JOIN US

Oregon Housing and Community Services

May 12, 2025

Re: Rules Advisory Committee – Oregon Eviction Diversion and Prevention (ORE-DAP)

Dear Partners,

OHCS is hosting a Rules Advisory Committee on Monday, May 19, 2025, at 2:30 p.m. to support the rule filing for the ORE-DAP program. During this meeting, the committee will be reviewing the drafted rules and providing feedback to the drafted fiscal and economic impact statements. While this meeting does not include a comment period for the public, we hope you can join!

Monday May 19, 2025, at 2:30 p.m.
Registration is Required

Meeting Agenda:

- Welcome and Introductions
- Background on ORE-DAP program development
- Review drafted rules and impact statements
- Impact Assessment and Feedback
- Next Steps & Closing

You can stay up to date with all of OHCS's rulemaking and future engagement opportunities on our OHCS Administrative Rules website or by contacting Jaci Davis, Lead Administrative Rules Coordinator.

EQUAL HOUSING OPPORTUNITY

Oregon Housing and Community Services | 725 Summer St. NE Suite B, Salem, OR 97301-1266 | (503) 986-2000 | FAX (503) 986-2020

Rules Advisory Committee
Oregon Eviction Diversion and Prevention (ORE-DAP)

Date/Time: May 19th at 2:30 p.m.
Location: TEAM Meeting – Registration is Required
Participants: Committee Members (listed on second page)
+ Open to public for observation

Meeting Objectives

- Conduct Rules Advisory Committee with a diverse group of individuals who are directly impacted by the ORE-DAP program and subsequential eligibility of these housing resources.
- To create space to uncover different perspectives that can inform the implementation of the ORE-DAP program and gather feedback about the potential impacts as required by state rules development process.

Agenda

Welcome & Introductions

- *Be prepared to share:* name, pronouns, work affiliation and position, and what lens or unique perspective do you bring to today's discussion on the ORE-DAP program?

Background on ORE-DAP program development, previous engagements & RAC Responsibility

Opportunity to Review & Improve the Drafted Economic and Fiscal Impact Statements

- How will this rule remove barriers and/or otherwise improve access for the communities that you serve?
- Do you see opportunities to adjust the rule to better serve those communities?
- Once this rule is adopted, what will your organization need to support this change?

Impact Assessment

- State RAC procedures require assessment of impact in the following areas:
    - fiscal impact on state agencies, local government, or the public
    - potential of significant adverse impact on small businesses
    - reporting and other administrative activities required for compliance

Next Steps & Closing

- Review comments and feedback collected during the meeting
- Announce future engagement opportunities & public comment period

Rules Advisory Committee Members

RAC facilitator's contact information:
Jaci Davis; Jaci.Davis@hcs.oregon.gov

Rules Advisory Committee
Oregon Eviction Diversion and Prevention (ORE-DAP)

1. OHCS RAC Facilitators: Jaci Davis and Rachel Bennett
2. Marisa Ball, Marion County Housing Authority
3. Andrew Haley, Immigrant and Refugee Community Organization
4. Mitzi Mason
5. Breezy Poynor, Mid-Willamette Valley Community Action Agency
6. Stacie Sabourin, Mid-Columbia Community Action Council
7. Tara Ulrich, Sequoia Mental Health

Process Agreements from Rules Advisory Committee

This is intended to be a creative, brave space where we can think about how best to serve Oregonian with this rule change to remove barrier to access housing resources. To accomplish this, participants are asked to respect the following process agreements:

- **Seek common ground & understand divergence:** Practice "*Yes, And*" to affirm shared values while building on and expanding ideas. Be clear, yet constructive where you have differing experiences and opinions.

- **Share airtime:** Everyone deserves to be heard, and everyone has a piece of the truth. Challenge yourself to engage in ways that honor the voices and thinking space of others. Practice "W.A.I.T": ask yourself, *Why am I talking?* Or *Why aren't I talking?*

- **Active virtual participation:** To respect the topic, each other, and to make the most of our time together, please practice active virtual participation to the maximum extent able. This includes making sure your zoom name is accurate, keeping your video on, using chat and Q&A functions, raising your hand to engage in open dialogue, responding to polls, engaging in virtual activities, and minimizing multi-tasking.

- **Take care of yourself:** We strive to facilitate high impact RACs where we use our limited time to the fullest, please do what you need to take care of yourself so you can participate fully and do your best thinking.

RAC facilitator's contact information:
Jaci Davis; Jaci.Davis@hcs.oregon.gov

Oregon Eviction Diversion and Prevention (ORE-DAP) Program

Rules Advisory Committee's role in reviewing the proposed impact statements:

OHCS has completed, to the best of our knowledge, the known and intended impacts for all required fiscal and economic rule filing statements. The RAC members should review the drafted impact statements and ensure they align with their expertise within a potentially impacted community. If there is feedback the RAC member can provide to ensure all impacts are recorded, edits and thoughts can be shared in writing before or during the scheduled RAC meeting.

OHCS will review all feedback received during the RAC meeting, and the hearing officer's report will contain response and be posted on the OHCS Administrative Rules website: Oregon Housing and Community Services : Administrative Rules : Get Involved : State of Oregon

Impact Statement Review

Question 1: Identify whether the rules will have a fiscal impact, either negative or positive, on state agencies, local government, or the public, and if so, the extent of the impact.

Proposed Statement: The adoption of ORE-DAP rules may have positive fiscal impacts on local governments, nonprofit grantees, and the public. The rules authorize use of state General Funds to: prevent evictions and homelessness; support interventions like rental assistance, legal mediation, and wraparound services. The extent of the impact is positive for public agencies and local partners by reducing downstream costs associated with emergency shelter, public health interventions, and rehousing services.

Question 2: Identify whether the rules will have a significant adverse impact on small businesses. What can be done to mitigate the impact on small businesses?

Proposed Statement: No significant adverse impact on small businesses is anticipated. The rules do not regulate business operations nor require expenditure from small businesses. To the extent that landlords (often small business owners) interact with the eviction system, the program may benefit them indirectly. Helping tenants remain stably housed ensures that landlords keep receiving rent payments and reduces their eviction-related turnover costs that non-payment evictions cause.

Question 3: Estimate the number of small businesses subject to these rules, identify types of businesses and industries with small businesses subject to these rules.

Proposed Statement: ORE-DAP rules do not directly regulate small businesses, but potential indirect interaction exists with small property management firms or landlords, legal service contractors and nonprofit community partners, and mediation providers. The estimate would be less than 100.

Question 4: Describe the projected reporting and other administrative activities required for compliance, including costs of professional services.

Proposed Statement: Grantees must engage in quarterly and annual reporting on expenditures and program outcomes, data entry into HMIS including timeliness standards, and budget change requests and fiscal tracking through OPUS. Administrative burden is typical of publicly funded grant programs and is eligible for reimbursement through administrative funds provided in the grant award.

Question 5: Identify equipment of supplies, labor and increased administration required to comply with rules.

Proposed Statement: Generally answered in 4 above. Compliance with the rules may require labor (staffing for data entry, case management, and fiscal tracking), supplies (secure file storage, computers, internet access, and HMIS-compatible systems), and administration (training, privacy notifications, and financial documentation). These are allowable expenses under ORE-DAP program guidance, with defined spending thresholds for administration and capacity building.

Question 6: Describe how OHCS involved small businesses in the development of these rules.

Proposed Statement: The ORE-DAP rules were developed primarily through internal stakeholder consultation and prior program data. While no formal small business advisory committee was involved, local implementation is designed through community-based partnerships, including contracts with nonprofit organizations and legal providers—some of which may qualify as small businesses.

Question 7: Draft statement identifying how adoption of rule(s) will affect racial equity in this state.

Proposed Statement: The ORE-DAP rules prioritize partnerships with culturally responsive organizations and targeted outreach to historically marginalized groups, including Black, Indigenous, Latinx, and other communities of color, as well as Veterans, persons with disabilities, and farmworkers. These rules positively affect racial equity by requiring culturally responsive service delivery, intentional referral networks across social service and legal sectors, and prioritization of underserved households at imminent risk of eviction. This supports the Oregon Statewide Housing Plan's equity goals and ensures housing stability interventions are delivered equitably across demographics.

Oregon Eviction Diversion & Prevention Program (ORE-DAP)

OREGON HOUSING and COMMUNITY SERVICES

Program Guidance

Publish Date: June 2025

Contacts
Oregon Housing and Community Services
Housing Retention Section
(503) 986-2000
HSD.HousingRetention@HCS.oregon.gov

Change Log

Date	Description
5/13/2025	For consistency, various forms of grantee, subrecipients, sub-grantee etc. were changed to Grantee and Sub-grantee.
5/13/2025	Updated dates to match the new biennium.
5/13/2025	Updated Program Intent to reflect new biennium.
5/13/2025	Removed program summary in lieu of program intent.
5/13/2025	Added alternative options for various categories with OHCS approval.
5/13/2025	Added definitions of Culturally Responsive Organizations.
5/13/2025	Removed “Targeting of funds shall not violate any Fair Housing or anti-discriminatory requirements.”
5/13/2025	Changed title to Prioritizing Populations that are Disparately Impacted by Housing Instability and Homelessness.
5/13/2025	Partner Collaboration Requirement removed.
5/13/2025	Added description of “Snapshop” method for income calculation.
5/13/2025	Changed minimum spending language and removed limitation of maximum spending dates.

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Introduction

Program Intent

Oregon Eviction Diversion and Prevention Program (ORE-DAP)

OHCS is renewing our efforts from the 23-25 Biennium under our Oregon Eviction Diversion and Prevention (ORE-DAP) program to prioritize serving households most at risk of experiencing eviction and/or homelessness. These imminent risk households are currently experiencing housing insecurity and are at risk of experiencing housing loss within 21 days. All households served under the ORE-DAP program are low-income households, with an area median income (AMI) of 80% or less.

The ORE-DAP program utilizes state General Fund for expenditures and activities to assist low-income Oregonians at risk of eviction or facing homelessness. Funds allow Grantees to assist households by partnering with and providing a range of eviction prevention interventions such as rental assistance, coordination with partners who are providing legal services, mediation services, and other wrap-around interventions.

The purpose of the Eviction Diversion and Prevention Program is to promote a system change that will make evictions in Oregon a rare occurrence, while supporting households who experience evictions with humane, dignified interventions. OHCS also seeks to divert households from homelessness and further housing instability and to reduce the racial disparities evident in eviction cases.

Households must meet:

- Income eligibility of not more than 80% of the Area Median Income (AMI)
- Housing status requirements

Prioritizing Populations that are Disparately Impacted by Housing Instability and Homelessness

All grantees are encouraged to prioritize community members that are disparately impacted by homelessness and housing instability in their grant programs. This means that grantees must proactively consider steps to ensure that their grant programs are designed and implemented in a representative fashion in the communities they serve with marginalized communities at the forefront of their service delivery plan:

Grantees must proactively ensure that their grant programs are accessible to all eligible individuals and organizations, regardless of race, color, national origin, religion, sex, familial status, or disability. Providing targeted outreach and support to historically underserved or marginalized communities.

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Ensuring that application review and selection processes are fair and unbiased.

Grantees must take proactive steps to reach out to and engage with communities that have been historically underserved or marginalized.

General Program Requirements

Key Performance Indicators

- **Implementation Reports**: Housing retention and eviction prevention services for the full number of households as outlined in your Implementation Report.

There is an expectation that your organization with serve a certain number of households with your 25-27 biennium ORE-DAP allocation. This proposed number of households served will be outlined by you in your Implementation Report and will be based upon your allocation as outlined in the allocation table that OHCS communicates.

- Increased housing stability for households at imminent risk of experiencing eviction or homelessness, as measured by the percentage of total program participant households who reside in permanent housing upon exit from the program or project funded by the program. The retention goal will be included in individual contracts

This key performance measure uses HMIS as the primary data source or as otherwise approved by OHCS.

Staff Training

Grantee and sub-grantee(s) staff that provide direct services and supervise staff who provide direct services and manage homeless services grants must receive relevant training. The training required must occur for staff minimally, within one year from the beginning date of employment and current staff must receive training minimally once every two years from the date of the previous training taken. Grantee and sub-grantee(s) must track who attended each training, the date of the training and the synopsis of the training. Records for training must be made available to OHCS, upon request. Training is an eligible expense of program development and must minimally include:

- Trauma Informed Services;
- Mental Health First Aid;
- Harm Reduction;
- Supporting Victims of Domestic Violence;
- Fair Housing; and
- For those using OHCS funds for Street Outreach, training must include Outreach Safety

Strategies.

Other trainings may be required by OHCS more often than every two years.

Privacy Notification

Grantees and sub-grantee(s) must have a written document that meets the requirements of this section and must have a stand-alone policy that describes how the Grantee or sub-grantee(s) are providing their Privacy Notification to applicants/participants.

A Privacy Notification must be provided for applicants/participants that identifies the following:

"Personally identifiable information is protected by federal laws (Privacy Act of 1974, as amended) and will be collected for the purpose of determining program eligibility, providing assistance/service, data collection, reporting and monitoring. Personally identifiable information will be shared with Oregon Housing and Community Services and other state agencies as is necessary to carry out the intent of an assistance or service program for the benefit of the person applying for such assistance or service and will be disclosed to Oregon Housing and Community Services without written authorization."

Applicants/Participants may also be asked to sign a Release of Information by the Grantee or sub-grantee(s) that includes the Privacy Notification. If required to sign a Release of Information, in addition to the information above, such form must include a statement that:

"Refusal to sign such authorization cannot be the basis for denying program services to otherwise eligible applicants/participants. Applicant/Participant refusal to sign a Release of Information does not negate the inclusion of personally identifiable in secure reporting to Oregon Housing and Community Services. Oregon Housing and Community Services will de-identify applicant/participant demographic data for the purposes of reporting."

Grantees and their sub-grantee(s) must document in the applicant/participant file that a privacy notification was provided to the applicant/participant either verbally or in writing. For all other purposes of collecting personally identifiable information, Grantees and their sub-grantee(s) must follow state and federal laws for the collection, use and sharing of applicant/participant information.

Grantees must ensure that sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet the requirements of the policy.

Confidentiality

Confidential records include all applications, records, files, and communications relating to applicants regardless of format.
Policies and Procedures pertaining to confidentiality must be in place, and must include:

1. Identification of how all applicant/participant records are secured and confidentially maintained.
2. A statement that all applicant/participant records must be maintained within state guidelines for the proper retention and destruction of records.
3. A requirement that all Grantee officers, employees and agents are aware of and comply with the Grantees' confidentiality policy and must include an acknowledgement of such policy, in writing.
4. A provision for the electronic collection of applicant/participant information which states that:
    a. Computer terminals must be in a secure location, limiting access to only those persons who have a legitimate interest in and are responsible for applicant/participant records.
    b. Computer monitors must be cleared (or a screen saver activated) immediately after accessing a(n) applicant/participant record.
    c. Computer terminals must be on a "locked" mode or turned off if the terminal is unattended.
    d. Access to personally identifiable HMIS data shall be given to only authorized personnel as necessary for performing the work required for OHCS-funded programs.
    e. A statement that all records shall be open for review to federal and state authorized representatives, and auditors and/or examiners during their regular audits and monitoring functions of OHCS funded programs.

Grantees must ensure that sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

Domestic Violence Shelter Confidentiality Provision

The address and location of shelters operating solely as domestic violence shelter facilities funded, partially or as a whole, by OHCS must be protected from public disclosure except as authorized by the director of the organization responsible for operations of the shelter in compliance with federal, state, or local rules and regulations. OHCS retains the right to obtain shelter addresses and locations funded, partially or in whole by OHCS; however, such information is protected from public disclosure except as authorized by federal, state, or local rules and regulations.

Service Termination or Denial of Assistance

Grantees and sub-grantee(s) must have written termination, denial, and grievance policies and procedures. The policies and procedures should be readily available to program participants either at intake or by posting the policy in a public place. A public place should include grantee website if services are provided in a remote capacity. It is important to effectively communicate these policies and procedures to applicants/clients and ensure they are fully understood.

Grantees and sub-grantee(s) are required to provide verbal documented or written notice to applicants/clients when denied program assistance or assistance is terminated. The notice must include the specific reason(s) for the denial/termination and identify the steps to appeal the Grantee's and sub-grantee's decision.

Grievances and Appeals

Grantees are required to have an established, written stand-alone policy for addressing applicant/participant grievances/appeal requests. Grantees must ensure that sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. Applicants/Participants must have the right and opportunity to grieve/appeal any decision that terminates, denies, limits, reduces, or modifies benefits for any reason.

Applicants/Participants must be notified of their right for a grievance or appeal of such decision and Grantee policy must clarify how and when applicants/participants are notified of their right to grieve/appeal decisions. Such grievance/appeal policy can be posted in a public place, to include the grantee website; however, applicants/participants must receive a verbal documented or written notification for any decision that terminates, denies, limits, reduces or modifies any benefit. Written notification via email is acceptable.

Any person or persons designated by Grantee and sub-grantee(s) can complete the administrative review/appeal, other than the person who made or approved the decision under review/appeal or a subordinate of this person.

Applicants/Participants must still receive a denial notification even if the reason for denial is a Grantee's/sub-grantee's lack of funding. At a minimum, the policy must include the following components:

1. Informs the participant/applicant that they can contest any Grantee's or sub-grantee's decision that terminates, denies, limits, reduces or modifies any benefits and identifies the steps to follow to contest the decision;
2. Informs the participant/applicant of the reason for termination, denial, limitation, reduction or modification of benefit;
3. Allows any aggrieved person a minimum of thirty (30) days to request an administrative

review/appeal of such decision;

4. Informs the applicant/participant of their right to present written or oral objections before a person other than the person (or a subordinate of that person) who made or approved the decision;
5. Identifies what reasonable accommodations are available for applicant/participants who have language, mobility or disability barriers that would prevent them from participating in the review/appeal process and how to request such accommodations; and
6. Informs the applicant/participant and OHCS in writing of the final determination and basis for the decision within ten (10) days of the final determination.
    a. A statement indicating whether and under what circumstances an order by default may be entered

OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements for such a policy.

Nondiscrimination

Grantees are required to comply with all state and federal statutes relating to nondiscrimination. Grantee must have a stand-alone policy that complies with the following:

1. A statement that Grantees will comply with all state, federal or local statutes, rules and guidelines for all protected classes and will not take any of the following actions based on race, color, national origin, age, religion, gender, familial status, or disability (federal) or victims of domestic violence, marital status, sexual orientation, gender identity or source of income (state):

    - Refuse to accept an application for housing assistance or services;
    - Deny an application for housing assistance or services;
    - Set different terms, conditions or privileges for housing assistance or services;
    - Provide different or specific housing, facilities or services;
    - Falsely deny that housing is available for inspection or rental or that services are available; or
    - Deny anyone access to a facility or service; and

2. Identifies how applicants or participants can request reasonable accommodation to access assistance or services, how that process is communicated to applicants and participants and how those requests are processed.

Grantees must ensure sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements

of such a policy.

The Fair Housing Act prohibits discrimination based on protected classes in the housing activities of advertising, screening, and unit rentals. Using a **target population** in screening is allowed; however, refusal to accept applications or provide information on services or available housing to any protected class, even if these groups do not fit into the targeting strategy, is prohibited.

Screening criteria cannot be discriminatory and must be consistently applied. A **priority population** means persons that are determined to have the greatest need and will receive services first; however, priority cannot be used as means of denying any person assistance and refusal to accept applications or provide information on services, or available housing, to any protected class, even if these groups do not fit into the priority population, is prohibited. For example, a provider might decide to give priority to applicants/participants who graduate from a tenant readiness education program that is inclusive of all protected classes. If two requests come in at the same time and both meet the screening criteria, the applicant/participant who also has the tenant readiness education experience could receive priority over the applicant who does not; however, providers must always accept the **first** request meeting their criteria or prioritization policy.

Grantees and their sub-grantee(s) must adhere to such prioritization required by OHCS.

For more information, see the Guide to Fair Housing for Homeless and Domestic Violence Shelter Providers produced by the Fair Housing Council of Oregon, or contact them directly at ShelterGuide_FHCO_2023.

Limited English Proficiency

The Federal government has issued a series of policy documents, guides and regulations describing how Grantees and sub-grantee(s) address the needs of persons who have limited English proficiency (LEP). The abbreviated definition of persons with limited English proficiency are those who: have difficulty reading, writing, speaking, or understanding English, and do not use English as their primary language.

Grantee must have a LEP stand-alone policy that describes the following:

1. The actions Grantee took to identify LEP populations in their service area and cites any source(s) used for evaluation;
2. Defines actions Grantee will take to provide language assistance and address language barriers;
3. States how and how often staff will receive training about assisting LEP persons; and
4. Identifies that, minimally, LEP populations are evaluated biennially and that updates to the LEP Policy incorporates any needed changes to address new or emerging LEP populations.

Grantees must ensure that sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

Grantees and sub-grantee(s) can create a written Language Access Plan (LAP) to provide a framework to document how the agency's programs will be accessible to all populations in their service area. Grantees and sub-grantee(s) who serve few persons needing LEP assistance can choose not to establish a LAP; however, the absence of a written LAP does not release Grantee's and sub-grantee's obligation to ensure LEP persons have access to programs or activities.

Conflict of Interest

In the performance of work, program grantees and sub-grantee(s) will create no potential or actual conflict of interest, as defined by ORS Chapter 244, for a director, officer, agent, or employee of Grantee or sub-grantee(s). A conflict of interest exists if, among other things, a decision or recommendation could affect the finances of the Grantee's or sub-grantee's officers, agents or employees or the finances of their officer's, agent's, or employees' relative. If a conflict of interest exists, the Grantee's or sub-grantee's officer, agent or employee must always give written notice of the conflict, and in some situations the officer, agent or employee is restricted in their ability to participate in the matter that presents the conflict of interest. No Grantee or sub-grantee(s) officer, agency or employee may carry out the initial evaluation required to obtain services for any person in which an actual or perceived conflict of interest does or would exist, unless in rare circumstances it is in the interest of the participant for the expediency of housing placement services or to create a seamless service delivery while keeping the participant engaged in services and such situation is documented in the participant file.

Grantee must have a conflict-of-interest policy that outlines the process for disclosing, in writing, any potential or actual conflict of interest. This includes procedures for staff when employees, board members, friends or family members apply for program services. Grantees and sub-grantee(s) must comply with conflict-of-interest standards for both individuals and organizations. Grantee and sub-grantee(s) must keep records to show compliance with program conflict of interest requirements.

Organizational

The provision of any type or amount of assistance must not be conditioned on an individual's or household's acceptance or occupancy of emergency shelter or housing owned by Grantee, sub-grantee(s) or an affiliated organization. Conflict of interest waivers regarding rent assistance and rental agreement requirements can only be approved by OHCS. If a Grantee or sub-grantee(s) wishes to apply for a waiver, they must contact the OHCS homeless program analyst or manager for guidance in submission of a waiver request, which must be approved by OHCS.

A Grantee and sub-grantee(s) can conduct a participant's intake assessment to determine program eligibility if the participant resides in housing where the Grantee or sub-grantee(s) has ownership interest for the expediency of housing placement services and to create seamless service delivery while keeping the participant engaged in services. A waiver of the conflict-of-interest policy for this purpose is not required.

Grantees and sub-grantee(s) cannot steer potential renters to units owned or operated by the Grantee or sub-grantee(s), if the renters will be using a rent subsidy paid with any OHCS funds. Rent-subsidized tenants are free to execute a rental contract with another landlord within the Grantee's or sub-grantee's jurisdiction or they can choose to rent a unit owned or operated by the Grantee or sub-grantee(s). A waiver request is not required for this situation; however, Grantees and sub-grantee(s) must comply with this provision of the conflict-of-interest policy.

Individual

For the procurement of goods and services, Grantee and sub-grantee(s) must comply with the codes of conduct and conflict of interest requirements.

Persons for whom the conflict-of-interest requirements apply include any person who is an employee, agent, consultant, officer or elected or appointed official of the Grantee or sub-grantee(s) agency. No person who exercises or has exercised any functions or responsibilities with respect to activities assisted under the programs, or who is in a position to participate in decision-making processes or gain inside information with regard to activities assisted under the programs, can obtain a financial interest or benefit from an assisted activity; have a financial interest in any contract, subcontract or agreement with respect to an assisted activity; or have a financial interest in the proceeds derived from an assisted activity, either for themselves or for those with whom they have a family or business tie, during his or her tenure or during the one-year period following their tenure.

Grantee must have a Conflict-of-Interest stand-alone policy that complies with the following:

1. States that Grantees officers, agents or employees will create no perceived, potential or actual conflict of interest;
2. Identifies how officers, agents and employees are notified of policy;
3. Outlines the process for disclosing, in writing, any potential or actual conflict of interest;
4. Identifies the process the Grantee will follow when notice of a perceived, potential, or actual conflict of interest is received and must include procedures for staff when employees, board members, friends or family members apply for program services; and
5. Identifies how records are kept of perceived, potential, or actual conflicts of interest.

Grantees must ensure that sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require

modification of any policy that in its determination does not meet the basic principles or requirements of such a policy.

Applicant Eligibility

Program	Housing Status Eligibility	Income Eligibility	Eligible Program Components
ORE-DAP	• Literally homeless • Imminent risk of homelessness • Homeless under other federal statutes • Fleeing Domestic Violence • Unstably housed	At or below 80% AMI	• Program Delivery • Program Expenses • Administrative Costs

- Program participant household must reside in the state of Oregon
- With income equal to 80% area median income (AMI) or lower AND
- Be experiencing homelessness or housing instability

OHCS allows local prioritization processes except for ensuring that program participants who are at most imminent risk of eviction need to be prioritized for services and supports. This is generally those who have an active eviction case, or who have received an eviction notice.

"Household" means an individual living alone, family with or without children, or a group of individuals who are living together as one economic unit.

Housing Status

Homeless and/or unstably housed households are eligible to receive ORE-DAP funded services. Housing status may be obtained through a self-certification process alone without regard to further documentation of housing status. Eligible applicants for program services must meet one of the following categorical definitions of homeless or unstably housed and be at risk of homelessness.

Category 1: Literally Homeless – *Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:*

- Living in a primary night-time residence that is a public or private place not designed for human habitation (including, but not exclusive to, a car, park, abandoned building, bus or

train station, airport or camping ground);

- Living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional shelter, and hotels or motels paid for by charitable organizations or by federal, state or local government programs); OR
- Exiting an institution where individual or family has resided for 90 days or less AND who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Category 2: Imminent Risk of Homelessness **–** Individual or family who will imminently lose their primary nighttime residence provided that:

- The primary night-time residence will be lost within 21 days of the date of application for homeless assistance.
- No subsequent residence has been identified; **AND**
- The individual or family lacks the resources or support networks (e.g., family, friends, faith-based or other social networks) needed to obtain other permanent housing.

Category 3: Homeless Under Other Federal Statutes – Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, (literally homeless, imminent risk of homelessness or fleeing/attempting to flee domestic violence) but who:

- Are defined as homeless under other listed federal statutes;
- Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the program assistance application;
- Have experienced persistent instability as measured by two moves or more during the preceding 60 days; **AND**
- Can be expected to continue in such status for an extended period of time due to special needs or barriers.

Category 4: Fleeing/Attempting to Flee Domestic Violence – Individual or family who:

- Is fleeing, or is attempting to flee, domestic violence;
- Has no other safe residence; AND
- Lacks the resources or support networks to obtain other permanent housing.

Category 5: Unstably Housed – Individual or family who:

- Is at risk of losing their housing, and does not otherwise qualify as homeless under the above listed (1-4) categories, provided that:
- They have been notified to vacate current residence or otherwise demonstrate high risk* of losing current housing; **AND**
- Lack the resources or support networks to obtain other permanent housing.

    - ❖ High risk may be demonstrated by but is not solely defined as: having experienced a loss of income or other threat to housing stability. In addition, sharing housing of

other persons due to loss of housing, economic hardship, or a similar reason ("doubled up") may demonstrate a high risk of losing current housing. Owing rental arrears or not having the ability to pay for future rent may also demonstrate high risk status.

Income

ORE-DAP provided services require applicants to be low income; household must be at or below 80% of area median income.

Additional supplemental employment income issued during the COVID-19 pandemic is excluded for the purpose of income eligibility requirements. Child tax credits that are paid in advance by the U.S Treasury are like Stimulus Checks, or the Earned Income Tax Credit are not counted as income for any HUD/OHCS programs or ODHS programs such as SNAP or OHP.

Income includes the current gross income of all adult household members. Income earned by household members who are minors or full-time students and are not considered heads of household is excluded. While household assets should be identified to determine that a program applicant lacks the resources to obtain or retain permanent housing, they are generally not counted as income. There are other exceptions to income based on federal guidance, so please reach out to OHCS for additional clarification on what is counted toward income.

The grantee process for determining income eligibility and the documentation required should be consistent and must be applied equally across services that use or is supported by ORE-DAP funding. Grantees' policies and procedures must identify what method they will use to determine income eligibility and exceptions to the policy, if any. Documentation methods may include:

- Previous 12 months of income
- "Snapshot" of current income (at time of assessment)
- Previous 30 days of income

Income may be documented through self-certification when income documentation for the household is not accessible.

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Convert periodic wages to annual income by multiplying:

1. *Hourly wages by the number of hours worked per year (2,080 hours for full-time employment with a 40-hour week and no overtime);*
2. *Weekly wages by 52;*
3. *Bi-weekly wages (paid every other week) by 26;*
4. *Semi-monthly wages (paid twice each month) by 24; and*
5. *Monthly wages by 12.*

To annualize other than full-time income, multiply the wages by the actual number of hours or weeks the person is expected to work.

A "Snapshot" of current income can be used as an exception to Grantee's policies and procedures, when warranted and documented in the client file. **Snapshot Method** means the process of determining the estimated annual income that uses a snapshot of the household income at the time of application. It does not rely on a specific period in the past to determine the annual income amount. The method must only be used when a household's income has recently changed drastically and is not expected to change from the time of the snapshot (such as in a recent job loss) or when income tends to be very volatile. The snapshot method cannot be used to avoid accounting for income.

1. **Standardization**: Grantees/sub-grantee(s) have the discretion to calculate income standards in a manner best suited for the organization, based on their own policies. Example policies include using a year-to-date amount divided by the number of months in the year-to-date amount, using the last 30 days of paystubs or the last 60 days of paystubs. The main requirement is that the way income is calculated is consistent between clients. Exceptions to the standard way of calculating income must be identified in policy (such as circumstances in which a snapshot method is used).
2. **Consistency**: Grantee/sub-grantee(s) must be consistent in how income calculation standards are applied, even if that means it excludes someone from being able to be assisted. Grantee/sub-grantee(s) cannot use the most current paystub for one person, the last 30 days for another, and a year-to-date for someone else, especially if the fluctuating use shows that it is being done to under-calculate income. Income calculation standards must be documented in policy and such policy will be subject to OHCS monitoring.
3. **Client quit a job**: If an applicant quits their job within the past 30 days and meets other eligibility, assistance may still be provided; however, the income can be calculated on the snapshot method. The snapshot method is an exception to a standardization of income calculation and must be identified in the Grantee/sub-grantee(s) policy as well as documented in the client file as to why the exception was granted.
4. **Overtime and Bonuses** cannot be excluded from income calculations. Income cannot be excluded just because it would put the applicant/participant over the income limit. Year-to-date income methodology is an effective way to determine income when income is varied and includes overtime or bonuses.

5. **Income from a live-in aide** is not considered part of the income determination; however, a live-in aide must meet the following criteria:
    a. Live-in aide means a person who resides with one or more elderly household member, or near-elderly household member, or member of the household with disabilities, and who:
    b. Is determined to be essential to the care and well-being of the household member;
    c. Is not obligated for the support of the household member;
    d. Would not be living in the unit except to provide the necessary supportive services; and
    e. Provides documentation of payment for the live-in aide services provided to the household.
6. **Child tax credits, Earned Income Tax Credits, Stimulus Payment and Tax Refunds** are not considered income.
7. **Self-employment**: When calculating self-employment, use the previous year's tax information, if available. Use the gross income and subtract out the deductions claimed on Schedule C to get a net income. Schedule C is the Profit and Loss form used for a Business, which deducts expenses, such as their vehicle, supplies, offices expenses, travel, utilities, etc. The net income is then divided by 12 and the result is used for the household's monthly income.

More information on income can be found on the OHCS website in the Income Inclusions and Exclusions form.

Eligibility Documentation

Eligibility may be documented through Self Certification and/or within guidelines for Remote Application and Documentation. Self-Certification may include, but is not limited to:

- Income for the household if other sources of documentation are not accessible
- Housing status at intake to program

Please note that Housing Status does not need to be verified through further documentation other than self-certification, but a grantee may wish to obtain more documentation if needed to establish eligibility. Income documentation such as paystubs, SSI or SSDI paperwork, etc. should be sought from clients but if documentation is unavailable immediately, self-certification of income is allowable.

Applicants who apply for assistance and provide eligibility documentation remotely may do so via electronic and other communication, e.g., phone, email, text, electronic messaging, mail and other electronic or remote means. The documentation must be kept in the client file.

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Grantees and sub-grantees are required to develop and maintain policies and procedures for the use of a remote application and eligibility documentation process and be available for review by OHCS, upon request. Such policies and procedures must be applied equally across services that use or are supported by ORE-DAP funding.

Grantees and their Sub-grantees must have controls in place to ensure compliance with their policies and procedures and prevent fraud. Grantees and Sub-grantees must specify in their policies and procedures under what circumstances they will accept written attestations from the applicant without further documentation to determine any aspect of eligibility or the amount of assistance, and in such cases, Grantees and Sub-grantees must have in place reasonable validation or fraud prevention procedures to prevent abuse.

Agency policies and procedures must address the following elements:

- In what circumstances will a remote application and documentation process be used.
- Verification of the identity of the applicant.
- Verification and documentation of qualification for assistance in relation to program eligibility criteria.
- Verification and documentation as appropriate for ongoing demonstration of eligibility; and
- Notification and documentation to client in relation to release of information, service denial or termination and grievance and appeal requirements.

Citizenship and Immigration Status

OHCS expects Grantees to provide services regardless of immigration status to all eligible households. Immigration status or citizenship may not be used as a reason for denial of services.

Prioritization Guidance

OHCS recognizes that prioritization of resources is a reality when there is more need than available resources. OHCS also notes that prioritization about who is served first needs to consider local factors and needs while also ensuring that discrimination and fair housing laws are followed accordingly. The rest of the determination processes need to be documented by grantees and partners to determine the best needs for each local community. To that end, OHCS has the following criteria for prioritization under this program:

OHCS is requiring that households who are facing an active eviction case be prioritized for funding over those who are simply at risk of eviction. Grantees must develop a written strategy for identifying and prioritizing households that have received an eviction notice, or have a pending first appearance, have a written notice to vacate, or otherwise at imminent risk of eviction. We recommend that grantee work closely with the Oregon Eviction Defense program, a statewide

program of the Oregon Law Center, and other legal services providers to align resources and support people with eviction cases.

Allowable Program Components and Expenditures

Program related expenses are eligible for the period starting with each grant agreement through the end of that agreement Rental arrears that occurred prior to this time frame are an eligible program expense when it poses a risk to the housing stability of the participant.

Assistance cannot be provided to households who reside outside of Oregon or for expenses outside of the state of Oregon.

Payments may be made directly to households who are experiencing housing instability when a landlord is not responding to or accepting payments. This option should only be used if outreach to the landlord is unsuccessful. grantee must have a written policy outlining the process in which a direct payment to a household is the most expedient option; it must include sufficient documentation of attempts to make payment to landlord and the explicit purpose for the payments must be an eligible expense.

Assistance may not be used for providing hotels and motels to clients who are experiencing homelessness through provision of Non-Congregate Shelter without approval from OHCS. The source of funds does not allow for this type of sheltering activity and must be spent on the provision of anti-eviction and re- housing activities as detailed below. Funds can be used to re-house a client who is living in a shelter funded through other means.

Please note, due to the complex nature of evictions and the needs that people may have, there may be overlap between different categories listed below. Budgets in OPUS for the ORE-DAP program do not need to differentiate between these categories at the onset due to the need to be responsive to local needs and unique client circumstances.

The following categories are allowable expenditures under the ORE-DAP Program:

Allowable Expenditures

CATEGORIES
These terms are used throughout the document and defined below.
PROGRAM DELIVERY EXPENSES

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Outreach and engagement activities, including Street Outreach	Outreach and engagement activities associated with the community served by the grantee. Street outreach is a service that engages with people experiencing homelessness who are living outside or in public spaces. The goal of street outreach is to help people experience houselessness move into permanent housing and connect them with other supports and resources. These expenses can include outreach staff time, transportation, promotional materials, meetings, and events. Please see "Safety in Outreach" section below chart for more information.
Translation Services	Development of a language access plan and translation of web and print materials into languages most utilized in the service community. Expenses tied to enabling access to services for users with limited English proficiency.
Web, print, social media, and advertising	Promotions and advertising for the grant program and other available housing-related services provided by the grantee. Web media, print media, social media advertising and promotional expenses.
Research and development	Grant program design, research to determine community needs and service delivery best practices, third-party development and programming, software development costs, pilot programming, and program testing.
Program implementation planning	Planning activities related to preparing to implement the program. Planning meetings, events, onboarding, and training expenses. Providing technical assistance and support to help sub-grantee(s) build their capacity to ensure they provide culturally responsive services.
Equity and accessibility efforts	Expenses tied to accommodations and efforts to ensure the program is delivered with culturally responsive services, and outreach efforts are made to reach the most vulnerable and underserved Oregonians-Expenses tied to building culturally responsive service delivery into the program design and ensuring the program is accessible to those who are differently abled or have historically been underserved by state resources and are disparately impacted by housing instability.
Program evaluation	Regular evaluation of program efficacy, outcomes, generating reports, charts, and visualizations. May include materials and expenses tied to these efforts.

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Training & Technical Assistance	Staff training related to the development and implementation of the grant program. This includes training materials, training space rent and expenses, equipment, and transportation.
HMIS and data system expenses	Set up and maintenance of HMIS access and utilization. This includes hardware, set-up fees, maintenance, software, subscription fees, and training needs.
Personnel – Staff time	Staff wages, salaries, and employment benefits for staff who deliver services and those who directly oversee program operations.
Direct to Program Non-Personnel Expenses	Direct expenses tied to the operation of the program as space rent, office supplies, equipment, and vehicle leasing tied directly to staff operating the program.
Capacity Building (5% max)	Please see "Capacity Building" below chart for more information.
Case Management Services	Direct services and referrals tied to activities associated with individualizing and integrating employment, health care, connections to benefits, and other housing-related options for or with an individual or household. Case managers assist clients in accessing and coordinating any services necessary to address their housing instability. It is a collaborative process that involves planning, implementing, monitoring, and evaluating the options and services for each client. Please see "Case Management Services" below chart for more information.
Housing and Health Navigation Services	Housing navigation and housing education are services that help individuals and families experiencing housing instability or homelessness to identify opportunities and address barriers to housing. A specialist who assists people in locating and securing affordable housing is called a housing navigator. Healthcare navigators can help patients navigate the clinical care system. Responsibilities include helping patients to find and access treatment. Housing stability is a social determinant of health and health stability supports housing stability. Thus, we view them as interdependent.
Hotline and in-person services	Telephone and web data systems, call routing, tracking, and data collection. HMIS expenses billed separately. On site service delivery and setting up trauma-informed spaces for clients to converse privately related to their cases and housing or case concerns.
Participant Support Meetings and Events	Meetings and events involving program participants as a part of the grant program to engage in supportive activities such as cohorts, services geared toward gaining employment, raising income, budgeting, educational opportunities, case

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	management activities, etc.
Transportation/Travel	Transportation, meal expenses, and lodging tied to approved grant activities such as out-of-area educational conferences. Travel is allowable as a direct program cost when such travel will provide direct benefit to the participant or grant program.

PROGRAM EXPENSES	
Rent and utilities payments and arrears	Past due rent and utilities payments, without a maximum number of allowable months.
Future rent and utility assistance	Future rent and utility payments, without a maximum number of allowable months. Grantee must have policy related to serving program participants and community equitably.
Security deposits	Security deposit payment in current unit or unit household is moving into to attain housing stability.
Moving expenses	Moving expenses related to a new housing unit or out of a housing unit that does not offer stability. Expenses can include moving truck, packing supplies, movers, and helpers for differently abled households. No moving into or out of the state of Oregon will be supported by program expenditures. Services are for residents of Oregon and those seeking long-term housing stability in the state of Oregon.
Application fees	Rental application fees for new housing unit.
Civil legal services (legal advice, legal representation, court fees)	Civil legal services are legal assistance to low-income households who have non-criminal legal concerns. Legal services may include: Mediation to help disputing parties to reach a mutually agreeable settlement. Arbitration to make a binding decision to settle a dispute. Preparation of legal documents. Representation of clients in negotiations, court, or arbitration.

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Landlord/Tenant Mediation/Legal Services	Mediation is “a process in which a mediator assists and facilitates two or more parties to a controversy in reaching a mutually acceptable resolution of the controversy. Includes all contacts between a mediator and any party or agent of a party, until such time as a resolution is agreed to by the parties or the mediation process is terminated." ORS 36.110[5]). In landlord-tenant mediation, a neutral third party, the mediator, helps landlords and tenants resolve conflicts and disputes related to their rental relationship. Mediation may or may not be mandatory depending on whether it falls under Chapter 90 Statute. The mediator works to facilitate a mutually beneficial, and a legally-binding (if signed by both parties) resolution to their dispute. Mediation is an informal and voluntary way of resolving disputes between tenants and landlords.
Pet rent and pet deposit	Pet rent payments and payments of security deposits for pets in housing units. Per statute, landlords are not able to charge pet rent or deposit for service animals.
Housing-related fees	Rent/utility late fees, housing-related court fees, and utility reconnection fees.
Work supports	Expenses including training costs, transportation assistance, childcare and eldercare needs, and clothing to support employment needs.
Furniture and household goods	Up to a maximum of $2000 per household for basic furniture and household goods to make the unit habitable for the household needs. These expenses can include bed, bed frame, seating, dining table, needed lighting, kitchen supplies, food supplies, bathroom supplies, personal protective equipment, etc.
Transportation	Costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable, and travel related expenses to support participant appointments for employment, benefits, medical needs, or any other related activity tied to their housing stability plan.

ADMINISTRATIVE COSTS	
Admin expenses	Costs and expenses associated with the administration of the grant. This can include direct and indirect costing of Operations, IT, Executive Team, Human Resources, and Finance expenses tied to administering the program.
Indirect to Program Non-Personnel Expenses	Operation of the program and overhead expenses, such as rent, utilities, office supplies, equipment, and vehicle leasing.

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Case Management Services are inclusive of:

- Intake and assessment, including time spent assessing a household and determining whether or not the household is determined eligible;
- Once an eligibility determination is made, case management services also work to connect clients to resources within the organization, or external to the organization if needed for stability supports;
- Direct client services include developing an individualized housing and service plan, monitoring and evaluating household progress, identifying creative and immediate housing solutions outside of the traditional homeless service system (diversion), and ensuring that households' rights are protected;
- Services that increase access to the income supports. This includes increasing access to earned income, or access to disability benefits programs administered by the Social Security Administration for eligible adults who are experiencing or at risk of homelessness and have a serious mental illness, medical impairment, and/or a co-occurring substance use disorder (i.e., SOAR or similar style services);
- Services for clients entering into or are in permanent supportive housing and need assistance to stabilize;
- Placement services includes services or activities designed to assist households in locating, obtaining, and retaining suitable housing, tenant counseling, assisting households to understand leases, inspections, securing utilities, making moving arrangements, and representative payee services concerning rent and utilities;
- Mediation and outreach to property owners/landlords related to locating or retaining housing;
- Data entry

Gift Cards

Gift cards issued to eligible clients for the purpose of purchasing items must be in support of the participant's housing stability goals and allowable under OHCS funding, provided that adequate documentation exists to support the purpose and the expense and there is an OHCS-approved Gift Card Policy with established policies and procedure in place to address the process. Use of gift cards must be rare, for very specific housing-related goals and only when other payment options are not available.

Gift Card Requirements

- The expense must be allowable under program guidance and must show a connection to housing stability. Programs will be monitored, and expenditures will be disallowed without sufficient documentation.

- Gift cards must be purchased and issued to clients within the same grant period. For any gift cards that are not issued to clients before the close of the grant period in which they were purchased, grantees must submit a negative request for funds for the grant period in which the gift cards were purchased totaling the amount of the unissued gift cards and other non-OHCS funds must be used for the cost of the gift cards.
- Grantee must maintain complete record of gift card purchases and recipients. Gift cards must be kept in a secure location prior to being issued.
- Client must receive documentation that identifies the purpose and intent of the gift card and must acknowledge, by written, legible, wet signature, the same, and such documentation must be kept in the client's file.
- Grantee or sub-grantee must develop a gift card policy and obtain **OHCS approval** that includes:
    - Justification as to why gifts cards are issued rather than providing assistance through conventional means.
    - Authorization levels of approval for gift card purchase and issuance within grantee or sub-grantee's organization.
    - Dollar limitations per client/participant.
    - Frequency in which gift cards can be issued in lieu of other alternative payment options.
    - Requirement that issuance of gift card is in support of a client's plan to increase housing stability, and that plan is included in the client file.

Documentation: policy must require client-facing policy that identifies allowable purchases and use of gift card. Policy document must be signed, or verbal attestation, as received and read by or to the client. One copy should be provided to client, and one copy should be kept in clients' file.

Eviction System – Capacity Building (5% maximum of full award)

For the sake of brevity, eviction prevention system capacity building will be referred to simply as capacity building.

Capacity building is defined as activities that assist organizations to develop networks to undertake joint activities and coordinate their services to achieve common goals and provide better service to participants experiencing housing instability. Capacity Building must be used to increase the ability of a Grantee or local system to deliver OHCS funds for eviction prevention. If a grantee wishes to hire technical assistance consultants, it is an allowable expenditure.

Funding can be used to support projects and activities that increase a grantee's service area's capacity to provide emergency housing and homeless services. Capacity building includes capacity building internal to the grantee as well as within the external service area and community. Capacity building is only to include increasing a grantee/sub-grantee's capacity to deliver OHCS funds. The

specific focus of capacity building is to enhance local eviction prevention provider capacity to design and implement strategies to build, rebuild and sustain community capacity – especially in deprived communities and in towns, cities and regions suffering from economic decline, worklessness and benefits dependency. Supporting organizations with mentoring, finance, strategy building, and system analysis are a vital part of capacity building. Records of capacity building activities must be kept in accordance with OHCS Records Requirements, inclusive of meeting records, outcomes, and evaluation records, along with any fiscal records associated with the project.

Objectives of Capacity Building are:

1. To enhance, or more effectively utilize, skills and abilities, and resources of eviction prevention service providers;
2. Strengthen understandings and relationships amongst eviction prevention service providers; and
3. Address issues of values, attitudes, motivations, and conditions to support housing stability activities in a sustainable manner.

Capacity Building is not a category through which to simply share program information and available services with other providers which can be accomplished through marketing and outreach efforts. Capacity building projects are activities that are specifically designed to increase the community's ability to provide eviction prevention services. Costs associated with advertising and public relations are designed solely to promote the grantee/sub-grantee organization, and their activities are allowable to be billed under Program Delivery.

Transportation

Costs, such as bus/train passes, gas vouchers, Uber/Lift/Cab fares, car repairs/insurance are allowable. Payments that allow participants to use public transportation are the highest priority and must be considered first for the purpose of attending required appointments, job search or other critical services. Case managers have the discretion to provide repairs/gas/insurance for a client's personal vehicle. Case managers must document why a client's personal vehicle option is preferred over public transportation options and that the expense will lead to the stabilization of housing. Costs associated with a vehicle not owned by the client are not allowed. Client must have a valid driver's license.

OHCS funds cannot be used to build assets, such as the purchase of a vehicle or loan payments and cannot be used for debt payments, such as traffic violations/fines to obtain a license. Private transportation options can include minor vehicle repair, car insurance, and the least costly option for vehicle registration, with written grantee policy on use of funds for these services and such policy must be available to OHCS upon request. Grantees must ensure that grantees have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not

meet basic principles or requirements of such a policy. For example, repair to a vehicle might be preferable to a bus pass if the community does not have public transportation or if the client works at night when public transportation is not operational.

Transportation does not include insurance to pay for roadside assistance (such as membership to AAA) or traffic violations or any collection costs associated with these fines. Insurance includes only general liability insurance as required by the State of Oregon; however, comprehensive/collision coverage can be allowed, but only when there is documented evidence that such coverage is a requirement of a vehicle loan. Insurance is paid before the period of service and vehicle owners have 10 days in which to make payment; therefore, insurance arrears is not a factual cost and is unallowable.

Safety in Street Outreach

Safety in service delivery – the grantee must have a written policy (such policy must be made available to OHCS upon request, grantees must ensure that sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy) regarding staff safety in service delivery, which may include the following:

- Never go out alone. Teams of two should be considered the absolute minimum.Establish a system in which threats to safety to teammates are identified unbeknownst to others while conducting street outreach.
- The office or clinic (e.g., team members not in the field) should always know the location of outreach teams. Keep to a set schedule and use Smartphones that have GPS functionality built-in.
- Wear matching clothing, ideally in bright colors, so the street outreach team is easily identified as the street outreach workers.
- Linkages with crisis response teams and behavioral health support are essential, especially if outreach teams lack a behavioral health provider.
- Use trauma-informed de-escalation training for outreach staff.
- Use harm reduction principles: safety and comfort are two different things, as are perceived threats to safety and actual threats. Witnessing drug use is not necessarily a threat to safety, for example.
- Create time and space for street outreach teams to debrief and process any threatening events. Trauma-informed supervision of outreach personnel is essential.

Duplication of Benefits

Per the Grantee's grant agreement/contract Standard Terms and Condition, OHCS funds shall not

be issued and may be required to be returned if a benefit has already been paid through another source or sources. Upon discover that a duplicate payment has been made, Grantee has thirty (30) days in which to return the duplicate payment. Grantees and sub-grantee(s) are responsible for ensuring that benefits issued do not duplicate other benefits for the same payment/service using HMIS and any other data system for which the Grantee or sub-grantee(s) have access. Grantees must have a policy that identifies:

- How they track use of benefits to prevent duplication of benefits; and
- Grantees must ensure that sub-grantee(s) have policies that align with OHCS requirements and are consistent with the intent of such a policy as outlined by OHCS. OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

Records Requirements

Case Files

Documentation of client eligibility and services received must be maintained in client case files (paper or electronically). Documentation for applicants found to be ineligible for assistance or for clients who are no longer eligible to receive assistance is required and will include the client's request for assistance, why they are ineligible and how it was communicated to the applicant. Ineligible clients do not need to be entered into HMIS, or other approved alternative system, unless the use of HMIS, or other approved alternative system, is a part of the Grantee or sub-grantee's intake/assessment process.

File documentation will be the basis of OHCS monitoring to ensure adequate documentation of case files. Sample forms are available on the OHCS website.

Records Access

Grantees and their sub-grantee organizations are required to permit OHCS, the Oregon Secretary of State's Office, the federal government, and the duly authorized representatives of such entities access to, and the right to copy, all program client and fiscal records for such purposes as research, data collection, evaluations, monitoring, and auditing. At the sole discretion of OHCS, access to records shall include the removing of records from the Grantees' and grantee(s)' office. Unless otherwise stated in the compliance section of the Grantees contract with OHCS.

Records Retention

Grantees and sub-grantee(s) shall retain all program records pertinent to client services and expenditures incurred under ORE-DAP program in a manner consistent with the requirements of

state and federal law. This includes, but is not limited to, those requirements listed in Administrative Rule, Operations Manual and Special Schedules.

Find the OHCS Special Schedule at the Oregon State Archives:

- https://sos.oregon.gov/archives/Pages/state_admin_schedules.aspx

Find the State Agency General Records Retention Schedules at the Oregon State Archives:

- https://sos.oregon.gov/archives/Pages/records_retention_schedule.aspx

Grantees and sub-grantee(s) shall retain and keep accessible all such **fiscal and program records**, client records, digital and electronic records, books, documents, papers, plans, and writings for a minimum of **(6) six years**, or such longer period as may be required by applicable law, whichever date is later. Applicable law includes the following final payment and termination of ORE-DAP program funding, or until the conclusion of any audit, controversy or litigation arising out of, or relating to ORE-DAP program funded programs.

Data Entry

HMIS

Except for Domestic Violence victims and other specific circumstances approved by OHCS in advance, grantees and their sub-grantee(s) are required to enter ORE-DAP program-related client data into the community's Homeless Management Information System (HMIS). Victim Services Providers, serving survivors of domestic violence, are also required to collect client data, but will not directly enter data into an HMIS. Victim Service Providers must enter client level data into a comparable database that complies with HMIS requirements. Grantees and sub-grantee(s) are responsible for acquiring and documenting informed written consent from program participants and protecting program participant's confidentiality.

OHCS reserves the right to request other key datasets including the following:

- Detailed budget and spending reports, especially the breakout of costs spent on clients (financial assistance) and costs spent on program delivery (staffing, subcontracts, and related costs).
- Number of clients served to date, including demographics and other trends as indicated in the HMIS system.
- Number of requests for assistance to date.

Additional guides and assistance with HMIS data entry, data quality and reporting may be found

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on our website at: https://www.oregon.gov/ohcs/for-providers/Pages/index.aspx.

Data Timeliness

Timely and accurate data entry is critical to ensuring meaningful data analysis and reporting. For all project types, **Grantees and sub-grantee(s) must enter data within 72 hours or sooner**, depending on local CoC HMIS policies.

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Data Collection Requirements for FY23-25 Contracts (HMIS and HMIS-Comparable Systems) and EO 23-02

	EO 23-02			BAFI-NATO					CSBG(9)	EHA and DRF (1)					ERA (Elderly)			ESG and ESG-CV1/CV2					HSP			H-TBRA		NAV CTR		ORE-DAP	PTK		RAY							SHAP	
DATA ELEMENT or EVENT	SO	ES	RRH	SO	ES(2)	HP	RRH	TH	SSO	SO	ES(2)	HP	RRH	TH	HP	RRH	TH	SO	ES	HP	RRH	TH	HP	RRH	TH	HP	RRH	ES	SO	SSO	ES	TH	SO	ES(2)	HP	RRH	TH	PSH	SO	ES(2)
Name & Name Data Quality	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Social Security No. & Data Quality	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Date of Birth and DOB Data Quality	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Race (Primary and Secondary)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Ethnicity	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Gender	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Veteran Status	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Disabling Condition (Y/N)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Project Start & End Dates	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Destination	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Relationship to Head of Household	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Client Location (CoC)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Housing Move-in Date			X				X						X			X					X			X			X						X	X	X	X	X	X			
Prior Living Situation	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Current County of Residence (3)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Percent Of AMI			X			X	X	X	X			X	X	X	X	X	X			X	X	X	X	X	X	X	X			X			X	X	X	X	X	X		
Level of Households Income (FPL)			X			X	X	X	X			X	X	X	X	X	X			X	X	X	X	X	X	X	X						X	X	X	X	X	X		
Income & Sources	X	X	X			X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X						X	X	X	X	X	X		
Non-Cash Benefits	X	X	X			X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X						X	X	X	X	X	X		
Health Insurance	X	X	X			X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X													
Specific Disabilities	X	X	X			X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X			
Domestic Violence (Y/N)	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X						X	X	X	X	X	X	X	X	X
If 'Yes' to DV, currently fleeing?	X	X	X															X	X	X	X	X																		
Current Living Situation	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
Date of Engagement	X			X						X								X										X			X	X						X		
Bed-Night (Overnight Start/End)		X			X						X								X									X			X			X					X
Coordinated Entry Assessment (4)	X	X	X															X	X	X	X	X																		
Coordinated Entry Event (5)	X	X	X															X	X	X	X	X																		
Youth Education Status									X (7)																																
Last Permanent Address			X																	X	X	X											X	X	X	X	X	X			
Service Transactions	X		X	X		X	X	X	X	X		X	X	X	X	X	X	X		X	X	X	X	X	X	X	X		X	X		X	X	X	X	X	X	X	X	
LGBTQ+ Community (Y/N) (8)																																								
Eviction (Y/N) (8)																																								
Fund Source (6)	X	X	X	X		X	X	X		X		X	X	X	X	X	X	X		X	X	X	X	X	X	X	X		X	X		X	X	X	X	X	X	X	X	X
Program/Fund (Provider Standards)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Bed/Unit Inventory (Prov. Standards)		X	X	X		X	X	X		X		X	X	X		X	X		X		X	X		X	X		X	X		X	X	X		X		X	X	X		X

(1) **DRF:** Set up as a DRF project or used as a fund in a project funded by another fund in your MGA
(2) **ES**: May include "Alternative" Shelters and/or Day Access Centers
(3) **Currently County of Residence:** Required for CoCs with more than one County in the geo-area
(4) **Coordinated Entry Assessment**: May required if the program is participating in the CoC's CE system
(5) **Coordinated Entry Event**: May be required by the CE project in your area
(6) **Fund Source**: for Direct Services (example: prescription payment assistance, rent payment assistance, gas voucher)
(7) **CSBG**: Education Level is reported for youth ages 14 to 24 and Adults in the CSBG Annual Report.
(8) **New Element** under consideration
(9) **CSBG** does not required HMIS data entry, but highly recommends

NOTE: If new funds/programs or reporting requirments are adding during the biennium then this chart will be updated.
These data are required regardless of which management information is used (example: HMIS, HMIS comparable, other)
Reference: HMIS Data Dictionary

ACRONYMS

BAFI NATO- By and For Initiative, Native American Tribes of Oregon
CSBG- Community Services Block Grant
CoC- Continuum of Care
DRF- Document Recording Fee
EHA- Emergency Housing Account
EO 23-02 Governor's Executive Order 23-02
ERA- Elderly Rent Assistance
ES- Emergency Shelter
ESG- Emergency Solutions Grant
HP- Homeless Prevention
H TBRA- Home Tenant-Based Rental Assist.
ORE DAP- Oregon Eviction, Diversion, and Prevention Also EO Eviction Prevention
PH- Housing with Services (no disability required)
PTK- Project Turnkey
RAY - Rent Assistance for Yoith
RRH- Rapid Rehousing
SHAP- State Homeless Assistance Prog.
SO- Street Outreach
SSO- Supportive Services Only
TH- Transitional Housing

Reporting

Or as otherwise approved by OHCS, monthly disaggregated data using the SAP Business Objects (the HMIS reporting tool) System Query Report. The report is due 20 days following the end of each month and uploaded into Procorem or a secure file transfer platform established by the Agency or utilize an automated export of disaggregated HMIS participant data. System Query data may be submitted by the HMIS administrator for all OHCS funded HMIS Participating Agencies/Providers in the Oregon Multi-Continuum HMIS instance.

Program Delivery Annual Report

An annual narrative report must be submitted, in form and format required by OHCS, **by the 60th day** following the end of the fiscal year (August 30th) providing detail, including, but not limited to grantee(s) budgets, program services, performance, outcomes, successes, and challenges.

OHCS reserves the right to request other key datasets including the following:

1. Detailed budget and spending reports, especially the breakout of costs spent on clients (financial assistance) and costs spent on program delivery (staffing, subcontracts and related costs).
2. Number of clients served to date, including demographics and other trends as indicated in the HMIS system.
3. Number of requests for assistance to date.
4. Additional guides and assistance with HMIS data entry, data quality and reporting may be found on our website at: https://https://www.oregon.gov/ohcs/for-providers/Pages/index.aspx

Monitoring

OHCS will conduct a program monitoring of Grantees once every two fiscal years or more frequently at OHCS' discretion. OHCS program monitoring may include desk audit, site visit and/or site visit with grantee(s) (or grantee organization's sub-grantee(s)). Fiscal monitoring will be conducted once every two fiscal years unless circumstances and/or risk assessment require less or more frequent monitoring at OHCS' discretion. Grantees will be notified thirty (30) days in advance of the monitoring visit and informed of what documents and records will be reviewed and any required staff or Board interviews. OHCS will provide Grantees with a written monitoring report inclusive of any findings, concerns, or comments. Grantees are required to submit timely corrective action to findings and failure to do so can result in the withholding of funds or a requirement to return ORE-DAP program funds to OHCS or other remedies as described in the Grantee's grant

agreement/contract.

Grantees must notify and receive approval from OHCS when adding sub-grantee(s) and/or renewing subgrantee(s). Notification and approval normally occur during the Grantee's grant agreement/contract funding application process. However, if changes are made outside of the funding application, Grantees must submit a request to the Housing Retention team Program Analyst for approval of sub-grantee(s) additions, deletions, or modifications within 30 days of such change.

Grantee Monitoring

For the purposes of this operations manual the term "grantee(s)" shall mean any Grantee's subcontractors, contractors, vendor, grantee(s) and any subcontractors, contractors, vendors or grantee(s) of a subcontractor, contractor, vendor or grantee(s). Grantee(s) must follow program intent, rules, and guidelines for the expenditure of funds.

All additions or removals of sub-grantees to ORE-DAP grant programs must be reported to Housing Retention program staff within 30 days of the change.

All grantee(s) must comply with all applicable program rules and regulations as noted in this manual, the Grantee's grant agreement/contract and Program Element: Scope of Work. Records of grantee(s) monitoring performed by the Grantee or sub-grantee(s) will be reviewed during OHCS monitoring. Grantee(s) monitoring reports must be retained by the Grantee and available for review by OHCS or other authorized entity, in compliance with program rules.

At least once during each biennium, Grantee must monitor the activities and expenditures of its grantee(s) to ensure:

- compliance with Grantee's grant agreement/contract and program rules and requirements; and
- achievement of performance goals.

The Grantee's monitoring of its sub-grantee(s) must include:

- an evaluation of each grantee's risk of non-compliance with rules, regulations, and terms and conditions of any applicable subaward for purposes of determining the appropriate level and type of grantee(s) monitoring;
- a review of financial and performance reports;
- a review of grantee(s) policies and procedures, forms, documentation, client records including eligibility, notifications and documentation;
- a review of participant records to ensure compliance with security, maintenance, retention

and destruction of records; and
- follow-up on all deficiencies pertaining to any OHCS funding in accordance with all program rules and regulations.

Grantees must have a stand-alone policy that identifies the following:

- Frequency of grantee(s) monitoring, which must be minimally once during a biennium or the term of the Grantee's grant agreement/contract;
- The number of relevant samplings of fiscal transactions per program;
- The number of relevant samplings of participant files and that such review includes eligibility, notification and documentation;
- The number of relevant samplings of HMIS entries to ensure appropriate entry and tracking of participant information and service transactions;
- A review of participant records to ensure compliance with security, maintenance, retention, and destruction of records; and
- A review of grantee's policies and procedures, forms, documents and notifications to ensure compliance with all program, state, and federal rules, regulations and requirements.

OHCS retains the right to require modification of any policy that in its determination does not meet basic principles or requirements of such a policy.

Financial Management

Mandatory Use of OPUS

The OPUS database is the system of record for financial transactions with OHCS and use of OPUS is mandatory for fund allocation, draw down, and fiscal reporting processes.

The OPUS system is a web-based centralized data system designed to meet business processing needs. Grantee staff must complete training before being authorized to use the fiscal operations program of OPUS. Training can be provided by the Fiscal Grant Specialist at OHCS.

Grantee shall, and shall cause and shall require its sub-grantees by contract to comply with the following program specific reporting requirements:

Ensure that data collection and reporting for Housing Retention funded activities be conducted through the use of the OHCS approved OPUS database or other OHCS designated service data information system and assure that data entry into OPUS occurs in an accurate and timely manner.

This program uses the following categories within OPUS:

- Administration (15% Cap)
- Program Delivery-Support Services and Staff
- Program -Financial Assistance
- Outreach and Advertising

OHCS maintains an OPUS Manual and OPUS Help Desk. Staff can be reached at:

- **Email**: opushelp@oregon.gov
- **Phone**: (503) 986-2099
- **Toll Free**: (800) 453-5511, Option 6

Request for Funding Documentation

Grantees must retain supporting documentation of all costs charged to the applicable grant and be able to provide evidence that grant funds were spent on allowable costs. When Grantee submits a Request for Funds (RFF) on OPUS, they are required to download documentation of the costs for which they are requesting payment. Any RFF submitted without accompanying documentation or with insufficient documentation will be returned to the Grantee with instructions to provide additional information.

Budget Change Requests and Amendments

Changes in a Grantee's scope of work will necessitate a contract amendment. All budget changes require OHCS approval by submitting a Budget Change Request form electronically to your Housing Retention Program Analyst.

At the discretion of OHCS, additional information may be required for a budget change request.

Request for Funds

Grantee must request reimbursement of grant funds through the OPUS system, at least once every two calendar months. OHCS recommends that best practice is submission of a request at minimum of once every calendar month.

OHCS Spend Down and Reallocation Policy

The following procedures are established for all funds allocated to Grantees through the Grant Agreement process.

Spending Targets

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All funds, except for administrative allocations, will be spent proportional to the Expenditure Period at the rate prescribed below (as tracked through the OPUS "Award Summary" report).

Minimum Spending Targets

If you are requesting a deviation from this spend down plan, please justify the change in the time bound expenditure plan section of your implementation report. Please state that you are "requesting an alternative plan, which will look like this:" and communicate the details of the alternative spend down plan.

- At 25% through Expenditure Period, at least 10% of the funding must be spent.
- At 50% through Expenditure Period, at least 25% of the funding must be spent.
- At 75% through Expenditure Period, at least 65% of the funding must be spent.
- At 90% through Expenditure Period, at least 90% of the funding must be spent.

Any spending below these targets will be evaluated against the Time-Bound Expenditure Plan. Any spending below both rates is subject to rescission.

Any spending below the expenditure period targets will be evaluated against the sub-grantees time-bound expenditure plan. Any spending below these stated rates is subject to recission of grant funds. When spending is below the threshold described, and prior to funding recissions, OHCS and sub-grantee agree to collaborate to find solutions that resolve the issues.

OHCS may withhold all undisbursed Grant Funds from Sub-grantee if OHCS determines, in its sole discretion, that Sub-grantee has failed to timely satisfy any material obligation arising under the agreement, including providing complete, accurate, and timely reports.

If Grant Funds are not obligated for reimbursement by Sub-grantee in a timely manner. OHCS may reduce Sub-grantee's Grant Funds and redistribute Grant Funds to other sub-grantees or retain such funds for other OHCS use, within applicable state and federal law.

- **Note**: *Some OHCS grants require more aggressive spending requirements. Any such requirements supersede these thresholds.*

OHCS and Grantee Collaboration

When spending is below the thresholds described above, and prior to funding rescission, OHCS and Grantee agree to find solutions that resolve the issues, provided it is within OHCS' control (in its sole discretion) to adjust to meet Grantee's needs and does not conflict with federal or state law.

Solutions for resolution may include, but not are limited to:

- OHCS program staff will discuss best practices and training and technical assistance resources to aid in resource utilization. This could include special and discretionary funding allocations to assist with capacity or training needs.

- If OHCS is aware of local political advocacy or engagement, OHCS will work with the Grantee to ensure those parties are involved in planning discussions;

- OHCS staff may contact Grantee to brainstorm and potentially facilitate connections with service providers or provide a list of service organizations and recommended contacts to utilize funding.

- OHCS will provide written notice to cure Grantee and OHCS will allow proposals from Grantee to cure spending issues and prevent funding rescission. Grantee will have 15 calendar days to send the Program Analyst a time-bound expenditure plan for approval to demonstrate how compliance with spending targets will be achieved. OHCS may utilize any available remedies per the grant agreement up to and including recission of funds and termination of the agreement.

General Fund Grant Allocations

Standard practice for allocation of General Fund for programs is to divide the biennial allocation in two, with 50% allocated in year one, and 50% allocated in year two. Grantee may submit a written request to OHCS to allocate more than 50% in year one which will be reviewed by Housing Retention Program Analysts and determined on a case-by-case basis.

Late Term Rollovers

Grantee can contact an OHCS Program Analyst to update the original Time-Bound Expenditure Plan (adding rollover to the annual allocation) if the rollover is determined within 90 calendar days after the initial Time-Bound Expenditure plan is created. These Implementation Report and spenddown updates will be considered to be the initial Time- Bound Expenditure Plan, as long as an Amended Implementation Report has not already been submitted.

Committed Funds

For grants that include the category of program delivery, Grantees can include these funds as part of the commitments in OPUS; however, the Spend Down Policy and remedies apply only to expended funds as identified in the OPUS “Award Summary” report.

Administration

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There is an expectation that administrative funds will be shared with sub-grantee(s) commensurate with the services provided through the program by sub-grantee(s).

- ❖ **Note**: indirect costs are allowed to be applied to the Administration category. Allowable administrative costs typically, but not exclusively, benefit the organization as a whole and cannot be attributed specifically to a particular program. All amounts billed must be supported by actual costs.

Allowable costs include, but are not limited to:

- Senior executive management personnel salaries and benefits (unless they are directly involved in program operations), administrative staff travel costs.
- General services such as accounting, budget development, personnel, contracting, marketing, agency audit, agency insurance.
- Board expenses (excluding meals);
- Organization-wide membership fees and dues specific to homeless systems and programs.
- General agency facilities costs (including those associated with executive positions), such as rent, depreciation expenses, and operation and maintenance (as part of the organization's direct or indirect cost allocation plan);
- Equipment rental/purchase, insurance, utilities, and IT costs that are not program specific but relate to the administration of the agency as a whole.
- Indirect costs that are not allocated to direct program activities, including Negotiated Indirect Cost Rate Agreements (NICRA).

Applicable Rules and Regulations

All the following as can be amended from time to time:

- **ORS** 456.515 through 456.725 (OHCS)
    - https://www.oregonlegislature.gov/bills_laws
- **ORS** 458.505 through 458.545 (Community Services):
    - https://www.oregonlegislature.gov/bills_laws
- **OAR** 166-300 (Retention Schedule):
    - https://secure.sos.state.or.us/oard/ruleSearch.action
- **OAR** 813-005 (General):
    - https://secure.sos.state.or.us/oard/ruleSearch.action
- **HMIS Data Standards** Manual:

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- https://www.hudexchange.info/resource/3824/hmis-datadictionary/

- **Limited English Proficiency** federal interagency website can be found at**:**
  - http://www.lep.gov/
    - Guidance and additional materials can be found at
      - https://www.hud.gov/program_offices/fair_housing_equal_opp/limited_english_proficiency_0

This manual serves as the guidelines for our ORE-DAP program and is amended from time to time along with all other references made within this manual. All references made in this manual are understood to be as written, and as amended from time to time.

- **ORS** cited are amended from time to time and can be found at:
  - https://www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx
- **OARs** cited are amended from time to time and can be found at:
  - https://secure.sos.state.or.us/oard/ruleSearch.action
- **CFRs** cited are amended from time to time and can be found at:
  - http://www.ecfr.gov/cgibin/text-idx?c=ecfr&tpl=%2Findex.tpl
- **OMBs** cited are amended from time to time and can be found at:
  - https://www.whitehouse.gov/omb/information-for-agencies/circular

Program Definitions

Client: A household who has received an assessment of need, has been entered into an OHCS-funded program (intake), entered in HMIS and receives financial assistance. A client is someone who has developed a client services/housing plan and is not receiving one-time only assistance.

Chronically Homeless: A homeless individual with a disability as defined in section 401(9) of the McKinney-Vento Assistance Act (42 U.S.C. 11360(9)), who: (a) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter, and has been homeless and living as described for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described; (b) an individual who has been residing in an institutional care facility for less, including jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria of this definition before entering that facility; or (c) A family with an adult head of household (or, if

there is no adult in the family, a minor head of household) who meets all of the criteria of this definition, including a family whose composition has fluctuated while the head of household has been homeless.

Culturally Responsive Organization:

"Culturally responsive organization" means an entity that, as determined by the Housing and Community Services Department:

- Comprehensively addresses power relationships throughout the organization by methods that include addressing conflicts and dynamics of inclusion and exclusion;
- Has relationships with and is responsive to communities that the organization serves, including communities of color;
- Hires, promotes, trains and supports staff who are culturally and linguistically diverse in ways that reflect the communities that the organization serves, including communities of color;
- Provides culturally responsive service; and
- With respect to paragraphs (a) to (d) of this subsection, has adopted governance structures, policies and cultural norms to hold its leadership and staff accountable and to continue improvements.

Discrimination: The unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, gender, or disability.

Domestic Violence: This definition includes domestic violence, dating violence, sexual assault, stalking, attempting to cause, or intentionally, knowingly, or recklessly causing or placing another in fear of imminent serious physical injury or emotional, mental or verbal abuse, and using coercive or controlling behavior. This does not include other criminal acts such as violence perpetrated by a stranger, neighbor, acquaintance, or friend, unless those persons are family members, intimate partners, or household members. (Note: This definition aligns with TANF rules and regulations)

Eviction: The court-ordered removal of a tenant from the property where they reside. A landlord may decide to evict a tenant for nonpayment of rent, damages, illegal activity, violating the terms of a lease, or if the landlord wishes to take possession of the property.

Eviction court: A court that hears cases that seek evictions from real estate premises.

Eviction Prevention: Strategies and programs designed to keep individuals and households in their homes, helping them to avoid the risk of homelessness. Eviction prevention is often seen as an "upstream" solution to keep individuals and households stably housed, to avoid them falling into unsafe housing conditions, and to avert the damaging impacts on mental and physical health,

economic wellbeing, and access to future housing options that often come with evictions on record. These strategies intervene and provide support at different points in the eviction process – before an eviction is filed with the courts, during an eviction proceeding, and after an eviction judgment is given. The goal is to address the roots causes of evictions with interventions at different stages in the eviction process, tailored to meet a range of needs and circumstances.

Grantee(s): Entities that, by contract with the Grantee agency, provide assistance payments/services and may receive funding directly from the Grantee agency. Through its agreements with Grantee agency, Grantee(s) must comply with all requirements for the program. Grantee(s) include a Grantee's subcontractors, contractors, vendor, grantee(s)s and any subcontractors, contractors, vendors or grantee(s) of a subcontractor, contractor, vendor, or grantee(s).

HMIS: Homeless Management Information System. Victim Service Providers must use an HMIS Comparable Database.

Housing First: An approach to connect individuals and families experiencing homelessness quickly and successfully to permanent housing without preconditions and barriers to entry, such as sobriety, treatment, or service participation requirements.

Housing Termination or Termination of tenancy: The first step in the eviction process and is often used interchangeably with the term eviction. When terminating tenancy, the owner gives the tenant notice to vacate the unit because of a lease violation(s)

Illegal Retaliation by a Landlord: It is harassment, intimidation or the taking of adverse action against a tenant. Some examples may include increasing rent, decreasing services, serving an eviction notice, threatening eviction, or filing an eviction case.

Just Cause/No Cause, Just Cause: is a legally sufficient reason. Just cause is sometimes referred to as good cause, lawful cause, or sufficient cause. A litigant must often prove to a court that just cause exists and therefore the requested action or ruling should be granted.

The phrase "no cause" can have different meanings depending on the context. Here are some examples:

- To not have a clear, legitimate reason to do something.
- A landlord can use a "no cause" notice when there is no lease agreement or when the rental agreement between the landlord and tenant does not establish a definite term.
- Not able to be shown to be right or reasonable. Without any grounds to support it.

Landlord: A person who rents land, a building, or an apartment to a tenant. In a lease contract, the

landlord transfers part of his or her interest to the tenant, allowing the tenant to occupy and use the property. The landlord can limit the tenant's use of the property or require the tenant to do something in the lease contract. However, once the lease is signed, right of entry to the property by the landlord is regulated.

McKinney Vento definition of homelessness: the term "homeless children and youths": means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of 42 U.S.C. 11302(a)(1); and includes:

a. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
b. children and youths who have 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 (within the meaning of section 42 U.S.C. 11302(a);children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (a) through (c).

Mediation: "A process in which a mediator assists and facilitates two or more parties to a controversy in reaching a mutually acceptable resolution of the controversy. Includes all contacts between a mediator and any party or agent of a party, until such time as a resolution is agreed to by the parties or the mediation process is terminated." ORS 36.110[5]).

Occupancy/Lease/Rental Agreements: They are used for temporary or permanent housing, which includes Transitional Housing. Occupancy/Lease/Rental Agreements are not the same as a Code of Conduct Agreement.

Participant: A household who may or may not be a client but is receiving OHCS-funded services.
Priority Population: Persons that the Grantee/grantee(s) has determined as having the greatest need and will receive services first (such as veterans and homeless families with children). (For example, for the purposes of HSP, TANF participants are a priority as required by the federal funds.)

Rent cap: A term that can have two different meanings. One meaning is the maximum amount of rent a landlord is allowed to charge a tenant, also known as 'rent ceiling'. This is a way of regulating the rental market and protecting tenants from excessive rent increases. Another meaning is the limit on the number or percentage of units that may be rented at any one time in a community. This is a way of maintaining the balance between owners and renters in a community.

Target Population: Persons a Grantee/grantee(s) wishes to reach out to who are under- represented in their service population, but delivery of funds cannot be limited to only the target population.

Tenant: A person or entity who temporarily occupies or possesses real estate that belongs to a landlord.

Veteran:

- Served on active duty with the Armed Forces of the United States:
- For a period of more than 90 consecutive days beginning on or before January 31, 1955, and was discharged or released under honorable conditions;
- For a period of more than 178 consecutive days beginning after January 31, 1955, and was discharged or released from active duty under honorable conditions;
- For 178 days or less and was discharged or released from active duty under honorable conditions because of a service-connected disability;
- For 178 days or less and was discharged or released from active duty under honorable conditions and has a disability rating from the United States Department of Veterans Affairs; or
- For at least one day in a combat zone and was discharged or released from active duty under honorable conditions;
- Received a combat or campaign ribbon or an expeditionary medal for service in the Armed Forces of the United States and was discharged or released from active duty under honorable conditions; or
- Is receiving a nonservice-connected pension from the United States Department of Veterans Affairs.

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Oregon Eviction Diversion and Prevention Program (ORE-DAP) Rules Advisory Committee (RAC)

Shauna Williams, Eviction Prevention Program Analyst
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May 19, 2025

Process Agreement

Seek common ground and understand divergence

- Practice "Yes, and" to build on ideas.
- Be clear and productive when you share differing experiences and opinions.

Share airtime

- Practice WAIT: Ask yourself, "Why am I talking?" Or "Why aren't I talking?"

Active virtual participation

- Make sure your Teams name is accurate
- Keep your video on
- Use chat and Q&A functions
- Raise your hand
- Respond to polls
- Minimize multi-tasking

Take care of yourself

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Active Virtual Participation and Zoom Logistics

Audio

- Please keep yourself muted when not talking
- Unmute yourself when called on or during open discussion

Chat

- Use chat to ask questions in real time

Raise hands

- During discussion, use the raise hand feature to signal that you have something to say

Talking head icon

- This prompt will show when we most want your feedback

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Introductions

1. Name
2. Organization
3. What connections do you have to ORE-DAP?
4. Are you more of a rule follower or a rule breaker?

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What We'll Be Covering Today

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How OHCS Works

Working together to serve individuals, families, and communities throughout Oregon

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Helping Oregonians Across the Housing Continuum

Housing Stabilization

Affordable Rental Housing

Homeownership

Disaster Recovery and Resilience

Equity and Racial Justice

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What is Rulemaking?

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Rules Put Laws Into Action

- Rules allow agencies to take laws passed by the Legislature and put them into effect.
- Laws cover the outline of how a program or policy works. Rules are the details that make that vision a reality.
- Rules must fit within the scope of the law.
- Administrative rules carry the force of law.
- Rules can be changed more easily than laws can be. This system allows a law to be in effect for years but still keep pace with the changing times.

What is Your Role Here Today?

- You have been invited to represent the interests of people who would likely be affected by this rule.
- We intentionally chose this group based on your lived experience, industry expertise, or community lens.
- Your recommendations will be presented to our executive leadership with the final rule draft and filed with the secretary of state.

ORE-DAP Rules

Proposed Rule Text – OAR 813-261

Adoption of:

- Program Guidance, referenced in 813-261-0020; will be dated TBD 2025 (updated from Feb. 2024).
  - Intent of Program Guidance update is to combine three existing manuals into one.
  - No changes to program requirements and standards.
- Definitions, Administration, Use of Funds, Remedies, Challenge of Grantee Action, and Administrative Review by Subgrantee.

Are there any questions or areas we can clarify further?

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Draft Fiscal Impact Statement

The adoption of ORE-DAP rules may have positive fiscal impacts on local governments, nonprofit grantees, and the public. The rules authorize use of state General Funds to: prevent evictions and homelessness; support interventions like rental assistance, legal mediation, and wraparound services. The extent of the impact is positive for public agencies and local partners by reducing downstream costs associated with emergency shelter, public health interventions, and rehousing services.

Does this drafted statement align with your perspectives and views as an impacted community member?

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Draft Small Business Impact Statement

1. ORE-DAP rules do not directly regulate small businesses, but potential indirect interaction exists with small property management firms or landlords, legal service contractors and nonprofit community partners, and mediation providers. The estimate would be less than 100.
2. No significant adverse impact on small businesses is anticipated. The rules do not regulate business operations nor require expenditure from small businesses. To the extent that landlords (often small business owners) interact with the eviction system, the program may benefit them indirectly. Helping tenants remain stably housed ensures that landlords keep receiving rent payments and reduces their eviction-related turnover costs that non-payment evictions cause.

Do these drafted statements align with your perspectives and views as an impacted community member?

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Draft Cost of Compliance Statement

1. Compliance with the rules may require labor such as staffing for data entry, case management, and fiscal tracking, supplies such as secure file storage, computers, internet access, and Homeless Management Information System (HMIS)-compatible systems, and administration such as training, privacy notifications, and financial documentation. These are allowable expenses under ORE-DAP program guidance, with defined spending thresholds for administration and capacity building.

2. Grantees must engage in quarterly and annual reporting on expenditures and program outcomes, data entry into HMIS including timeliness standards, and budget change requests and fiscal tracking through OPUS. Administrative burden is typical of publicly funded grant programs and is eligible for reimbursement through administrative funds provided in the grant award.

Do these drafted statements align with your perspectives and views as an impacted community member?

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Draft Racial Equity Impact Statement

The ORE-DAP rules prioritize partnerships with culturally responsive organizations and targeted outreach to historically marginalized groups, including Black, Indigenous, Latinx, and other communities of color, as well as veterans, persons with disabilities, and farmworkers. These rules positively affect racial equity by requiring culturally responsive service delivery, intentional referral networks across social service and legal sectors, and prioritization of underserved households at imminent risk of eviction. This supports the Oregon Statewide Housing Plan's equity goals and ensures housing stability interventions are delivered equitably across demographics.

Does this drafted statement align with your perspectives and views as an impacted community member?

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What We Heard From You Today

- Fiscal impact
  - Appreciate the downstream costs being included
- Small business impact
  - "It is 100% true. Keeping tenants stabilized is more cost effective."
  - It costs more to the community and to individuals involved to provide support post-eviction
  - Eviction prevention also helps keep them in their communities, so their social supports stay intact.
  - The estimate of 100 small businesses being impacted seems low. 500 might be better.
- Cost of compliance statement
  - Line for administrative cost is great
  - "case management" – what is the expectation of the services provided to the household for that?
    - Further definition or examples would be beneficial
    - "Participant services" was suggested as an alternative
- Racial equity impact
  - More explanation needed of what "requiring culturally responsive service delivery" means
  - Appreciation for this lens

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What We Heard From You Today

Parking Lot Items

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Unanswered Questions/ Follow Up Required

- Look into a more accurate count of small businesses impacted
- Reconsider using the term "case management" since it's so broad

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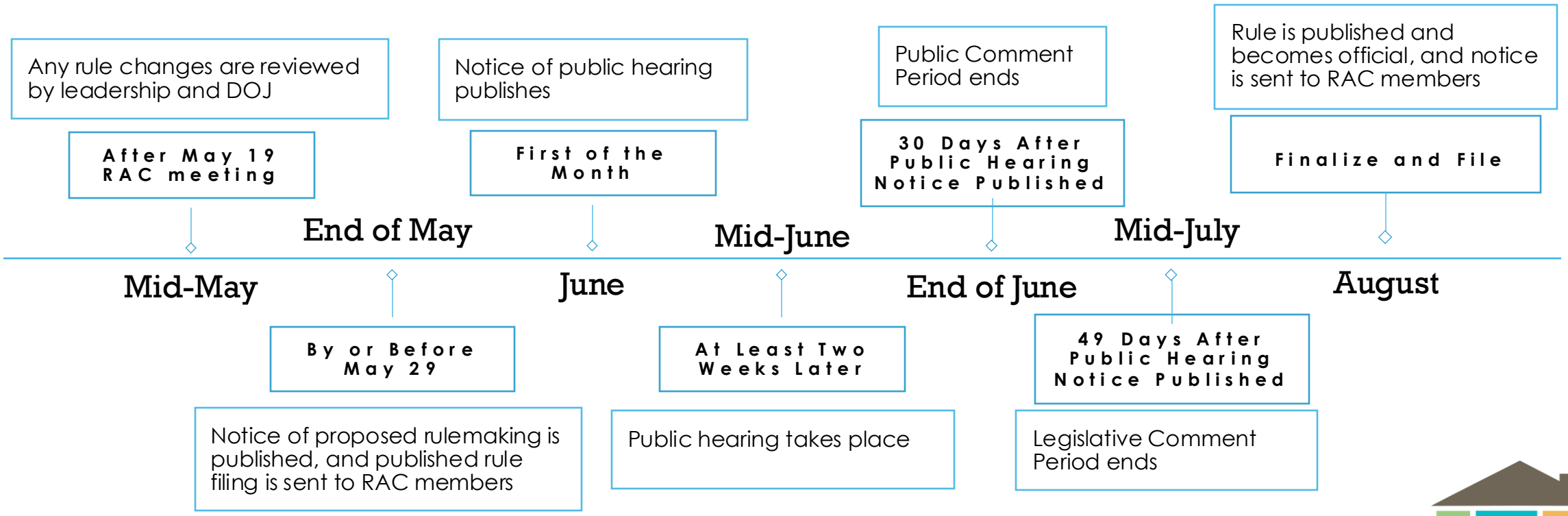
Next Steps and Estimated Timeline



Note: Dates will be pushed back if drafting, review or public comment period takes longer than anticipated.

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Thank You!

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