

## APPENDIX VI: CONFLICT OF INTEREST ATTESTATION FORM

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### CONFLICT OF INTEREST POLICY: STATEMENT OF DISCLOSURE

#### INTRODUCTION

The New York City Continuum of Care (NYC CoC) depends on the input and participation of many segments of the community, including homeless service providers, government agencies, and persons with lived experience who directly or indirectly benefit from McKinney-Vento Funding in its decision-making process. This representation may cause, from time to time, conflicting and competing interests to exist within the context of this process.

To ensure the integrity of this process and continue to call upon and receive the benefits of involving all segments of the community, it is imperative that decisions made by the CoC be free of any undue influence, conflicts of interest, or appearances of impropriety by all voting members.

Steering Committee members and their alternates must annually sign a Statement of Disclosure to affirm they have reviewed the conflict of interest policy and disclose any interest under the purview of the Continuum of Care.

With that in mind, the NYC CoC has adopted the following policy in order to identify and publicly disclose any conflicts of interest to avoid any such conflict or the appearance of impropriety (as stated in Article IX of the Bylaws):

“NYC CoC Steering Committee members may not participate in or influence discussions resulting in decisions concerning the award, reduction, or elimination of a grant or other direct financial gain to the organization that the member represents. Members in conflict may still answer questions posed by another member or participant during a discussion, however they must abstain from voting.

If a matter arises which places a member in a conflict of interest situation or a potential conflict of interest situation, that member will notify the NYC CoC Steering Committee Co-Chairs and abstain from voting. If a member does not disclose a conflict prior to voting on a conflicted matter, this constitutes grounds for removal.”

#### APPLICABILITY AND SCOPE

This policy applies to all who participate in NYC Continuum of Care decision making, most specifically those decisions related to funding priorities, project ranking, types of projects funded, priority populations, and exemptions. Conflicts of interest exist in any situation when the issue or decision under consideration by the CoC may affect the personal, professional, or business interests of any member.

More specifically, a conflict of interest may exist when the interests or activities of any member compete with that of the Continuum; when the member derives a financial or other material gain as a result of a direct or indirect relationship. Such actions are presumed to include, but are not limited to, the development of policies in which a self-serving bias may be present and in decisions affecting the allocations of resources.

- "Interest" is defined as a situation in which a Steering Committee member (direct) and/or a member of their family (indirect) has an interest in, financial or otherwise, whether as owner, fiduciary, employee or consultant, or supplier or recipient of goods or services, any program or agency under the purview of the Continuum of Care.
- "Family" shall, at a minimum, include a domestic partner, spouse, or dependent children.

## DISCLOSURE & IMPACT OF NONDISCLOSURE

It is the responsibility of the NYC Continuum of Care to inform all who participate in CoC decision-making of the policy described herein.

It is then the responsibility of the individual participating, influencing, or voting on such decisions, to identify and disclose conflicts of interest as they arise. Such disclosure should occur at the earliest possible time and should be prior to the discussion of such issues. After disclosed, a member would still be allowed to participate in discussion. However, this individual is required to recuse him/herself from voting matters related to the allocation of CoC funds when conflict occurs.

Having disclosed the existence of a conflict of interest, an individual may participate in the discussion of a given issue but must abstain from voting upon that particular issue. That abstention should be reflected in the written minutes of that meeting.

It is the responsibility of the Steering Committee Co-Chairs of the NYC CoC to ensure that this policy is carried out. If an undisclosed conflict of interest is later thought or found to have existed, that information should be brought to the attention of the Co-Chairs. The Co-Chairs will then review such matter with the affected individual and proceed to resolve the issue on a case-by-case basis.

Annual written disclosure statements in the form attached to this policy will be obtained by the CoC Lead Agency from all members participating in CoC decision-making to ensure conflicts are identified and disclosed. Individuals should promptly notify the Steering Committee Co-Chairs and update their disclosure statements as necessary.

## HUD CoC INTERIM RULE

§ 578.95 Conflicts of interest.

(a) **Procurement.** For the procurement of property (goods, supplies, or equipment) and services, the [recipient](#) and its [subrecipients](#) must comply with the standards of conduct and conflict-of-interest requirements under [2 CFR 200.317](#) and [200.318](#).

(b) **Continuum of Care board members.** No Continuum of Care board member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.

(c) **Organizational conflict.** An organizational conflict of interest arises when, because of activities

or relationships with other persons or organizations, the [recipient](#) or [subrecipient](#) is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance under this part, or when a covered person's, as in [paragraph \(d\)\(1\)](#) of this section, objectivity in performing work with respect to any activity assisted under this part is or might be otherwise impaired. Such an organizational conflict would arise when a board member of an [applicant](#) participates in decision of the [applicant](#) concerning the award of a grant, or provision of other financial benefits, to the organization that such member represents. It would also arise when an employee of a [recipient](#) or [subrecipient](#) participates in making rent reasonableness determinations under § 578.49(b)(2) and § 578.51(g) and housing quality inspections of property under § 578.75(b) that the [recipient](#), [subrecipient](#), or related entity owns.

*For further information on HUD COC Interim Rule on Conflict of Interest please refer to the following citation: <https://www.law.cornell.edu/cfr/text/24/578.95>  
[https://files.hudexchange.info/resources/documents/CoCProgramInterimRule\\_Formatted\\_Version.pdf](https://files.hudexchange.info/resources/documents/CoCProgramInterimRule_Formatted_Version.pdf)*



**CONFLICT OF INTEREST POLICY:  
STATEMENT OF DISCLOSURE**

**ATTESTATION**

I, \_\_\_\_\_, understand that as an employee or board member of an organization that receives any McKinney-Vento Homeless Assistance grants, or of an organization with an open application for any McKinney-Vento Homeless Assistance grants I must recuse myself during discussion where conflicts may arise.

By signing this document, I acknowledge my understanding of the Conflict of Interest Policy set forth in Article IX of the NYC CoC Bylaws and I acknowledge my intent to follow this policy.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Steering Committee members must complete this Conflict of Interest disclosure form annually.

- "Interest" is defined as a situation in which a Steering Committee member and/or a member of their family has an interest in, financial or otherwise, whether as owner, fiduciary, employee or consultant, or supplier or recipient of goods or services, any program or agency under the purview of the Continuum of Care.
- "Family" shall, at a minimum, include a domestic partner, spouse, or dependent children.

I, \_\_\_\_\_, hereby identify that I have an interest (as defined above) in the following agencies, programs, projects, etc.:

Name of agencies, programs, projects, etc.:	Affiliation:					
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services
	<input type="checkbox"/> Self <input type="checkbox"/> Family	<input type="checkbox"/> Employment (employee, owner, consultant)	<input type="checkbox"/> Previous employment (within 1 year)	<input type="checkbox"/> Board	<input type="checkbox"/> Funder or donor	<input type="checkbox"/> Resident/Recipient of services

*\*\*if needed, more space may be given*

I attest this information is accurate and complete to the best of my knowledge.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_