboratory testing of all painted surfaces by certified personnel has been conducted in accordance with HUD regulations and the unit is officially certified to not contain lead-based paint;
- ✓ The property has had all lead-based paint identified and removed in accordance

- with HUD regulations;
- ✓ The unit has already undergone a visual assessment within the past 12 months – obtained documentation that a visual assessment has been conducted; or
- ✓ It meets any of the other exemptions described in 24 CFR Part 35.115(a).

If any of the circumstances outlined above are met, grantees must include the information in the client file.

5.6 Washington Residential Landlord-Tenant Act

Grantees must provide information on the Washington Residential Landlord Tenant Act ([RCW 59.18](#)) to households receiving rent assistance.

For more information on this law, visit Washington Law Help, housing page, tenant rights at www.washingtonlawhelp.com.

5.7 Lease or Rental Agreements

A lease or rental agreement between the eligible household and the landlord must be executed at the time of payment of rental assistance. Leases or rental agreements must contain standard lease provisions as shown in [5.7.1 Lease or Rental Agreement](#).

The lease or rental agreement and any subsequent leases or rental agreements must be kept in the client file.

5.7.1 Lease or Rental Agreement

At a minimum, the lease or rental agreement between the landlord and the eligible household must contain the following:

- ✓ Name of tenant
- ✓ Name of landlord
- ✓ Address of rental property
- ✓ Occupancy (who gets to live at the rental)
- ✓ Term of agreement (lease start and end date)
- ✓ Rent rate and date due
- ✓ Deposits (if any and what for/term)
- ✓ Signature of tenant/date
- ✓ Signature of landlord/date

5.8 Rent Limit

Grantees may pay rent amounts up to 120 percent of [HUD's Fair Market Rent](#) (FMR). The rent limit is the maximum rent that can be paid for a unit of a given size. Rent calculations must include the cost of utilities as detailed on utility allowance schedules established by the local Housing Authority.

Payment of rents in excess of 120 percent of FMR requires prior approval by Commerce.

5.9 Determining Rent Subsidy

Consistent with [HUD housing affordability standards](#), each household is responsible for contributing 30 percent of their income to the cost of their housing³. Documentation of subsidy amount and subsidy determination process must be included in the client file.

If the household share creates a burden for the household, the household share may be waived or reduced, at the discretion of the grantee. The circumstances of the waiver must be documented in the client file.

Grantees should adjust household rent subsidy amount whenever there is a change in household circumstance, income, or need. Documentation of new subsidy determination process and subsidy amount must be included in the client file.

5.10 Additional Administrative Requirements

5.10.1 Ineligible Use of Funds

Grantees must inform Commerce if CBRA funds are spent on ineligible households or expenses. Reasonable attempts must be made to prevent ineligible use of funds.

5.10.2 Grievance Procedure

Grantees must have a written grievance procedure for households seeking or receiving subsidies which includes the household's right to review decisions and present concerns to program staff not involved in the grievance.

This procedure must:

- ✓ Clearly describe how households can request a review or report concerns.
- ✓ Be accessible to all households seeking or receiving subsidies

5.10.3 Termination and Denial of Service Policy

Grantees must have a termination and denial policy.

This policy must:

- ✓ Describe the reasons a household would be denied subsidies and/or terminated from program participation.
- ✓ Describe the notification process.
- ✓ Ensure households are made aware of the grievance procedure.

5.10.4 Records Maintenance and Destruction

Grantees must maintain records relating to this grant for a period of six years following the date of final payment. See CBRA Grant General Terms and Conditions, Section 26 RECORDS MAINTENANCE.

³Cost of housing is equal to the tenant's share of the rent plus utilities including electricity, natural gas, propane (if needed for cooking or laundry), water, sewer, and garbage services the tenant must pay.

Paper records derived from HMIS which contain personally identifying information must be destroyed within seven years after the last day the household received services from the lead/subgrantee.

5.10.5 Prohibitions

- ✓ Lead/subgrantee may not require households to participate in a religious service as a condition of receiving program assistance.
- ✓ If a program serves households with children, the age of a minor child cannot be used as a basis for denying any household's admission to the program.
- ✓ If a program serves households with children, the program must serve all family compositions.

5.10.6 Nondiscrimination

As stated in the CBRA Grant General Terms and Conditions Section 9 and Section 22, grantees must comply with all federal, state, and local nondiscrimination laws, regulations and policies.

Grantees must comply with the Washington State Law against Discrimination, RCW 49.60, as it now reads or as it may be amended. RCW 49.60 currently prohibits discrimination or unfair practices because of race, creed, color, national origin, families with children, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained guide dog or service animal by a person with a disability.

Grantees must comply with the Federal Fair Housing Act and its amendments as it now reads or as it may be amended. The Fair Housing Act currently prohibits discrimination because of race, color, national origin, religion, sex, disability or family status. The Fair Housing Act prohibits enforcing a neutral rule or policy that has a disproportionately adverse effect on a protected class.

Local nondiscrimination laws may include additional protected classes.

6 Washington State Landlord Mitigation Law

Washington State's Landlord Mitigation Law ([RCW 43.31.605](#)) became effective on June 7, 2018 to provide landlords with an incentive and added security to work with tenants receiving rental assistance. The program offers up to \$1,000 to the landlord in reimbursement for some potentially required move-in upgrades, up to fourteen days' rent loss and up to \$5,000 in qualifying damages caused by a tenant during tenancy. A move in/move out condition report is required for a landlord to receive reimbursement. For more information, please visit the Commerce Landlord Mitigation Program [website](#).

7 Appendices

7.1 Appendix A: Required Policies and Procedures

Policies and Procedures

- ✓ Habitability Complaint Procedure (section [5.4.3](#))
- ✓ Grievance Procedure (section [5.10.2](#))
- ✓ Termination or Denial of Service Policy (section [5.10.3](#))

7.2 Appendix B: Client File Information and Documentation

The following chart summarizes the information and documentation required in each client file. Other documentation may be required based on individual circumstances.

Forms marked with an asterisk (*) indicate a specific form required by CBRA to meet the documentation requirement. Required forms may be modified as long as all content is included.

Up-to-date versions of all required and recommended forms can be found on the Commerce Permanent Housing Subsidy [webpage](#).

Required Documentation	
✓	* CBRA Client File Checklist
✓	* HMIS Client Release of Information and Informed Consent Form signed by all adult household members (unless DV <u>OR</u> client refuses consent) (section 5.3.2)
✓	* CBRA Verification of Eligibility Checklist Form with applicable documentation attached (section 3.1.1)
✓	* CBRA Verification of Recertification with applicable documentation attached, <i>as needed</i> (section 3.1.4)
✓	CBRA Income Eligibility Worksheet , <i>as needed for recertification</i> (section 3.1.3)
✓	* Landlord Habitability Certification or * HHS or * HQS (section 5.4)
✓	Lead-based Paint Assessment, if applicable (section 5.4 , 5.5 , Appendix F)
✓	Executed Lease <u>or</u> Rental Agreement (section 5.7)
✓	Household Rent subsidy amount / Rent determination process (section 5.9)
Required Information	
✓	Dates and Circumstances of temporary absence to an institution (section 4.3.3)
Other Recommended Forms	
✓	CBRA Certification of Long-Term Housing Support Need (section 3.1.1.3)
✓	Move in/Move out condition report (section 6)

7.3 Appendix C: Approved Long-Term Supports Programs

The following is a list of long-term supports programs that can provide documentation of eligibility in order to meet [Eligibility Criteria Two](#) for the CBRA program.

Approved Long-Term Supports Programs	
✓	Foundational Community Supports
✓	Housing and Recovery through Peer Services
✓	DSHS Aging and Long Term Supports Programs
✓	Other programs approved on a case-by-case basis*.

*All requests for approval regarding using eligibility for another long-term supports programs to meet eligibility criteria for the CBRA program should be routed through your Commerce representative.

7.4 Appendix D: Performance Requirements

7.4.1 Overview

Performance Measures help evaluate the effectiveness of the Permanent Housing Subsidy program.

The current contract period will serve to gather baseline data to inform the development of performance improvement requirements.

The Department of Commerce (Commerce) has identified the following as the most critical performance measures for Office of Supportive Housing Permanent Housing Subsidy programs:

- ✓ Prioritizing those exiting an institution or unsheltered homelessness or households fleeing violence
- ✓ Increase Percent Exits to or Retention of Permanent Housing

7.4.2 Prioritization Requirements

Grantees must prioritize those exiting an institution or unsheltered homelessness or households fleeing violence.

A household is considered in priority status if they are:

- ✓ Discharging from psychiatric, substance use, or other treatment institutions or correctional institutions
OR
- ✓ Currently living in a place not meant for habitation⁴
OR
- ✓ Currently fleeing violence: domestic violence, dating violence, sexual assault, stalking, trafficking or other dangerous or life-threatening conditions that relate to violence against the individual or a family member. *Note: Currently fleeing violence means fleeing, or is attempting to flee the situation, or is afraid to return to their primary nighttime residence*

7.4.2.1 Measurement

The Homeless Management Information System (HMIS) is the data source.

1. Client Universe:

Any head of household or adult who entered into either the CBRA-PH or CBRA-Other project during the report period.

2. Count Priority Status:

Of the client universe, count those with a prior living situation (HMIS element 3.197):

- Place not meant for habitation (e.g., a vehicle, an abandoned building, bus/train/subway station/airport or anywhere outside)

⁴ Living outside or in a place that is not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a vehicle, park, abandoned building, bus or train station, airport, or campground.

- Hospital or other residential non-psychiatric medical facility
- Jail, prison, or juvenile detention facility
- Long-term care facility or nursing home
- Psychiatric hospital or other psychiatric facility
- Substance abuse treatment facility or detox center

OR

Answered 4.11 Domestic Violence YES AND YES to “Are you currently fleeing?”

3. Calculation:

Divide the total from step 2 by the total from step 1 (client universe) to calculate the percent of people entered who are considered in priority status.

Example:

In Community A, **20** households entered into the CBRA PHS Project during the report period.

Of those, **15** entered with living situations from the list above or were currently fleeing violence.

$$\text{Prioritization Percentage } 75\% = \frac{15 \text{ currently Unsheltered or Fleeing Violence}}{20 \text{ people entered}}$$

7.4.3 Housing Outcomes

Grantees must improve housing outcomes by increasing exits to or retention of permanent housing.

Acceptable housing outcomes are:

- ✓ Remaining in the Permanent Housing Subsidy program
- OR
- ✓ Exiting from the program to a permanent housing situation

7.4.3.1 Measurement

The Homeless Management Information System (HMIS) is the data source.

Data for the previous state fiscal year will serve as the baseline.

Step One: Client Universe

Select all people who were served in either the CBRA-PH and CBRA-Other project and all people who exited either the CBRA PH and CBRA Other project during the reporting period.

Remove from client universe any person active or exited that did not move into housing, as indicated by a null housing move-in date, or a housing move-in date which occurs

after the report end date. Note: Housing move-in date is only collected for the head of household, which effectively makes this a measure of households rather than all people.

Of the remaining client universe, remove any person who exited with a destination:

- Foster care home or foster care group home,
- Hospital or other residential non-psychiatric medical facility,
- Long-term care facility or nursing home, or
- Deceased

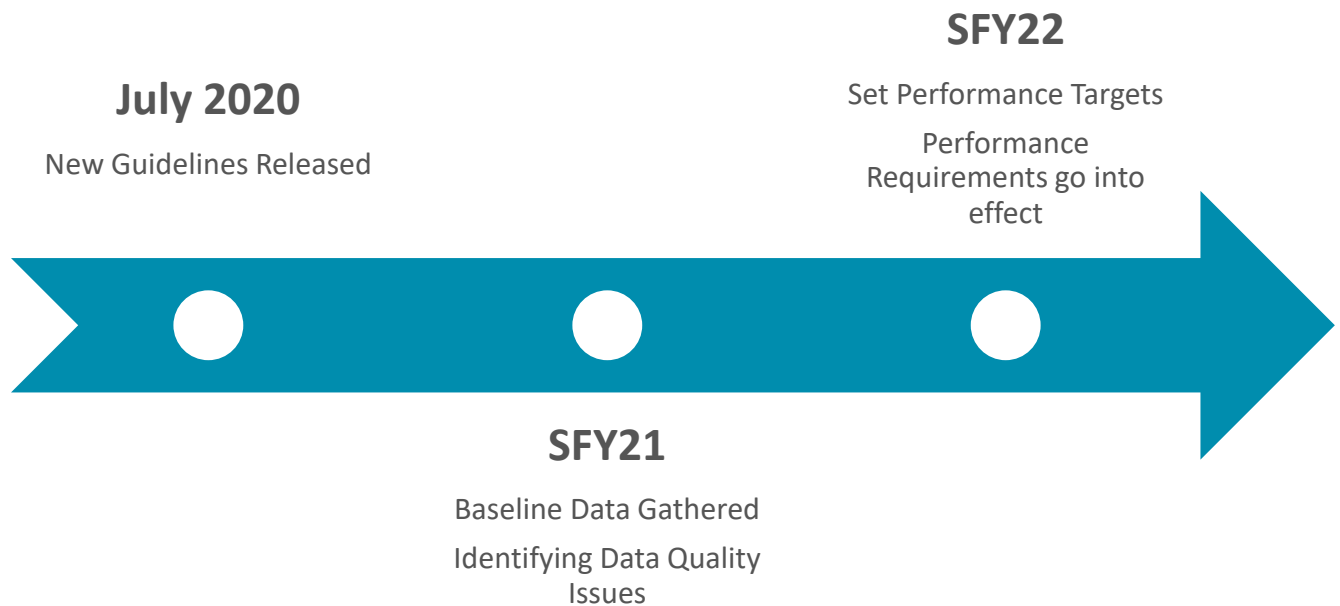
Step Two: Count Exits to or Retention of Permanent Housing

Of the client universe, count those who remained in PSH AND count those with destination categorized as permanent.

Step Three: Calculation

Divide the total from step two by the total from step one (client universe) to calculate the percent of people who exited to or retained permanent housing.

7.4.4 Instituting Performance Requirements: The Process



In **July 2020**, the CBRA guidelines are released to both CBRA and HARPS LTS grantees.

During **SFY21** (July 2020-June 2021), Commerce will work with grantees to provide HMIS set-up, technical assistance and training. Commerce will also work with grantees to identify any data quality issues and to gather baseline data for setting future performance targets. Grantees should focus on data quality and aligning the project with performance requirements.

In **SFY22** (July 2021-June 2022), Performance targets will be set and the performance requirements set in Appendix D: Performance Requirements will go into effect. Grantees should be comfortable reviewing performance data on a regular basis and identifying barriers to successfully reaching performance targets.

7.5 Appendix E: Data Quality

Projects are required to provide quality data to the best of their ability. Maintaining good data quality is important for effective program evaluation. Data quality has four elements: completeness, timeliness, accuracy, and consistency.

7.5.1 Completeness

Completeness of data is measured by the percentage of incomplete fields in required data elements.

Agencies are expected to collect **first name, last name, date of birth, race, and ethnicity** from clients that give consent on the [HMIS consent form](#). **Agencies will never require a client to provide this information even if they have consented, but should gather it to the best of their ability.**

All clients, consenting and non-consenting, must have complete **prior living situation** and **exit destination** data.

Examples of incomplete entries:

Incomplete Entries	
Data Element	Incomplete if...
Name	[Quality of Name] field contains Partial, Street name, or Code name, Client doesn't know, Client refused or Data not collected; or [First Name] or [Last Name] is missing.
Date of Birth	[Quality of DOB] field contains Approximate, Partial DOB reported, Client doesn't know, Client refused or Data not collected; or [Date of Birth] is missing.
Race	[Race] field contains Client doesn't know, Client refused, Data not collected, or is missing.
Ethnicity	[Ethnicity] field contains Client doesn't know, Client refused, Data not collected, or is missing.
Prior Living Situation	[Prior Living Situation] is client doesn't know, client refused, data not collected, or is missing.
Destination	[Destination] is Client doesn't know, Client refused, No exit interview completed, Data not collected, or is missing.

Expected completeness measures for project types:

Expected Completeness Measures	
Data Element	All other Housing Project Types
Name*	95%
Date of Birth*	95%
Race*	95%
Ethnicity*	95%
Prior Living Situation	100%
Destination	95%
Domestic Violence	95%
Fleeing Domestic Violence	95%

*Only measured for consenting clients.

7.5.2 Timeliness

Client data should be entered into HMIS as close to the date of collection as possible. Entering data as soon as possible supports data quality by avoiding backlogs of pending data and allowing near real time analysis and reporting.

Projects must enter/update project client/household data in HMIS **within 14 calendar days** following the date of project enrollment/exit.

Counties not using the State HMIS (data integration counties), must work with the HMIS Manager to provide full CSV exports every six months. When Commerce is able to accept monthly imports, Counties must upload data to the State's HMIS using XML or CSV schema compliant with current HUD HMIS Data Standards. Uploads must occur no later than the 30th calendar day following the end of each month. Counties not able to export and upload data to the State HMIS using an approved format must use the State HMIS for direct data entry.

7.5.3 Accuracy

Data entered into HMIS must reflect the real situation of the client/household as closely as possible.

Accurate data is necessary to ensure any project reporting fairly represents the work of the project and each client's story.

Examples of data accuracy:

Elements of Data Accuracy	
Date of Birth and Project Start Date	Ensure the two are not the same dates
Prior Living Situation data elements	Ensure responses for Prior living situation, Length of stay in prior living situation, Approximate date homelessness started, Number of times the client has experienced homelessness in the last 3 years, and Number of months experiencing homelessness in the last 3 years do not conflict with each other.
Disabling Condition	Ensure the Yes/No answer does not conflict with the specific types of disabling conditions.
Health Insurance	Ensure the Yes/No answer does not conflict with the specific types of health insurance.
Monthly Income	Ensure the Yes/No answer does not conflict with the specific sources of monthly income.
Non-Cash Benefits	Ensure the Yes/No answer does not conflict with the specific sources of non-cash benefits.
Domestic Violence Victim/Survivor	Ensure congruency among the three different data elements specific to domestic violence.
Relationship to Head of Household	Ensure there is only one Head of Household for any given household (including clients served individually) and that this element is entered and accurate for all household members.
Veteran Status	Ensure individuals under 18 years of age are not identified as veterans.

Project Population Specifics	<p>Ensure that projects only serving individuals only enroll individuals and not multi-person households.</p> <p>Ensure that projects only serving families with children only enroll families with children.</p> <p>Ensure that projects only serving clients of a specific age range only enroll clients of that age range.</p>
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7.5.4 Consistency

Consistent data helps ensure that any reporting generated by a project is understood. Data consistency is important for effectively communicating the processes and outcomes of a project.

All data will be collected, entered, and stored in accordance with the [Agency Partner Agreement](#).

All data elements and responses will be entered per the [HUD data Standards Manual](#). To avoid inconsistency, agencies should use language on intake forms that closely matches the elements and responses in HMIS.

Clients who refuse consent must be made anonymous per [Department of Commerce Guidance](#) and the [consent refused client entry guide](#).

7.6 Appendix F: Lead-Based Paint Visual Assessment Requirements

To prevent lead-poisoning in young children, grantees must comply with the Lead-Based Paint Poisoning Prevention Act of 1973 and its applicable regulations found at 24 CFR 35, Parts A, B, M, and R.

Disclosure Requirements

For ALL properties constructed prior to 1978, landlords must provide tenants with:

- ✓ Disclosure form for rental properties disclosing the presence of known and unknown lead-based paint;
- ✓ A copy of the “Protect Your Family from Lead in the Home” pamphlet.

Both the disclosure form and pamphlet are available at: <https://www.epa.gov/lead/real-estate-disclosure>

It is recommended that rent assistance providers also share this information with their clients.

Determining the Age of the Unit

Grantees should use formal public records, such as tax assessment records, to establish the age of a unit. These records are typically maintained by the state or county and will include the year built or age of the property. To find online, search for your county name with one of the following phrases:

- ✓ “property tax records”
- ✓ “property tax database”
- ✓ “real property sales”

Print the screenshot for the case file. If not available online, the information is public and can be requested from the local authorities.

Conducting a Visual Assessment

Visual assessments are required when:

- ✓ The leased property was constructed before 1978;
AND
- ✓ A child under the age of six or a pregnant woman will be living in the unit occupied by the household receiving CBRA rent assistance.

A visual assessment must be conducted prior to providing CBRA rent assistance to the unit and on an annual basis thereafter (as long as assistance is provided). Grantees may choose to have their program staff complete the visual assessments or they may procure services from a contractor. Visual assessments must be conducted by a HUD-Certified Visual Assessor.

Anyone may become a HUD-Certified Visual Assessor by successfully completing a 20-minute online training on HUD’s website at:

<http://www.hud.gov/offices/lead/training/visualassessment/h00101.htm>

If a visual assessment reveals problems with paint surfaces, Grantees cannot approve the unit for CBRA assistance until the deteriorating paint has been repaired. Grantees may wait until the repairs are completed or work with the household to locate a different (lead-safe) unit.

Locating a Certified Lead Professional and Further Training

To locate a certified lead professional in your area:

- ✓ Call your state government (health department, lead poison prevention program, or housing authority).
- ✓ Call the National Lead Information Center at 1-800-424-LEAD (5323).
- ✓ Go to the US Environmental Protection Agency website at <https://www.epa.gov/lead> and click on "Find a Lead-Safe Certified Firm."
- ✓ Go to Washington State Department of Commerce Lead-Based Paint Program website at <http://www.commerce.wa.gov/building-infrastructure/housing/lead-based-paint/lead-based-paint-program-lbpabatment/> and click on "Find a Certified LBP Firm" under Other Resources.

Information on lead-based programs in Washington State can be found at <http://www.commerce.wa.gov/building-infrastructure/housing/lead-based-paint/>.

For more information on the Federal training and certification program for lead professionals, contact the National Lead Information Center (NLIC) at <https://www.epa.gov/lead/forms/lead-hotline-national-lead-information-center> or 1-800-424-LEAD to speak with an information specialist.

The Lead Safe Housing Rule as well as a HUD training module can be accessed at http://portal.hud.gov/hudportal/HUD?src=/program_offices/healthy_homes/enforcement/lshr

8 Appendix G: Acceptable Documentation for Income Certification

Grantees must attempt to document income using the preferred documentation method. However, for some types of income, a written or verbal statement from a third party or self-attestation are allowable as long as all attempts to collect the preferred documentation have been exhausted. Please note the following guidance when using one of these methods.

Written Statement: Types of income for which written verification is allowable are indicated in the table below with an **X** in the box marked “Written Verification.” A written statement must be from a third party responsible for documenting this type of income information (example: wages and salaries could be documented by a written statement from an employer). The statement should also include the following:

- ✓ Date of statement,
- ✓ Name of client,
- ✓ Name of company or organization,
- ✓ Name of individual writing the statement,
- ✓ Wages or income amount,
- ✓ Hour worked per week (if applicable).

Verbal Statement: Types of income for which written verification is allowable are indicated in the table below with an **X** in the box marked “Verbal Verification.” A verbal statement must be collected from a third party responsible for documenting this type of income information (example: TANF/Public assistance could be collected via verbal statement from DSHS). A verbal statement must be documented by a written attestation from a case manager or staff person responsible for collecting the statement. The staff person should record the following:

- ✓ Date of statement,
- ✓ Name of client,
- ✓ Name of company or organization,
- ✓ Name of individual writing the statement,
- ✓ Wages or income amount,
- ✓ Hour worked per week (if applicable).

Self-Attestation: Types of income for which self-attestation is allowable are indicated in the table below with an **X** in the box named “Self-Attestation.” Self-attestation should be used only when all other attempts at collecting other forms of documentation have been exhausted. Self-attestation is documented as a signed and dated written statement by the client that includes:

- ✓ Sources of income
- ✓ Income amount
- ✓ Frequency of income

A case manager or staff person must also provide a written statement documenting attempts to obtain other forms of verification and justification for using the self-attestation method.

Type of Income	Preferred Documentation	If preferred documentation is not available, the following are acceptable forms of documentation:		
		Written Verification	Verbal Verification	Self-Attestation
No Income				X
Wages and Salary Income	Copy of most recent pay stub(s).	X		
Self-Employment and Business Income	Copy of most recent federal and state tax return, profit and loss report from applicant's accounting system, or bank statement.			X
Interest and Dividend Income	Copy of most recent interest or dividend income statement OR most recent federal and state tax return.			
Pension/Retirement Income	Copy of most recent payment statement, benefit notice from Social Security, pension provider or other source.	X	X	
Unemployment and Disability Income	Copy of most recent payment statement or benefit notice	X	X	
TANF/Public Assistance	Copy of most recent payment statement, benefit notice, or Department of Social and Health Services (DSHS) Benefits Verification System (BVS).	X	X	
Alimony, Child Support, Foster Care Payments	Copy of most recent payment statement, notices, or orders.	X	X	X
Armed Forces Income	Copy of pay stubs, payment statement, or other government issued statement indicating income amount.	X	X	
Student Financial Aid	Copy of student financial assistance award letter or other educational institution issued statement indicating amounts.	X	X	