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Section I – Introduction

Emergency Solutions Grant – CARES (ESG-CV) - The Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act) provided for a supplemental appropriation of Homeless Assistance Grants under the Emergency Solutions Grant (ESG) as authorized by McKinney-Vento Homeless Assistance Act of 1987 (P.L. 100-77), as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 (P.L. 111-22) (42 U.S.C.S. §11371 et. seq.). The CARES Act provides for two allocations of homeless assistance funds to prevent, prepare for, and respond to coronavirus, among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus.

The Commonwealth of Pennsylvania, through the Department of Community and Economic Development (DCED), has received the second allocation of ESG-CV funds – an appropriation of $19,930,907 based on the U.S. Department of Housing and Urban Development (HUD) formula accounting for variables that quantify the population currently experiencing and at risk of homelessness. DCED is reserving a portion of the ESG-CV funds to be used toward emergency shelter in preparation for the winter months 2020-2021. This request for applications entitled ESG CV Code Blue, will allow applicants to apply for funding for emergency shelter and temporary emergency shelter to expand shelter for those experiencing literal homelessness. DCED’s priority for the use of these ESG-CV funds will be to assist homeless providers and communities prepare for, prevent the spread of and respond to the coronavirus through the use of emergency shelter and temporary emergency shelter components.

All funded applicants will use a coordinated entry process established by their local Continuum of Care to ensure the homeless crisis response system is easy to access, the needs of the homeless population are quickly identified and assessed, and priority decisions are based on those known needs. Funded applicants will be expected to use a Housing First (see page 3) approach by ensuring people experiencing a housing crisis are quickly connected to permanent housing. All eligible activities include those listed in the ESG interim rule published in the Federal Register on December 5, 2011 located at 24 CFR 576 and address the priorities and any published supplemental requirements of the CARES Act in order to prepare for, prevent the spread of and respond to the coronavirus.

Applicants should complete the Electronic Single Application (ESA), associated forms, attachments, addenda, and submit all other required documentation in accordance with instructions as indicated in these guidelines. The application process is outlined in more detail in the application submission section.

The Department of Community and Economic Development’s mission is to encourage the shared prosperity of all Pennsylvanians by supporting good stewardship and sustainable development initiatives across our commonwealth. With a keen eye toward diversity and inclusiveness, we act as advisors and advocates, providing strategic technical assistance, training, and financial resources to help our communities and industries flourish. DCED helps revive Pennsylvania’s economy by providing targeted assistance to distressed areas and low-income populations with a strategic focus on community participation and collaborations among residents, nonprofits, and municipalities.
A. Definitions

**Administrative Costs** – Include the costs of overall program management, coordination, monitoring, and evaluation.

**Applicant** – Any unit of local government including cities, boroughs, townships, towns, counties, home rule municipalities, and communities that desire to apply “on behalf of” other municipalities. Non-profits may not apply directly to DCED except for non-profits applying for a regional (multi-county) project.

**Direct Entitlement Community** – Any unit of local government including cities, boroughs, townships, towns, counties, home rule municipalities, and/or other communities that receive a direct allocation of ESG funding from HUD. A list of the FY 2020 direct entitlement ESG communities are listed in Appendix A.

**Emergency Shelter** – Any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and which does not require occupants to sign leases or occupancy agreements. Any project funded as a transitional shelter under a Fiscal Year 2010 Emergency Shelter Grant may continue to be funded under ESG.

**Grantee** – Any unit of local government (including cities, boroughs, townships, towns, counties, home rule municipalities), communities, or non-profits that is awarded state ESG funds.

**Homeless Definition** – (all participants must meet the definition of homeless)

More detailed description of this term may be found in the HEARTH “Homeless” Definition (Final Rule) on www.hudexchange.info

1. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
   a. An individual or family 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;
   b. An individual or family 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); or
   c. An individual who is exiting an institution where he or she resided for 120 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

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

3. 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:
b. Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

c. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

d. Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment, or

4. Any individual or family who:

   a. 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 or a family member, including a child, that has either taken place within the individual’s or family’s primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

   b. Has no other residence; and

   c. Lacks the resources or support networks, e.g., family, friends, faith based or other social networks, to obtain other permanent housing.

Homeless Management Information System (HMIS) – A database used to confidentially aggregate data on homeless populations. The system allows for a record of client-level information about the characteristics and services needs of homeless persons.

Housing First – Homeless assistance approach that prioritizes providing permanent housing to people experiencing homelessness, thus ending their homelessness and serving as a platform from which they can pursue personal goals and improve their quality of life. This approach is guided by the belief that people need basic necessities like food and shelter before focusing on next steps, such as employment, personal finance, and/or substance abuse issues. Additionally, Housing First is based on the theory that client choice is valuable in housing selection and supportive service participation, and that exercising that choice is likely to make a client more successful in remaining housed and improving their life. (National Alliance to End Homelessness, 2019)

Participants – A homeless or at-risk of homeless individual or family who receive ESG assistance.

Prepare for coronavirus – Activities carried out by a recipient or subrecipient prior to or during a coronavirus outbreak in their jurisdiction to plan to keep people healthy and reduce the risk of exposure to coronavirus and avoid or slow the spread of disease.

Prevent coronavirus – Activities designed to prevent the initial or further spread of the virus to people experiencing homelessness, people at risk of homelessness, recipient or subrecipient staff, or other shelter or housing residents.

Respond to coronavirus – Activities carried out once coronavirus has spread to people experiencing homelessness, provider staff or once individuals and families lose or at risk of losing their housing as a result of the economic downturn caused by coronavirus.

Street Outreach – Provision of essential services necessary to reach out to unsheltered homeless people; connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility-based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility.
Subrecipient – A non-profit organization that enters into a subrecipient agreement with the grantee to provide homeless services as outlined in the ESG application proposal.

Temporary Emergency Shelter – any structure or portion of a structure, which is used for a limited period of time because of a crisis, such as a natural disaster or public health emergency, to provide shelter for individuals and families displaced from their normal place of residence or sheltered or unsheltered locations. Examples of temporary emergency shelters include:

(i) an overnight, daytime, or 24-hour shelter in which program participants are only provided a safe place to sleep, rest, bathe, and eat;

(ii) a shelter where one or more services are made available on-site, whether by shelter staff or contractors or through a memorandum of understanding with another subrecipient or service provider; and

(iii) a shelter designed to facilitate the movement of homeless individuals and families into permanent housing within a fixed period of time (e.g., within 12 months) and employs or contracts with one or more case managers or service providers to provide services.

B. Eligibility

1. Applicants
DCED will accept applications from any unit of local government including cities, boroughs, townships, towns, counties, home rule municipalities, and communities that desire to apply “on behalf of” other municipalities. Local governments may apply “on behalf of” nonprofit organizations which will perform services as a subrecipient or subgrantee. Nonprofits are eligible applicants or grantees ONLY to the extent the project will address a demonstrated regional (regional is defined as more than one county) need. Additionally, nonprofits must adhere to CFR 576.202 (a)(2): Private nonprofit organizations seeking funding for emergency shelter activities must obtain a certification of approval from the unit of general purpose local government for the geographic area in which those activities are to be carried out. To fulfill this requirement the nonprofit must complete the Certificate of Local Government Approval for Nonprofit Organizations Receiving ESG Funds from State Recipients.

Successful applicants who do not intend to provide direct services are required to enter into agreements with local housing and third party subrecipients. The agreement with a subrecipient does not absolve the successful applicant of its contractual responsibilities with DCED. The grantee should hold the subrecipient to high standards and develop a grant agreement that reflect similar contractual responsibilities as the grantee has with DCED. Grantees are to ensure, through regular monitoring and oversight, that subrecipients provide eligible and DCED approved services.

The Pennsylvania Balance of State Continuums of Care will receive funding priority with the submission of a successful application.

ESG Direct Entitlement Communities (Appendix A) are eligible to compete for DCED ESG-CV Code Blue funding but will not receive priority over the non-entitlement applicants (those entities who did not receive a direct allocation of ESG-CV funds from HUD). Direct entitlement or non-entitlement communities applying on behalf of subrecipients must identify in their narrative, whether the subrecipient receives any amount of the direct entitlement ESG-CV funding for the same activities they are requesting ESG-CV Code Blue funding for from DCED.
2. **Eligible Activities**
   DCED intends to make grants of $15,000 or more for any single activity or combination of ESG-CV activities as outlined below:
   - Emergency Shelter
   - Temporary Emergency Shelter
   - Street Outreach
   - Hazard Pay
   - Homeless Management Information System (HMIS)
   - Administration

   ESG-CV Code Blue Funds may be used for individuals and families who are experiencing homelessness as defined in 24 CFR 576.

   The CARES Act has removed the maximum percent allowable for shelter activities under the ESG-CV. As a result, for use of funds under this program, there is NO CAP on the percent of funds that may be requested for the Emergency Shelter component.

3. **Use of Grant Funds**
   **All winter shelter activities are eligible through April 1, 2021.**
   Grant funds must be used for eligible activities as described in the HUD ESG regulations (www.hudexchange.info/programs/esg/esg-law-regulations-and-notices/) and as outlined below and further articulated in the CARES Act and Notice CPD-20-08. Applicants are encouraged to review this table along with the ESG regulations published on December 5, 2011 and the Notice CPD 20-08 released September 1, 2020 for a more complete description of each activity. If an activity is not listed below, it is not considered eligible for this funding source.
<table>
<thead>
<tr>
<th>Eligible Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Outreach Component (24CFR §576.101)</strong></td>
</tr>
<tr>
<td>Services delivered on the street to persons living unsheltered to locate and engage to offer winter emergency shelter related to Code Blue shelter services.</td>
</tr>
<tr>
<td><strong>Engagement</strong></td>
</tr>
<tr>
<td>Activities to locate, identify, and build relationships with <strong>unsheltered homeless people</strong> for the purpose of providing immediate support, intervention, and connections with homeless assistance programs and/or mainstream social services and housing programs.</td>
</tr>
<tr>
<td><strong>Case Management</strong></td>
</tr>
<tr>
<td>Assessing housing and service needs and arranging/coordinating/monitoring the delivery of individualized services.</td>
</tr>
<tr>
<td><strong>Emergency Health Services</strong></td>
</tr>
<tr>
<td>Direct outpatient treatment of medical conditions by licensed medical professionals in community-based settings (e.g. streets, parks, and campgrounds) to those eligible participants for whom other appropriate health services are inaccessible or unavailable within the area.</td>
</tr>
<tr>
<td><strong>Emergency Mental Health Services</strong></td>
</tr>
<tr>
<td>Direct outpatient treatment of mental health conditions by licensed professionals in community-based settings (e.g. streets, parks, and campgrounds) to those eligible participants for whom other appropriate health services are inaccessible or unavailable within the area.</td>
</tr>
<tr>
<td><strong>Transportation</strong></td>
</tr>
<tr>
<td>Travel by outreach workers, social workers, medical professionals or other service providers during the provision of eligible street outreach services.</td>
</tr>
<tr>
<td><strong>Services to Special Populations</strong></td>
</tr>
<tr>
<td>Otherwise eligible Essential Services, as listed above, that have been tailored to address the special needs of homeless youth, victims of domestic violence and related crimes/threats, and/or people living with HIV/AIDS who are literally homeless.</td>
</tr>
</tbody>
</table>
### Emergency Shelter Component (24CFR §576.102)
Services delivered to homeless persons in temporary shelter, rehabilitation of that shelter, and operation of shelters

<table>
<thead>
<tr>
<th>Essential Services</th>
<th>Shelter Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Case Management</td>
<td>• Maintenance &amp; repairs</td>
</tr>
<tr>
<td>• Child Care</td>
<td>• Rent</td>
</tr>
<tr>
<td>• Education Services</td>
<td>• Security</td>
</tr>
<tr>
<td>• Employment Assistance and Job Training</td>
<td>• Fuel</td>
</tr>
<tr>
<td>• Legal Services</td>
<td>• Equipment</td>
</tr>
<tr>
<td>• Life Skills Training</td>
<td>• Supplies necessary for the operation of the shelter</td>
</tr>
<tr>
<td>• Mental Health Services</td>
<td>• Hotel/Motel – when no appropriate shelter is available</td>
</tr>
<tr>
<td>• Substance Abuse treatment Services</td>
<td></td>
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<tr>
<td>• Transportation</td>
<td></td>
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<tr>
<td>• Services for Special Populations</td>
<td></td>
</tr>
<tr>
<td>• Outpatient health services</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Renovation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eligible costs include labor, materials, tools, and other costs for renovation (including major rehabilitation of an emergency shelter or conversion of a building into an emergency shelter). The emergency shelter must be owned by a government entity or private nonprofit organization.</td>
</tr>
<tr>
<td>Minimum Use Period – 24 CFR 576.102(4)(c)(1) requires minimum period of use for buildings renovated with ESG funds.</td>
</tr>
<tr>
<td>• Major Renovation – renovation costs exceeding 75% of the pre-renovation value of the building before renovation must commit to 10-year use.</td>
</tr>
<tr>
<td>• Conversion – renovation costs to convert a building into a shelter exceeding 75% of the building after rehabilitation must commit to 10-year use.</td>
</tr>
<tr>
<td>• Renovation other than major renovation or conversion – all other types of renovation must commit to 3-year use.</td>
</tr>
<tr>
<td>• All additional funding necessary for the project must be in place</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Hazard Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>For staff working directly to prevent, prepare for and respond to coronavirus among persons who are homeless or at-risk of homelessness. Examples under this component would be shelter intake staff, shelter maintenance staff, shelter security staff, etc</td>
</tr>
</tbody>
</table>
## Temporary Emergency Shelters

As permitted by the CARES Act, ESG-CV funds may be used to pay for temporary emergency shelters for individuals and families experiencing homelessness in order to prevent, prepare for, and respond to coronavirus. Temporary emergency shelters shall not be subject to minimum periods of use required by 416(c)(1) of such Act (42 U.S.C. 11375(c)(1)). Temporary shelter funded under this ESG-CV Code Blue program will only be funded through April 1, 2021.

Eligible costs include:

- Leasing existing real property or temporary structures to be used as temporary emergency shelters;
- Acquisition of real property (e.g. hotels, ancillary structures, parking lots). The total amount of ESG-CV funds used for acquisition must not exceed $2.5 million per real property;
- Renovation (including major rehabilitation and conversion) of real property (e.g., hotels) into temporary emergency shelters. Eligible costs include labor, tools, and other costs for renovation;
- Shelter operations costs including the costs of maintenance (including minor or routine repairs), rent, security, fuel, equipment, insurance, utilities, food, furnishings, supplies necessary for the operation of the temporary emergency shelter;
- Services, including essential services under 24 CFR 576.102(a)(1), housing search and placement services under 24 CFR 576.105(b)(1), and housing search and counseling services as provided under 24 CFR 578.53(e)(8); except as otherwise stated in this Notice or 24 CFR part 576.408; and,

For renovations funded by the CARES Act for the purpose of providing temporary emergency shelter to prevent the spread of, prepare for, or respond to coronavirus (including for costs associated with major renovation and conversion of a building into a temporary emergency shelter) HUD, under Notice CPD-20-08, has waived the minimum use periods. However, the property’s use and disposition will be subject to the real property requirements in 2 CFR 200.311. **This only applies to temporary emergency shelter.**
## HMIS (24CFR § 576.107)

- **HMIS**
  - The HEARTH Act makes HMIS participation a statutory requirement for ESG recipients and third-party contractors.
  - Third-party contractors serving victims of domestic violence cannot, and legal services organizations may choose to not, participate in HMIS. Providers that do not participate in HMIS must use a comparable database that produces unduplicated, aggregate reports instead.
  - All recipients and third-party contractors may pay the costs of contributing data to the CoC’s HMIS.
  - Recipients and third-party contractors that use comparable databases: Victim third-party contractors and legal third-party contractors may use ESG funds to pay the costs of establishing and operating a comparable database.
  - Recipients that have been designated HMIS Lead agencies by the CoC may pay the costs of establishing, hosting, customizing, and upgrading the HMIS.

## Eligible Costs
- Hardware, Equipment and Software Costs
- Staffing: Paying salaries for operating HMIS
- Training and Overhead

## Administrative Costs (24CFR §576.108)

- **Administrative Costs**
  - Applicants may request up to 6% of its ESG grant for the payment of administrative costs related to the planning and execution of ESG activities.
  - Eligible Costs Include:
    - General Management/Oversight/Coordination
    - Training on ESG Requirements
    - Environmental Review

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Section II – Program Requirements

A. ESG-CV Description

The Emergency Solutions Grant (ESG) Program is authorized by subtitle B of Title IV – Housing Assistance Act as amended by S.896 The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. The ESG interim rule 24 CFR Part 576, published in the Federal Register on December 5, 2011, establishes the regulations for the Emergency Solutions Grant Program. On March 27, 2020 the Coronavirus Aid, Relief, and Economic Security Act, the CARES Act, P.L. 116-136, was signed into law to address the economic and community fallout resulting from the coronavirus pandemic in the United States. Division B, Title XII of the CARES Act includes $48.5 billion in funding assistance for transportation and housing activities to address the global health pandemic. A total of $4 billion was made available in Homeless Assistance Grants to prevent, prepare for, and respond to coronavirus among individuals and families who are homeless or receiving homeless assistance and to support additional homeless assistance and homelessness prevention activities to mitigate the impacts created by coronavirus under the Emergency Solutions Grant program as authorized under the McKinney-Vento Homeless Assistance Act, as amended. The CARES Act authorizes the U.S. Department of Housing and Urban Development (HUD) to make grants to states, units of general purpose local government, and territories using distribution methods identified in the CARES Act and Notice CPD 20-08 for rapid rehousing and homeless prevention assistance, street outreach, the rehabilitation or conversion of buildings for use as emergency shelters for the homeless, and for the payment of certain expenses related to operating emergency shelters and the new activities described in the Notice CPD 20-08.

B. DCED Funding Priorities for Emergency Solutions Grant-CARES Act Code Blue (ESG-CV Code Blue)

DCED will support projects that are locating, engaging and sheltering people experiencing homelessness this winter. DCED will fund eligible projects that propose safe and effective approaches to temporary winter shelter. The COVID-19 pandemic has elevated the need and importance of providing shelter for those experiencing literal homelessness. Providing a safe place to sleep, eat and rest are the fundamentals of cold weather shelter. Applicants should consider their facilities/spaces needed to provide congregate and non-congregate shelter. Facilities/Spaces should meet best practice approaches such as single room occupancies, hotels, motels, and dormitory rooms. Ideally, there should be limited shared/common space. If the project proposed has shared space and congregate sheltering, then Centers for Disease Control (CDC) and Pennsylvania Department of Health social distancing requirements must be met and other measures taken to keep staff and residents safe such as partitioned sleeping areas, cleaning regimens, and use of personal protective equipment. It is expected that applicants will describe in their program narrative how best practice approaches will be met.

Because the focus of this funding is to provide temporary cold weather shelter, if an applicant seeks funding for street outreach, it must be performed in conjunction with the proposed temporary shelter activity by locating and engaging individuals to offer shelter.

Applicants to DCED’s Emergency Solutions Grant CARES Act Code Blue (ESG-CV Code Blue) program are required to participate in their local Continuum of Care (CoC)’s planning to develop a systematic response to prevent homelessness. If homelessness is unpreventable, communities should plan that instances are rare, brief, and one-time.
DCED will provide maximum support available to applicants who identify activities to prevent, prepare for and respond to coronavirus. DCED reserves the right to modify any of the priorities as deemed necessary. Decisions to modify priorities are based on data assessments and emerging needs resulting from the impacts of coronavirus in Pennsylvania.

DCED will continue to permit applicants to design diverse projects to meet their local needs. However, we require each applicant to demonstrate coordination of their efforts with the local Continuum of Care priorities and demonstrate capacity to meet all ESG-CV Code Blue program requirements.

Applicants who design regional projects will be highly considered for funding if the project addresses a statewide need that is supported by data and is administered by an organization with capacity to fulfill all programmatic requirements.

DCED will contract directly with non-profit organizations that apply for a regional based project and demonstrates capacity to administer the grant, however private nonprofit organizations providing emergency shelter activities are required to obtain a certification of approval from the unit of local government for the area(s) in which the emergency shelter activities are to be carried out.

C. Required Match

The CARES Act has waived the match requirements for the ESG-CV appropriation, therefore DCED requires NO match for the use of these funds.

D. Conditions for Funding

1. **Statement of Need**
   Applicants must provide a need based and data-informed narrative that gives a detailed explanation of the homeless population in the community and impact of the coronavirus pandemic and specific needs related to code blue winter emergency sheltering for winter 2020-2021 only. Describe the nature of and impact of the pandemic in their homeless community and how the agency proposes to prevent, prepare for and respond to coronavirus among individuals and families who are homeless.

2. **HMIS**
   Grantees are required to input their homeless data into an HMIS. Domestic violence providers are prohibited from using an HMIS and therefore, must use a comparable database.

3. **Housing First**
   Grantees and their subrecipients are required to use the Housing First approach to providing services. Applicants must demonstrate how the Housing First model will be implemented in the community for each activity of funding requested. HUD has identified the following as barriers to accessing housing services: having too little or little income, active or history of substance abuse, having a criminal record with exceptions for state-mandated restrictions, and fleeing domestic violence (e.g., lack of a protective order, period of separation from abuser, or law enforcement involvement). HUD has identified the following as reasons for project termination: failure to participate in supportive services, failure to make progress on a service plan, loss of income or failure to improve income, fleeing domestic violence, and any other activity not covered in a lease agreement typically found in the project’s geographic area. If an agency has not eliminated any of these barriers, they are not implementing the Housing First approach.
4. **Solicitation of Participants**
   Conducting outreach to the community to solicit participants is a reimbursable expense. The applicant must identify how the community will receive a notification of available services including identifying priority populations to be served. Methods of conducting outreach may include social media notifications, flyers outlining specific ESG-CV Code Blue services available, newspaper notifications, etc. The outreach must identify the specific ESG-CV Code Blue services available and should not be an advertisement for other services in your agency.

5. **Residency Requirement**
   Applicants must not place a residency requirement on participants to receive assistance. The goal of the Continuum of Care under the 2009 HEARTH Act is to provide assistance to qualified applicants without boundaries or barriers. ESG-CV Code Blue funding will not be considered for programs that have a residency requirement.

6. **Program Design Forms**
   One program design form must be submitted for each subrecipient anticipated to provide services.

7. **Reporting**
   Successful applicants will be required to comply with all established federal and state program reports required by the Center for Community and Housing Development include: quarterly, biennial, and annual reports. A schedule of these reports will be sent to funded applicants.

### E. Federal Requirements

1. **Area-wide systems coordination requirements – 24 CFR §576.400**
   **Coordination with other Targeted Homeless Services – 24 CFR §576.400(b)**
   Grantees and/or subrecipients must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with other programs targeted to provide services to homeless people in the area covered by the Continuum of Care or an area where services are coordinated to provide a strategic, community-wide system to prevent and end homelessness for that area.

   **System and Program Coordination with Mainstream resources – 24 CFR §576.400(c)**
   Grantee and/or subrecipients must coordinate and integrate, to the maximum extent practicable, ESG-funded activities with mainstream housing, health, social services, employment, education, and youth programs for homeless individuals/families and those who are at risk of homelessness. Refer to 24 CFR §576.400(b) for a list of mainstream resources to coordinate ESG activities.

   **Centralized or Coordinated Assessment – 24 CFR §576.400(d)**
   CoCs are required to establish a centralized or coordinated assessment system. Grantees and their subrecipients will be required to participate in the centralized system. The grantee must maintain evidence of the use of, and written intake procedures for, the centralized or coordinated assessment systems(s) developed by the Continuum of Care. If the local CoC does not yet have a centralized or coordinated assessment system or procedures or if the subrecipient is a legal or a victim service provider choosing not to use the CoC centralized or coordinated assessment system, grantee must have available and consistently apply written standards for assessment.

2. **Written Standards for Providing ESG assistance – 24 CFR §576.400(e)**
   Grantees must establish and consistently apply within their program, written standards for providing ESG assistance. Applicants must provide to the Department a copy of the written standards for providing ESG assistance with the application materials. Refer to 24 CFR §576.400(d) about written standards. The standards must include at a minimum:
• Standard policies and procedures for evaluating individuals’ and families’ eligibility for ESG assistance;

• Standards for targeting persons experiencing homelessness and providing essential services related to street outreach;

• Policies and procedures for admission, diversion, referral, and discharge by emergency shelters assisted under ESG, including standards regarding length of stay, if any, and safeguards to meet the safety and shelter needs of special populations, e.g., victims of domestic violence, dating violence, sexual assault, and stalking; and individuals and families who have the highest barriers to housing and are likely to be homeless the longest;

• Policies and procedures for assessing, prioritizing, and reassessing individuals’ and families’ needs for essential services related to emergency shelter;

• Policies and procedures for coordination among rapid re-housing assistance providers, homelessness prevention, and emergency shelter providers, other homeless assistance providers; and mainstream service and housing providers listed on 24 CFR §576.400(b) and (c);

• Policies and procedures for determining and prioritizing which eligible families and individuals will receive rapid re-housing assistance and homelessness prevention assistance;

• Standards for determining what percentage or amount of rent and utilities costs each program participant must pay, when applicable, while receiving homeless assistance;

• Standards for determining how long a program participant will be provided with rental assistance and how the amount of that assistance will be adjusted over time;

• Standards for determining the type, amount, and duration of housing stabilization and/or relocation services to be provided to a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive, such as the maximum amount of assistance, maximum number of months the program participant may receive assistance; or the maximum number of times the program participant may receive assistance; and

• The utilization of a Limited English Proficiency Plan.

The standards must be effective for ensuring individuals and families applying for and receiving assistance, are able to gain or re-gain long-term housing stability and avoid relapses in homelessness. The standards will include a detailed description of all items listed on the written standards form (see Appendix B). The standards should not be provided by individual subrecipients, but overall standards adopted by the applicant; that all subrecipients must adhere to.

3. **Participation in HMIS 24 CFR §576.400(f)**

Grantees will be required to ensure that data on all persons served and all activities provided under ESG are entered into the community-wide HMIS system designated by the CoC for the area in which those persons and activities are located, or a comparable database, in accordance with HUD’s standards on participation, data collection, and reporting under a local HMIS.

Victim service providers or a legal services provider may use a comparable database that collects client-level data and generates unduplicated aggregate reports based on the data. The comparable database must comply with all current HMIS standards including data information, security, data quality, and processing standards, as established by HUD in its latest HMIS Data Standards guide.
4. **Terminating Assistance – 24 CFR §576.402**
   If a program participant who receives ESG assistance violates program requirements, assistance may be terminated in accordance with a formal process established by the Grantee that protects the rights of the individuals affected. Therefore, a formal process must be in place. This applies to all forms of ESG assistance. For more information, refer to the guidelines outlined in 24 CFR §576.402. A copy of the termination policy must be included in the application.

5. **Shelter and Housing Standards – 24 CFR §576.403**
   Subrecipients are responsible for the performance of inspections to ensure that shelter and housing occupied by ESG participants meets the following standards.
   
   a. **Lead Based Paint Act – 24 CFR §576.403(a)**
      Lead-based paint remediation and disclosure applies to all ESG-funded shelters and all housing occupied by ESG participants. The Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4821-4846), and the Residential Lead-Based Paint Hazard Reduction Act of 1992 (42 U.S.C 4851-4856), subparts of the implementing regulations at 24 CFR Part 35, Subparts A, B, H, J, K, M and R apply to activities under this grant program. The Grantee must also comply with the Lead, Renovation, Repair, and Painting Program Final Rule, 40 CFR Part 745, where applicable.
   
   b. **Minimum Standards for Emergency Shelters and for permanent housing 24 CFR §576.403(b) & (c)**
      Emergency shelters that receive assistance for shelter operations are required to meet habitability standards. If ESG funds are used to help a program participant remain in or move into permanent housing, that housing must also meet habitability standards. The minimum standard for emergency shelters and permanent housing include standards for structure and material, access, space and security, interior air quality, water supply, sanitary facilities, thermal environment, illumination and electricity, food preparation, sanitary conditions and fire safety. Shelters renovated with ESG funds are also required to meet state or local government safety and sanitation-standards as applicable and use energy-efficient materials including Energy Star and WaterSense products and appliances. Refer to 24 CFR §576.403 for details on the housing standards.
      
      Federal habitability and environmental review standards and requirements shall not apply to the use of ESG-CV funds for those temporary emergency shelters that have been determined by State or local health officials to be necessary to prevent, prepare for, and respond to coronavirus.

   c. **Access**

6. **Conflicts of Interest – 24 CFR §576.404**
   Grantees are expected to follow the conflict of interest standards outlined in 24 CFR §576.404 related to the provision of ESG assistance, and procurement of goods and services. All subrecipients must comply with these same requirements.

7. **Homeless Participation – 24 CFR §576.405**
   The provisions requiring homeless participation on boards or in an advisory capacity can be fulfilled by ESG Grantees bringing any policy decisions regarding their facility and services to the CoC governing board where homeless participation is already existing. Also, to the maximum extent practicable, Grantees should involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted with ESG.
8. **Faith-Based Activities 24 CFR §576.406**
   Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to receive ESG funds. The State will not discriminate against an organization based on the organization’s religious character or affiliation. However, you may not engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the programs or services funded under ESG. If an organization conducts these activities, the activities must be offered separately, in time or location, from the programs or services funded under ESG, and participation must be voluntary for program participants.

   An organization that receives ESG funds shall not, in providing ESG assistance, discriminate against a program participant or prospective program participant on the basis of religion or religious belief. When using ESG funds for the rehabilitation of structures, faith-based organizations will be expected to follow the guidelines outlined in 24 CFR §576.406.

   The passage of legislation on July 5, 2012 that amends certain provisions of the HEARTH Act, 24 CFR Part 58 must be followed by all ESG Grantees to comply with environmental requirements. All ESG activities will require some level of environmental review & clearance. No funds may be expended until an environmental review that meets the standards outlined in 24 CFR Part 58 has been submitted and approved by DCED.

   Federal habitability and environmental review standards and requirements shall not apply to the use of ESG-CV funds for those temporary emergency shelters that have been determined by State or local health officials to be necessary to prevent, prepare for, and respond to coronavirus.

10. **Real Property Requirements – 2 CFR 200.311**
    Part 200 requires that, when real property is no longer needed for the originally authorized purpose, the Grantee must obtain disposition instructions from DCED.

    Subrecipients and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired in the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

12. **Displacement, Relocation, and Acquisition 24 CFR §576.408**
    Consistent with the other goals and objectives of ESG, the Grantee must assure that it has taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, nonprofit organizations, and farms) as a result of a project assisted under ESG. Subrecipients must follow the requirements in 24 CFR §576.408 related to temporary relocation (not permitted), relocation assistance for displaced persons and real property acquisition requirements and appeals. ESG funds must comply with Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (49 CFR Part 24) and policy guidance in Real Estate Acquisition and Relocation Policy and Guidance (HUD Handbook 1378).

Grantees will be required to show compliance with the program’s regulations through the appropriate records, including documentation of homeless status, at risk of homelessness status and program participants’ income. The Subrecipient must have policies and procedures to ensure the requirements outlined in 24 CFR §576.500 are met. In addition, sufficient records must be established and maintained for a minimum of five years after grant closeout to enable the Department and HUD to determine whether ESG requirements are met.

14. **Applicability of OMB Circulars**

Grantees must follow the policies, guidelines and requirements established in 2 CFR Part 200.

15. **Financial Accountability 2 CFR Part 200**

Selected awardees will be expected to have a functioning accounting system that provides for each of the following:

- Accurate, current, and complete disclosure of the financial results of each federally sponsored project;
- Records that identify adequately the source and Application of funds for federally sponsored activities;
- Effective control over and accountability for all funds, property, and other assets;
- Comparison of outlays with budget amounts;

16. **Compliance with Fair Housing and Civil Rights in ESG Programs**

ESG Grantees must comply with all applicable fair housing and civil rights requirements in 24 CFR 5.105(a), including, but not limited to, the Fair Housing Act; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title II and Title III of the American With Disabilities Act of 1990; Executive Order 13166 – Improving Access to Persons with Limited English Proficiency, the Equal Access to Housing Rule in HUD Programs Regardless of Sexual Orientation or Gender Identity, the Architectural Act of 1968, and the Age Discrimination Act of 1975.

a. **Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity**

On February 3, 2012 HUD revised its program regulations (77 FR 5662) to ensure that individuals and families have access to HUD assisted and insured housing programs, regardless of sexual orientation, gender identity, or marital status. Applicants are encouraged to become familiar with this rule.

Under the Equal Access Rule (24 CFR, Part 5), ESG Grantees are not allowed to limit ESG assistance to only women and children, regardless of whether the Grantee or subrecipient is a Domestic Violence or Faith-Based provider. HUD has clarified that while it is acceptable for a shelter or housing program to limit assistance to households with minor children, it may not limit assistance to only women with children. To be in compliance with the Equal Access Rule, a shelter/program serving only households with minor children must also serve the following family types, should they present: 1) single male head of household with minor child(ren); and 2) any household made up of two or more adults, regardless of sexual orientation, marital status, or gender identity, presenting with minor child(ren). ESG-funded emergency shelters serving families with children are also prohibited from denying assistance to or separating members of a family with children based on gender or age. Gender separation is only acceptable in ESG-funded single-sex shelter environments which only serve individuals.
b. **Economic Opportunities for Low and Very-Low Income and Homeless Persons (Section 3)** – 24 CFR §576.407(a)

To the extent that any housing assistance funded through this application is used for housing rehabilitation or housing construction or other public construction, then it is subject to Section 3 of the Housing and Urban Development Act of 1968, and the implementing regulations at 24 CFR Part 135.

Section 3 requires that employment, training, and contracting opportunities generated by certain HUD financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to businesses that provide economic opportunities for these persons.

c. **Affirmative Outreach** – 24 CFR §576.407(b)

Grantees must make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis and must take appropriate steps to ensure effective communication with persons with disabilities. Affirmative outreach activities may include: (a) marketing programs to groups living in or receiving services in your service area that are under-represented as shown by your program data, (b) creating partnerships with community-based agencies or non-profits that work with underrepresented and non-majority groups in your service area, and (c) translating documents advertising assistance, services and contact information into other languages prevalent in the community. Grantees must follow the requirements outlined in 24 CFR §576.407(b).

d. **Improving Access to Services for Persons with Limited English Proficiency (LEP)** – 24 CFR §576.407(b)

Executive Order 13166 seeks to improve access to federally assisted programs and activities for individuals who, as a result of national origin, are limited in their English proficiency. Organizations obtaining ESG funds shall take reasonable steps to ensure meaningful access to their programs and activities by individuals with limited English proficiency, regardless of the language spoken. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Grantees must follow the requirements outlined in 24 CFR §576.407(b). HUD published Final Guidance to Federal Financial Assistance Requirements Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons in the Federal Register on January 22, 2007 (72 F.R. 2732).

e. **Violence Against Women Act 2013**

Applies for all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation, and which must be applied consistent with all nondiscrimination and fair housing requirements. Regulations were published in the Federal Register on November 16, 2016 (81 FR 80724).

*Performance will also be measured by evidence that the applicant has coordinated with the local Continuum of Care (CoC) to ensure that ESG-CV activities are consistent with CoC’s strategies and objectives for preventing and ending homelessness. The impact of ESG-CV funds will ultimately be reported by CoCs through Point-in-Time counts, the reduction of homelessness in a specific area, and through other data collected by HUD. In addition, grantees are to ensure coordination with other local organizations that are planning and carrying out activities related to prevention, rapid re-housing and to link participants to other mainstream resources.*
F. Application Process

In an effort to expedite the application process and ensure ESG-CV resources are able to address immediate and local needs resulting from the coronavirus, certain elements of the DCED application to demonstrate compliance with federal requirements of the ESG-CV must be available for inspection at the request of DCED or HUD at any time during the life of the grant and must be available for physical inspection during monitoring.

1. Application Submission

ESG-CV Code Blue guidelines and application kit will post on DCED’s website effective November 5. DCED will accept applications until November 16, 2020. Applications are accepted until 4:00pm on November 16, 2020.

The completed application and only required attachments must be submitted in DCED’s Electronic Single Application. To apply, please visit [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us) for the log-in page of the application. If you are new to the DCED application process, you are encouraged to click the link on the left of the page that provides an “application walkthrough”. If you experience difficulty submitting the application, you may click the help link above the user log-in or contact DCED’s Customer Service Center for assistance. The contact information is:

Phone: 800-379-7448 (8:30AM - 5:00PM EST Monday through Friday)
or Email: ra-dcedcs@pa.gov

Pennsylvania’s ESG-CV is a competitive process. DCED will review all submissions for completeness of application materials. Incomplete applications may not be considered for funding.

All questions related to these guidelines should be directed to:

Angela Susten, Homelessness Program Manager
Pennsylvania Department of Community and Economic Development
Email: RA-DCESG@pa.gov

Additional information on the commonwealth’s ESG-CV Program can be found online at: [dced.pa.gov/esg-cv](http://dced.pa.gov/esg-cv)

2. Public Participation

a. The CARES Act provides for a waiver of the public participation process that DCED has extended to applicants to the ESG-CV. Applicants must demonstrate public participation by announcing their activities and the amount they will be requesting electronically, either on a form of social media or on the applicant’s website. This must be completed no less than 5 days before having the local governing body approve the application. Applicants must provide a screen shot including the date(s) it was up in social media or the website, when the local governing body will be acting on the application, and showing the directions for citizen comment (mail, email). Applicants also need to make sure the local unit of government has amended their citizen participation plan to allow for this change in participation. Due to the short time period between the opening and closing of the application period, applicants may submit the required resolution of the governing body after application submission, however proof of the required public posting of the activities and amount being requested must be submitted with the application packet submitted in ESA.
3. Resolution of the Municipality or Non-profit Organization
   
a. The applicant must have in their application, evidence in the form of a resolution of the governing body authorizing the filing of the application. Due to the short time period between opening and closing of the application period, applicants may submit the required resolution of the governing body by email after application submission. No funding awards will be made to any community that has not submitted the appropriate resolution. Resolutions must be sent to: RA-DCESG@pa.gov.
   
b. The resolution must cite the HEARTH Act and CARES Act, state the program being applied for, and contain a provision whereby the applicant assumes responsibility for providing the local match and will reimburse the commonwealth for any expenses found to be ineligible.

   A sample resolution is provided in this application.

Section III – DCED’s Funding Allocation

A. Required Expenditure Deadlines

   DCED will require grantees to invoice monthly. DCED will routinely inspect expenditure rates to monitor timeliness. 100% of the grant expenditures must be incurred within the contract period. Grantees will have 30 days from the end of the contract to submit all invoices to DCED. Grantees that do not meet the expenditure deadlines may have a portion or all their funds disencumbered from the contract.

   Grantees must expend 100% of the grant by the end of the contract period (date to be established).

B. Funding Recapture

   Progress will be measured against goals, objectives and expenditure targets outlined by the grantee. Grantees not meeting their stated goals may have a portion or all their funding disencumbered and reallocated. These funds may be used to meet unanticipated needs such as areas experiencing significant increases in unemployment, evictions or other unforeseen economic crises. Any reallocation would be available to successful subrecipients that have a proven need and capacity to administer additional funds.
Section IV– Application Submission

Preparation of your application should begin only after you have reviewed the Program Guideline Application Kit. Questions may be directed to Homeless Program, Center for Community & Housing Development, 717-787-5327

All supplemental forms must be submitted with the application online by November 16, 2020.

A. Application Contents

1. Each application must contain the following, except where noted.
   Using addenda section of the ESA application, please upload all completed versions of the required attachments below.

   Attachments to include with application:
   - Resolution of Submission by the Local Governing Body or Board President of the Applicant – send original by mail
   - Language Access Plan Certification (DCED-CCD-ESG-CV-012)
   - Management Standards (DCED-CCD-ESG-CV-003) for applicants

2. Sub recipient Forms
   Edit and upload all applicable program design forms as newly required ESA addenda.
   Program Design – only send forms applicable to the application
   - Street Outreach (DCED-CCD-ESG-CV-004F)
   - Emergency Shelter (DCED-CCD-ESG-CV-004E)
Regional Offices

Pennsylvania Department of Community and Economic Development
dced.pa.gov

Central
Adams, Bedford, Centre, Clearfield, Clinton, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lycoming, Mifflin, Perry, and York counties

Department of Community and Economic Development
Marita Kelley, Director
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120-0225
(717) 720-7301
Fax (717) 783-4663
markelley@pa.gov

Southwest
Allegheny, Armstrong, Beaver, Blair, Butler, Cambria, Fayette, Greene, Indiana, Somerset, Washington, and Westmoreland counties

Department of Community and Economic Development
Johnna Pro, Director
301 Fifth Avenue, Suite 250
Pittsburgh, PA 15222
(412) 565-5098
Fax: (412) 565-2635
jopro@pa.gov

Northwest
Cameron, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango, and Warren counties

Department of Community and Economic Development
Kim Thomas, Director
100 State Street, Suite 205
Erie, PA 16507
(814) 871-4245
Fax: (814) 454-7494
kimbethoma@pa.gov

Southeast
Bucks, Chester, Delaware, Lancaster, Montgomery and Philadelphia counties

Department of Community and Economic Development
Aliyah Stanger, Director
110 North 8th Street, Suite 505
Philadelphia, PA 19107-2471
(215) 560-5830
Fax: (215) 560-5832
astanger@pa.gov

Northeast
Bradford, Carbon, Columbia, Lackawanna, Luzerne, Montour, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming counties

Department of Community and Economic Development
Paul Macknosky
2 North Main Street
Pittston, PA 18640
(570) 963-4122
Fax: (570) 654-6315
pmacknosky@pa.gov

Lehigh Valley
Berks, Lehigh, Monroe, Lebanon, Northampton, Northumberland, Snyder, and Union counties

Department of Community and Economic Development
Fadia Halma, Director
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120-0225
(717) 877-8481
fhalma@pa.gov
### Appendix A – FY 2020 ESG Direct Entitlement Areas

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Appendix B

Website and Best Practice References

- Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH ACT)
- Interim ESG Regulations: 24 CFR Part 576
- HEARTH Homeless Definition Final Rule: 24 CFR Parts 91, 582 and 583
  hudexchange.info/resource/1928/hearth-defining-homeless-final-rule/
- HUD Coronavirus Resources
  www.hud.gov/coronavirus
- PA East and West Balance of State Continuum of Care Website
  www.pennsylvaniacoc.org
- Department of Community & Economic Development Website
  dced.pa.gov

Best Practices Resources

- Solutions and Best Practices to Ending Homelessness
  www.endhomelessness.org/pages/solutions
- The Solutions Database
  www.usich.gov/solutions
- Federal Strategic Plan to Prevent and End Homelessness
  www.usich.gov/tools-for-action/opening-doors/
- What Gets Measured, Gets Done: A Toolkit on Performance Measurement for Ending Homelessness
  https://endhomelessness.org/resource/a-toolkit-on-performance-measurement/what-gets-measured-what-gets-done/