

MEMORANDUM OF AGREEMENT:

This Memorandum of Agreement is entered into by the
Vermont Coalition to End Homelessness (VCEH),
the **Vermont Agency of Human Services (AHS),**
and the **Vermont State Housing Authority (VSHA).**

VCEH, AHS and VSHA each play critical roles in preventing and ending homelessness within the State of Vermont and the Vermont Balance of State Continuum of Care (VT BoS CoC). This Memorandum of Agreement strives to outline the roles and responsibilities of each entity in an effort to ensure a mutual understanding and strong joint partnership.

The HUD Continuum of Care program is authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381-11389), as amended by the HEARTH Act https://www.onecpd.info/resources/documents/CoCProgramInterimRule_FormattedVersion.pdf (24 CFR Part 578), and designed to:

- (1) Promote communitywide commitment to the goal of ending homelessness;
- (2) Provide funding for efforts by nonprofit providers, States, and local governments to quickly rehouse homeless individuals (including unaccompanied youth) and families, while minimizing the trauma and dislocation caused to homeless individuals, families, and communities by homelessness;
- (3) Promote access to, and effective utilization of, mainstream programs by homeless individuals and families; and
- (4) Optimize self-sufficiency among individuals and families experiencing homelessness.

A Continuum of Care (CoC), as recognized by the U.S. Department of Housing & Urban Development (HUD), is comprised of representatives from relevant organizations within a geographic area to carry out the duties as detailed in the McKinney-Vento Homeless Assistance Act and HUD regulations.

The VT BoS CoC geographic area is recognized by HUD to include all counties in Vermont, with the exception of Chittenden.

VCEH is recognized by HUD as the Primary Decision-Making Group charged with the primary responsibility of managing the overall planning effort on behalf of the VT BoS CoC.

VSHA is recognized by HUD as the Collaborative Applicant designated by and working on behalf of the VT BoS CoC/VCEH and charged with the primary responsibility of coordinating and submitting the annual HUD CoC Notice of Funding Availability Homeless Assistance application.

AHS is recognized by HUD as the HMIS Lead designated by and working on behalf of the CoC to operate the CoC's Homeless Management Information System (HMIS).

The Vermont Coalition to End Homelessness agrees to:

- Act as the Primary Decision-Making Group on behalf of the VT BoS CoC to oversee CoC operational functions and ensure adherence to HEARTH/HUD CoC regulations.
- Hold meetings of the full membership, with published agendas, at least semi-annually.
- Make an invitation for new VCEH members to join publicly available within the VT BoS CoC geographic at least annually.
- Adopt and follow a written process to select a board to act on behalf of the CoC. The process must be reviewed, updated, and approved by the CoC at least once every 5 years.
- Appoint additional committees, subcommittees, or workgroups.
- Support local Continua of Care within the VT BoS CoC to identify and address issues and strengthen capacity.
- Develop, follow, and update annually a governance charter, in consultation with the Collaborative Applicant and the HMIS Lead, which will include all procedures and policies required by HUD; and a code of conduct and recusal process for the board, its chair(s), and any person acting on behalf of the board.
- Consult with Continuum of Care program grant recipients and subrecipients to establish performance targets appropriate for population and program type, monitor recipient and subrecipient performance, evaluate outcomes, and take action against poor performers.
- Participate in the development of performance standards for Emergency Solutions Grants (ESG) projects and evaluate overall ESG program outcomes.

- Establish and operate a coordinated assessment system in consultation with recipients of HUD Emergency Solutions Grants program funds within the geographic area that provides an initial comprehensive assessment of the needs of individuals and families for housing and services.
- Establish and consistently follow written standards for providing HUD Continuum of Care assistance, in consultation with the State Office of Economic Opportunity (OEO), recipient of Emergency Solutions Grants program funds within the geographic area.
- Designate and operate an HMIS: designate an eligible applicant to oversee the Continuum's Homeless Management Information System (HMIS), which will be known as the HMIS Lead; designate, in consultation with the HMIS Lead, a single HMIS software system for the geographic area; review, revise, and approve a privacy plan, security plan, and data quality plan for the HMIS; ensure consistent participation of grant recipients and subrecipients in the HMIS; and ensure the HMIS is administered in compliance with requirements prescribed by HUD.
- Coordinate and support implementation by members of a housing and service system within its geographic area that meets the needs of the homeless individuals (including unaccompanied youth) and families. At a minimum, such system encompasses: Outreach, engagement, and assessment; Shelter, housing, and supportive services; Prevention strategies.
- Plan and conduct, at least biennially, a point-in-time count of homeless persons within the geographic area that meets the requirements established by HUD notice. Publish and publicly promote the results of the Point in Time count within three months of the date of the count.
- Conduct annual gaps analysis of the homeless needs & services available within the CoC.
- Provide information required to complete the Consolidated Plan(s) within the Continuum's geographic area.
- Consult with the Vermont Office of Economic Opportunity (OEO), Emergency Solutions (ESG) grantee, on: the plan for allocating ESG program funds; ESG performance standards; and overall outcomes of ESG-funded activities.
- Design, operate, and follow a collaborative process for the development of applications and approve the submission of applications in response to a NOFA published by HUD.

- Establish priorities for funding projects in the geographic area.
- Designate an eligible applicant to be the Collaborative Applicant to collect, combine and submit the required, consolidated HUD CoC application information from all applicants and for all projects within the geographic area that the CoC has selected for funding.
- The VCEH retains all of its responsibilities, even if it designates one or more eligible applicants other than itself to apply for funds on behalf of the VT BoS CoC. This includes approving the HUD NOFA Continuum of Care application.
- Ensure that any potential and/or perceived conflicts of interest are addressed in an effective, fair, open and timely manner and in compliance with the following requirements established by HUD: procurement; Continuum of Care board members; organizational conflict; other conflicts.

The Vermont Agency of Human Services agrees to:

- Act as HMIS Lead by working on behalf of the VCEH to oversee HMIS operational functions within the VT BoS CoC, including:
 1. Formation of a multi-departmental agency HMIS oversight team comprised of staff from the Department of Mental Health, Office of Economic Opportunity, DCF Economic Services Division, Agency of Human Services Information Technology Unit, and Agency of Human Services Secretary's Office;
 2. Subrecipient administration of HUD CoC HMIS grant;
 3. Contract management for purchase of user licenses from the designated HMIS software vendor;
 4. Supervision of a contract to provide technical administrative support for the geographic area's designated HMIS software and system, to include:
 - a. HMIS user training and technical support for CoC recipients and subrecipients;
 - b. Support fulfilling CoC HMIS grant subrecipient obligations;
 - c. Assistance to VCEH and VSHA to ensure adherence to all HUD HMIS reporting requirements, application and project applications, Point-in-Time Count of the Homeless, Housing Inventory Chart of Homeless Beds;
 - d. Support with implementation of HMIS data quality standards;
 - e. Participation in HMIS strategic planning process;
 - f. Support with HMIS bed utilization report;
 - g. Preparation and transmission of quarterly data exports to the HMIS Lead (in a non-identifiable, de-duplicated format agreed upon by the CoC and HMIS Lead) to be

shared with the VCEH, VSHA, Agency of Human Services and Vermont Council on Homelessness.

- h. Ensure the HMIS is administered in compliance with requirements prescribed by HUD and other relevant federal law, including the Violence Against Women Act (VAWA) 2013.
- Provide administrative support for the Vermont Council on Homelessness to coordinate statewide strategic planning, including development of Vermont's Plan to End Homelessness.
 - Collaborate with VCEH and VSHA to fulfill HEARTH legislation and HUD CoC regulations including: representation on the CoC Board; implementation of a coordinated assessment system; and other federal requirements.
 - Assist the VT BoS CoC/VCEH in its requirements to consult with the State Office of Economic Opportunity on the plan for allocating Emergency Solutions Grants program funds for eligible activities and reporting on and evaluating the overall performance of the Emergency Solutions Grants program.
 - Support the VCEH and VSHA with operation of, and participation in, the Point-in-Time Count of the Homeless and Housing Inventory Chart of Homeless Beds.
 - Collaborate with the Vermont Council on Homelessness and other partners to support and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent such discharge from immediately resulting in homelessness for such persons.

The Vermont State Housing Authority agrees to (funding permitted):

- Continue supporting the VT BoS CoC/VCEH with the provision of substantial in-kind donations towards critical CoC activities to prevent and end homelessness.
- Act in the role of Collaborative Applicant on behalf of the VT BoS CoC/VCEH with primary responsibility to coordinate, complete and submit the annual HUD CoC Consolidated Application and all individual project applications to maximize the application score. VSHA is empowered to contract for assistance as needed.

The VCEH retains all of its responsibilities, even if it designates one or more eligible applicants other than itself to apply for funds on behalf of the VT BoS CoC. This includes approving the HUD Continuum of Care Consolidated Application.

- Provide lead coordination, in consultation with VCEH and AHS, to conduct the annual Point-in-Time Count of the Homeless and Housing Inventory Chart of Homeless Beds.
- Assist the VCEH, AHS, and others to ensure high data quality and compliance of other HUD HMIS requirements, although the primary responsibility of HMIS compliance is retained by the VCEH and AHS (HMIS Lead).
- Continue to maintain administration of applicable HUD-VSHA CoC grants including: grants management; technical assistance and trainings; financial accounting and draw down of HUD funds; coordination and submission of Annual Performance Reports to HUD; and other measures to ensure project and overall compliance with regulations.
- Support VT BoS CoC through participation in management activities of VCEH, although VCEH retains this activity as one of its primary responsibilities.
- Ensure open and fair methods of communication and processes in the monitoring of CoC program grants administered by VSHA to reduce the potential of a perceived or actual conflict of interest, e.g. performance monitoring, etc.

Problem Resolution

Should disagreements arise under this Memorandum of Agreement the parties agree to work to resolve these as quickly and agreeably as possible. While most disagreements can be resolved among the parties, none shall be adverse to requesting assistance from a neutral party if needed.

Amendment or Termination

A signatory party to this Memorandum of Agreement may submit a written request to amend the Agreement. The signatory parties shall then meet without unnecessary delay to consider the proposed amendment. Any party may terminate this Memorandum of Agreement with 30 days prior written notice.

This Agreement may be rendered null and void by changes in federal or state law that prevents any party from fulfilling the terms of the agreement. If this circumstance should arise, the parties agree to notify one another as soon as reasonably possible.

This Agreement shall be reviewed annually, and presented to the VCEH membership for a vote each year, on the date of the VCEH annual meeting. The VSHA and AHS shall ensure that any changes or amendments to this Agreement they wish to propose shall be presented in writing to the VCEH at least two months before the VCEH annual meeting. This Agreement shall not be considered to expire due to delay in any vote to extend it, but shall remain in full force and effect until it is amended or revoked.

This Memorandum of Agreement is hereby agreed to, and executed, as follows:

On behalf of the **Vermont Coalition to End Homelessness:**

_____	_____
Name (print)	Chair, VCEH
_____	_____
Signature	
Duly Authorized	Date

On behalf of the **Vermont Agency of Human Services:**

_____	_____
Name (print)	Deputy Secretary, AHS
_____	_____
Signature	
Duly Authorized	Date

On behalf of the **Vermont State Housing Authority:**

_____	_____
Name (print)	Executive Director, VSHA
_____	_____
Signature	
Duly Authorized	Date