

GOVERNANCE CHARTER AND BYLAWS

ARTICLE I – INTRODUCTION

In accordance with the Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act), enacted into law on May 20, 2009, representatives from organizations that serve homeless and formerly homeless individuals within the City of Long Beach have established a Continuum of Care to carry out planning, coordination, and implementation activities set out in the Code of Federal Regulations Title 24 Section 578 (24 CFR 578) by the U.S. Department of Housing and Urban Development.

ARTICLE II – NAME

The name of this organization shall be “The Long Beach Continuum of Care” and shall hereinafter be referred in these bylaws as “Long Beach CoC.”

ARTICLE III – VISION STATEMENT

Every resident of Long Beach will be able to access safe, decent, and affordable housing, food, and medical services.

Statement of Possibility: The experience of homelessness in Long Beach is rare and brief when it occurs.

ARTICLE IV – MISSION STATEMENT

The Long Beach CoC is collaborative in its approach, embraces diversity and practices innovations city-wide. It is a community-based system of care that effectively plans, manages, and delivers homeless assistance and resources to both individuals and families, at-risk or experiencing homelessness, to promote economic self-reliance and housing stability.

ARTICLE V – PURPOSE

The Long Beach CoC serves as the locally designated primary decision-making group whose purpose and scope is to steward the planning, coordination, and implementation activities of the Continuum of Care (CoC) program as set out in 24 CFR 578. Under the HEARTH Act and 24 CFR 578, the main responsibilities of a CoC include:

1. Operating the CoC system
2. Implementing a Homeless Management Information System (HMIS)
3. CoC Planning
4. Operating a Coordinated Entry System (CES)
5. Preparing Annual Applications for CoC Funds

Long Beach Continuum of Care
Governance Charter and Bylaws

ARTICLE VI – APPENDICES

- Appendix A Governance Structure
- Appendix B Long Beach CoC General Membership
- Appendix C Long Beach CoC Board
- Appendix D Long Beach City Council
- Appendix E City of Long Beach Department of Health and Human Services, Homeless Services Bureau
- Appendix F Subcommittees
- Appendix G Meetings
- Appendix H Long Beach CoC Definitions
- Appendix I Emergency Transfer Plan

AMENDMENT OF GOVERNANCE CHARTER AND BYLAWS

The Governance Charter and Bylaws may be amended upon a two-thirds supermajority vote of the Long Beach CoC Board. The CoC Board reserves the option to extend an open public comment period to the General Membership for input before approval of any changes to the Governance Charter and Bylaws.

The Long Beach CoC Board or appropriate subcommittee will review the Governance Charter and Bylaws annually to determine if changes are desired or required.

In consultation with the City of Long Beach Department of Health and Human Services, Homeless Services Bureau the Long Beach CoC Board shall review, and if necessary, make changes to the Governance Charter and Bylaws annually to improve the functioning of the Long Beach Continuum of Care and maintain compliance with federal regulations.

This Governance Charter and Bylaws shall be effective immediately and perpetually upon the approval of a two-thirds supermajority vote of the Long Beach CoC Board.

The Governance Charter and Bylaws was originally adopted on September 20, 2012.

<u>Reviewed</u>	<u>Updates</u>	<u>Approved</u>
December 18, 2013	Updates Submitted	March 19, 2014
July 31, 2014	No Updates Submitted	October 2, 2014
July 6, 2015	Updates Submitted	November 13, 2015
July 21, 2016	No Updates Submitted	-
April 11, 2017	No Updates Submitted	May 11, 2017
June 11, 2018	Updates Submitted	June 27, 2018
March 5, 2019	Updates Submitted	June 11, 2019
November 14, 2019	Updates Submitted	December 8, 2020
December 9, 2021	Updated Submitted	December 14, 2021
March 22, 2022	No Updates Submitted	April 12, 2022
Pending	Pending	Anticipated July 11, 2023

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CERTIFICATION

The amended Long Beach Continuum of Care Governance Charter and Bylaws were approved by the Long Beach CoC Board on July 11, 2023 (pending)

Co-Chair
Long Beach CoC Board

Date

Co-Chair
Long Beach CoC Board

Date

Homeless Services Bureau Manager
City of Long Beach
Department of Health and Human Services
Homeless Services Bureau

Date

CONTINUUM OF CARE

APPENDIX A

GOVERNANCE STRUCTURE

The Long Beach Continuum of Care (CoC) is comprised of five entities: 1) the Long Beach CoC General Membership, 2) the Long Beach CoC Board, 3) the City of Long Beach Department of Health and Human Services, Homeless Services Bureau, 4) the City of Long Beach City Council, and 5) the Homeless Services Advisory Committee (HSAC).

As the Collaborative Applicant for the CoC program, the City of Long Beach Department of Health and Human Services, Homeless Services Bureau facilitates the roles and responsibilities of the CoC Administrative Entity, HMIS Lead Agency and Collaborative Applicant. The principal office of the Long Beach CoC shall be located at the City of Long Beach Multi-Service Center, 1301 W. 12th Street, Long Beach, CA 90813.



For the purposes of this document, the governance bylaws shall only focus on direct responsibilities of the Continuum of Care and responsibilities of outside entities that are required to implement Continuum of Care related business. The Long Beach continuum recognizes the importance and strong work of the above entities, several of which have their own bylaws and charters.

CONTINUUM OF CARE

APPENDIX B

LONG BEACH CONTINUUM OF CARE GENERAL MEMBERSHIP

ROLE

The Long Beach Continuum of Care (CoC) General Membership is a broad-based group of local stakeholders who share a common interest in ending and preventing homelessness in the City.

MEMBERSHIP

The Long Beach CoC General Membership is comprised of stakeholders from all parts of the region including but not limited to public and private agencies, publicly appointed officials, faith-based organizations, business entities, and Long Beach residents including homeless and formerly homeless individuals. Specific examples include: non-profit organizations, shelter providers, Long Beach CoC subrecipients, ESG subrecipients, homeless services providers, hospital representatives, foundation representatives, educational institutions and early childhood service providers, community representatives, local congregational representatives, business leaders, public housing authority representatives, local government agencies, public safety and law enforcement representatives, and housing providers and developers.

RESPONSIBILITIES

- A. Establish and maintain a CoC Board to lead planning, coordination, and implementation activities related to ending and preventing homelessness in the region.
- B. Facilitate a formal call to the public to invite new general members at least annually.
- C. Seek out and recruit new general members on a recurring basis.
- D. Adhere to the process to elect the Long Beach CoC Board. The process must be reviewed, updated, and approved at least once every five years.
- E. Nominate members to the Long Beach CoC Board annually during the standard election period. Vacancies that occur before the anticipated intended term ends shall be filled by the existing CoC Board via an interim appointment of an eligible CoC general member.
- F. Provide input and feedback to the Long Beach CoC Board, HSAC, and other homelessness-related planning efforts on the needs of persons experiencing homelessness, gaps in service, Long Beach CoC operations, and system performance.
- G. Receive public comment at its meetings on matters related to homelessness within the City of Long Beach.
- H. Inform and support the development of regional plans including the City of Long Beach's Consolidated Plan.
- I. Facilitate information sharing of provider expertise and emerging intervention strategies to reduce homelessness.
- J. Participate in CoC subcommittees, which shall be chaired by a CoC Board member or elected CoC subcommittee member.
- K. Adopt annual funding priorities in advance of the Long Beach CoC NOFO application.

**Long Beach Continuum of Care
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MEETINGS

- A. Long Beach CoC General Membership Meeting
 - i. The CoC Board Co-Chairs shall set the agenda and moderate the Long Beach CoC General Membership meetings.
 - ii. Meetings shall be conducted quarterly on the third Tuesday in March, June September, and December from 1:00 PM – 2:30 PM.
 - iii. The Long Beach CoC Board shall be able to reschedule, postpone, cancel, or modify any of the General Membership meetings at its discretion with proper notice.
 - iv. The meetings shall be held virtually or at the Multi-Service Center, 1301 West 12th Street, Long Beach, CA, 90813, unless otherwise noted.
 - v. Members shall confirm attendance by contacting HomelessServicesAdmin@longbeach.gov.
 - vi. Any individual or organization that attends at least one (1) CoC General Membership meeting shall be considered a member. All members shall have the right to speak at meetings, to address matters before the Long Beach CoC General Membership, subject to the limitations of these Articles and Bylaws, and to participate in Long Beach CoC activities.

CONTINUUM OF CARE

APPENDIX C

LONG BEACH CONTINUUM OF CARE BOARD

ROLE

The Long Beach CoC Board is comprised of elected members with the oversight to steward local planning, coordination, and implementation activities related to ending and preventing homelessness in the region. The elected members must have a strong commitment in understanding and addressing the issues related to homelessness. The activities, affairs, and decisions of the Long Beach CoC Board shall align with the goals of the Long Beach CoC and facilitated under the direction of the City of Long Beach Department of Health and Human Services, Homeless Services Bureau. Eligible Long Beach CoC Board candidates must have at minimum one (1) year of participation in the Long Beach CoC General Membership.

COMPOSITION

The Long Beach CoC Board is comprised of thirteen (13) to seventeen (17) total members. Ten (10) to fourteen (14) of the members shall be elected from the Long Beach CoC General Membership. In addition, the Board shall include three (3) appointed *ex officio* members. During each open election period, the Long Beach CoC shall strive to elect and maintain a full Board of seventeen (17) active members.

The Long Beach CoC Board must be representative of organizations and projects serving individuals and/or families experiencing homelessness that operate within the geographic area of the City of Long Beach. At a minimum, the Long Beach CoC Board must include at least one Emergency Solutions Grant (ESG) subrecipient agency representative, one homeless or formerly homeless person, one person who represents services for children and/or youth, and one person who represents services for LGBTQ+ subpopulation. As such, the following representation shall comprise the Long Beach CoC Board:

- A. Stakeholder representation shall include but not limit to any of the following affiliations: nonprofit homeless assistance providers, survivor (domestic violence) service providers, faith-based organizations, governmental entities, businesses, advocates, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, public safety officials, and veteran-serving organizations.
- B. ESG subrecipient agency: at least one (1) and maximum of two (2)
- C. Homeless or Formerly Homeless Individual: at least one (1)
- D. Representative for Youth focused services (1)
- E. Representative for LGBTQ+ services: at least one (1)
- F. *Ex Officio* Members:
 - a. Homeless Services Advisory Committee (HSAC): one (1)
 - b. Housing Authority of the City of Long Beach: at least one (1)

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- c. Development Services, Housing and Neighborhood Services Bureau: one (1)

MEMBER TYPES

The Long Beach CoC Board shall be comprised of Long Beach CoC General Members and appointed *ex officio* members. *Ex officio* members represent entities within Long Beach whose participation is fundamental to the planning, funding, and policy decisions of the CoC Board. The following entities shall hold *ex officio* membership positions on the Long Beach CoC Board and shall share the same responsibilities as elected CoC Board members with the same voting rights. *Ex officio* members shall be appointed by the chair/director of the entity that they represent.

- A. HSAC
- B. Housing Authority of the City of Long Beach
- C. Development Services, Housing and Neighborhood Services Bureau

RESPONSIBILITIES

- A. Establish, approve, maintain, and update policies for the Long Beach CoC including but not limited to:
 - a. CoC system-wide operations;
 - b. HMIS policies and procedures, privacy plan, security plan, and data quality plan;
 - c. Annual performance standards and evaluation of outcomes for subrecipient projects; and
 - d. Written standards for providing homeless assistance, conflict of interest, recusal, and terms of assistance under ESG, CoC, and other related grant programs.
- B. Establish and support the development of plans to address homelessness in the region by:
 - a. Setting regional goals and priorities for ending and preventing homelessness including but not limited to HUD CoC and ESG targets;
 - b. Leveraging data to inform planning, decisions, and system-wide performance metrics;
 - c. Ensuring a diverse range of stakeholders invested in serving homeless subpopulations are represented in planning and decision-making; and
 - d. Engaging the broader community to build awareness and collaboration on homelessness efforts.
- C. Establish and maintain system-wide funding strategies to end and prevent homelessness including but not limited to:
 - a. Setting priorities in advance of the competitive annual HUD CoC NOFO;
 - b. Authorizing grant applications, raising and allocating funds, and approving sustainability plans;
 - c. Ensuring project compliance with HUD funding regulations for CoC, ESG, HUD VASH programs, and other federal grant programs.
- D. Designate and support the Department of Health and Human Services, Homeless Services Bureau as the HMIS Lead, CES Lead, and the Collaborative Applicant for the HUD CoC Program.
- E. Long Beach CoC Board Members shall be in good standing of the Long Beach CoC General Membership
- F. Review, update, and approve CoC Charter and Bylaws annually.

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- G. Attend the full duration of at least 75% of Long Beach CoC Board Meetings. Attend at least one Long Beach CoC General Membership meeting annually.
- H. Elect Officers for the Board annually including the Co-Chair positions and fill vacancies as needed.
- I. Receive community and public policy updates relevant to homelessness issues.
- J. Receive public comment at its meetings on matters related to homelessness within the City of Long Beach geographic area.
- K. Receive input from HSAC and Long Beach CoC General Membership to develop recommendations on matters related to homeless services-related policies, programs, and funding.
- L. Support the planning of the Sheltered and Unsheltered Point-in-Time Count, Housing Inventory Chart Count, and Gap Analysis.

OFFICERS

The principal Officers of the Long Beach CoC Board shall be two (2) Co-Chairs. City staff shall fill the functions of the Secretary role. Any active CoC Board member is eligible to seek any of the Officer positions during the election period in March every year, which includes elections to the CoC Board and Officer positions. In addition to the aforementioned responsibilities of the CoC Board, the duties and responsibilities of these Officers are as follows:

- A. Co-Chair
 - 1. Set the agenda and facilitate all general, special, and emergency meetings of the Long Beach CoC General Membership and Board.
 - 2. Act and develop recommendations on behalf of the CoC Board that require immediate action before the next CoC Board and General Membership meetings.
 - 3. Act and develop strategies on behalf of the CoC Board in the administration of established policies and programs defined in these bylaws.
 - 4. Evaluate and make recommendations on financial policies, goals, and budget decisions before presenting to the CoC Board for further approval.
 - 5. Shall be members in good standing of the Long Beach CoC General Membership, currently serving or elected to serve on the Long Beach CoC Board and are duly elected through a simple majority by said Board.
 - 6. Shall govern the affairs of the Long Beach CoC General Membership and Board in adhering to these bylaws and with the applicable state and federal laws.
 - 7. Oversee planning, coordination, and implementation activities that furthers the mission and vision of the Long Beach CoC.
 - 8. Review, update and approve the Long Beach CoC Board recruitment process at least once every five years.
 - 9. Attend the full duration of at least 75% of all Long Beach CoC General Membership and CoC Board Meetings.

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B. Secretary

1. Shall be a member of the Homeless Services Bureau.
2. Shall facilitate roll call attendance and votes at each CoC General Membership and Board meetings
3. Shall draft the recorded minutes of the CoC Board.
4. Shall save the minutes after Board approval and maintain appropriate records of the CoC.
5. Attend all CoC General Membership and CoC Board Meetings.

OFFICER AND BOARD MEMBER ELECTIONS AND TERMS OF OFFICE

A. Officer Elections

1. The Co-Chairs shall be elected annually during the standard election period in March by the Long Beach CoC Board through a majority vote of those board members present.
2. Any Board Member in good standing and currently serving on the Long Beach CoC Board may be nominated to serve as Co-Chair. Persons duly elected as Officers shall be seated immediately and shall serve for a one-year term, with the option to serve for a maximum of three (3) consecutive years; at which point, Officers must rotate out for a minimum of one (1) year.
3. Board members may nominate themselves or other board members.
4. In the event a vacancy should occur among the Co-Chair(s) before their one-year term commences, the Long Beach CoC Board may elect an interim to immediately fill the vacancy until the election of a new Officer during the standard election period. The person elected shall serve the unexpired term of the previous Officer and is eligible for re-election of a maximum of three (3) consecutive years exclusive of the time they served as interim.

B. Board Elections

1. Long Beach CoC Board elections shall occur annually in March or in the event a vacancy should occur in a required seat or in the case that the vacancy brings the board below thirteen (13) members the Long Beach CoC Board will declare a special election. The Long Beach CoC Board may elect any eligible candidate from the CoC General Membership as necessary to serve as an interim and fill the vacancy. The elected candidate shall serve the unexpired term of the previous board member and is eligible for re-election at the end of that term. If the time is less than a year and a half, then time spent on the board will not count towards the person's time limit for board membership.
2. Persons who are interested in serving as a board member will have opportunity to inform both the members of the CoC Board, General Membership, and the public of their interest and qualifications for serving on the board. Staff within DHHS will vet and ensure that persons who are nominated understand the responsibilities of being a board member and meet the qualifications of the seat they are interested in filling.

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3. New membership will be discussed and voted for during the CoC Board meeting. Board members who are running for re-election will not have a vote during this process. The person(s) receiving the most votes will be elected to serve on the CoC Board.
4. Board members shall serve staggered 3-year terms and are eligible for re-election after their first term. Board members may serve a maximum of two 3-year terms consecutively. After their second term, Board members will not be eligible for re-election for two (2) years, after which point, they will be eligible for re-election to the CoC Board.
5. CoC General members and incumbent Board members who are eligible for re-election may nominate themselves or other members to the CoC Board.
6. *Ex officio* members of the Long Beach CoC Board shall be exempt from the aforementioned election procedures and term limits and have the option to renew their seat at the end of each three (3) year term indefinitely. *Ex officio* members shall be appointed and replaced at the discretion of the respective entity that they represent.

C. Conflict of Interest Policy:

All Officers and Long Beach CoC Board Members shall annually sign and abide by the Conflict-of-Interest Policy. No Long Beach CoC Board Member may participate in or influence discussions or resulting decisions concerning a sub-recipient award or other cash or in-kind benefits to the organization(s) that the member is affiliated with. Conflict of Interest Policy forms shall be completed annually in April or at start of Long Beach CoC Board placement. Any CoC board member with interest must identify any potential areas of conflict and recuse them from any conversation and vote that may financially benefit them or the organization they have a connection to.

D. Code of Conduct and Recusal Process:

All Officers and Long Beach CoC Board Members shall annually sign and abide by the Code of Conduct Policies. Code of Conduct and Recusal forms shall be completed annually in April or at start of Long Beach CoC Board placement. No board member may participate in or influence discussions or resulting decisions concerning the award of a funding or other financial benefits to the organization that the board member represents. Therefore, any board member(s) participating in or influencing decision-making must identify actual or perceived conflicts of interest as they arise and comply with the letter and spirit of this policy. Disclosure should occur at the earliest possible time and if possible, prior to the discussion of any such issue. Individuals with a conflict of interest should abstain from discussion and voting on any issue in which they may have a conflict. Board member(s) with a conflict of interest, who are the Officers and board members, shall yield that position during discussion and abstain from voting on the item. All voting board members shall have the right to recuse themselves from voting on a matter without providing excuse.

COMPENSATION

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No Long Beach CoC Board Officer or Long Beach CoC Board Member shall be entitled to any form of compensation as a result of their volunteer service on the Long Beach CoC Board.

COMPLAINT PROCEDURE

Any complaint by a member of the Long Beach CoC or any other person regarding any action, policy, or procedure of the Long Beach CoC may be addressed to the Homeless Services Administrative Officer (HSAO) of the Bureau of Homeless Services in the City of Long Beach Department of Health and Human Services, 1301 W. 12th St., Long Beach, CA 90813. Complaints shall be escalated to the Homeless Services Bureau Manager should the issue not reach resolution or pertains to the HSAO.

MEETINGS

B. Long Beach CoC Board Meeting

- i. The Long Beach CoC Board shall meet twice quarterly on the second Tuesday of the months there is a meeting. Meetings will be from 3:00 PM – 4:30 PM.
- ii. The Long Beach CoC Board shall be able to reschedule, postpone, cancel, or modify any of its meetings at its discretion with proper notice.
- iii. The meetings shall be held at the Multi-Service Center, 1301 West 12th Street, Long Beach, CA, 90813 or unless otherwise noted.
- iv. Board members shall confirm attendance by contacting HomelessServicesAdmin@longbeach.gov.
- v. A majority of the seated board members shall constitute a quorum to initiate each board meeting, except to adjourn as provided below.
- vi. A majority of the board members present, whether or not constituting a quorum, may adjourn any meeting to another time and place.

VOTING

Each elected and *ex officio* member of Long Beach CoC Board shall be entitled to one vote for the purpose of making decisions related to the core responsibilities of the Long Beach CoC including elections of the CoC Board and Officers, funding priorities, policy recommendations, and other system-level action items. There will be no absentee voting on election of Long Beach CoC Board Members and Officers. Election of Board Members and Officers will be done by roll call voting. The Co-Chairs, or any other Board Member, may request a roll call vote on specific motions. A record of roll call votes shall be kept and be included in the minutes. Nominations to the Long Beach CoC Board can be submitted by any member of the Long Beach CoC General Membership.

A motion will be considered as “passed” when a simple majority, 50% plus one (1) of the Board Members present vote in the affirmative. Abstentions are considered votes and are therefore not counted as support for the motion. A motion that results in a tie vote does not pass.

CONTINUUM OF CARE

APPENDIX D

LONG BEACH CITY COUNCIL

ROLE

The Long Beach City Council sets policy for the City and maintains approval authority for the execution of contracts and grants for Long Beach CoC programs. City Council considers recommendations on policies, programs and activities related to homeless assistance resources. City Council makes recommendations to the Department of Health and Human Services, Homeless Services Bureau, and Long Beach Continuum of Care.

COMPOSITION

The Long Beach City Council is comprised of publicly elected officials including a Mayor elected at-large and nine Council Members elected by district.

RESPONSIBILITIES

- A. Consider recommendations from the Department of Health and Human Services, Homeless Services Bureau, on behalf of the CoC Board regarding policy and funding recommendations.
- B. Approve the Department of Health and Human Services, Homeless Services Bureau to enter into contract with HUD for annual funding and for HSB to enter into contract with subrecipients on behalf of the Long Beach CoC.
- C. Make recommendations on matters related to homeless services related policy, programs, and funding.

MEETINGS

- C. Long Beach City Council Meeting
 - i. The Long Beach City Council shall meet every Tuesday of each month at 5:00 PM (except for the last Tuesday of the month and unless otherwise noted).
 - ii. The meetings shall be held at City Hall, 411 W. Ocean Boulevard Civic Chambers, Long Beach, CA, 90802 or unless otherwise noted.
 - iii. Members of the public shall have the right to speak at meetings, to address matters before the Long Beach City Council.

CONTINUUM OF CARE

APPENDIX E

CITY OF LONG BEACH DEPARTMENT OF HEALTH AND HUMAN SERVICES, HOMELESS SERVICES BUREAU

ROLE

The Homeless Services Bureau (HSB) is the Lead Agency and “backbone” organization fulfilling the local administrative and planning functions for Long Beach CoC programs, between the City of Long Beach and the U.S. Department of Housing and Urban Development (HUD). The HSB is also the grantee for Long Beach CoC programs and draws upon the Homeless Services Advisory Committee (HSAC), Long Beach CoC Board, and Long Beach CoC General Membership for policy, program, and funding recommendations to the Long Beach City Council.

RESPONSIBILITIES

- A. Provide staff support to the Long Beach CoC General Membership, Long Beach CoC Board, City Council, and HSAC.
- B. Act as the Collaborative Applicant for the Long Beach CoC.
- C. Act as the Unified Funding Agency for the Long Beach CoC.
- D. Serve as the Homeless Management Information System (HMIS) Lead entity ensuring consistent participation by the recipient (HSB) and subrecipients, as indicated in the HMIS policies and procedures, and compliance with HUD requirements for the HMIS.
- E. Administer the Emergency Solutions Grant in conjunction with the City of Long Beach Department of Development Services.
- F. Implement the requirements of the HEARTH Act and applicable federal regulations as mandated by HUD.
- G. Provide oversight for the following:
 - 1. Coordinated entry system, including the Multi-Service Center (MSC).
 - 2. HMIS policies and procedures, privacy plan, security plan, and data quality plan.
 - 3. Annual performance standards and evaluation of outcomes for projects funded under the HUD ESG and CoC Programs.
 - 4. Written standards for providing assistance under HUD ESG and CoC Programs.
 - 5. The Sheltered and Unsheltered Point-in-Time Counts.
 - 6. The annual Long Beach CoC NOFO application process, Housing Inventory Chart, and Gap Analysis.
- H. Monitor all sub-recipients annually on either fiscal, programmatic or performance requirements.
- I. Screen prospective candidates for CoC General Membership, Board, and Officers
- J. Make recommendations for Long Beach CoC funding allocations and reallocations based upon feedback from the CoC Board.

APPENDIX F

SUBCOMMITTEES

PARTICIPATION IN SUBCOMMITTEE

Subcommittees are formed to conduct the business of the Long Beach Continuum of Care. In the course of its efforts, a subcommittee may develop a policy recommendation for the city or may implement new modes of cooperation among its members that will improve outcomes for city residents experiencing homelessness. Subcommittees will strive to set measurable goals for their work and will report at least semi-annually to the Long Beach CoC General Membership on their progress. Each subcommittee will select its own Chair or Co-Chairs.

STANDING SUBCOMMITTEES

- A. The standing subcommittees of the Long Beach CoC include: Policies and Standards; Coordinated Entry System; and Quality, Data, and Performance.
- B. All participating subcommittee members shall have voting rights within that subcommittee.
- C. The chair(s) for each subcommittee will be selected by the CoC Board Co-Chairs or CoC subcommittee members. Each CoC Board member may be assigned to be a member in at least one of the subcommittees.
- D. Subcommittee Chair(s) shall appoint members from the CoC General Membership to their subcommittees. Funded subrecipient agencies can join subcommittees if there is no apparent conflict of interest.
- E. Each subcommittee shall consist of a maximum of seven (7) total members including the Chair(s).
- F. Standing Subcommittees:
 - 1) Policies and Standards Subcommittee
 - i. Review Long Beach CoC Governance Charter and Bylaws on an annual basis, or more frequently as needed, and make recommendations to the Long Beach CoC Board.
 - ii. Review Long Beach CoC Board Census on an annual basis.
 - iii. Review CoC Board and General Membership application process and make adjustments, as necessary.
 - iv. Develop, review, and apply written criteria to screen prospective candidates for CoC General and Board Membership.
 - v. Recruit new Long Beach CoC Board Members and make nominations to the Long Beach CoC Board.
 - vi. Support the onboarding of new Long Beach CoC Board Members.
 - 2) Coordinated Entry System Subcommittee
 - i. Includes representatives from all agencies co-located at the Multi Service Center (MSC) and Long Beach CoC shelter providers.
 - ii. The committee reviews the effectiveness of the coordinated entry and makes recommendations regarding system improvements.

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- iii. Responsible for an annual review of CES policies and making modifications or changes as needed
- 3) Quality, Data, and Performance Subcommittee
 - i. Includes the HMIS Administrator and Agency Administrators from each Long Beach CoC sub-recipient projects.
 - ii. The group will regularly review HMIS policy, performance, and homeless counts/gaps in the Long Beach CoC.
- B. Additional subcommittees, ad hoc committees, and work groups of the HSAC, Long Beach CoC Board, and Long Beach CoC General Membership may be established by the CoC Board to address unmet needs, evaluate capacity building initiatives, and increase Long Beach CoC performance. Ad hoc committees shall have a maximum of five (5) meetings with a focused agenda and end date.

MEETINGS

- D. Subcommittee Meeting
 - i. Each subcommittee shall hold a quarterly standing meeting on the month that the CoC Board is not meeting, which can be rescheduled, postponed, canceled, or modified at the subcommittee Chair(s)'s discretion.
 - ii. The Long Beach CoC Board can call a special meeting to convene any of these subcommittees at any time should action items require a timely decision.
 - iii. The meetings shall be held virtually or at the Multi-Service Center, 1301 West 12th Street Classroom, Long Beach, CA, 90813 or unless otherwise noted.
 - iv. Members shall have the right to speak at meetings and to address matters before the subcommittee.
 - v. A motion shall carry upon the affirmative vote of the majority of the members present at any meeting.

CONTINUUM OF CARE

APPENDIX G

MEETINGS

All meetings of Long Beach Continuum of Care (CoC), including the Long Beach CoC General Membership, Long Beach CoC Board, Long Beach City Council, and subcommittees are subject to Brown Act provisions detailed in Gov. Code, § 54950 et seq. This State law requires all meetings of a legislative body of a local agency shall be open and public, and all persons be permitted to attend any meeting of the legislative body of a local agency, unless a special exception applies. Public comment will be accepted at each meeting, in a manner determined by the chair(s) of that meeting.

A. Long Beach CoC General Membership Meeting

- i. The CoC Board Co-Chairs shall set the agenda and moderate the Long Beach CoC General Membership meetings.
- ii. Meetings shall be conducted quarterly on the third Tuesday in March, June September, and December from 1:00 PM – 2:30 PM.
- iii. The Long Beach CoC Board shall be able to reschedule, postpone, cancel, or modify any of the General Membership meetings at its discretion with proper notice.
- iv. The meetings shall be held virtually or at the Multi-Service Center, 1301 West 12th Street, Long Beach, CA, 90813 or unless otherwise noted.
- v. Members shall confirm attendance by contacting HomelessServicesAdmin@longbeach.gov.
- vi. Any individual or organization that attends at least one (1) CoC General Membership meeting shall be considered a member. All members shall have the right to speak at meetings, to address matters before the Long Beach CoC General Membership, subject to the limitations of these Articles and Bylaws, and to participate in Long Beach CoC activities.

B. Long Beach CoC Board Meeting

- i. The Long Beach CoC Board shall meet twice quarterly on the second Tuesday of the months there is a meeting. Meetings will be at 3:00 PM – 4:30 PM.
- ii. The Long Beach CoC Board shall be able to reschedule, postpone, cancel, or modify any of its meetings at its discretion with proper notice.
- iii. The meetings shall be held at the Multi-Service Center, 1301 West 12th Street, Long Beach, CA, 90813 or unless otherwise noted.
- iv. Board members shall confirm attendance by contacting HomelessServicesAdmin@longbeach.gov.
- v. A majority of the seated board members shall constitute a quorum to initiate each board meeting, except to adjourn as provided below.
- vi. A majority of the board members present, whether or not constituting a quorum, may adjourn any meeting to another time and place.

C. Long Beach City Council Meeting

- i. The Long Beach City Council shall meet every Tuesday of each month at 5:00 PM (except for the last Tuesday of the month and unless otherwise noted).

**Long Beach Continuum of Care
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- ii. The meetings shall be held at City Hall, 411 W. Ocean Boulevard Civic Chambers, Long Beach, CA, 90802 or unless otherwise noted.
 - iii. Members of the public shall have the right to speak at meetings, to address matters before the Long Beach City Council.
- D. Subcommittee Meeting
- i. Subcommittees shall hold a quarterly standing meeting on the month that the CoC Board is not meeting.
 - ii. The subcommittee shall be able to reschedule, postpone, cancel, or modify any of its meetings at its discretion with proper notice.
 - iii. The meetings shall be held virtually or at the Multi-Service Center, 1301 West 12th Street Classroom, Long Beach, CA, 90813 or unless otherwise noted.
 - iv. Members shall have the right to speak at meetings and to address matters before the subcommittee.
 - v. A motion shall carry upon the affirmative vote of the majority of the members present at any meeting.

CONTINUUM OF CARE

APPENDIX H

LONG BEACH CONTINUUM OF CARE DEFINITIONS

LONG BEACH COC

The Long Beach Continuum of Care (CoC) is comprised of five entities: 1) the Long Beach CoC General Membership, 2) the Long Beach CoC Board, 3) the Homeless Services Advisory Committee (HSAC), 4) the City of Long Beach City Council, 5) the City of Long Beach Department of Health and Human Services, Homeless Services Bureau.

As the Collaborative Applicant for the CoC program, the City of Long Beach Department of Health and Human Services, Homeless Services Bureau facilitates the roles and responsibilities of the Long Beach CoC system. The principal office of Long Beach CoC shall be located at the City of Long Beach, Department of Health and Human Services, 1301 W. 12th Street, Long Beach, CA 90813.

LONG BEACH COC GENERAL MEMBERSHIP

The Long Beach Continuum of Care (CoC) General Membership is a broad-based group of local stakeholders who share a common interest in ending and preventing homelessness in the City.

The Long Beach CoC General Membership is comprised of stakeholders from all parts of the region including but not limited to public and private agencies, publicly appointed officials, faith-based organizations, business entities, and Long Beach residents including homeless and formerly homeless individuals. Specific examples include: non-profit organizations, shelter providers, Long Beach CoC subrecipients, ESG subrecipients, homeless services providers, hospital representatives, foundation representatives, educational institutions and early childhood service providers, community representatives, local congregational representatives, business leaders, public housing authority representatives, local government agencies, public safety and law enforcement representatives, and housing providers and developers.

LONG BEACH COC BOARD

The Long Beach CoC Board are elected members with the oversight experience to steward local planning, coordination, and implementation activities related to ending and preventing homelessness in the region. The elected members must have a strong commitment in understanding and addressing the issues related to homelessness. The activities, affairs, and decisions of the Long Beach CoC Board shall align with the goals of the Long Beach CoC and facilitated under the direction of the City of Long Beach Department of Health and Human Services, Homeless Services Bureau. Eligible Long Beach CoC Board candidates must have at minimum one (1) year of participation in the Long Beach CoC General Membership.

**Long Beach Continuum of Care
Governance Charter and Bylaws**

CITY OF LONG BEACH CITY COUNCIL

The Long Beach City Council is comprised of publicly elected officials including a Mayor elected at-large and nine Council Members elected by district. The Long Beach City Council sets policy for the City and maintains approval authority for the contracts and grants for Long Beach CoC programs.

CITY OF LONG BEACH DEPARTMENT OF HEALTH AND HUMAN SERVICES, HOMELESS SERVICES BUREAU

The Homeless Services Bureau (HSB) is the Lead Agency and “backbone” organization fulfilling the local administrative and planning functions for Long Beach CoC programs, between the City of Long Beach and the U.S. Department of Housing and Urban Development (HUD). The HSB is also the grantee for CoC programs and draws upon the Homeless Services Advisory Committee (HSAC), Long Beach CoC Board, and Long Beach CoC General Membership for policy, program, and funding recommendations to the Long Beach City Council.

CONTINUUM OF CARE

APPENDIX I

EMERGENCY TRANSFER PLAN

Long Beach Continuum of Care (CoC) Violence Against Women Act (VAWA) Protections,
Procedures, & Policy



Long Beach Continuum of Care (CoC)

Violence Against Women Act (VAWA) Protections, Procedures, & Policy

This policy requires all permanent housing projects, transitional housing projects, and homelessness prevention programs that provide short- and or medium-term rental assistance, funded by the Long Beach Continuum of Care to establish procedures and protections for persons experiencing domestic violence, dating violence, sexual assault, or stalking in accordance with the requirements set forth in 24 CFR part 5, subpart L, implementing the requirements of the Violence Against Women Reauthorization Act (VAWA)¹ of 2013.

DEFINITIONS (24 CFR 5.2003; 24 CFR 5.2005)

1. **Actual and Imminent Threat:** A physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm could occur.
2. **Abuser or perpetrator:** An individual who has engaged in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking²
3. **Affiliated Individual, with respect to an individual:** A spouse, parent, brother, sister, or child of that individual, or a person to whom that individual stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of that individual); or any individual, tenant, or lawful occupant living in the household of that individual.
4. **Bifurcate:** To divide a lease as a matter of law, subject to the permissibility of such process under the requirements of the grantor and State or local law, such that certain tenants or lawful occupants can be evicted or removed and the remaining tenants or lawful occupants can continue to reside in the unit under the same lease requirements or as may be revised depending upon the eligibility for continued occupancy of the remaining tenants or lawful occupants.
5. **Covered Housing Provider:** The individual or entity under a housing program that has responsibility for the administration and/or oversight of VAWA protections and includes Public Housing Agencies (PHAs), sponsors, owners, mortgagors, managers, State and local governments or agencies thereof, nonprofit or for-profit organizations or entities. The program-specific regulations for the housing programs identify the individual or entity that carries out the duties and responsibilities of the housing provider; that is, depending upon the VAWA duty or responsibility to be performed by a housing provider, the housing provider may not always be the same individual or entity.
6. **Dating Violence:** Violence that is committed by a person:
 - a. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - b. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. The length of the relationship;
 - ii. The type of relationship; and

¹ Notwithstanding the title of the statute, protections are not limited to women but cover victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

² Per HUD Form 5380 Notice of Occupancy Rights

- iii. The frequency of interaction between the persons involved in the relationship.
7. Domestic Violence: Includes, but is not limited to, felony or misdemeanor crimes of violence committed by:
- a. A current or former spouse or intimate partner of the victim³,
 - b. A person with whom the victim shares a child in common,
 - c. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
 - d. A person similarly situated to a spouse of the victim under local domestic or family violence laws, or
 - e. Any other person against an adult or youth victim who is protected from that person's acts under domestic or family violence laws.
8. Sexual Assault: Any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.
9. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- a. Fear for the person's individual safety or the safety of others; or
 - b. Suffer substantial emotional distress.
10. Internal emergency transfer: An emergency relocation of a participant to another unit where the participant would not be categorized as a new applicant; that is, the participant may reside in the new unit without having to undergo an application process.
11. External emergency transfer: An emergency relocation of a participant to another unit where the participant would be categorized as a new applicant; that is the participant must undergo an application process in order to reside in the new unit.
12. Safe unit: A unit that the person experiencing domestic violence, dating violence, sexual assault, and/or stalking believes is safe.

REQUIREMENTS

1. NOTIFICATION REQUIREMENTS

Housing providers shall provide a *Notice of Occupancy Rights Under the Violence Against Women Act* form (HUD Form 5380) and a *Certification of Domestic Violence, Dating Violence, Sexual Assault* form (HUD Form 5382) to applicants and participants at the following times:

- I. When the applicant is denied assistance or admission to permanent housing or transitional housing;
- II. When the applicant is provided assistance or admission to permanent housing or transitional housing;
- III. When a participant is given notification of eviction or notification of termination of assistance;
 - a. Tenant-based rental assistance (TBRA) providers shall ensure that the property owner or manager of the housing provides a *Notice of Occupancy Rights Under the Violence Against Women Act* form and a *Certification of Domestic Violence, Dating Violence, Sexual Assault* form to participants with any notification of eviction.
- IV. When a participant undergoes an annual recertification or lease renewal process. When there will be no recertification or lease renewal for a participant, through written notice.

³ The term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

Housing providers shall make available the *Notice of Occupancy Rights Under the Violence Against Women Act* form and a *Certification of Domestic Violence, Dating Violence, Sexual Assault* form in multiple languages per guidance issued by HUD in accordance with Executive Order 13166. Both forms are available in multiple languages on the HUD Clips website at the following URL:
https://www.hud.gov/program_offices/administration/hudclips/forms/hud5a

2. CONTRACT, LEASE, AND OCCUPANCY AGREEMENT PROVISIONS

Contracts, leases, and occupancy agreements between the housing provider and an owner or landlord of the housing must include the following:

- I. Requirement to comply with protections for participants experiencing domestic violence, dating violence, sexual assault, and/or stalking;
- II. Prohibited basis for denial of assistance.

Housing providers may not deny admission or assistance to an applicant on the basis or as a direct result of the fact that the applicant has experienced or is experiencing domestic violence, dating violence, sexual assault, and/or stalking, if the applicant otherwise qualifies for admission, assistance, participation or occupancy.

III. Prohibited basis for termination of assistance or eviction.

Housing providers may not terminate housing or assistance to a participant on the basis or as a direct result of the fact that the applicant or tenant has experienced or is experiencing domestic violence, dating violence, sexual assault, and/or stalking, if the applicant otherwise qualifies for admission, assistance, participation or occupancy.

IV. Termination on the basis of criminal activity.

Housing providers may not deny a participant tenancy or occupancy rights solely on the basis of criminal activity related to domestic violence, dating violence, sexual assault, and/or stalking by a member of the household, any guest of the participant, or other person under the control of the tenant if the participant, or an affiliated individual (as defined in this policy) of the participant is the victim or threatened victim of the domestic violence, dating violence, sexual assault, and/or stalking.

- V. Housing providers shall not construe an incident of domestic violence, dating violence, sexual assault, and/or stalking as a serious or repeated violation of a lease
- VI. Housing providers shall not construe an incident of domestic violence, dating violence, sexual assault, and/or stalking as good cause for terminating the assistance, tenancy, or occupancy rights
- VII. Except for tenant-based rental assistance, housing providers must require that any lease, sublease, or occupancy agreement with a participant permits the participant to terminate the agreement without penalty if housing provider determines the participant qualifies for an emergency transfer under the housing provider's emergency transfer plan.
- VIII. For tenant-based rental assistance, housing providers must enter into a contract with the owner or landlord of the housing that requires the owner or landlord to:
 - a. comply with the provisions set forth in 24 CFR part 5, subpart L; and
 - b. include a lease provision that include all requirements that apply to tenants, the owner or

the lease under 24 CFR part 5, subpart L, as supplemented by 24 CFR part 578(j)(5), including the prohibited bases for eviction and restrictions on construing lease terms. The lease may specify that the protections only apply while the participant received tenant-based rental assistance under the Continuum of Care Program.

- IX. The housing provider must ensure that the requirements set forth in this policy, 24 CFR part 5, subpart L, and 24 CFR part 578(j) are applied to any contracts, leases, subleases, or occupancy agreements entered into, or renewed, following the expiration of an existing term, on or after the effective the initial release date of this policy. For leases for tenant-based rental assistance existing prior to this date, housing providers must enter into a contract before the next lease renewal.

3. EMERGENCY TRANSFER PLAN

Housing providers must have an emergency transfer plan for participants experiencing domestic violence, dating violence, sexual assault, and/or stalking, based on HUD's model emergency transfer plan (HUD Form 5381). Housing providers must make their emergency transfer plans available upon request and, when feasible, make their plans publicly available. No provisions in the emergency transfer plan supersede any eligibility or occupancy requirements that apply under a housing program.

The emergency transfer plan must indicate that a participant is eligible for an emergency transfer if:

- Participant requests the transfer in writing⁴, and
- Participant reasonably believes there is a threat of imminent harm from further violence if the participant remains within the same dwelling unit that the participant is currently occupying
- In the case of sexual assault specifically, if the sexual assault occurred on the premises during the 90-calendar-day period preceding the date of the request for transfer.

The emergency transfer plan must indicate that to establish eligibility for an emergency transfer under VAWA, housing providers shall only require:

- Participant's written request to the housing provider for an emergency transfer where the participant certifies that they meet the criteria for protections under VAWA⁴
- At the discretion of the housing provider, documentation of the occurrence(s) of domestic violence, dating violence, sexual assault, stalking, and/or human trafficking (in accordance with the Documentation Section of this policy) for which the participant is seeking the emergency transfer, only if documentation of that occurrence has not already been provided.

The emergency transfer plan must:

- Detail priority measures given to participants who qualify for an emergency transfer under VAWA in relation to other categories of participants seeking transfers and individuals seeking placement on waiting lists⁵,
- Incorporate strict confidentiality measures to ensure that housing provider does not disclose location of the participant's dwelling unit to a person who committed or threatened to commit an act of domestic violence, dating violence, sexual assault, or stalking against a participant,
- Detail policies for internal emergency transfers for participants when requested and a safe unit:
 - o Is immediately available; and
 - o Is not immediately available.

⁴ Participants may use an *Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking* (HUD Form 5383) provided by the housing provider.

⁵ See Long Beach Continuum of Care Coordinated Entry System Policy & Procedure: Safety Planning

- Policies for when a safe unit is not immediately available must ensure that requests for such transfers receive, at a minimum, any applicable additional priority that is already provided to other types of emergency transfer requests.
- Detail reasonable efforts for external emergency transfers for participants when requested and a safe unit is not immediately available.
 - Must include policies detailing assistance for participants seeking to transfer out of the housing provider's program or project, and for participants seeking a transfer into the housing provider's program or project. These policies may include:
 - Arrangements, including memoranda of understanding, with other housing providers to facilitate moves; and
 - Outreach activities to organizations that assist or provide resources to victims of domestic violence, dating violence, sexual assault, or stalking.
- Include policies indicating that participants can concurrently request an internal emergency transfer and external emergency transfer when a safe unit is not immediately available.
- Describe policies for participants who have tenant-based rental assistance and who are eligible for protections under VAWA to move quickly while retaining their assistance.
- Include procedures for encouraging participants to take reasonable precautions to be safe while pending processing of the transfer and the actual transfer.

Record Keeping of Emergency Transfers

Housing providers must keep a record of all emergency transfers requested under its emergency transfer plan and the outcomes of these requests. Records must be maintained for a minimum of three years. Records of requests and outcomes must be reported annually to the City of Long Beach Homeless Services Division. The Homeless Services Division will annually report requests and outcomes to HUD.

4. Protections Available to Persons Experiencing Domestic Violence, Dating Violence, Sexual Assault or Stalking

I. Lease Bifurcation

Housing providers may bifurcate a lease, or remove a household member from a lease in order to evict, remove, terminate occupancy rights, or terminate assistance to such member who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault or stalking against an affiliated individual or other individual:

- a. Regardless of whether the household member is a signatory to the lease; and
- b. Without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant

If housing provider exercises option to bifurcate a lease, and the individual who was evicted or for whom assistance was terminated was the eligible tenant under the housing program, the housing provider shall provide to any remaining tenant(s) that were not already eligible 90-calendar days from the date of bifurcation of the lease to:

- a. Establish eligibility for the respective housing program; or
- b. Establish eligibility under another housing program; or
- c. Find alternative housing

The 90-calendar day period can be extended up to an additional 60 calendar days, unless prohibited from doing so by statutory requirements of the program, or unless the time period would extend beyond expiration of the lease.

Lease bifurcation shall be carried out in accordance with any requirements or procedures as may be prescribed by Federal, State, or local laws for termination of assistance or leases, and in accordance with any requirements under the relevant housing program.

II. Efforts to Promote Housing Stability for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking

Housing providers are encouraged to undertake whatever actions permissible and feasible under their respective programs to assist individuals residing in their units who are victims of domestic violence, dating violence, sexual assault or stalking to remain in their units, or other housing providers, and for the housing provider to bear the costs of any transfer, where permissible.

5. CONFIDENTIALITY

All information provided to housing providers concerning incidents of domestic violence, dating violence, sexual assault, and/or stalking shall be kept confidential and shall not be entered into any shared database. Housing providers shall not allow any employees to have access to or disclose any confidential information to any entity or individual, except when the disclosure is:

1. Requested or consented to in writing by the participant in a time-limited release,
2. Required for use in an eviction proceeding or hearing regarding termination of assistance, or
3. Otherwise required by applicable Federal, State, or local law

DOCUMENTATION

If a participant indicates the participant is experiencing domestic violence, dating violence, sexual assault, and/or stalking, the participant is entitled to receive housing protections or remedies eligible of VAWA. In such instances, the housing provider may request in writing that the participant submit written documentation to certify the occurrence of domestic violence, dating violence, sexual assault, and/or stalking within 14 business days. Housing providers may, but are not required to, extend the time to submit the documentation with reasonable discretion. Housing providers shall offer to assist participants with completing the certification form.

The method by which the participant elects to submit as documentation of domestic violence, dating violence, sexual assault, or stalking, is at the discretion of the participant. The following types of documentation are permissible:

1. *HUD Form 5382, Certification of Domestic Violence, Sexual Assault, or Stalking** made available from the housing provider to participants who are seeking VAWA protections from the housing provider;
2. *Document signed by a professional***, defined as a(n):
 - a. Employee, agent, or volunteer of a victim service provider;
 - b. Attorney;
 - c. Medical professional; or
 - d. Mental health professional

from whom the participant sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the grounds for protection and remedies, and that the incidence meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking per this policy;

3. *Record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency**; or*
4. *A statement or other evidence as provided by the participant**, at the discretion of the housing provider.

* Self-certification, **Third-party documentation

A participant need only self-certify in writing to be eligible to receive the respective housing protections, with the exception of when conflicting information/certifications exist (e.g., certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator). When conflicting information/certifications exist, the housing provider may require third-party documentation submitted by the participant within 30 calendar days of request of the documentation.

Record Keeping of Emergency Transfers

Housing providers must keep a record of all emergency transfers requested under its emergency transfer plan and the outcomes of these requests. Records must be maintained for a minimum of three years. Records of requests and outcomes must be reported annually to the City of Long Beach Homeless Services Division. The Homeless Services Division will annually report requests and outcomes to HUD.

LIMITATIONS OF VAWA

1. VAWA does not limit housing providers, when notified of a court order, from complying with court orders with respect to:
 - I. The rights of access or control of property, including civil protection orders issued to protect of victim of domestic violence, dating violence, sexual assault, or stalking; or
 - II. The distribution or possession of property among members of a household.
2. VAWA does not limit any available authority of housing providers to evict or terminate assistance to a tenant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the tenant or an affiliated individual of the tenant. However, the housing provider must not subject said tenant or affiliated individual of said tenant to a more demanding standard than other tenants in determining whether to evict or terminate assistance.
3. VAWA does not limit any available authority of housing providers to evict or terminate assistance to a tenant if the housing provider can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to property of the housing provider would be present if that tenant or lawful occupant is not evicted or terminated from assistance. In this context, words, gestures, actions, or other indicators will be considered an “actual and imminent threat” if they meet the standards provided in the above definition of “actual and imminent threat”. Such an eviction or termination of assistance should be utilized only when there are no other actions that could be taken to reduce or eliminate the threat, including, but not limited to, transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or to develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety must not be based on stereotypes, but must be tailored to particularized concerns about individual residents.



Long Beach Continuum of Care (CoC)

Certification of VAWA Protections, Procedures, & Policy

Project Name

I hereby certify that the above-named Project will comply with the Long Beach Continuum of Care Violence Against Women Act Protections, Procedures, and Policy, and cited federal regulations referenced in said Policy. I acknowledge that the Long Beach Continuum of Care reserves the right to request and inspect policies and procedures in place for these requirements.

Signature of Authorized Agency Official

Date

Name and Title of Signatory (please print)