



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

Christopher C. Houston
Chief Counsel

April 9, 2013

Via Email and First Class Mail

Ellen Kramer, Esquire
Legal Director
Pennsylvania Coalition Against Domestic Violence
3605 Vartan Way, Suite 101
Harrisburg, PA 17110

Re: Emergency Solutions Grant Monitoring

Dear Ellen:

With regard to the monitoring of agencies in receipt of Emergency Solutions Grant (ESG) funds, the following are the monitoring protocols we discussed:

1. All files need to be available for review anytime during the contract period by DCED, HUD, and any federal or state agency working on the Commonwealth's behalf for the ESG.
2. Client names, including those of the children and social security numbers may be redacted and replaced with unique identifiers that do not include any part of the name, social security number, or personal information.
3. For properties which house families with children 6 or under and/or with pregnant women ("Covered Person"), the properties must be tested for lead based paint by a certified inspector. The inspection reports must predate the date the unit is occupied and ESG funding is made available for the unit. The inspection reports are to be kept with the file. The property manager of the unit or provider must execute a certification that provides whether or not Covered Persons reside in the unit that would be kept with the file. The certification must include the Title 18 statement, which is set forth below.
4. Paystubs, and other income verification may have the name, social security number, and place of employment redacted but the amount of pay/assistance, time period of the pay/assistance, and type of assistance (SSI, Food stamps, Medical Assistance, etc.) must be viewable.
5. A unique identifier will be used for a landlord and the address of the unit, which is to be included on all documents. The landlord would sign a certification that would carry the

Title 18 statement below indicating that no relationship exists between the landlord and the tenant. That certification would be kept in the file and need not be shown to the monitor, **but only if** the provider signs a statement which includes the unique identifier that the landlord has signed a certification indicating that no relationship exists and that the certification signed by the landlord is in the tenant's file. The certification signed by the provider would also include the Title 18 statement. The amount of rent and security deposit of the unit being rented cannot be redacted. The monitor must verify that the required inspections were carried out on the units and that rental assistance is proper based on the amount of rent and/or security deposit listed on the required lease.

6. Separate case notes dealing with housing placement, budget counseling, maintaining a unit and the housing stabilization plan need to be kept by the case manager to verify that this is being completed monthly as required by the grant. These notes must be made available to the monitor but any other notes dealing with the domestic violence issues, court appearances, or family history do not need to be in the file for ESG.
7. If any other housing assistance services such as, mitigation or legal services, are provided through the use of ESG funding those notes must be available for confirmation that the services provided pertain to housing issues only. Also the provider of the services, hours of service, and amount charged cannot be redacted as financial monitoring will be necessary to verify hours of services for the amount charged to the program.
8. Prior to the start of the monitoring the agency will provide the state agent the listing of unique identifiers, from which a random sampling will be chosen by the state. This listing will be given to the agency no less than two weeks prior to monitoring. These files will be pulled by the agency for review by the monitor. If issues arise during the review of these files, all files may need to be reviewed by the monitor and shall be made available at the time of request.
9. Monitoring will take place in the agency's office that provided the assistance. Not necessarily the administrator of the grant.
10. The state agent will sign a form of confidentiality upon starting of the monitoring.
11. A representative of the agency may be present during the entire length of review.
12. No copies of any document from the specific file will be made and any notation on required monitoring forms by the state agent will use the unique identifier without reference to an address.

The Title 18 statement that must be included on the certifications in paragraphs 3 and 5 is:

“Any false statements made knowingly and willfully may subject the signer to penalties under Section 1001 and 1010 of Title 18 of the United States Code.”

Please confirm that the above sets forth your understanding of the ESG monitoring process. It is anticipated that monitoring will commence in June; however, we will be including these items in the application instructions no later than May 1. We thank you for your assistance in reaching a workable resolution.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. Houston", written over a horizontal line.

Christopher C. Houston
Chief Counsel

CC: Mary J (MJ) Smith, Chief, Technical Support and Program Development Division
Ed Geiger, Director, Center for Community Financing