

# ReCoverCA Housing Counseling Program Policies & Procedures

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# Record of Changes

This section describes changes made to this document: when they were made, what they were, and who authorized them.

Use this table to record the following information:

- Change number, in sequence, beginning with 1
- Date change was made to the document
- Description of change and rationale if applicable
- Initials of person who made the change

Number	Date	Description	Initials
1	10/25	Initial draft	
2	3/15/22	2 <sup>nd</sup> Draft	
3			
4			
5			
6			
7			

## Definitions

**Action Plan or Action Plans** refers to the California HCD Disaster Recovery Action Plans for Presidentially Declared disasters in 2018 and 2017, as may be amended, that outline the uses for the approximately \$1.2 billion of CDBG-DR funds allocated to California HCD.

**Applicant** - An owner-occupant(s) of a damaged property who is a ReCoverCA program participant.

**Area Median Income (AMI)** - Calculated annual limits based on HUD-estimated median household income with adjustments based on household size used for demonstrating low-to-moderate income beneficiaries in the Programs.

**DR-4344** – Atlas, Canyon II, Cascade, Cherokee, La Porte, Lobo, McCourtney, Nuns, Patrick, Pocket, Redwood Valley, Sulphur, and the Tubbs Fires (California Wildfires). Incident Period: October 08, 2017 – October 31, 2017. Major Disaster declared on October 10, 2017. Designated Counties: Butte, Lake, Mendocino, Napa, Nevada, Orange, Sonoma, and Yuba.

**DR-4353** – Thomas, Creek, Rye, Little Mountain, Skirball, Lilac, and Liberty Fires (California Wildfires, Flooding, Mudflows, and Debris Flows. Incident Period: December 04, 2017 – January 31, 2018. Major Disaster declared on January 02, 2018. Designated Counties: Los Angeles, San Diego, Santa Barbara, Ventura.

**DR-4382** – Carr and Mendocino Complex Fires (California Wildfires and High Winds). Incident Period July 23, 2018 – September 19, 2018 Major Disaster declared on August 4, 2018. Designated Counties: Shasta and Lake.

**DR-4407** - Camp, Hill, and Woolsey Fires (California Wildfires). Incident Period November 8, 2018 - November 25, 2018 Major Disaster declared on November 12, 2018. Designated Counties: Butte, Los Angeles and Ventura.

**Grant Management System** or eCivis Grants Network – A software application designed to assist with the grant process through compliance, regulatory, and financial tracking.

**HCD** - California Department of Housing and Community Development  
HCD's ReCoverCA Housing Counseling Program ("Program") – refers to the program being funded through this NOFA.

**Housing and Community Development Act 1974** - The Housing and Community Development Act of 1974, is a United States federal law that, among other provisions, amended the Housing Act of 1937 to create Section 8 housing, authorizes "Entitlement Communities Grants" to be awarded by the United States Department of Housing and

Urban Development, and created the National Institute of Building Sciences. Under Section 810 of the Act the first federal Urban Homesteading program was created.

**HUD** - (U.S. Department of Housing and Urban Development) - A Federal agency providing a variety of resources that can help state and local governments and other HUD-funded departments, agencies, or organizations prepare for and recover from disasters. For some Presidentially declared disasters, Congress may make an appropriation via the CDBG-DR Program, which provides funding to State, Tribal, and local entities for housing, economic development, infrastructure, public services, planning, resilience, and mitigation Programs and projects.

**HUD Income Limits** - HUD develops income limits based on Median Family Income estimates and Fair Market Rent area definitions for each metropolitan area, parts of some metropolitan areas, and each non-metropolitan county.

**Housing Counseling Organization “HCO”** – Private and public nonprofit organizations that are exempt from taxation under section 501(a), pursuant to section 501(c) of the Internal Revenue Code of 1996, [26 U.S.C. 501\(a\)](#) and [501\(c\)](#) and approved by HUD, in accordance with this part and 106(e) of the Housing and Urban Development Act of 1968 ([12 U.S.C. 1701x\(e\)](#)), to provide housing counseling services.

**Housing Counselor** – An individual, certified by HUD, who provides advice on buying a home, renting, default, foreclosure avoidance, credit issues or reverse mortgages.

**Low to Moderate Income (LMI) Household** - A household is low- or moderate-income if the household income is at or below 80 percent of an area’s median income. All income is based on the Area Median Income limits set annually by HUD for each county or metropolitan statistical area.

**Manufactured Housing Unit (MHU)** - Also known as a Manufactured Home as defined by 24 C.F.R. part 3280 (HUD-Code). A Manufactured Home is a structure that is transportable in one or more sections which, in the traveling mode is eight body-feet or more in width, or forty body-feet or more in length, or when erected on site, is at least 320 square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The structure must be designed for occupancy as a principal residence by a single family. All Manufactured Homes must have a HUD Certification Label affixed and must meet the requirements of HUD-Code for Manufactured Homes as set by the National Manufactured Housing and Construction Safety Standards Act of 1974, and HUD Code Standards 24 C.F.R. part 3280 & 3282. The MHU must be built to meet local and regional building codes.

**Modular Housing** - A home built in sections in a factory to meet state, local, or regional building codes. Once assembled, the modular unit becomes permanently affixed to one site.

**Mobile Home** - As detailed in Chapter 2.5 of the California Civil Code, civil code 798.3 defines a Mobile Home (one word) as a structure designed for human habitation and for being moved on a street or highway under permit pursuant to Section 35790 of the Vehicle Code. Mobile Home includes a manufactured home, as defined in Section 18007 of the Health and Safety Code, and a mobile home, as defined in Section 18008 of the Health and Safety Code, but except as provided in subdivision (b), does not include a recreational vehicle, as defined in Section 799.29 of this code and Section 18010 of the Health and Safety Code or a commercial coach as defined in Section 18001.8 of the Health and Safety Code. A mobile home is a factory-built home that was built before June 15, 1976 and not built to a uniform construction code.

**NOFA** – Notice of Funding Availability

**Reconstruction** - Possible demolition and re-building of a stick-built or modular housing unit on the same lot in substantially the same footprint and manner. The number of units on the lot may not increase and the total square footage of the original structure may not be substantially exceeded; however, the number of rooms in a unit may be increased or decreased. Reconstructed housing, built using standard grade materials, is comparable to the original damaged housing in characteristics (number of bedrooms, square footage, structure type, and special features).

**Rehabilitation** - The improvement of an existing structure through alterations, incidental additions, or enhancements. Rehabilitation includes replacement of principal fixtures and components and improvements to restore housing units in the disaster-impacted areas to applicable construction codes and habitability standards. Rehabilitation estimates are based on standard grade building materials and housing characteristics (number of bedrooms, square footage, structure type, and special features) to the original, damaged housing unit.

**Rehabilitation Act of 1973** - The Rehabilitation Act of 1973 replaces preexisting laws to extend and revise the authorization of grants to States for vocational rehabilitation services, with special emphasis on services to those with the most severe disabilities, to expand special Federal responsibilities and research and training programs with respect to individuals with disabilities, to establish special responsibilities in the Secretary of Health, Education, and Welfare for coordination of all programs with respect to individuals with disabilities within the Department of Health, Education, and Welfare, and for other purposes.

**Replacement** - The replacement of a damaged Mobile Home or Manufactured Housing Unit with a new Manufactured Housing Unit in substantially the same footprint, or at a new location if the original damaged unit was on leased land and the MHU owner must relocate to a new property. Replacement housing is comparable to the original, damaged housing in characteristics (number of bedrooms, square footage, structure type, and special features).

**Subrecipient** – A ‘Subrecipient’ is a non-State or Federal entity receiving a direct award of grant funds from the Department for the purpose of funding Approved Projects to carry out activities that produce a plan or meet a National Objective.

**Subrecipient Agreement or Agreement** - the agreement(s) to be executed between HCD and the housing counseling organization.

**Title VI of the Civil Rights Act of 1964** - §2000d Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin

**Title VII of the Civil Rights Act of 1968 (The Fair Housing Act):** This act prohibits discrimination in housing on the basis of race, color, religion, sex and/or national origin. This law also requires actions which affirmatively promote fair housing.

**Uniform Residential Loan Application** – It is a federal loan application and known as a Fannie Mae Form 1003 or Freddie Mac form 65.

**Qualified Disasters:**

**DR-4344** – Atlas, Canyon II, Cascade, Cherokee, La Porte, Lobo, McCourtney, Nuns, Patrick, Pocket, Redwood Valley, Sulphur, and the Tubbs Fires (California Wildfires). Incident Period: October 08, 2017 – October 31, 2017. Major Disaster declared on October 10, 2017. Designated Counties: Butte, Lake, Mendocino, Napa, Nevada, Orange, Sonoma, and Yuba.

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# 1. Purpose

This document outlines the policies and procedures by which Housing Counseling Organizations (HCOs) provide services within the ReCoverCA housing programs. HCD understands the individualized nature of disaster recovery and the complexities of the recovery process, as well as the necessity to join in that process to provide support and guidance. As such, HCD has established the ReCoverCA Housing Counseling Program for disaster impacted individuals to include up to two optional counseling opportunities and one required counseling opportunity to support their housing recovery process.

# 2. Background

In response to the 2017 and 2018 presidentially declared Qualified Disasters, the California Department of Housing and Community Development (HCD) developed a suite of housing programs under ReCoverCA. The ReCoverCA Owner Occupied Rehabilitation and Reconstruction Program (“OOR”) assists homeowners in the rehabilitation or reconstruction of their disaster-damaged homes. The OOR Program provides gap funding grants to eligible applicants impacted by the 2017 or 2018 disasters. The Program offers two solutions to homeowners: program-managed construction or homeowner-managed construction. Applicants to ReCoverCA programs must complete housing counseling to receiving a grant award.

# 3. Program Description

HCD’s housing counseling program provides homeowners guidance and support related to housing needs in connection to their housing recovery plans from the 2017 and 2018 Qualified Disasters. Applicants to ReCoverCA housing programs are eligible to receive counseling services on property maintenance, financial management, disaster recovery funding resources, financial and credit literacy, and other areas, as needed and appropriate, to assist in helping clients determine their housing recovery plan, improve their housing conditions, and do within their financial means. These services may include a range of approved methods, including, but not limited to, one-on-one counseling and formal training sessions. Through the Program, applicant education can be provided in formal classes with established curriculum and instructional goals, in a group or classroom setting, or other formats approved by HCD. These may cover topics, such as, but not limited to:

- Applying for public and private resources.
- Explaining ReCoverCA program(s).
- Reviewing the process involved in obtaining financing (including the selection of a lender).
- Establish a property purchase eligibility and affordability threshold on an applicant-by-applicant basis.
- Evaluating a client’s completed Uniform Residential Loan Application (Fannie Mae Form 1003/Freddie Mac Form 65) for general deficiencies.
- Pre-purchase homebuyer education.

- Negotiating mortgage and rent forbearance.
- Short and long-term budgeting counseling.
- Financial resources assessment
- Explaining insurance options.
- Acting as a safeguard against fraud and scams, including identifying discrimination, when applicable.
- Wildfire season planning and preparation as it relates to temporary and long-term housing.
- Relocation counseling for home purchase options.
- Credit repair counseling.
- Advocacy with insurance and mortgage companies.
- Connection to other resources that provide home repair relief and emergency assistance.
- Individualized education addressing how to remediate mold, lead, or other health hazards.
- Other Housing Counseling management services permitted under HUD Housing Counselor activities.

Traditionally underserved populations, such as minorities, the elderly, veterans, persons with disabilities, persons with limited English proficiency, and residents of rural areas, face unique disaster recovery housing and economic challenges. HCD's Housing Counseling Program funds HCOs that provide expert, unbiased guidance, and information to help families and individuals, particularly the most vulnerable, meet their housing needs through an informed decision-making process. These HCOs act as an important safeguard in the prevention of housing scams and discrimination as well as an important gateway to local, state, federal, and private housing assistance and resources.

The program provides accommodations to individuals with wide- ranging disabilities, including mobility, sensory, developmental, emotional, or other impairments through communication standards and/or program policies that adhere to HUD policies such as Americans with Disabilities Act (ADA) compliance and Section 504 of the Rehabilitation Act of 1973 (504).

#### **4. National Objective**

The national objective of the Program is to benefit low- and moderate-income (LMI) persons (below 80% Area Median Income (AMI)) according to HUD Income Limits for CDBG-DR, as well as those considered to be urgent need as defined by HUD. The Program is offered as a public service.

## **5. Program Criteria**

### **A. Goals**

As part of the Program, HCD works with HUD approved HCOs to ensure the agencies accomplish the following:

- Deliver educational services to residents who are recovering from a qualified disaster, on financial literacy, homebuyer counseling, credit repair counseling, expanding homeownership opportunities, improving access to affordable housing, and preserving homeownership, among other housing and financial topics.
- Ensure counseling needs of low, very low, and extremely low-income households are met to the greatest extent feasible.
- Administer housing counseling programs in accordance - and remain in compliance - with corresponding departmental regulations and guidance and the following nondiscrimination regulatory and legislative requirements:
  - Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d et seq.;
  - Title VIII of the Civil Rights Act of 1968, as amended, 7 C.F.R. § 1901.203 et seq.;
  - Executive Order 11063, as amended 27 FR 11527, 3 C.F.R. § 1959-1963 Comp., p. 652;
  - Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C § 794;
  - The Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6101 et seq.;
  - Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 et seq.;
  - Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. § 1681 et seq.

### **B. Service Delivery Area**

Services may be delivered in California's 2017 and 2018 Presidentially disaster-declared areas (DR-4344, DR-4353, DR-4382, DR-4407). HCD may make geographic assignments based on capacity of selected HCOs, application caseloads for programs, or other criteria. Geographic assignments may be adjusted throughout the program based on capacity and demand.

### **C. Training**

Prior to program launch, HCD provides training to HCOs on ReCoverCA housing programs offered under CDBG-DR. The curriculum covers the scope of available programs and cover eligibility requirements in depth. HCOs are required to attend this training to participate in HCD's program. Additional training sessions to educate surge staff for housing counseling services is provided on an as-necessary basis to ensure service providers are equipped to meet applicant needs.

## **6. Eligibility of Housing Counseling Organizations**

### **A. General**

HCD selected the HUD approved HCOs that best met the criteria outlined in the program's NOFA published on November 23, 2021.

HCD coordinates with each HCO to outline the process for ReCoverCA Homeowner Assistance programs to refer clients to the HCO. Residents are paired with one of the housing counseling service providers based on an evaluation of their need, location, and ability to interface with the HCOs.

### **B. Housing Counseling Staff**

HCO staff must possess a working knowledge of HUD and HCD housing and single-family mortgage and insurance programs, such as the Federal Housing Administration (FHA), as well as other state and local housing programs available in the community and consolidated plans (including an analysis of impediments to fair housing choice and the California housing market). HCO staff should also be familiar with housing programs offered by conventional mortgage lenders and other housing or related programs that may assist their clients.

### **C. Housing Counseling Resources**

The HCOs must have sufficient resources to implement the proposed housing counseling work plan.

The HCOs must employ trained and HUD-certified housing counseling staff. This includes identifying counselors that have at least six (6) months of work experience in the job they perform in the agency's housing counseling program and who have passed the HUD Housing Counselor Certification written examination. Evidence of staff training and HUD certification documentation in the organization's records, including employee files. Documentation that staff training was assessed when the organization completed applications for grant funding and is further assessed when the organization receives performance reviews. As long as the HCO maintains current HUD certification, newly hired employees should become certified within one (1) year of hire date.

### **D. Accessibility & Facilities**

In accordance with 24 C.F.R. § 214.103(l), housing counseling facilities of the agency and its branches, affiliates, and sub-grantees must meet the following criteria:

- The office should operate during normal business hours and offer extended hours when necessary.
- Provide privacy for in-person counseling and confidentiality of client records.
- Provide vital documents and information in alternative formats, as well as provide accessibility features or make alternate accommodations for persons with

disabilities, in accordance with section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, 24 C.F.R. parts 8 and 9, and the Americans with Disabilities Act, as amended, 42 U.S.C. § 12101 et seq.

- The housing counselor(s) must be fluent in the language of the clients they serve. In addition, all documents provided to clients must be available in English and Spanish; and
- Have a clearly and properly identified office, with space available for the provision of housing counseling services. There must be permanent signage identifying the housing counseling office.

## **E. Ineligibility**

HCOs must comply with applicable fair housing and civil rights requirements in 24 C.F.R. § 5.105 (a).

HCOs are deemed ineligible if said agency:

- Has been charged with an ongoing systemic violation of the Fair Housing Act; or
- Has been a defendant in a Fair Housing Act lawsuit filed by the Department of Justice alleging an ongoing pattern or practice of discrimination; or
- Has received a letter of findings identifying ongoing systemic noncompliance under Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act 1973, or section 109 of the Housing and Community Development Act 1974, as amended.

Under section 808(e)(5) of the Fair Housing Act, HCD has a statutory duty to affirmatively further fair housing in its activities. HCD requires the same of its Subrecipients. HCOs must affirmatively further fair housing for classes protected under the Fair Housing Act. Protected classes include race, color, national origin, religion, sex, disability, and familial status. HCOs are expected to help remedy discrimination in housing and promote fair housing rights and fair housing choice.

HCOs may regain eligibility if they resolve the cause for ineligibility to HCD's satisfaction. The decision to reinstate an HCOs is be made on a case-by-case basis and is at HCD's sole discretion.

## **7. Housing Counseling Workplan**

HCOs submit a housing counseling work plan as part of their NOFA response that describes their intended approach for delivering services. After selection, HCOs must work with HCD to finalize and approve their work plan. Once approved, no changes to the work plan may be made without express approval from HCD.

## **A. Required Components**

The housing counseling work plan must provide the following information for each service activity included in its application:

- Target population(s)
- Service delivery area(s)
- Staffing

The Work Plan must demonstrate an understanding of:

- The needs and difficulties or challenges facing the disaster impacted populations
- The ReCoverCA programs
- Developing a housing recovery plan for each individual assisted
- Budgetary needs for conventional mortgage financing
- Predatory lending practices and how to educate participants
- The geographic service area(s) to be served
- The anticipated results (outcomes) to be achieved within the period of approval

HCOs must describe their methodology and approach for program/project implementation. Additionally, HCOs must describe their plan to track and monitor the progress of their services delivered under this program. The work plan must also explain the measures HCOs will take to comply with federal policy and procedural requirements.

## **B. Recordkeeping and Reporting**

As per 24 C.F.R. § 214.315, the HCOs must have an established system of recordkeeping that permits HCD, HUD, and other authorized entities to easily access information needed for a performance review.

Participating HCOs must ensure the confidentiality of each client's personal and financial information, both electronic and paper, including credit reports, whether the information is received from the client or from another source. Failure to maintain the confidentiality or improper use of credit reports may subject the agency to penalties under the Fair Credit Reporting Act, as amended, 14 U.S.C. § 1681 et seq. Hard copies of client files must be kept in locked filing cabinets and electronic client files must be kept secure and be accessible only by authorized employees.

Participating HCOs shall maintain a housing counseling client management system for the collection and reporting of client-level information, including financial and demographic data, counseling services provided, and outcomes.

HCOs are required to submit monthly reports to HCD on progress of the outreach, rate of intake, identification of key areas of resident need not being met, and goals achieved or outstanding.

## **8. Identification of Program Participants**

HCD works with HCOs to identify their pipeline of participants. Participants are referred by the state's ReCoverCA housing programs. Participants are referred based on both service area and specific services provided by a HCO. Once a HCO receives a referral from one of these sources, they shall contact the participant within two (2) business days to initiate intake.

### **A. ReCoverCA Participants**

Applicants to ReCoverCA housing programs are required to participate in the Housing Counseling Program. As a condition for receiving an award, these applicants must complete at least one housing counseling session led by a CDBG-DR funded HCO and provide documentation certifying completion of the session. The program pays for up to three housing counseling sessions per applicant, but only one is required. The housing counseling session must be completed prior to the applicant's ReCoverCA grant acknowledgment. For more information regarding ReCoverCA, please see the program policies available at <https://recover.hcd.ca.gov>.

Housing counseling sessions may be held in-person or via electronic means (phone, video conference), at the discretion of the HCO and applicant. The Housing Counseling Program provides applicants with support throughout the relocation process by assisting with things like choosing the right housing recovery path for their household, homeowner education, and connecting applicants with social services providers in the areas being considered by the applicant for relocation.

### **B. Initial Consultation with Program Applicants**

HCOs meet with applicants for an initial consultation after the intake process. To best serve the applicant, while scheduling this consultation, the HCO should confirm resident information, such as contact information and recovery needs.

At the initial consultation, the HCO meets and discusses the housing needs with the Applicant and other household members that attend. The HCO must confirm the application information and collect documents supplied by the Applicant in connection to their particular needs, as well as provide a list of additional documentation that is required as next steps based on identified needs.

Applicants should provide all required documents within a reasonable timeframe to ensure progress and success of their participation in the Program. HCOs are

responsible for two (2) follow up contacts with the Applicant to meet their consulting needs and/or maintain the application status as current.

The counselor must make reasonable efforts to conduct a verbal (in person or via phone) follow-up session within the first 60 days of no client contact. If unsuccessful, after two attempts to conduct a verbal follow-up session, the counselor must write a letter or send an e-mail to the client stating that such efforts have been made and inform the client that there is a need for follow-up communication. The letter must request that the client contact the Subrecipient no later than 30 days from the date of the letter, to help the Subrecipient assess if additional client services are necessary to assist them in achieving their housing goals or if services should be terminated. Issuing surveys to assess housing outcomes does not fully meet the requirement for client follow-up. Hiring a third-party agency to conduct follow-up services is prohibited.

If the Applicant fails to attend two (2) scheduled consultations without notifying the HCO and/or the Applicant fails to respond to the 30-day letter, the Subrecipient must notify the ReCoverCA Homeownership Assistance program and notify the Applicant of their termination.

HCOs are expected to individualize consulting recommendations for each Applicant based on their identified need and provide services in line with those needs. Upon completion of service delivery to a participant, the HCO will provide any required beneficiary and outcome information to HCD.

### **C. Termination of Services**

Participating HCOs must document termination of housing counseling in the client's file. Termination occurs or may occur under any of these conditions:

- The client meets his or her housing need and the client has been referred to the appropriate ReCoverCA Homeownership Assistance program, or along with the client, determines, tenancy is the best housing option;
- The Subrecipient determines that further housing counseling will not meet the client's housing need or resolve the client's housing problem;
- The Subrecipient attempts to, but is unable to locate the client;
- The client does not follow the agreed upon action plan;
- The client otherwise terminates housing counseling;
- Client fails to appear for housing counseling appointments or fails to respond to Subrecipient inquiries concerning the client's progress in resolving his or her housing need or problem within 90-days and three (3) attempts to reach the client, include a written letter 30-day as described above; or
- Other circumstances beyond the participating Subrecipient's or client's control such as a natural disaster that might prevent continuation of counseling.

## **D. Application Closeout**

Participating HCOs shall coordinate a closeout process with the Applicant, which may include an exit interview and an evaluation of the services needed, services provided, and outstanding needs, if any. Applicants may provide feedback to the HCO in writing. Any complaint submitted to the HCO should be discussed, documented, and resolved with a report. HCOs are responsible for completing and submitting to HCD aggregate reports to quantify the services they have provided and the outcomes for each case.

## **9. Program Compensation and Closeout**

Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed and meet the standards required in 2 C.F.R Part 200.430(h)(8)(i). HCD requires HCOs to provide final reports for the outcomes of all residents serviced, as well as summary dashboards to indicate hard metrics of results achieved with the funding provided. All records shall be retained and maintained for a period of at least five (5) years, starting from the closeout of the grant. Furthermore, they must be made available to HCD upon request. All HCOs must be able to demonstrate and document the actual cost of service provision. The amount billed cannot exceed the actual cost of the service provided. The records must support the distribution of employees' salaries and wages among specific activities or cost objectives if the employee works on more than one federal award; a federal award and non-federal award; an indirect cost activity and a direct cost activity; two (2) or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

## **10. Invoicing**

- i. The HCO should not bill a client file against this ReCoverCA Housing Counseling Grant or continue to count the file as active under the grant solely because the Subrecipient maintains the file in an open status. Actual counseling, education, preparation, or follow-up activity must occur to justify billing the ReCoverCA Housing Counseling Grant. If a client file remains open over multiple reporting cycles or quarters, the initial counseling or education activity is only recorded once on the logic model, in the quarter it occurred. Even if follow-up occurs in the next quarter, it is still a part of the initial counseling interaction already recorded in the previous quarter and must not be counted again on the logic model. The Subrecipient can, however, bill the grant for follow-up activity.
- ii. Budget estimates alone (i.e. estimates determined before the services are performed) do not qualify as support for charges to awards. Records must reflect the total activity for which employees are compensated for work completed related to the HCO. Costs such as rental space for group meetings, and associated operational expenses may be reimbursed by the Program in accordance with the Subrecipient Agreement.

- iii. HCOs must submit requests for payment into HCD's Grant Management System and accordance with HCD invoicing guidance. Funds are disbursed monthly on a draw basis. No disbursements are allowed unless the Subrecipient Agreement is signed and dated by both parties (HCO and HCD).
- iv. Only costs identified in the Subrecipient Agreement are eligible for payment/reimbursement by this Program.
- v. Accounting of disbursements and expenditures is ongoing to ascertain that Program funds are expended according to the terms of the written Subrecipient Agreement. This process helps identify those HCOs that do not comply with agreed upon goals. HCOs must report to HCD their fund commitments, expenditures, and beneficiary information (when available) on a quarterly basis.

## **11. Related Laws & Regulations**

This manual refers to how the provisions of certain laws apply to the Housing Counseling Program. However, other related laws may exist that are not included in these policies. This does not negate or preclude the Program from applying the provisions of those laws, nor an applicant from receiving services, when applicable. Moreover, HCD can enact, or may have enacted, regulations that address how the laws mentioned in these policies are managed. If there are any discrepancies between these policies and the laws and/or regulations mentioned in them, then the latter prevails over the policies. If at any time the laws and/or the applicable regulations mentioned in these policies are amended, the new provisions apply to the Program without the need to amend these policies.

## **12. Cross-cutting Guidelines**

Certain federal and local requirements apply to all programs funded by CDBG-DR. These cross-cutting guidelines cover topics such as: financial management, environmental review, labor standards, property acquisition, relocation, and fair housing, among others. The cross-cutting guidelines apply to all programs described in HCD's CDBG-DR Action Plan and its amendments. For more information, please refer to HCD's Action Plans and Amendments available at:

- 2017 Disasters: <https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/index.shtml>
- 2018 Disasters: <https://www.hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2018/index.shtml>
- CDBG-DR Grant Administration Manual for 2017 and 2018 Disasters: <https://hcd.ca.gov/community-development/disaster-recovery-programs/cdbg-dr/cdbg-dr-2017/docs/dr-gam-v7rev.08-06-20.pdf>

## **13. Program Oversight**

Nothing contained within this document is intended to limit the role of HCD, HUD, and/or corresponding authorities from exercising oversight and monitoring activities of the Program.