

HOPWA FY 2023 Kickoff Webinar

Presented By:

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OVERVIEW

Review of HOPWA Goals and Award Components

Status of FY 2023 Awards

Requirements & Policies

- Financial Management Training
- VAWA Documentation
- Lead Based Paint
- Program Income
- Confidentiality
- Duplication of Benefits
- Accurately tracking staff time

Claims Deadlines and Discussion on Late Claims Approval

Questions

IHCDA GOALS FOR HOPWA:

Fund housing and health resources to support those living with HIV and their loved ones

Successfully ensure subrecipients can spend all HOPWA funds

Maintain compliance with HUD regulations on spending and program operations and development

HOPWA AWARD COMPONENTS

Long-Term Rental Assistance (TBRA) – ongoing monthly rent/utility subsidy to clients for rental housing.

- **Term Discussion: HUD Requirements vs. State/Local Requirements**

Long-Term Program Delivery includes staff time and supplies directly related to administering Long-Term Rental Assistance.

- **Eligible Expenses:**
 - Staff time spent verifying rent reasonableness
 - Mileage to perform housing inspections

INELIGIBLE EXPENSES - TBRA



HOPWA AWARD COMPONENTS

Short Term Rent, Mortgage, and Utility Assistance (STRMU)

- Preventative program that provides mortgage, rent and utility assistance.
- Time: Up to 21 weeks in a 52-week period
- Period of assistance begins on the day that the first payment is made.
- One month of assistance rounds to 4 weeks of assistance; yields a maximum total of 5 months of assistance.

Short Term Program Delivery

- Includes staff time and supplies directly related to administering Short-Term Rent, Mortgage, and Utility Assistance.
- Does **NOT** address temporary emergency need in current housing

COMPARISON: TBRA & STRMU

FEATURES	STRMU	TBRA
Type of Assistance	Preventive	Permanent
Goal	Provide short-term stabilizing intervention	Subsidize long-term, safe and affordable occupancy
Eligibility	Legally housed HOPWA-eligible homeowners and renters who have evidence of need	HOPWA-eligible household with annual income verification
Term	21 weeks in a 52-week period	Ongoing, year-round
Eligible Assistance Costs	Mortgage, rent, and utility costs	Rent and utility costs
Amount of Assistance Payments	Determined by provider's assessment of individual household need and actual housing costs (must be reasonable)	Rent calculation defined by regulation and based on household income, rent standard, rent reasonableness, and utility allowances
Coordination & Services	Housing and service needs assessment required	Housing and service needs assessment required

Source: [HUD Exchange: TBRA vs. STRMU](#)

HOPWA AWARD COMPONENTS

Supportive Services – Improves a client's access to care/services related to:

- Health/Mental Health
- Assessment
- Drug and alcohol abuse treatment and counseling
- Day care
- Personal assistance
- Nutritional services
- Intensive care when required
- Assistance in accessing local, State and Federal government benefits and services

Required as part of any HOPWA-assisted housing, but funds can also be used independently of any housing activity.

Regulation: [24 CFR 574.300\(b\)\(7\)](#)

HOPWA AWARD COMPONENTS

Housing Information Services – Housing counseling or referral services; informational materials that educate clients on housing resources; may also include fair housing counseling.

Ineligible Expenses:

- Credit checks
- Application fees
- Security deposits

Source: [eCFR :: 24 CFR 574.300 -- Eligible activities.](#);
[eCFR :: 24 CFR 5.111 -- Housing counseling.](#)

HOPWA AWARD COMPONENTS

Permanent Housing Placement – Helps clients establish a new residence where ongoing occupancy is expected to continue.

Eligible Expenses:

- Application fees and credit check expenses
- First month's rent and security deposit; not to exceed two months' rent
- One time utility connection fees and processing costs

Ineligible Expenses:

- Moving services
- Regular recurring costs (i.e. rent, utilities, etc.)
- Standard household furnishings

HOPWA AWARD COMPONENTS

Facility Based Assistance – Housing connected with a specific facility or project. Can administer some form of project-based rental assistance.

Eligible Expenses:

- Facility-based housing rental assistance, including master-leased units and project-based rental assistance;
- Operating costs for housing including maintenance, security, operation, insurance, utilities, furnishings, equipment, supplies, and other incidental costs.

Facility Operating Costs must be reasonable and necessary.

- Documentation is required to be on file at the site and submitted with claims for all operating costs and it is expected that bids will be obtained for any services above \$500 that are non-emergency.
- If the cost of the service will be more than \$500, a minimum of two (2) bids are required
- If costs are over \$5000, a minimum of three (3) bids are required prior to the service being completed.

HOPWA AWARD COMPONENTS

Administration - Up to 7% of your award

Eligible Expenses:

- Office supplies and postage
- Rent and utilities of office space
- Costs associated with attending HOPWA-related trainings
- Staff time spent creating reports, compiling claims, etc.

Cannot be used for employee bonuses or costs directly associated with other eligible HOPWA activities.

Source: [24 CFR 574.300\(b\)\(10\)](#)

STATUS OF FY 2023 AWARDS

All organizations have signed their agreements



Awards Created and Funded on IHCD Online



Emails on late claim approval sent

MONITORING AND CLAIMS SUBMISSION:

If you have an open finding: please work with our Monitoring Team to resolve.

Please note that if you don't resolve findings in a timely manner, you may be unable to submit claims.

If concerned about whether you'll be affected, we'll let you know. However, if you close out findings in a timely manner, you should be able to submit claims.

CLAIMING STAFF TIME:

Provide all the following in your HOPWA Claim:

- Activity(ies) Conducted
- Amount(s) Incurred per activity
- Corresponding funding associated with the activity
- Amount of time spent on the activity
- Name of corresponding staff member

Not Sufficient:

- Amount of time spent on HOPWA without activity breakdown
- Providing activity breakdown without providing amount of time spent on HOPWA activities
- Not specifying the staff member involved

Recommendation for Compliance: Review your procedures or system and make updates as needed.

BUDGET AMENDMENTS

Your agreement allows 1 budget modification per year.

- Be judicious in selecting when you do a modification
- Be mindful of the percentages allowed for each funding component or group of components.
- Send them in ASAP
- Better to modify budget first*

CLAIMS DEADLINES

Deadlines for late claims will be communicated via email.

Claims due at the 20th of every month.

CS Team will send one monthly reminder about claims that are due.

No further extensions.

**CLAIMS ERRORS ARE A CONCERN.
PLEASE BE CONSCIENTIOUS IN CHECKING
FOR ACCURACY AND ASK BEFORE YOU
SUBMIT IF THERE ARE QUESTIONS.**

REQUIREMENTS – FINANCIAL MANAGEMENT TRAINING:

Required to go through HOPWA Financial Management Training if you're staff member submitting/approving claims.

Course and corresponding manual is currently being updated by HUD to reflect 2 CFR 200 Requirements.

HOPWA Financial Management Training:

- [HOPWA Financial Management Online Training Course - HUD Exchange](#)

HOPWA Financial Management Manual:

- [HOPWA Financial Management Training Manual - HUD Exchange](#)

VIOLENCE AGAINST WOMEN ACT (VAWA)

Timeline:

- Originally enacted in 1994
- In 2013, major housing protections added for survivors of domestic violence, dating violence, sexual assault, & stalking. ([24 CFR Part 5, Subpart L](#))
 - Compliance under HOPWA formula grants required since December 16, 2016
- Emergency transfer provisions effective as of June 14, 2017
- Recertified in 2022 with some updates

Can be read in its entirety here: [34 U.S. Code Subchapter III - VIOLENCE AGAINST WOMEN | U.S. Code | US Law | LII / Legal Information Institute \(cornell.edu\)](#)

HUD Resource: [HOPWA Overview of VAWA 2013 - HUD Exchange](#)

VIOLENCE AGAINST WOMEN ACT (VAWA)

Applies to these HOPWA activities:

- Tenant-based/project-based rental assistance
- New construction
- Operating costs
- Community residences
- Acquisition, rehabilitation, conversion, lease, and repair of facilities

Does not apply to STRMU; however:

- No individual may be denied assistance, have their assistance terminated, or be removed on the basis or as a direct result of the fact that the individual is or has been a victim of one of the four types of VAWA abuse/violence.

HUD Resource: [HOPWA Overview of VAWA 2013 - HUD Exchange](#)

UPDATED REQUIREMENTS - VAWA

The definition of domestic violence now reads as follows:

- **Includes felony or misdemeanor crimes** committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding; and:
- **In the case of victim services, includes the use or attempted use** of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who —
 - **(A)** is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;
 - **(B)** is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - **(C)** shares a child in common with the victim; or
 - **(D)** commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

Sources: [34 USC § 12291\(a\)\(12\)](#)

UPDATED REQUIREMENTS - VAWA

For grants purposes, the definition of domestic violence now includes economic and technological abuse:

Economic Abuse - [34 U.S.C. 12291\(a\)\(13\)](#)

- behavior that is **coercive, deceptive, or unreasonably controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled**, including using coercion, fraud, or manipulation to—(A) restrict a person's access to money, assets, credit, or financial information; (B) unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or (C) exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty."

Technological Abuse - [34 U.S.C. 12291\(a\)\(40\)](#)

- an act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence or stalking and is **intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology**, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies."

UPDATED REQUIREMENTS - VAWA

Prohibition on Retaliation ([34 U.S.C. 12494](#))

- Illegal for a PHA, owner, or manager of covered housing to discriminate against any person because that person has opposed any act or practice made unlawful by VAWA's housing provisions, or because that person testified, assisted, or participated in any related matter.
- Illegal for a PHA, owner, or manager to coerce, intimidate, threaten, interfere with, or retaliate against any person who exercises or assists or encourages a person to exercise any rights or protections under VAWA's housing provisions.

Right to Report Crime and Emergencies Protected ([34 U.S.C. 12495](#))

- Prohibits penalize or threatening to penalize persons because they request assistance or report criminal activity of which they are a victim or otherwise not at fault under the laws or policies adopted or enforced by "covered governmental entities."

Source: [HOPWA Overview of VAWA 2013 - HUD Exchange](#); [VAWA Letter for HOPWA \(hud.gov\)](#)

UPDATED REQUIREMENTS - VAWA

New Enforcement Authority:

- VAWA 2022 provides that HUD and DOJ shall implement and enforce VAWA consistent with, and in a manner that provides, the same rights and remedies as those provided for the [Fair Housing Act](#).
- A Notice describing this process is available at: [FHEO-2023-01- FHEO VAWA Notice \(hud.gov\)](#)

REQUIREMENTS - VAWA

Links to Relevant Forms:

- Sample Lease Addendum: [HOPWA Sample Lease Addendum \(hudexchange.info\)](http://hudexchange.info)
- Form HUD-5380 – Notice of Occupancy Rights Under VAWA: [5380.DOCX \(live.com\)](http://live.com)
- Model Emergency Transfer Plan: [5381.DOCX \(live.com\)](http://live.com)
- Form 5382 – Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, and Alternate Documentation: [5382.DOCX \(live.com\)](http://live.com)
- Form 5383 – Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking: [5383.DOCX \(live.com\)](http://live.com)

REQUIREMENTS - LEAD BASED PAINT

Reminder: Ensure units comply with lead-based paint regulations during your inspections!

Link to IHCDA's Lead Based Paint Training:

<https://attendee.gotowebinar.com/recording/7569524463726316716>

CONFIDENTIALITY

Don't want to release medical diagnoses of clients!

As technology changes over time, risk of outing client status may also change. Check letterhead and other materials for the following:

- Names of agencies – Use “DBA” name of agency if you have one. Pursue getting a “DBA” if need be.
- Contact Information:
 - Phone numbers are Google-able; be mindful of that as you communicate with landlord and other stakeholders
 - Email addresses (non-descript domains)
 - Have a PO Box listed on forms

DUPLICATION OF BENEFITS

Prohibited for a client to be funded in more than one HUD program.

To ensure benefits aren't inadvertently duplicated for clients, be sure your records are consistently up to date on program and assistance type each client receives.

- Review HMIS information in the client's record to identify if any duplicative assistance is provided.

Create a policy on how to prevent the duplication of benefits, if one does not exist already.

REQUIREMENTS - PROGRAM INCOME

Starting this year, monitoring will ensure that everyone is reporting program income.

Needs to be reported in December and June; needs to be spent before closing out award

Program income is going to be reported in a separate form that our team will ask you to complete.

Please let us know if you have questions about program income.

- Returned deposits is the most common type of program income

TIPS TO ENSURE AWARD COMPLIANCE:

Track staff time across components to ensure you **track by award component/activity** and not just to HOPWA broadly.

Stay up-to-date on VAWA requirements and interweave any required forms into your work with clients.

Ensure Confidentiality of client files and information.

Meet your deadlines to submit claims and requested documents/reports!

Communication – when in doubt, ask IHEDA Staff!

CONTACT INFORMATION

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QUESTIONS?