



Local Application Reallocation, Review and Appeal Process

Introduction

The Tulsa City & County Continuum of Care (CoC) known as A Way Home For Tulsa (AWH4T) is responsible for conducting a fair and impartial local application process in order to receive and evaluate CoC proposals for projects to serve those struggling with homelessness. The Tulsa CoC shall establish processes for local project applications, reallocations, reviews and appeals based on HUD criteria established in its Notification of Funding Availability, AWH4T's standards of operations and the priorities set forth by our local CoC Governance Council. Annually, the AWH4T will convene a local Review Panel comprised of knowledgeable individuals selected from the non-profit field, the business community, the local faith community and community service organizations. To avoid conflicts of interest, Review Panel members may not be current or potential applicants for CoC HUD funding and may not be board members, staff, or otherwise have a stake in the projects on a personal or business level. The local Review Panel will make recommendations to the AWH4T Governance Council regarding each renewal or new application submitted in response to the annual HUD Notification of Funding Availability (NOFA). The AWH4T Governance Council will consider the Review Panel recommendations and will make the final determination regarding projects to be included in the consolidated application. Entities that submit new or renewal applications for CoC HUD funding and their board members or staff or anyone that otherwise has a stake in the projects on a personal or business level may not participate in the ranking or funding decision for the CoC application.

Reallocation Process

Reallocation occurs when a CoC shifts all funds from existing projects (or a portion thereof) to create one or more new projects without decreasing the CoC's Annual Renewal Demand. Upon release of the annual NOFA, the CoC will direct agencies with currently funded CoC projects to notify the Collaborative Applicant whether they intend to either submit a renewal for a current project or release existing projects' funds to the CoC for re-allocated funding applications. An existing project may voluntarily elect to forgo filing an application for renewal or the CoC may decide to reallocate funds for those projects it determines to be underperforming, obsolete or ineffective. The Collaborative Applicant will notify the CoC and the local community it serves of the availability of any funds to be released in this manner through reallocation.

Reallocation can only be used to create one or more new permanent housing projects (permanent supportive housing or rapid rehousing) or dedicated HMIS projects. All new projects created through reallocation must meet the eligibility requirements and project quality thresholds established by HUD in the CoC NOFA and the Interim Rule. Under the CoC program competition process, reallocation can only be used to create new permanent supportive housing (PSH) for chronically homeless disabled persons including individuals or families where the head of a household qualifies as chronically homeless while rapid re-housing (RRH) projects must serve homeless individuals, families and unaccompanied youth coming directly from the streets or emergency shelters, or persons that fully meet the criteria of the definition of homeless. All PSH projects must be 100% dedicated to serving chronic homeless with an emphasis on the most long term homeless. Applicants will be made aware that RRH assistance is designed to assist the homeless, with or without disabilities, in moving as quickly as possible into permanent housing and achieving stability in that housing and, as such, it is time-limited, tenant based, individualized and flexible. All dollars except for leasing must be matched at 25%. Projects will also be scored on commitments of leveraged dollars in excess of the 25% match. A minimum of 150% of leveraged funds will be required to receive maximum leverage points.

Agencies that release funds from an existing project will be given the first right of refusal on those funds should they decide to apply for a new eligible project. Otherwise, reallocation will be based on standard competitive factors.

Review Panel Process

The AWH4T Review Panel will consist of no less than three (3) and no more than five (5) voting members. Members will be solicited from the local community by the Collaborative Applicant with the goal of achieving diversity in both the types of organizations and the range of consumer interests represented. One member of the review panel will be designated as the Review Panel Chair. No Review Panel member or his or her immediate family members should currently work for any agency applying for funding or its programs or serve as one of its Board members, staff, volunteers, vendors or subcontractors. A consumer who is also a client of an applying agency may only serve on the Review Panel in an advisory capacity.

Roles of Review Panel volunteers:

- Abide by the policies set forth in the Tulsa Continuum of Care Conflict of Interest/ Confidentiality Agreement.
- Serve on the Review Panel for a term of at least one year which may include separate cycles or meetings for new or renewal project applications.
- Be willing to tour one or more CoC program sites prior to the each year's local application review process.
- Notify the Review Panel Chair or CoC Collaborative Applicant immediately of any situation that would prevent the review panel member from being able to fulfill his/her Review Panel volunteer responsibilities.

- Become familiar with the materials provided in the local Review Panel volunteer packets, including background on HUD programs, CoC processes, the nature of homelessness and the local CoC strategies and priorities to address homelessness.
- Review and evaluate all local CoC applications submitted based on the current Tulsa CoC local review criteria and priorities.
- Provide input to the local application review process and the official ranking recommendation for submission to the AWH4T Governance Council.

Additional roles of the Review Panel Chair:

- Consult with the CoC Collaborative Applicant staff to obtain application review materials and to establish a timeline for completion of the local application review process.
- Conduct an orientation for Review Panel volunteers and distribute information packets to the Review Panel.
- Coordinate distribution of copies of local CoC applications to the Review Panel volunteers.
- Convene meetings of the Review Panel to review and evaluate applications.
- Act as primary liaison between Review Panel volunteers and CoC Collaborative Applicant staff.
- Facilitate the Review Panel's official recommendation to the AWH4T Governance Council regarding each application submitted in the new and renewal project application process.

CoC Collaborative Applicant staff roles:

- Facilitate the development of the local application process and the establishment of the local Review Panel.
- Announce timelines and availability of local CoC application packets to CoC member agencies and potential applicants for new projects.
- Distribute local application instructions and forms to applying agencies.
- Provide technical assistance on application forms and clarification of HUD regulations or local CoC review criteria.
- Receive complete Local CoC applications and coordinate distribution to the Review Panel Chair.
- Facilitate communications between the Review Panel Chair and applicant agencies.
- Provide clarification on HUD regulations or local CoC review criteria. The Collaborative Applicant staff may not directly participate in or otherwise influence the review and evaluation of any agency's local CoC application.

Appeal Process

In the event that an eligible organization files an application for funding under the HUD CoC competition process but has its application rejected by the AWH4T or if an applicant objects to its project's ranking by the Governance Council, it may file a written appeal with the Governance Council within three (3) business days of receipt of the notice of rejection or

ranking. Appeals may only be based on the information contained in the original submission; no new or additional information will be considered.

Pursuant to 24 CFR Part 578 §578.35, in the event that an eligible applicant attempts to participate in the Continuum of Care planning process in the geographic area in which it operates, but is denied the right to do so by the CoC and if the applicant believes that the denial was unreasonable and then submitted a solo application for funding by the application deadline established in the NOFA, that applicant may appeal the decision of the Continuum to HUD. The solo applicant must submit a written notice of intent to appeal, with a copy to the AWH4T's Governance Council, with its funding application. No later than 30 days after the date that HUD announces the awards, the solo applicant shall submit in writing, with a copy to the AWH4T's Governance Council, all relevant evidence supporting its claim, in such manner as HUD may require by Notice. The Governance Council shall have 30 days from the date of its receipt of the solo applicant's evidence to respond to HUD in writing, in such manner as HUD may require, with a copy to the solo applicant. HUD will notify the solo applicant and the Governance Council of its decision within 60 days of receipt of AWH4T's response. If HUD finds that the solo applicant was not permitted to participate in the Continuum of Care planning process in a reasonable manner, then HUD may award a grant to the solo applicant when funds next become available and may direct the Continuum of Care to take remedial steps to ensure reasonable participation in the future. HUD may also reduce the award to the Continuum's other applicant(s).

In the event that an eligible applicant whose application is submitted as part of the CoC planning process is denied funds by HUD, or that funds awarded by HUD are less than originally requested, the applicant may appeal the award by filing a written appeal with HUD, in such manner as HUD may require by Notice, within 45 days of the date of HUD's announcement of the award. HUD will notify the applicant of its decision on the appeal within 60 days of HUD's receipt of the written appeal. HUD will reverse a decision only when the applicant can show that HUD error caused the denial or decrease. Awards and increases to awards made upon appeal in this manner will be made from next available funds.

Failure to follow the above procedures or meet the deadlines established above will result in the denial of an appeal.

In the event that more than one Continuum of Care claims the same geographic area or if a jurisdiction refuses to provide a Certificate of Consistency with its Consolidated Plan, the process outlined in 24 CFR Part 578 to handle appeals related to these instances will apply.