

RHODE ISLAND HOUSING
FIRST AMENDMENT TO
RULES AND REGULATIONS
APPLICABLE TO ROADHOME

Section 1. PROGRAM PURPOSES

Rhode Island Housing hereby promulgates Rules and Regulations (the “Regulations”) governing the RoadHome Program (the “Program”). The Program is designed to integrate housing and supportive services for populations who are homeless, or provide limited cash assistance for those at risk of homelessness. These Regulations establish procedures and conditions for Rhode Island Housing’s approval of participation under this program. The Program will be tenant based, flexible in its administration and have at its core, the belief that given appropriate support through community based services, permanent housing can be a reality for many who are currently struggling to find or sustain housing. The intent of the Program is to reduce the population of shelters.

Under the Program, Rhode Island Housing will, subject to funding availability, provide rental and administrative subsidies to Certified Agencies. These Certified Agencies will provide quality, affordable housing, case management services and access to the services outlined in the case management plan. Emergency Housing assistance will also be available for Persons facing a temporary emergency housing crisis.

Section 2. DEFINITIONS

- 2.1 Defined Terms. As used in these Rules and Regulations the following terms shall have the following meanings:
- 2.1.1 “Act” means the Housing and Mortgage Finance Corporation Act set forth in Chapter 55 of Title 42 of the Rhode Island General Laws of 1956, as amended.
 - 2.1.2 “Agency Services” means those services and/or linkages to services provided by the certified agency as outlined in the proposal submitted for certification.
 - 2.1.3 “At Risk of Being Homeless” means families or individuals facing eviction within seven days with no alternate housing opportunities, and is inclusive of persons residing in institutions who have been unsuccessful in locating housing.
 - 2.1.4 “Certified Agency” means an Eligible Agency which has responded to an RFP for certification and has been accepted into the Program.
 - 2.1.5 “Rhode Island Housing” means the Rhode Island Housing and Mortgage Finance Corporation, a public corporation organized and existing under the Act.

- 2.1.6 “Board of Commissioners” means the Board of Commissioners of Rhode Island Housing.
- 2.1.7 “Eligible Agency” means a non-profit, corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code whose mission is to develop affordable housing and/or provide services to the homeless and/or those At Risk of Being Homeless.
- 2.1.8 “Eligible Participant” means a homeless family or individual, or a family or individual At Risk of Being Homeless.
- 2.1.9 “Executive Director” means the Executive Director of Rhode Island Housing or designee.
- 2.1.10 “Homeless” means families or individuals in shelters, victims of domestic violence or living in non-housing situations.
- 2.1.11 “Household” means an individual or group of individuals that share common living facilities within the State of Rhode Island and who, by satisfying the Income Guidelines and Need Threshold limits of the Program, qualify for RoadHome Emergency Housing Assistance Funds as hereinafter provided.
- 2.1.12 “Outcomes” means those measures by which Rhode Island Housing will monitor the Program and determine future funding.
- 2.1.13 “Participant” means a person or family receiving assistance under the Program.
- 2.1.14 “Proposal” means a proposal submitted to Rhode Island Housing for participation in the Program by an eligible agency, in response to a public Request for Proposals (RFP) process.
- 2.1.15 “Resident” means a person who has resided in the state of Rhode Island for no less than 6 months (163 days).
- 2.1.16 “Rental and Service Subsidy” means funds that will be paid monthly to a certified agency and represent the difference between the monthly rent and 30% of the household income plus an administrative fee (to be determined annually by Rhode Island Housing) for case management services. The subsidy will be available upon placement of an eligible participant.
- 2.1.17 “RoadHome Funds” means Funds authorized by the Board of Commissioners, and any other funds provided to the program, including funds from the State of Rhode Island, to be used for tenant based subsidies for a combination of affordable, quality housing, case management services and access to the services included in a case management plan; and/or for emergency housing assistance for persons facing a temporary housing crisis.

Section 3. ROADHOME FUNDING

- 3.1 Funding Allocation. Funding for the Program will be approved by the Board of Commissioners annually.

Section 4. AGENCY CERTIFICATION

4.1 Agency Certification

- 4.1.1 Process for Certification. Eligible Agencies interested in becoming Certified Agencies must submit a Proposal in response to the public Request For Proposals issued by Rhode Island Housing.
- 4.1.2 Rhode Island Housing will review the proposals and certify agencies which fulfill the required criteria for each of the following certifications:
 - (a) Certification to receive the RoadHome housing subsidy and services stipend
 - (b) Certification to act as an Intake Agency, or
 - (c) Certification as a Service Provider.
- 4.1.3 Upon certification for the rental and service subsidy, the agency, its identified units and its service program will be placed on a list from which eligible participants will choose their housing with the assistance of a certified Intake Agency case manager.
- 4.1.4 Criteria for Certification for housing subsidy and services stipend. Eligible Agencies that meet the following criteria will be approved as Certified Agencies:
 - a. The Eligible Agency can provide quality, affordable housing for the targeted population of the Program.
 - b. The Eligible Agency can identify units for the program subsidy.
 - c. The Eligible Agency has the capacity, experience and/or agency linkages to provide a services program which will most appropriately meet the needs of Participants who meet the profile of their targeted population.
 - d. The Eligible Agency has the organizational capacity to ensure Participants can receive a full spectrum of services either directly or through documented partnerships.
 - e. The Eligible Agency has a proven track record of providing services or of cooperation with other agencies which are successful in the provision of services.
 - f. The Eligible Agency has the financial capacity to provide the services and/or linkages necessary for successful case management.
- 4.1.5 Criteria for Certification as an Intake Agency. Eligible Agencies that meet the following criteria will be approved as Intake Agencies:
 - a. The Eligible Agency primarily serves homeless populations.
 - b. The Eligible Agency has the capacity to intake Eligible Program Participants and assist them in accessing

appropriate housing through RoadHome Certified Agencies.

- c. The Eligible Agency has the capacity to input Eligible Participants in the Homeless Management Information System (HMIS).

4.1.6 **Criteria for Certification as a Service Provider.** Agencies certified under section 4.1.4 may partner with Service Providers certified under this section to meet the needs of Program Participants. Eligible Agencies that meet the following criteria will be approved as Service Providers:

- a. The Eligible Agency has the capacity and experience to provide a services program that includes the components outlined in section 4.5.1.
- b. The Eligible Agency has a proven track record of providing services to the Homeless or those at Risk of Homelessness.
- c. The Eligible Agency has the financial capacity to provide the services and/or linkages necessary for successful case management.

4.1.7 **Term of Certification.** Certifications will last for five years. Continued certification is contingent upon satisfactory completion of required monitoring reports and a determination by Rhode Island Housing at the annual evaluation that the delivery of housing and services meets the obligations detailed in the submitted proposal.

4.1.8 **Right to Cancel.** Rhode Island Housing reserves the right to cancel an Eligible Agency's certification at any time if it fails to meet the requirements set forth in these regulations or in its proposal for certification.

4.2 **Eligible Participants:** As funds are limited, Eligible Participants will be entered into the Program on a first come first served basis until all funds are committed.

4.2.1 The following Eligible Participants are eligible for a Rental and Service Subsidy:

- a. Families or individuals in shelters or transitional housing
- b. Victims of domestic violence
- c. Families or individuals living in non-housing situations.

4.3 **Participant Access**

4.3.1 Eligible Participants will access the Program through RoadHome certified Intake Agencies.

4.3.2 Case managers in certified Intake Agencies will work with Eligible Participants to determine whether a Rental and Service Subsidy or

Emergency Housing Assistance is the most appropriate course of action.

4.3.3 If the Eligible Participant requires a Rental and Services Subsidy the intake case manager will review with the Eligible Participant the list of Certified Agencies with the description of the agency's target population, available services, and expected date for an opening.

4.3.4 Eligible Participants will work with the intake case manager to choose the housing and program of services which most closely aligns with their shelter needs.

4.3.5 If housing is not available through the chosen Certified Agency, the Eligible Participant will be placed on a waiting list until housing is available through a chosen Certified Agency.

4.4 Participant Obligations. Eligible Participants for a rental and services subsidy will be accepted based on program participation criteria and acceptance of Participant RoadHome obligations. These obligations include:

4.4.1 The Participant agrees to pay 30% of their income for monthly rent, with a required minimum monthly rent of \$50.

4.4.2 The Participant agrees, upon acceptance of housing, to assist in the development of a case management plan which addresses barriers to self-reliance

4.4.3 The Participant agrees to adhere to the case management plan created with the housing program's case manager.

4.4.4 The Participant agrees that assistance under the Program may be withdrawn if benchmarks are not met.

4.5 Agency Services

4.5.1 Service Requirements. Eligible Agencies seeking certification should be able to delineate a continuum of services for the population they seek to house. The Eligible Agency should be able to provide the services directly or through established partnerships:

a. A comprehensive program framework which moves a client towards housing stability, an increase of skills, greater self-determination and an increasing rent contribution.

b. Services and/or linkages to services should include, but are not limited to: clinical case management, and individual, group and family support counseling.

c. Service delivery components include: employability enhancement and retention, including literacy; parenting education; household and financial management; access to community substance abuse and medical services; and opportunities for community building and integration.

4.6 Subsidy

- 4.6.1 Rental Subsidy. The subsidy which the Certified Agency will receive is the difference between the rent (including utilities) and 30% of the Participant's gross income. If the rent does not include the utilities the amount listed on the Rhode Island Housing utility allowance will be deducted from the rent.
 - 4.6.2 Minimum Rent. A minimum rent requirement of \$50 per month will exist for the Participant.
 - 4.6.3 Services Subsidy. An administrative subsidy to partially offset costs of case management will also be provided to the Certified Agency at a rate to be determined annually by Rhode Island Housing. The services subsidy is provided only when the total tenant payment is less than the certified rent.
- 4.7 Housing Criteria. To qualify for a Housing Subsidy, the housing must meet the following criteria:
- 4.7.1 The unit is one which is of high quality and meets HUD Housing Quality Standards.
 - 4.7.2 The size of the unit is appropriate for the needs of the Participant consistent with HUD guidelines.
 - 4.7.3 The rent for the unit is consistent with rents for comparable units in the same development.
 - 4.7.4 The rent is no higher than High HOME rents as determined by HUD or rents approved by Rhode Island Housing.
- 4.8 Program Monitoring and Enforcement
- 4.8.1 Rhode Island Housing will monitor the Program to insure services and housing are being provided as stated in the Certified Agency's proposal.
 - 4.8.2 Certified Agencies will be subject to periodic reviews by Rhode Island Housing to track program data to be used for evaluation purposes.
 - 4.8.3 Certified Agencies will be required to provide periodic reports and evaluations containing Outcomes and documentation of service as may be requested by Rhode Island Housing. At a minimum these reports shall specify:
 - a. Percentage of Participants experiencing stable housing for a minimum of two years.
 - b. Percentage of Participants that attain key benchmarks for self determination as defined in the case management plan.
 - c. Participants have increased their contribution to the rent payment.
 - d. Number of Participants that leave the Program due to a higher level of independent living.

- e. Number of Participants that assume the full rent cost.

Section 5. EMERGENCY HOUSING ASSISTANCE PROGRAM

5.1 Allocation of Funds.

- 5.1.1 From time to time and subject to funding availability, Rhode Island Housing shall release a Request for Proposals for the awarding of RoadHome Emergency Housing Assistance funds.
- 5.1.2 Agencies which meet at a minimum one of the following criteria will be eligible to submit an application for certification to administer cash assistance.
 - a. Have experience administering a cash assistance program to assist persons who are Homeless or At Risk of Homelessness.
 - b. Have access to, or a working relationship with agencies with access to, other assistance programs that can help Eligible Participants get and sustain housing or increase household income.
 - c. Have the capacity to administer the program in accordance with these rules and regulations.
- 5.1.3 Rhode Island Housing staff will review applications submitted in response to the Request for Proposals and make recommendations to the Board of Commissioners on the allocation of available funds. In reviewing applications, consideration will be given to:
 - a. The capacity of the applicant to administer the funds
 - b. The effectiveness of the applicant in administering prior awards under this section or through similar programs if applicable, including fully utilizing funds awarded, minimizing the program cost-per-client, and meeting all program requirements in a timely manner.
 - c. Ensuring that persons who are Homeless or at Risk of Homelessness in every area of the state will have reasonable access to assistance under the Program.
- 5.1.4 Contract awards for the administration of RoadHome Emergency Housing Assistance funds shall be made by the Board of Commissioners taking into consideration staff recommendations. Contracts shall be for two years, subject to funding availability. Notwithstanding the foregoing, Rhode Island Housing may at any time reallocate among the other Agencies contracted with under this section all or part of any allocation to an Agency.
- 5.1.5 Up to 10% of the amount allocated to an Agency under subsection 5.1.4 may be used by the Agency to defray the costs of administering the Program.

- 5.2 Eligible Households. A household may make application for RoadHome Emergency Housing Assistance funds to any Agency contracted with under subsection 5.1.4. Applications shall be approved only if the

applicant is a Rhode Island resident for no less than 6 months (163 days), and satisfies the Income Guidelines and criteria for Eligible Temporary Housing Crisis established hereunder.

5.2.1 Income Guidelines

The 90 Day Household Income of a Household shall not exceed the 90 day income limits established by the Federal Department of Health and Human Services (“HHS”) under the Low-Income Home Energy Assistance Program (“LIHEAP”) as the same may be revised from time to time. In addition, the 12 month Household Income of a Household shall not exceed 80% of the Rhode Island statewide median income limits, adjusted for family size (the “Statewide Median Income”), as established by the United States Department of Housing and Urban Development (“HUD”), as the same may be revised from time to time. In the event LIHEAP limits are no longer in use or are no longer available Rhode Island Housing may establish new 90 Day Household Income requirements which shall not exceed sixty percent (60%) of the then prevailing Statewide Median Income adjusted to reflect a period of 90 days rather than one year.

5.2.2 Eligible Temporary Housing Crisis. RoadHome Emergency Housing Assistance may be made available to a third party on behalf of a Household solely to meet a documented temporary emergency housing crisis or to move a household from shelter to permanent housing. A documented temporary emergency housing crisis means a threatened or actual loss of housing, demonstrated by appropriate documentation as set forth in section 5.2.5 and 5.2.7 as a result of:

- a. Sickness or disability,
- b. Loss of job and/or income within the 6 month period preceding an application for assistance,
- c. Damage or destruction to a Household dwelling because of fire or the elements,
- d. A need to establish a new residence because of a severe threat of lead paint poisoning to children,
- e. A need to establish a new residence because of severe code violations or condemnation,
- f. A need to establish a new residence because of Domestic Violence in the Household,
- g. A need to establish a new residence because of Foreclosure, or
- h. Such other events or circumstances deemed by an Agency administering RoadHome Emergency Housing Assistance funds as creating a temporary emergency housing crisis, prior to disbursement of funds.

5.2.3 Overcrowding and termination of tenancy, except when caused by one of the factors listed above, shall not be considered a

temporary emergency housing crisis for the purpose of this program.

- 5.2.4 A Household that cannot demonstrate the ability to retain the residence subsequent to the expenditure of RoadHome Emergency Housing Assistance is not eligible to receive RoadHome Emergency Housing Assistance. Such documentation includes, but is not limited to:
- a. bank statements;
 - b. pay stubs of all household income;
 - c. proof /statements for assets;
 - d. copy of award letters (SSI, unemployment, etc)
- 5.2.5 If an applicant is deemed ineligible, the applicant may provide a written request for an appeal to the Executive Director of the Agency to which the applicant applied. Appeals may be submitted only if ineligibility is due to the type of temporary housing crisis. Rhode Island Housing will make the final determination on all appeals.
- 5.2.6 Proof of Temporary Housing Crisis
- a. A threatened or actual loss of housing as a result of sickness, disability, or loss of job and/or income, shall be evidenced by:
 - (i) Notice of “Termination of Employment”,
 - (ii) Pay stubs,
 - (iii) Documentation of Unemployment or temporary disability benefits,
 - (iv) Evidence of reduction in Federal or state benefit or other income support, or
 - (v) Any other documentation that may be considered relevant by the Certified Agencies and approved by Rhode Island Housing, and
 - (vi) Where the Household applicant is a tenant:
 - (1) Five Day Demand Notice for Non-Payment of Rent pursuant to R.I. Gen. Laws 34-18-35 duly signed by the landlord.
 - (vii) Where the Household applicant owns his or her home:
 - (1) “Notice of default” in the payment of amounts due under the mortgage securing such home or other similar notice duly signed by the mortgagee, or
 - (2) “Notice of Tax sale
 - b. A threatened or actual loss of housing due to Domestic Violence shall be evidenced by:
 - (i) Police report,
 - (ii) Protective order,

- (iii) Letter from Domestic Violence Shelter, or
- (iv) Letter from Domestic Violence Counselor.
- c. A threatened or actual loss of housing due to a severe threat of lead poisoning shall be evidenced by:
 - (i) Citation from the Department of Health
- d. A threatened or actual loss of housing due to Fire, the Elements, Severe Code Violations or Condemnation shall be evidenced by:
 - (i) Letter from the city or town,
 - (ii) Citation from the Department on Health,
 - (iii) Insurance records, or
 - (iv) Condemnation notice.
- e. An actual loss of housing due to Foreclosure shall be evidenced by
 - (i) in the case of a tenant, a letter from the purchaser of the foreclosed property providing notice to quit the property or
 - (ii) in the case of the homeowner, the notice of foreclosure
- f. Agencies administering RoadHome Emergency Housing Assistance funds shall obtain such other evidence, certifications, affidavits and verifications as shall be necessary to protect against collusion and fraud against Rhode Island Housing and such Agency by landlords, mortgagees and applicants in determining whether a “threatened loss of housing” exists. Rhode Island Housing may accept alternative methods of documentation on a case by case basis.

5.3 Types of Expenditures for which RoadHome Emergency Housing Assistance shall be Used. RoadHome Emergency Housing Assistance shall be used only to pay rent, to make payments on an outstanding mortgage, to pay a security deposit for leasehold or for any combination thereof. This payment shall be made directly to the third party (landlord, mortgage company) on behalf of the Household

5.3.1 Repayment of RoadHome Emergency Housing Assistance funds. An Agency administering RoadHome Emergency Housing Assistance Funds may, in its sole discretion, require a Household to reimburse such Certified Agency, in whole or in part, for any RoadHome Emergency Housing Assistance funds made to such third party on behalf of the Household.

5.3.2 Assistance Provided: No Household shall be eligible to submit an Application for additional RoadHome

Emergency Housing Assistance funds less than twelve (12) months after the date of the last RoadHome Emergency Housing Assistance made on behalf of such Household. Not more than one adult individual residing in a Household shall submit an Application for RoadHome Emergency Housing Assistance funds on behalf of a Household. No Household shall be eligible to receive RoadHome Emergency Housing Assistance in excess of three times. The maximum amount of assistance to be provided on behalf of any Household shall be:

- a. The actual monthly rent or mortgage payment for up to two months, not to exceed \$1,200, or
- b. A security deposit, not to exceed \$1,200, or
- c. A combination of A and B with the total amount of assistance not to exceed \$1,200.00.
- d. In no case shall the amount of assistance provided exceed the minimum amount needed to resolve the temporary housing crisis.

5.3.3 In the event that a household provided with a security deposit relocates, transfer of the security deposit will be allowed.

5.3.4 Priority will be given to those Eligible Participants that are currently housed in shelters or in non-housing situations.

5.3.5 Agreement between the Agencies administering RoadHome Emergency Housing Assistance funds and Rhode Island Housing. Prior to receiving an allocation of RoadHome Emergency Housing Assistance funds, each Agency shall enter into an agreement with Rhode Island Housing, which shall set forth the amount of such Agency's allocation, methods of accounting and disbursement of RoadHome Emergency Housing Assistance funds, monitoring obligations and requirements, obligations on the part of the Agency to provide Rhode Island Housing with statistical data and reports with respect to the Program. Information included in these reports shall include, but is not limited to, number of households served, client demographic information, number of FIP households served, number of renters and owners served, type of housing crisis, and number of individuals denied. Rhode Island Housing retains the right to withdraw any RoadHome Emergency Housing Assistance funds committed to an Agency that has violated the terms of such agreement or performed inadequately under such agreement.

- 5.4 Responsibility of Agencies administering RoadHome Emergency Housing Assistance funds.
- 5.4.1 Each Agency shall take such steps and require such documentation of applicants as shall be necessary to ensure that Households receiving RoadHome Emergency Housing Assistance payments satisfy the Income Guidelines and Need Threshold Limitations set forth in Section 5.3.2.
- 5.4.2 To the greatest extent possible, Agencies shall leverage RoadHome Emergency Housing Assistance funds by linking clients to other resources that may be available, including but not limited to, rental assistance programs, subsidized housing, opportunities, heating assistance programs, and/or credit counseling.

Section 6. MISCELLANEOUS

- 6.1 Remedies of Rhode Island Housing. Rhode Island Housing may pursue any and all legal or equitable remedies against any person, including, but not limited to, debarment from the Program or other programs of Rhode Island Housing, who (i) knowingly submits incomplete, false or fraudulent information with or on a Proposal or required reports under the Program, or (ii) aids or abets any person in the submission of any such knowingly incomplete, false or fraudulent information,
- 6.2 Use of Program Bulletins, Etc. Rhode Island Housing may, from time to time develop and issue such program bulletins, policy statements and procedural and operating manuals (collectively, “Program Guides”) as shall be necessary to ensure even implementation of the Program, provided such Program Guides shall not be inconsistent with these Rules and Regulations. Copies of all Program Guides shall be available for inspection at the principal office of Rhode Island Housing during the hours of 9:00 a.m. – 5:00 p.m., Monday through Fridays, except holidays.
- 6.3 Termination of Program. Rhode Island Housing reserves the right to terminate the Program at any time and recapture any unspent funds.
- 6.4 Waiver for Good Cause. Upon a determination and finding of Good Cause, Rhode Island Housing may waive any provision of the Rules and Regulations. Good Cause includes the existence of facts and circumstances where the granting of a waiver is (i) necessary to carry out the purposes of the Program, (ii) would not pose an undue financial risk to Rhode Island Housing, and (iii) is consistent with the mission of Rhode Island Housing. Each waiver must be in writing and must be supported by documentation of the pertinent facts and circumstances.

