



New York City Continuum of Care

# Annual Evaluation Guidance

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# Guidance Document Significant Changes & Updates

## November 2022 -

1. Document name update – now “Annual Evaluation Guidance”
2. Revision of all sections to streamline content and eliminate redundancies.
3. Eliminated Sections
  - a. Acknowledgements and Attestations – page 24

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## I. Introduction

Each year the U.S. Department of Housing and Urban Development (HUD) releases a Notice of Funding Opportunity (NOFO) detailing the requirements for Continuums of Care (CoCs) to apply for Program funding. In response to performance related requirements, the New York City (NYC) CoC conducts an annual performance evaluation for all HUD CoC-funded projects operating in the five boroughs. The purpose of this Evaluation is to inform the project ranking used in the annual NOFO application, ensure adherence to current HUD and NYC CoC priorities and standards, and provide a detailed review of project level performance to better serve program participants with lived experience of homelessness.

**This document outlines the NYC CoC policies and procedures for project performance and the annual evaluation process.**

On an annual basis, the HMIS Team in the Federal Homeless Policy & Reporting Unit at NYC DSS, in conjunction with the NYC CoC Performance Management Committee (PMC), and with support from the Evaluation Workgroup (EWG) and Data Management Workgroup (DMWG) leads the review of the Annual Evaluation process and metrics and makes refinements to the CoC's evaluation process, HMIS Tool, Local Priorities Survey (LPS), scoring/points rubric, and macro and microlevel evaluation criteria. The PMC makes final recommendations on updates to performance metrics and the process, with the primary goal of continued alignment with HUD benchmarks and guidelines, and improved clarity and transparency. The PMC then presents their recommendations to the NYC CoC Co-Chairs and CoC Steering Committee for review and formal approval.

For additional information on the NYC CoC Annual Evaluation, please visit the [NYC CoC website](#). If you are having trouble uploading/accessing documents, accessing the NYC Data Warehouse, or if you have any questions, please contact the NYC DSS HMIS team at [dsshmis@dss.nyc.gov](mailto:dsshmis@dss.nyc.gov). Please include in the Subject line of your email “*Annual Evaluation-HMIS Tool, or Survey Question*”. Please contact Charles M. Winkler, Director of Performance Management, Federal Homeless Policy & Reporting Unit, NYC Department of Social Services at [winklerc@dss.nyc.gov](mailto:winklerc@dss.nyc.gov) with questions and comments pertaining to this document.

## II. Evaluation Overview

### Participants and Reporting Timeframes

The NYC CoC evaluates all projects funded by the HUD Continuum of Care Program annually. As such, recently awarded projects will not be evaluated in the first year of operation. A full federal fiscal year (FFY) of data is required to conduct a review. The CoC reserves the right to deduct points or not score projects if the Local Priorities Survey is submitted after the stated deadline and if the information in the HMIS Data Warehouse is inaccurate or incorrect and results in a lower score on the HMIS portion of the Evaluation.

### Examples of exemptions granted based on FFY and Contract Year

<i>Project Start (Contract Period)</i>	<i>Federal Fiscal Year</i>	<i>Exempt from 2023 Evaluation (Y/N)</i>	<i>Reason</i>
4/1/2020 – 3/31/2021	10/1/21 – 9/30/21	No	Included in the 2023 Evaluation based on Contract Period 4/1/21-3/31/22 and Federal Fiscal Year 10/1/21-9/30/22. (It was exempt from the 2022 Evaluation because it was in its first year of operation and did not have a full year of federal fiscal data.)
12/1/2020 – 11/30/2021	10/1/21 – 9/30/22	Yes	Not included in the 2023 because the first month of federal fiscal year of data (October 2021) falls in the project's first contract year. This project would be evaluated in the 2024 Evaluation based on Contract Period 12/1/22 - 11/30/23 and Federal Fiscal Year 10/1/22 - 9/30/23.
10/1/2020 – 9/30/2021	10/1/20 – 9/30/21	No	First year of Federal Fiscal Year Data and First year of contract data. This project would be evaluated in the 2023 Evaluation based on Contract Period 10/1/21 - 9/30/22 and Federal Fiscal Year 10/1/21 - 9/30/22. (It was exempt from the 2022 Evaluation because it was the First year of its contract.)
5/1/2019	10/1/19 – 9/30/20	No	During the 1 <sup>st</sup> year, the project was exempt. For the 2023 Evaluation, the project will be evaluated on a 5/1/21 – 4/30/22 Contract Year and 10/1/21 – 9/30/22 Federal Fiscal Year

\* Provider organizations with newer contract start dates (2021+) may contact Charlie Winkler ([winiklerc@dss.nyc.gov](mailto:winiklerc@dss.nyc.gov)) to confirm their evaluation status

### Exemptions/Special Considerations

Exemptions for new projects are considered on a case-by-case basis and impact to the CoC portfolio is taken into consideration. Newly operating projects that are experiencing challenges should communicate with the CoC as soon as possible so that consideration for additional exemptions can be determined. Projects not renewed in the annual NOFO are not evaluated.

Providers should contact the FHPR unit to **request an exemption no later than 1 month in advance** of the commencement of the Evaluation. Final decisions on additional Annual Evaluation exemptions will be decided by the PMC.

- HUD-approved **grant consolidations** will be evaluated as a consolidated project and scored based on the surviving grant. If a requested consolidation was not approved by HUD, then the projects are evaluated individually.
- Projects in their **first year of operations** (i.e. have less than a federal fiscal year worth of data in the HMIS Datawarehouse) and **newly awarded projects** not in operation are exempt from the Annual Performance Evaluation. Special circumstances may be considered that result in the exemption of projects during subsequent years of operation.
- As needed, the CoC will decide on the effect that a **city-wide emergency** (e.g. impact of a pandemic, natural disaster) had on project performance, if at all, and make modifications on the evaluation process and/or metrics accordingly. If the CoC does not make any

modifications, providers have the option to explain under-performance due to the emergency as an appeal.

- The NYC CoC understands that staff-turnover is commonplace at not-for-profit organizations. Agencies need to establish contingency plans so that the work continues and HUD and CoC compliance is observed.
- Exemptions for individual metrics are made on a case by case basis, though precedent has typically held that projects are referred to the Appeals component so that the Ad Hoc Appeals Committee can review the request. Contact Charlie Winkler in a timely fashion so that determinations can be made by Friday, December 9, 2022, COB.
- Organizations who take over an existing project from another agency will be exempt from the evaluation for at least one year of operation after the transfer is complete. Additional exemptions will be granted on a case-by-case basis.

### **HMIS Automated Tool & Local Priority Survey (LPS) – Dates and Overview**

The Annual NYC CoC Evaluation consists of two components: (1) The HMIS Tool (~80% of total score) and (2) The NYC CoC Local Priorities Survey (LPS) (~20% of total score).

#### HMIS Tool

The HMIS Tool uses Homeless Management Information System (HMIS) data from the NYC Data Warehouse to measure performance on metrics established by HUD and reported on in the HUD Annual Progress Report (APR). The HMIS Tool is scored on the **federal fiscal year (October 1 – September 30)**, regardless of the contract period for the project being evaluated. **The HMIS Tool is run by FHPR-HMIS staff as of a specified date (only VSP providers complete outside of warehouse and email tool to HMIS team)** and generates points for each question based on project performance on each metric and produces a total score. **If a program contains both CoC- and non-CoC-funded units, only those that are CoC-funded will be evaluated. See how each metric is measured and scored posted online.**

Note: Projects serving survivors of Domestic Violence (DV) are not allowed to participate in the HMIS warehouse and will need to submit their comparable aggregate data via a spreadsheet available online.

#### NYC CoC Local Priorities Survey (LPS)

Providers participating in the evaluation must also complete a NYC CoC Local Priorities Survey (LPS) for each CoC-funded project, which measures performance on local NYC priority metrics. The LPS is manually by FHPR HMIS staff. The LPS is based on the most recently completed contract period (and extension period if applicable). A link to the LPS in survey monkey is posted online (Note it is not possible to save work and return to the survey later for completion/submission).

Except for project spend-down information, the LPS is scored based on self-reported data from the provider. Self-reported data in the LPS may require supporting documentation for validity. (Note: in keeping with privacy and confidentiality standards, the NYC CoC Annual Evaluation does not permit the use of client-sensitive information in the submission of supporting documentation of the LPS. Projects should redact any information that appears to be sensitive prior to submitting the documentation to DSS.)

Note: Persons enrolled in the program for less than one year without an Annual Assessment will not be included in calculating the score for any questions. This applies to all questions in the HMIS Tool and LPS.

## Annual Evaluation Timeline

Component	Date
Data Cleanup (Request Exemptions by Dec 9 <sup>th</sup> )	October – December 2022
LPS Posted on CoC Website	November 2022
NYC DSS to run HMIS Tool for all projects; DV projects submit DV “Tool”	Tuesday, January 3, 2023
LPS available on SurveyMonkey LPS Due in SurveyMonkey	Tuesday, January 3, 2023 Friday, January 13, 2023
Evaluation Scores (HMIS + LPS) posted	Late January / Early February 2023*
Appeals Due	Late February 2023*
Final Results	1 <sup>st</sup> Week of April 2023

\* Announcement with final date will be sent out in advance

## Ranking Methodology

Projects are ranked based on adjusted score calculated by dividing the Raw Score by the Total # of Possible Points the project can obtain, which varies by project type (see example below).

### Example of Adjusted Score

<i>Total HMIS Tool Points</i>	<i>Total Local Priority Survey Points</i>	<i>Total Points (Raw Score)</i>	<i>Adjusted Score out of 100</i>
77 (out of 83)	17.5 (out of 19)	94.5 (out of 102 [83+19])	93 (94.5/102 = 92.6, rounded up to 93)

Projects with identical overall scores will be ranked based on comparing projects on their performance on the specific metrics listed below, in order of importance:

1. Spend down of HUD funds
2. Bed Utilization
3. Housing stabilization
4. Earned income indicators
5. Rental Assistance or Leasing contracts > contracts without Rental Assistance or Leasing
6. Higher average score from the Evaluation over the last three years

## Annual Evaluation Compliance Oversight

The NYC CoC may perform a more detailed review of CoC-funded projects (not organizations) as part of the annual Evaluation to ensure compliance, by requesting additional supporting documentation. The CoC accepts the data and responses projects supply for the Annual Evaluation at face value. The CoC has the discretion to contact program leadership to request support documentation. If projects cannot provide supporting documentation to validate their responses to the LPS and HMIS Tool and/or are found to be providing false statements or data, projects may be penalized on the Annual Evaluation depending on the nature and severity of the offenses. The penalty will be determined by the NYC CoC Steering Committee in consultation with the NYC CoC Co-Chairs and NYC CoC Performance Management Committee

## Appeals Process

Following the release of project results, organizations may submit appeals for issues that negatively impacted their score (see form content below). Appeals are reviewed by an Ad Hoc Appeals Committee, composed of a balanced and diverse group of non-conflicted CoC partners (Providers, NYC government agencies, NYC coalitions, At-Large members, Persons-With-Lived-Experience, and a Co-Chair of the Steering Committee). Scores are adjusted according to the decision made by the Ad Hoc Appeals Committee.

The Ad Hoc Appeals Committee will not consider appeals based on missing data, incorrectly entered data in HMIS, or disagreements with the adopted evaluation standards. The appeals process is not an opportunity to fix incorrectly submitted data, or to re-visit the evaluation standards adopted by the Steering Committee. Projects who believe their performance was negatively impacted by COVID-19 should participate in the appeals process to request restoration of any lost points.

Please note: Questions regarding whether clients should be exempt from calculations should be raised prior to or during the Data Adjustment Period. Projects must inform the FHPR Team of any issues or problems that will adversely affect their score during the Data Reconciliation period. In some cases, providers may be advised to wait until the Appeals period to have the issue addressed.

Decisions by the Ad Hoc Appeals Committee are final. Projects that disagree with decisions by the Ad Hoc Appeals Committee may file a grievance with the CoC Grievance Committee. For information on how to file a grievance, please see the [NYC CoC website](#).

## SAMPLE – survey link will be posted online!

### 2023 Annual Evaluation *Appeals* Form

#### Instructions:

Use this form for each appeal that you submit. i.e. one question/metric = 1 form. Do not submit multiple questions on a single form. You may attach supporting documentation to this form – not further explanation – that confirms your appeal.

1. Project Information  
Organization Name \_\_\_\_\_  
Project Application Name \_\_\_\_\_  
Contract Number ID/Grant Award Number (First 6 digits only. e.g. NY8675) \_\_\_\_\_  
Contact Name \_\_\_\_\_  
Contact Email Address for person completing the Survey \_\_\_\_\_  
Contact Phone Number for person completing the Survey \_\_\_\_\_
2. Appeal related to HMIS Tool or LPS?
3. #/metric you are appealing in the HMIS Tool or LPS \_\_\_\_\_
4. Appeal based on calculation error or special circumstance?
5. Explanation (3,000 character limit)



### III. HMIS Tool - Policies for Specific Metrics

The following section will outline CoC policy stances for select HMIS Tool metrics. The policy stances are updated annually as a part of a continuous quality improvement process.

Reminder: Persons enrolled less than one year without an annual assessment will not be included in calculating the score.

#### Unit Utilization

Mitigating circumstances – e.g. referral challenges, EHV, HUD Covid Waivers, NYC Waivers – will be taken into consideration if a unit is vacant. Adjustments may be made by the FHPR Unit to the points received for a project’s utilization rate if there are documented reasons that prevented an agency from filling the unit (e.g.: Unit sealed by NYPD, significant maintenance in the building delaying ability to fill unit, etc.).

Note: Residents placed temporarily elsewhere – e.g. a hospital – are still being served by the project, so utilization is not affected.

#### Project Eligibility (Chronic Homelessness & Literal Homelessness)

##### Literal Homeless

Permanent Housing projects are required to admit Head of Households (HoHs) who meet the HUD Category 1 definition of Literal Homelessness. (If a program did not admit any new persons or HoH’s that are literally homeless since October 1, 2020 then it will not be penalized.) Only HoHs admitted during the federal fiscal year evaluation period are counted in the scoring for this question.

##### Chronic Homeless

Permanent Supportive Housing (PSH) projects are required to service persons who meet the HUD definition of Chronic Homelessness. Projects are permitted to admit non-chronically homeless persons who are literally homeless under Category 1 (a lower threshold requirement) if a chronically homeless person is not available at the time a bed becomes available. Projects should contact the CoC FHPR in a timely fashion with questions related to filling units.

Emergency transfers (e.g.: VAWA), reasonable accommodations, and other special requests for admission of persons in to a CoC-funded project will be taken into consideration when measuring chronic and literal homelessness.

##### Length of Stay

If a project has been operating for less than 24 months, the scoring will be pro-rated to reflect maximum length of stay possible. (Scoring rubric is based on a 24-month timeframe). Documentation must be submitted that demonstrates: (i) the duration and (ii) the average length of stay for clients in the federal fiscal year is the same as the duration of the project.

Projects that may have been affected by EHV, Covid Waivers, and NYC Waivers will each be reviewed by the Ad Hoc Appeals Committee.

#### Income, Non-Cash Benefits, and Health Insurance Metrics

Increase/Maintain Earned and Increase/Maintain Other income is a key performance measure of most Federal Partner programs. Collecting income information throughout a project stay supports plans to link clients with all income sources and benefits for which they are eligible and helps CoCs

improve system design and partnerships by analyzing cross-systems connections to ensure access to additional income sources. Unless specified in this document (see list below), the Increase/Maintain in Income metrics do not distinguish population type and therefore there are no client exemptions. HUD has not suggested allowances for youth, seniors, mentally ill persons, persons battling substance abuse, or other demographics. Projects that serve clients that are not eligible for employment or other income sources can avail themselves of the appeals process to present facts and explanations that warrant restoration of points.

#### Income considerations/adjustments:

- Income associated with a minor or adult children used for household expenses and support should be included in the HoH's income and sources record. Projects should count income information for all household members including minor children within households if this does not interfere with accurate reporting per funder requirements.
- The NYC CoC acknowledges the challenges faced by older persons of retirement age who are no longer working. As such, clients aged 67+ will no longer be included in the calculation for EARNED Income. (If a project has clients aged 67+ with EARNED Income that helps improve the # of points received for this metric, the client will be included in the calculation.)
- Additionally, for projects exclusively serving Youth, if 90% of clients maintain or increase Earned Income, the project will receive 12 full points, and is exempt from the Other Income performance metric.
- If at least 90% of clients in a project are ineligible for Earned Income, Other Income, or Non-Cash benefits because they have exceeded an income or benefit cap/limit, you can request that these clients be exempt when calculating points for the question Contact Charlie Winkler in a timely fashion so that determinations can be made by Friday, December 16, 2022, COB.
- According to HUD, COVID-19 Stimulus Payments are not considered an increase in Earned Income and Other Income.

HUD and the CoC expect that households are accessing all mainstream program benefits for which they are eligible at the time of project start and to allow for analyzing changes in the composition of non-cash benefits between project start and exit. The CoC will exempt certain populations that are not eligible for SNAP, TANF, and WIC if the project pinpoints those clients and the FHPR Unit can verify via the APR. "Other Sources" includes *regular, recurring* benefits such as free / reduced price school meals, childcare cost reduction, reduced cable or low-cost energy programs.

Universal access to healthcare is provided by the Affordable Care Act, and HUD and the NYC CoC expects that all program participants served in CoC-funded housing have health insurance coverage and are accessing all mainstream medical assistance benefits for which they may be eligible.

### **Housing Stability Metrics**

Maximum client health, stability, overall wellness, and self-sufficiency is demonstrated when clients are in permanent housing, and so program exits to non-PH settings are discouraged.

RRH, TH, and TH-RRH program models are built on the principle of moving clients into PH as quickly as possible and no longer than 2 years.

Program exits as a result of death or moving to a different level of care (e.g., exit to a nursing home or long-term treatment facility) are excluded in this calculation.

## Data Quality

Complete, accurate, and consistent data are required for CoC-funded programs. HUD requires that the overall error rate in HMIS be less than 10% for Personally Identifiable Information, Universal Data Elements, Income and Housing Data Quality, and Chronic Homelessness related data elements. Note: the NYC CoC does not include data quality for race in the annual Evaluation due to missing data commonly associated with Hispanics/Latinos not selecting a race. Providers are still required to answer the Race category question in HMIS and keep the data error rate below 10% when submitting their APR.

## HMIS Uploads

All CoC-funded programs must complete monthly data uploads into HMIS no later than the 10<sup>th</sup> business day of the month. Monthly uploads into HMIS are essential in keeping accurate and up-to-date data in the NYC Data Warehouse. Documented and agreed upon delays from HMIS vendor and HMIS team (e.g. programming Updated Data Standards, or vendor/HMIS team not responding on a timely basis to a request for assistance) will be accepted as legitimate reasons for missing a monthly upload, therefore avoiding penalty. The NYC CoC expects organizations to have identified secondary staff that are able to complete monthly HMIS uploads in the event of staff absence. All other reasons for late and/or missed uploads must be submitted to the Ad Hoc Appeals Committee for review and consideration.

You can verify the number of successful uploads by following these steps:

1. Log in to the NYC HMIS Data Warehouse: <https://nychmis.footholdtechnology.com/zf2/>
2. Go to Administration – Fiscal and click on the “CSV Upload Report”
3. The date and time stamp of all of the uploads performed during the Federal Fiscal Year (10/1/21-9/30/22) is shown.
4. When uploading on a monthly basis, check the “Messages” in the Data Warehouse and/or AWARDS. A successful upload will have the following text contained in the message: “Data for the following program(s) were imported successfully.”

## IV. Local Priorities Survey (LPS) – Policies for Specific Questions

The following section will outline CoC policy stances for select LPS metrics. The policy stances are updated annually as a part of a continuous quality improvement process.

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**Total Points Available in the Local Priority Survey (Total = 23 + 2 Bonus points):**

- Total Spend-Down (0-9 points): 85% - 1 point, 87% - 2 points, 89% - 3 points, 91% - 4 points, 93% - 5 points, 95% - 6 points, 97% - 7 points, 99% - 8 points, 100 % - 9 points
  - Quarterly Spend-Down (1 point)
  - Use of SOAR (1 point)
  - Additional Supportive Services (0-2 points)
  - PWLE on Board/Policy-Making Bod/Consumer Advisory Board (2 points)
  - PWLE Satisfaction Survey (1 point)
  - Community Meetings (1 point)
  - Activities for PWLE (1 point)
  - Agency Grievance Policy (1 point)
  - Agency Employs PWLE (1 point) (new!)
  - Project Employs PWLE (1 Bonus point) (new!)
  - Environmental Review (1 point)
  - CAPS (1 point) (new!)
  - HOPE Survey (1 Bonus point) (new!)
  - 2022 NOFO Priorities – Racial Equity, LGBTQI, Partnerships with Healthcare agencies (Unscored) (new!)
  - Compliance with HUD and NYC CoC Policies (1 point) (new!)
- 

### Expenditure of Funds

Fully drawing down on funds by the conclusion of a contract year is a HUD requirement and projects are expected to make roughly equal drawdowns at least quarterly. Evaluation points for drawdowns are based on a scale. Funds not spent by the end of a contract period are recaptured by HUD and could signal that the contract is too large and needs to be right-sized. Projects that have been unable to draw-down their funds due to experiencing technical issues with LOCCS must notify the HUD Field Office and the NYC CoC immediately.

The CoC will access drawdown information located in SAGE and/or eLOCCS one week before Final Evaluation Results are posted in April, giving projects the maximum amount of time to complete claiming.

### SOAR Approach

The NYC CoC requires that projects maximize the use of mainstream benefits. The SOAR approach is a best-, evidenced-based practice that streamlines the SSI/SSD application process and establishes an expedited timetable for benefits approvals / determinations. It requires the organization to employ or coordinate with a SOAR-certified person. The SAMHSA-supported OAT System is the manner used by the NYC CoC to track SOAR applications in New York City. Documentation uploaded from that system will be accepted as proof of usage. A project will still receive credit for SOAR/is exempt under the following conditions:

- All housed clients already receive SSI/SSD, and there are no new admissions to the project during the latest contract period.
- At least one client refused to allow a Case Manager to apply for SSI or SSD on their behalf during the latest contract period.

- The organization applied for SSI or SSD on behalf of the client, during or prior to the latest contract period, it is in process, and a determination has not yet been made. If the client is denied, the organization will use the SOAR approach to apply again.
- Another organization that provides services to at least one of the organization's clients has already applied for SSI or SSD on their behalf, Case Managers did not want to interfere with that process, will continue to monitor the status of this application, and will use SOAR to apply for SSI or SSD on a client's behalf if the client is denied benefits.

### **Environmental Review**

Environmental Review is required for all HUD-funded projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users. An Environmental Review is required every five years, if the building and/or area conditions change, or if a project is new and has not been reviewed yet. Projects should be prepared to provide verification if requested by the CoC such as maps and, if applicable, evidence of flood insurance. The four acceptable forms of proof for completion are based on project characteristics and [is located on the HUD Exchange](#). See [24 CFR Part 50: Protection and Enhancement of Environmental Quality](#) for additional information. Please view [the HUD document linked here](#) for further explanation.

### **Coordinated Entry/CAPS**

Coordinated Entry is a requirement for all Continuum of Care (CoC) nationwide to streamline the way people move from homelessness into permanent housing equitably and by ensuring the most vulnerable are prioritized for scarce resources. It requires each CoC to look at their system holistically. In NYC, the CoC developed the Coordinated Assessment and Placement System (CAPS) for this purpose. All CoC projects must participate in CAPS via the selection of program participants as project types are incorporated in the system.

### **HUD and CoC Policy Priorities**

It is a [HUD requirement of CoCs](#) to “establish and consistently follow written standards for providing Continuum of Care assistance.” The goal of these standards is to synthesize the key elements of HUD regulations and policy priorities of the CoC for projects funded under HUD's CoC Program in New York City (NY-600).

All CoC-funded projects must fully comply with the applicable standards described in the Written Standards document, as well as all HUD regulations and Annual CoC Program Competition requirements established for the CoC Program. To view the NYC CoC Written Standards, [please visit the CoC website](#). Specifically –

#### **Housing First**

Housing First prioritizes rapid placement and stabilization of individuals in permanent housing without service participation requirements or preconditions. CoC Program funded projects should help individuals and families move quickly into permanent housing, and CoCs should measure and help projects reduce the length of time people experience homelessness. Additionally, CoCs should engage landlords and property owners to identify housing units available for rapid rehousing and permanent supportive housing participants, remove barriers to entry, and adopt client-centered service methods. HUD and the NYC CoC encourages projects to continually verify they are practicing Housing First and assess how well the approach is being implemented.

#### **The Fair Housing Act**

The Fair Housing Act protects people from discrimination (based on race, color, national origin, religion, sex, familial status, and disability) when they are renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities.

#### The Violence Against Women Act (VAWA)

On March 7, 2013, President Barack Obama signed The Violence Against Women Reauthorization Act of 2013 (VAWA 2013) into law. The law significantly expanded the housing protections to survivors of domestic violence, dating violence, sexual assault, and stalking across HUD's housing and homelessness programs.

HUD-funded projects must comply with the VAWA for all survivors regardless of sex, gender identity, or sexual orientation.

#### Gender Identity and LGBTQI Policy

CoC-funded projects must comply with HUD's Equal Access Policy, which requires equal access to housing services be provided without discrimination based on a person's actual or perceived sexual orientation, gender identity, or marital status.

The NYC CoC complies with HUD's Equal Access Policy by adopting a LGBTQI policy in 2018, which is available on the [CoC website](#). An agency can choose to adopt the CoC policy as well to ensure maximum coverage.

#### The Every Student Succeeds Act (ESSA)

CoC-funded projects that serve children must abide by 81 FR 14432 – McKinney-Vento Education for Homeless Children and Youths Program, which was established in 2016, following the passing of federal law, Every Student Succeeds Act (ESSA). To read more on this legislation, [please view the U.S. Government Publishing Office's website](#).

**Please note:** Projects not serving children are exempt on this requirement in the NYC CoC Evaluation.

#### HUD Housing Quality Standards

Housing Choice Voucher (HCV) program regulations, 24 CFR Part 982, establish basic housing quality standards (HQS) that all units must meet before assistance can be paid on behalf of a family, and at least annually, throughout the term of the assisted tenancy.

Current HQS regulations consist of 13 key aspects of housing quality, performance requirements, and acceptability criteria to meet each performance requirement, which is achieved via inspections completed by the agency. HQS includes requirements for all housing types, including single and multi-family dwelling units, as well as specific requirements for special housing types such as manufactured homes, congregate housing, single room occupancy, shared housing, and group residences. To learn more about HQS regulations, [please visit HUD's website](#).

**Please note:** There are several different options presented on the HUD Exchange. For purposes of this Evaluation, a statement confirming that units were inspected within the most recently completed contract period that is signed by senior leadership will suffice.