



ERA2

Housing Stability Services Program (HSS)

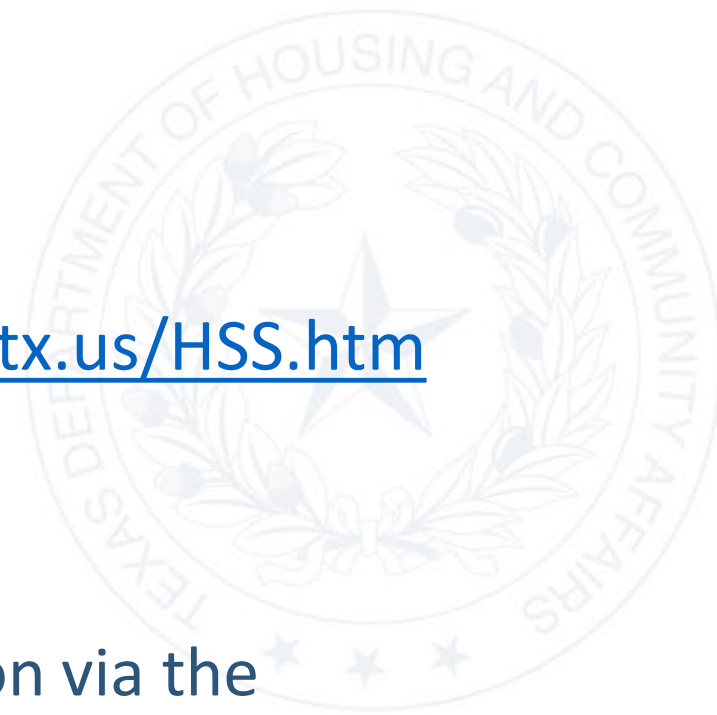
Day 1 –

Overview and Contract
Implementation

March 29, 2022

Housekeeping

- All material available at <https://www.tdhca.state.tx.us/HSS.htm>
- Dedicated Q&A session at the end of the training
- Please send questions throughout the presentation via the questions box
- Training will be recorded and posted on our webpage
- ***(NOTE: Slide 34 has been corrected as marked following the 3/29/2022 training presentation)***



Agenda

- Program Overview
- HSS Staff Introduction
- Contract Overview
- Addendums and Exhibits
- Q&A time



Housing Stability Services Program Overview

- Federal Funding from Treasury through the Emergency Rental Assistance program (ERA1 and ERA2)
 - The Texas Rent Relief (TRR) Program – provides rental and utility arrears and payments to households who qualify.
 - **Housing Stability Services (HSS) Program** – allows up to 10% of the ERA funds to be utilized for housing stabilization services, not including rental or utility arrears and payments.

HSS Staff Introduction

Cate Tracz, Director of ERA Housing Stability Services

Alex Pustelnyk, Program Administrator

Frank Sarno, Program Administrator

Meredith Maulsby, Program Administrator

Meg Kee, Contract Specialist

Surya Sherrod, Contract Specialist

Kim Jones, Contract Specialist



What to expect in the next 2 years

- Two-year contracts with benchmark goals each 6-months
- Monthly reporting requirements for households served and funds expended
- Virtual Office Hours for Program and Reporting Questions are held one week in advance of each monthly reporting deadline
 - Schedule posted at <https://www.tdhca.state.tx.us/HSS.htm>
 - Office hours registration link (same link each month):
<https://register.gotowebinar.com/rt/2048529120149485838>

Sign up for listserv announcements

- <http://maillist.tdhca.state.tx.us/list/subscribe.html?lui=f9mu0g2g&mContainer=2&mOwner=G382s2w2r2p>

TDHCA Lists

This is the TDHCA member area. It contains a number of lists that you may subscribe to as a member.

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Subscribed	List Name	Action	Description
Yes	TDHCA	Edit Profile Unsubscribe	Select this list to stay informed about TDHCA and its various programs. You can select from a list of TDHCA topics.

ERA Housing Stability Services Program:



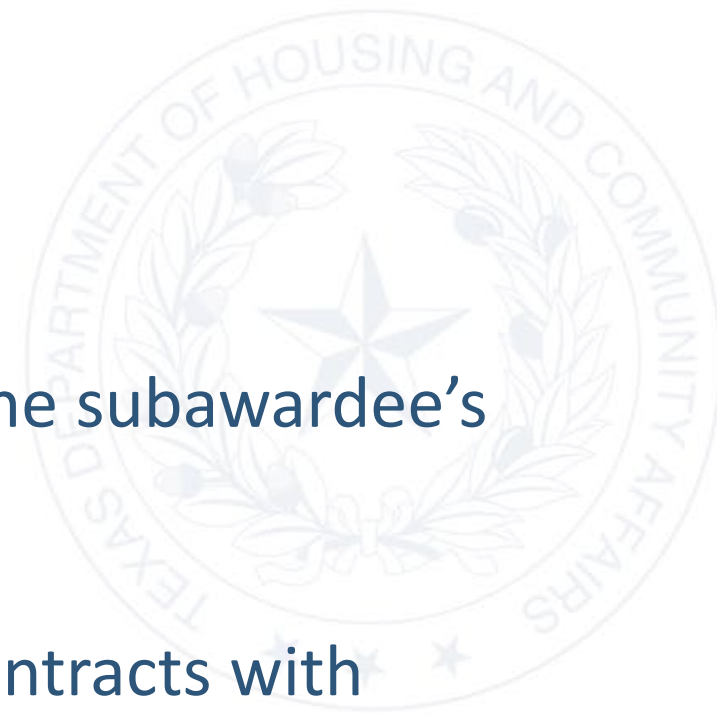
Contracts

- Contract effective start date March 31, 2022.
- Final Subrecipient Benchmark and Budget files are under review.
- Allowable program costs may be incurred between March 31 and the date of contract execution.



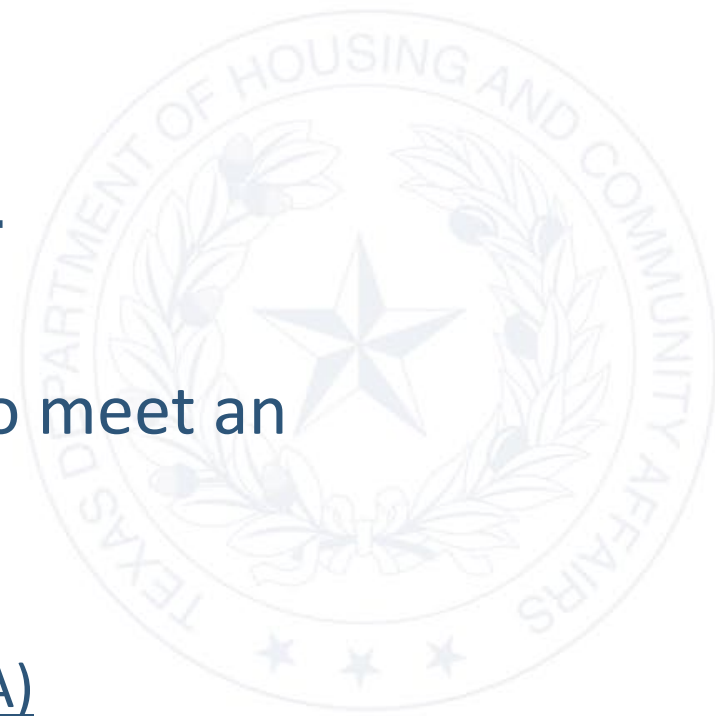
Service Area

- Subrecipient must provide written documentation of the subawardee's or subcontractor's service area by May 16, 2022.
- The Subrecipient must outline the service area in its contracts with subawardees or subcontracts.
- TDHCA uses service area to aid citizens search for resources in their location through the Help for Texans tool (<https://www.tdhca.state.tx.us/texans.htm>)



Deobligation of Funds

- Deobligation of funds could occur if there is a failure to meet an expenditure benchmark as reported in the:
 - Monthly Expenditure and Performance Report (Exhibit A)
 - Contract Benchmarks (Exhibit A)



Duplication of Benefits

- Under no circumstances shall a Household receive a Duplication of Benefits (“**DOB**”). Any excess from a DOB must be returned to the Department within ten (10) days.



Advance of Funds

- After contract execution, subrecipient may request a one-time advance of funds (no more than 30 days cash need) by submitting a request to TDHCA with details of the use of funds.
- Subrecipient's requests for the advance of funds shall be limited to the minimum amounts needed for effective operation of programs, and shall be timed as closely as possible to be in accord with actual cash requirements.
- After this one-time option, payments will be made on a monthly reimbursement basis.

Indirect Cost Rate

- Indirect costs are only allowable if Subrecipient has an approved federal indirect cost rate or is using the de minimis rate on all its federal contracts per 2 CFR §200.414(f).
- Your approved rate will appear in your contract and shall be reflected in your budget.



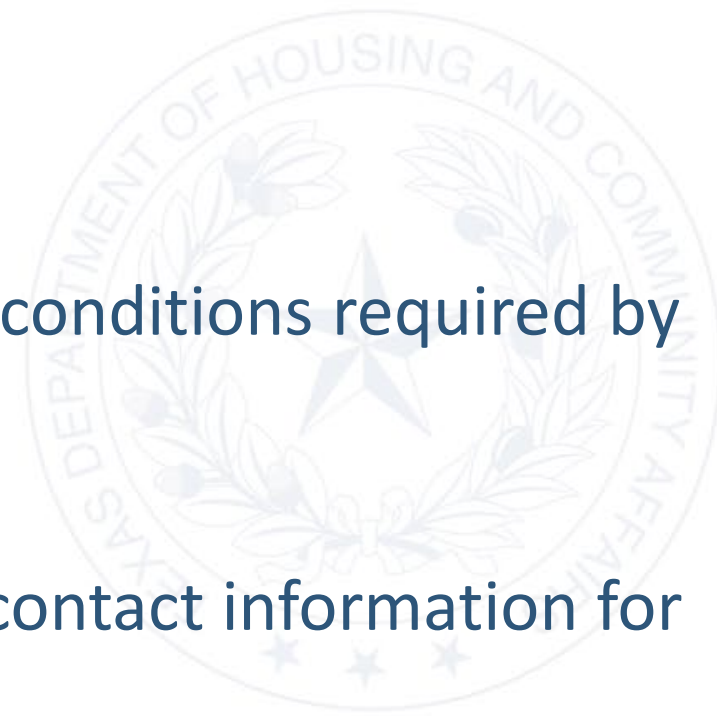
Subcontracts

- Subrecipient has the responsibility for ensuring that the performances rendered under all subcontracts are rendered so as to comply with all Contract terms
- Subrecipient must include language in any subcontract or subgrant that provides the Department the ability to directly review, monitor, and/or audit the operational and financial performance and/or records of work performed under this Administrator Agreement.



SUBAWARDS

- Any subaward must contain all the applicable terms and conditions required by federal and state requirements.
- Subrecipient must provide HSS staff with the applicable contact information for all subawards.
- By **May 16, 2022**, Subrecipient shall submit to HSS a Subawardee Report, which will outline the following:
 - subawardee application process,
 - subawardee selection process
 - all subawardee information (name, award amount, service area, and information requested under Section 17(C) and 17 (D) of this Contract).



Rules and Regulations

- American Rescue Plan Act, 2021 (Public Law No: 117-2)
 - Federal Act providing the ERA2 funds
- 2 CFR Part 200 Uniform Grant Management Guidance
 - Uniform Administrative Requirements, Cost Principles, And Audit Requirements For Federal Awards
- Texas Grant Management Standards (TxGMS) (for Units of Government)
 - Beginning in January 2022, local governments in Texas are required to follow the Texas Grant Management Standards (TxGMS) when administering public funds. These rules replace the Uniform Grant Management Standards (UGMS) that local governments are familiar with. For the ERA2 HSS subrecipients, these standards apply to cities and public housing authorities.
- Texas Administrative Code: Title 10, Part 1, Chapters 1 and 2
 - TDHCA administrative code and rules



Compliance Audit Review

- TDHCA's Compliance Division will conduct either a desk and/or on-site monitoring review of this contract during the contract term.
- The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under any contract or indirectly through a subcontract under the Administrator Agreement.
- Be sure to keep program documentation (including policies and procedures and client files) accurate, up to date, and in an accessible format for review upon request.

Records Retention

- Subrecipient must maintain records in an accessible location for 6 years
 - (ii) if notified by the Department in writing, the date that the final audit is accepted with all audit issues resolved to the Department's satisfaction;
 - (iii) if any litigation claim, negotiation, inspection, or other action has started before the expiration of the required retention period records must be retained until completion of the action and resolution of all issues which arise under it;
 - (iv) a date consistent with any other period required by the performed activity reflected in federal or state law or regulation. Upon termination of this Contract, all records are property of the Department.

Final Reporting

- Subrecipient must file a final Expenditure and Performance Report within forty-five (45) calendar days after the end of the Contract.
- Subrecipient shall submit to Department no later than forty-five (45) calendar days after the end of the Contract Term an inventory of all equipment (as defined federally) with a unit acquisition cost of Five Thousand and No/100 Dollars (\$5,000.00) or more and a useful life of more than one (1) year, if purchased in whole or in part with funds received under this Contract.

Travel

- Subrecipient shall adhere to 2 CFR Part 200 and either its board-approved travel policy (not to exceed the amounts established in subchapter I of Chapter 57 of Title 5, United States Code “Travel and Subsistence Expenses; Mileage Allowances”), or the State of Texas travel policies.
- Subrecipient’s written travel policy shall delineate the rates which Subrecipient shall use in computing the travel and per diem expenses of its board members and employees.
- Travel policy information must be in its agreements with its subgrantees.

Limited English Proficiency

- Subrecipient must ensure equal access to services by non-English speaking residents.
- Subrecipient must provide program applications, forms, and educational materials in English, Spanish, and any appropriate language, based on the needs of the service area.
- To ensure compliance, the Subrecipient must take reasonable steps to insure that persons with LEP have meaningful access to the program. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Prevention of Waste, Fraud and Abuse

- Subrecipient shall establish, maintain, and utilize systems and procedures to prevent, detect, and correct waste, fraud, and abuse in activities funded under this Contract.
- Subrecipient represents and warrants that it will comply with Section 321.022 of the Texas Government Code which requires that suspected fraud and unlawful conduct be reported to the State Auditor's Office.
- For more information, see TDHCA's FWA webpage at <https://www.tdhca.state.tx.us/fraud-waste-abuse.htm>

Non-Discrimination, Equal Access and Equal Opportunity

- Non-Discrimination.

Subrecipient will not use funds in a manner that discriminates on the basis of Race, Color, National Origin, Religion, Sex, Familial Status, and Disability

- Equal Opportunity.

Subrecipient agrees to carry out an Equal Employment Opportunity Program in keeping with the principles as provided in President's Executive Order 11246 of September 24, 1965.

- Accessibility.

Subrecipient shall operate each program or activity receiving financial assistance so that the program or activity, when viewed in its entirety, is readily accessible and usable by individuals with disabilities. Subrecipient is also required to provide reasonable accommodations for persons with disabilities.

FIDELITY BOND AND INSURANCE REQUIREMENTS

- **Fidelity Bond**- *can use admin funds to pay for fidelity bond*

Subrecipient and any nonprofit subgrantee shall maintain adequate fidelity bond coverage as set forth in 10 TAC §1.406. (the fidelity bond must be for a minimum of \$10,000)

- **Insurance**

Subrecipient and subgrantee must modify its standard insurance policies, if applicable, to cover the work under this Contract

- **Subawards**

Subrecipient must incorporate these provisions into its contracts with any subcontractor or subawardee.

Faith Based and Sectarian Activity

- Funds provided may not be used for explicitly religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded with direct financial assistance from HSS.
- If an organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded with direct financial assistance from HSS, and participation must be voluntary for beneficiaries of the programs or services funded with such assistance.

Direct Deposit Authorization

- Department shall not release any funds under this Contract until Department has received a properly completed Direct Deposit Authorization form from Subrecipient and all Contract start-up documentation required by the Department.
- If ever any Direct Deposit changes, let HSS staff know immediately.

Addendums & Exhibits

- Addendum A - Certification Regarding Lobbying for Contracts, Grants, Loans, and Cooperative Agreements
- Addendum B - Certification Regarding Drug-Free Workplace Requirements
- Addendum C - Certification Regarding Debarment, Suspension and Other Responsibility Matters

- Exhibit A - Contract Benchmarks
- Exhibit B - Performance Statement and Benchmarks
- Exhibit C – Budget
- Exhibit D- Income Determination and Verification



Addendum A

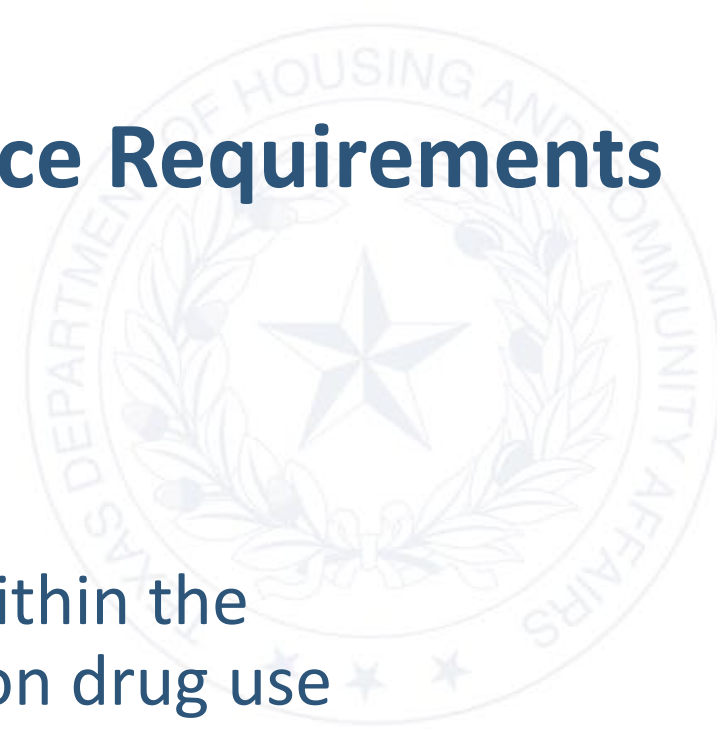
Certification Regarding Lobbying for Contracts, Grants, Loans, and Cooperative Agreements.

- No Federal appropriated funds can be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress
- The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements)

Addendum B

Certification Regarding Drug-Free Workplace Requirements

- *Drug-Free Workplace Act of 1988*
- Requires organizations to post antidrug-use policies within the workplace and provide employee awareness training on drug use policies.
- All covered contractors and grantees must maintain a drug-free workplace.



Addendum C

Certification Regarding Debarment, Suspension and Other Responsibility Matters

- Certification that subrecipient principles have not been convicted of a federal crime, or suspended/disbarred by a Federal department or agency

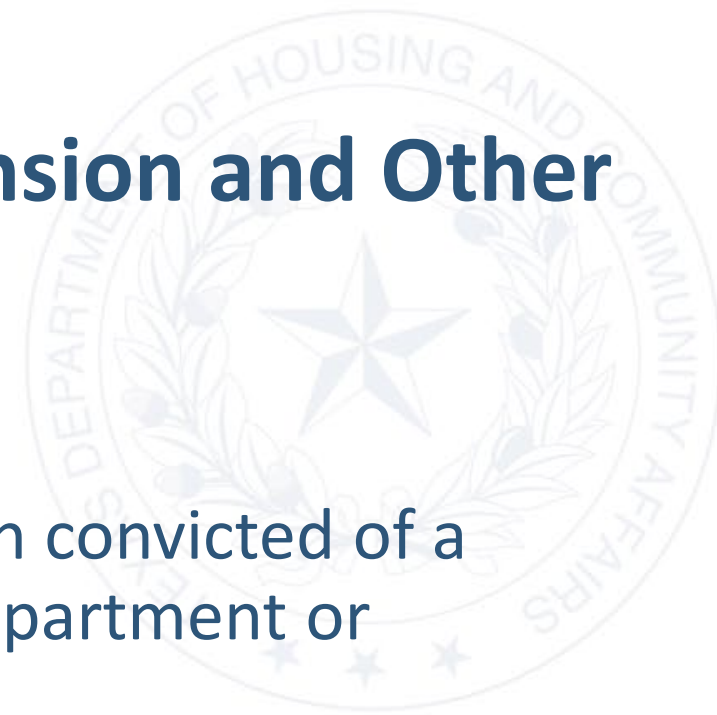


Exhibit A

Contract Benchmarks



1. Expenditure Benchmarks*

03/31/22 - Contract Start Date

10/15/22 (6 Months) – 25%

04/15/23 (12 months) – 50%

10/15/23 (18 months) – 75%

4/15/24 (24 months) – 100%

5/15/24 – Administrative Funds 100% expended, Close-out Report

2. Performance Benchmarks by Unduplicated Households Services (cumulative)

***ERA1 Subrecipients' benchmarks may be amended depending on when they begin expending ERA2**

All Contract funds must be 100% expended by March 31, 2024
Each quarter awardees are expected to meet their performance and expenditure benchmarks.

Exhibit A

Contract Benchmarks

3. Contract Reporting Benchmarks:

- Monthly performance report by May 15, 2022, for April 1 – 30, 2022.
- Monthly performance reports by 15th of each subsequent month.
- Final monthly performance report provided by April 15, 2024.
- Close-Out report by May 15, 2024.
- Inventory report by May 15, 2022



Exhibit B

Performance Statement and Benchmarks

- Service Area required- can be changed during contract period with written permission from HSS staff
- **Eligible** major activities funded wholly or partially through the ERA HSS program. ‘Major activities’ should include any activity funded by ERA HSS that your organization considers to be administratively distinct from other activities provided by your organization*
- Estimated households to be assisted through each activity
- Monthly Reporting* of:
 - Household Level Data
 - Aggregate Level Performance Data
 - Aggregate Level Expenditure Data

***Reporting Requirements training will be Thursday March 31st and Program Guidelines Training will be on Wednesday March 30th.**

Exhibit C

Budget

- Subrecipient may expend amounts not to exceed a ten percent (10%) increase or decrease among activities in Housing Stability Services and Other Financial Assistance and still be within the terms of this Contract.
- ~~Budgeted amounts cannot be moved between Housing Stability Services and Other Financial Assistance without a written Contract Amendment.~~ Changes to Budget amounts that exceed 10% a increase or decrease among activities require a contract amendment. (note: this bullet was amended following the 3/29/22 training webinar)
- Administration amounts cannot be moved between Housing Stability Services and Other Financial Assistance and cannot increase beyond the amounts reflected above. The total budget expended cannot surpass the total budget listed.

Exhibit D

Income Determination and Verification

- Subrecipient and any subawardees must follow an income determination method to determine whether a Household qualifies for Housing Stability Activities.
- Any Household receiving Housing Stability Services or Other Financial Assistance must be determined to be an Eligible Household through all the following verification methods:
 - Household COVID-19 Impact Certification
 - Household Housing Instability Certification
 - Household Income Certification
- Income Eligibility Flowchart:

<https://www.tdhca.state.tx.us/pdf/covid19/hss/211213-ERA1-HSS-Eligibility.pdf>

Q&A Time

Thank you!

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