

Cape and Islands Regional Network on Homelessness

Cape & Islands Continuum of Care (MA-503)

Reallocation Policy – March 26, 2018

BACKGROUND

To ensure the strategic allocation of resources and continued progress toward the goal of ending homelessness, in 24 CFR § 578.105(b)(2) and § 578.107(b)(1)(iv), the United States Department of Housing and Urban Development (HUD) authorizes Continuums of Care (CoCs) to reallocate funds from underperforming, underutilized, redundant, non-cost effective, or obsolete programs to create new projects which:

- meet the eligibility and quality thresholds established by HUD under 24 CFR § 578. 39 through § 578.63
- meet the requirements as set forth in the annual Notice of Funding Availability (NOFA)
- serve new participants, focusing on the most vulnerable chronically homeless
- increase local housing stock, and
- ensure that all resources are being utilized toward achieving the goal of ending homelessness

Under 24 CFR § 578.7(a)(6), CoCs are mandated to consult with grantees and sub-grantees to establish performance targets appropriate for their specific populations and program types, monitor grantee and sub-grantee performance, evaluate outcomes, and take corrective action where performance does not meet expectation.

POLICY STATEMENT

Reallocation is intended to optimize CoC system performance to achieve the following objectives:

- (1) Meet housing needs for persons as identified in the Coordinated Entry System (CES)
- (2) Provide high-quality, effective programming
- (3) Align funded programming with HEARTH Act priorities as defined in § 427 and HUD priorities as defined in 24 § CFR 576.2

TYPES OF REALLOCATION

Reallocation may be self-initiated by a funded agency (voluntary) or initiated by the Cape and Islands Regional Network on Homelessness Policy Board (Continuum-initiated). Decisions related to Continuum-initiated reallocations will be made in accordance with 24 CFR 578.107(a) and (c), which hold each CoC responsible for the performance, fiduciary accountability, and strategic value of each CoC program project included in its annual Collaborative Application.

Project funding may be reallocated in the following ways:

- Funding (in whole or part) from one project into a new project by the same provider
- Funding (in whole or part) from one project into a new project by a different provider
- Funding (in whole or part) from one project into more than one new project
- Funding (in whole or part) from multiple projects into one new project
- Funding (in whole or part) from multiple projects into more than one new project

Self-Initiated (Voluntary) Reallocation - A grantee may voluntarily request reallocation of project funding if:

- (1) The grantee wishes to move funds to a new eligible project or projects,
- (2) The grantee is no longer interested in continuing a project or part of a project, or
- (3) The grantee no longer needs CoC funding as funding becomes available through other sources.

Grantees may request the reallocation of funds by submitting written notification to the MA-503 Collaborative Applicant and HUD Field Office CoC Representative. A grantee wishing to return funds through the voluntary process must do so in accordance with federal and state requirements and develop a transition plan with the Collaborative Applicant and HUD Field Office to minimize disruption to clients whose housing is supported by CoC grant funds.

Continuum-Initiated (Involuntary) Reallocation – Prior to the submission of the Consolidated Application, the Review and Ranking may make recommendations for reallocation to the Collaborative Applicant; however, the Cape and Islands Regional Network on Homelessness Policy Board maintains full authority to reduce or eliminate any project and reallocate funds to new projects, taking into consideration the following factors as referenced in 24 CFR § 578.107(b) through (d):

- a. Audit finding(s) for which a response is overdue or unsatisfactory
- b. History of inadequate financial management
- c. History of other major capacity issues that have significantly impacted the operation of the project and its performance
- d. History of serving ineligible persons, expending funds on ineligible costs, or failing to expend funds within statutorily established timeframes
- e. HMIS non-compliance
- f. Non-alignment with C&I CoC funding priorities and federal and state strategic goals
- g. Poor participation in Coordinated Entry System
- h. Low ranking in the Coordinated Application
- i. Evidence of underutilization/under expenditure of CoC grant award.ⁱ

The Policy Board, through the Collaborative Applicant, will notify project applicants in writing, outside of e-snaps, of decisions as to whether their project application(s) will be accepted and ranked as part of the CoC Application Priority Listing, rejected, or reduced within a specific timeframe as established by HUD and published in the Notice of Funding Availability. When a project application is rejected or reduced, the CoC must indicate the reasons for the rejection or reduction. Provisions at 24 CFR part 578 set forth an appeal process for eligible applicants who believe they were denied the right to participate in a reasonable manner.

As per 24 CFR § 578.35, grantees who have been subject to involuntary reallocation may appeal the decision by filing a written appeal to HUD within 45 days of the date of the

announcement of the award. HUD will notify the applicant of its decision on the appeal within 60 days of receipt of the written appeal.

ⁱ Reallocation due to underutilization of funds/underspending will be determined according to the following methodology:

- (1) Grantees that spend down 90% of their contract amount either (a) during the most recent contract year OR (b) on average over the last three contract years **WILL NOT** be subject to involuntary reallocation for the next grant cycle.
- (2) Grantees that spend less than 90% of the contract amount either (a) during the most recent contract year OR (b) on average over the last three contract years **WILL** be subject to reallocation of funding. The reallocation amount will be calculated as the most recent contract award amount **MINUS** the higher of:
 - a) Most recent spend down amount from the last complete contract year available, **OR**
 - b) Average of spend down amount over the last three contract years **TIMES 1.1** (represents 10% more than the amount spent down during either period).
- (3) Adjustment to Reallocation Amount – Grantees may request an adjustment to the calculated reallocation amount by submitting documentation of:
 - a) A significant change in spending activity, or
 - b) Circumstances with tenants or other factors that will change in the near future and that will have a significant effect on spending activity.