Georgia Balance of State Continuum of Care Governance Charter

I. Overview

The Georgia Balance of State Continuum of Care (generally referenced in this document as "BoS CoC" or "Continuum") is the group composed of representatives of relevant organizations that are organized to plan for and provide, as necessary, a system of outreach, engagement, and assessment; emergency shelter; rapid re-housing; transitional housing; permanent housing; and prevention strategies to address the various needs of homeless or at risk of homelessness persons for a specific geographic area (named next paragraph). This group serves as the U.S. Department of Housing and Urban Development's (HUD) recognized decision making body for the Continuum rule at 24 CFR 578, Subpart B, entitled "Establishing and Operating a Continuum of Care."

The geographical area currently covered by the BoS CoC includes the 152 counties not covered by eight (8) local Continuum plans. Local Continuum plans exist for the City of Atlanta, Fulton County, DeKalb County, Cobb County, Athens-Clarke County, Augusta-Richmond County, Savannah-Chatham County, and Columbus-Muscogee County. Contact information for each of the local Continuum can be found on the HUD Exchange at: https://www.hudexchange.info/programs/coc.

This Charter outlines the broad organizational structure and general work of the BoS CoC and is organized as follows:

- Mission and Goals
- Membership and Membership Responsibilities
- Board Selection, Structure and Governance
- Committee Responsibilities - General
- Standards, Rating and Project Selection Committee
- Homeless Management Information System (HMIS) Committee
- Membership and Rules Committee
- Assessment, Placement and Services Committee
- Collaborative Applicant Responsibilities
- HMIS Lead Responsibilities
- Procedures

For the Balance of State Continuum of Care, this Charter calls for more than one applicant, and further herein, designates a "Collaborative Applicant." Subject to oversight by the Standards, Rating and Project Selection Committee, the Collaborative Applicant shall have the authority to submit the Continuum application and to apply for planning funds (24 CFR 578.9). No Unified Funding Agency is established for the BoS CoC pursuant to 24 CFR 578.11.

II. Mission and Goals

The BoS CoC shall align and evolve its mission and goals in order to remain consistent with the Federal Strategic Plan and with the United States Interagency Council on Homelessness plan entitled "Home, Together" to work towards ending homelessness in Georgia. The mission of Georgia's BoS CoC is to work with stakeholders throughout its geographical area to design effective strategies and solutions with the goals of:

- Ending homelessness among Veterans;
- Ending chronic homelessness among people with disabilities;
- Ending homelessness among families with children;
- Ending homelessness among unaccompanied youth; and
- Ending homelessness among all other individuals.

The BoS CoC will work to implement a systematic response that ensures homelessness is prevented whenever possible or, if it can't be prevented, it is a rare, brief, and one-time experience.

To maximize effectiveness, the Continuum will often work in collaboration with other entities outside of the Continuum, such as Georgia's other Continua and relevant stakeholders, to help create integrated, state and community-wide strategies and plans to prevent and end homelessness; provide coordination among the many regional organizations and initiatives that serve people experiencing homelessness across Continuum of Care geographical areas; and to prepare the comprehensive grant application to HUD for the Continuum of Care Program.

While ending homelessness remains the Continuum's overarching goal, the Continuum is laser-focused on immediately (same day) moving all unsheltered persons to a shelter or otherwise safe location (hotel/motel, etc.). At the same time, and with a priority on best practices for rapid re-housing, the Continuum will persistently focus its efforts on mitigating the trauma of homelessness by working with all stakeholders to immediately link persons to appropriate homeless and mainstream services and to shorten the length of time that persons remain unsheltered or in shelters. Further priority will be

placed upon moving all homeless persons to stable housing that optimizes self-sufficiency. The only exception to this goal is for individuals, typically not families, for whom transitional housing is the most appropriate intervention. In this case, the move to transitional housing will take place as quickly as possible.

The Balance of State Continuum of Care is a very large Continuum. The distance from Rising Fawn in Georgia's northwest corner to Saint Mary's in the southeast is 440 miles. Full meetings of membership will be held at least twice annually. Full membership meetings may be held either in or near the geographical center of the state, or may be accomplished through smaller regional meetings strategically placed to accommodate the large geography of the Balance of State Continuum of Care. Full membership meetings may also be available by webinar (24 CFR 578.7(a)(1)).

In addition to continuum-wide meeting efforts, the Continuum will work to understand and address homelessness through locally and regionally-driven, collaborative processes that include regional meetings, attendance at local coalition meetings, and work with communities participating in the State's Georgia Institute for Community Housing initiative, etc., as well as diligence in meeting HUD and Federal Interagency Council goals.

III. Responsibilities of the Continuum

A. Membership

Membership shall consist of interested individuals and representatives from relevant organizations within the geographic area. Ongoing efforts will be made to solicit open membership from relevant organizations including nonprofit homeless assistance providers, victim service providers, faith-based organizations, governments, local chambers of commerce, local development authorities, businesses, advocates, local housing authorities, school districts, social service providers, mental health agencies, hospitals, colleges, technical schools, universities, affordable housing developers, landlords, law enforcement, and organizations that serve veterans and homeless and formerly homeless individuals.

Proactive member recruitment efforts will take place at least semi-annually through targeted emails to parties associated with relevant organizations. In addition, there will be an open membership recruitment process posted on the collaborative applicant's website at https://dca.georgia.gov/affordable-housing/homelessness-assistance/georgia-balance-state-continuum-care/continuum-care.

To remain in good standing, Continuum members are expected to attend not less than one membership meeting per year. For Continuum Members who serve as a member

of the Board, Committee or Subcommittee, attendance at those governance meetings constitutes annual participation expectations for membership purposes. Members must also adhere to the code of conduct requirements (conflict of interest, rules of order, etc.) established by the Membership and Rules Committee. Among other requirements established by the Membership and Rules Committee, no member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefit to the organization that the member represents. Otherwise, members may be subject to sanctions by this Committee that may include loss of voting privilege, termination of committee or subcommittee assignments, or other actions consistent with policy established and interpreted by the Committee, including membership termination, which is anticipated only in the most egregious cases.

The work of the BoS CoC will be accomplished through a comprehensive process that includes full membership, regional, board and committee meetings. The Continuum will develop and implement an online voting system for members. Full membership votes shall be taken according to the following process:

- An initial vote for ratification of the Charter;
- Periodic votes to elect “at large” members of the Board; and
- Review and/or update the Charter’s process for Board selection not less than once every five (5) years (24 CFR 578.7(a)(3)).

B. Governing Board

The process for Board selection shall take place as follows, in accordance with 24 CFR 578.7(a)(3).

The BoS CoC Board of Directors (hereinafter referred to as “Board”) is the governing body of the Balance of State Continuum. Considerations for board representation include expertise and experience in homelessness, geographic distribution, diversification of interests, provider perspective, the perspective of homeless persons, limiting/managing conflicts of interest, and other relevant factors. Board members must be relevant -- meaning that they must live or work in the geographical area of the BoS CoC. By accepting a Board position, all Board members by definition also become Continuum members.

The Board shall consist of twenty-one (21) members. To assure a strong start, continuity over the longer-term, and to mitigate the potential for liability claims against individuals serving on the Board, thirteen (13) appointments will be made by state agency heads. All of these appointments must be “relevant” to the Continuum (providing homeless funding, services, mainstream services that serve homeless persons, or providing other indirect services to homeless persons or to community

organizations in the Continuum), and otherwise qualified, as outlined in this Charter and by applicable HUD regulations.

The BoS CoC Board membership shall be established as follows:

- Two (2) appointments by the State agency with lead responsibility for coordination of the Emergency Solutions Grants (ESG) Program, and for the provision of, and planning for, housing and housing related matters;
- Two (2) appointments by the State Housing Trust Fund for the Homeless Commission;
- One (1) appointment by the Membership and Rules Committee who is homeless or formerly homeless. This appointment shall be initially made by the Department of Community Affairs;
- One (1) appointment by the State agency that was designated by the General Assembly to focus solely on policies, programs, and services for people with mental illness, substance use disorders, and developmental disabilities;
- One (1) appointment by the State agency that was designated by the General Assembly to combat family violence and to develop a comprehensive state plan for ending family violence in Georgia;
- One (1) appointment by the State agency responsible for effectively managing adult offenders and providing opportunities for positive change;
- One (1) appointment by the State agency responsible for providing leadership and service to local school systems;
- One (1) appointment by the State agency responsible for working with public and private partners in building a workforce system that contributes to Georgia's economic prosperity;
- One (1) appointment, specific to assist in addressing housing and homelessness among Veterans, made by the State agency with lead responsibility for the provision of, and planning for housing and housing related matters;
- One (1) appointment by the State agency responsible for child welfare and the well-being of families;
- One (1) appointment by the State agency responsible for preventing disease, injury, and disability, and promoting health and well-being;
- One (1) appointment by Clayton County with lead responsibility for coordination of the ESG Program;
- One (1) appointment by Gwinnett County with lead responsibility for coordination of the ESG Program;
- One (1) appointment by Macon-Bibb County with lead responsibility for coordination of the ESG Program; and

- Five (5) elected by full membership; one from each of the five (5) GA Department of Community Affairs' "Super Regions" (see Exhibit A).

Appointments must be made by the senior executive of each organization responsible for making an appointment(s). Appointments may be recommended by the Membership and Rules Committee. To encourage geographic representation among Board appointments, and inasmuch as is possible, agency heads will be encouraged to choose appointees from regional staff or from others living or working within the BoS CoC. As previously noted in this Charter, appointing state agencies may make appointments from within or from outside the agency. All appointments will be subject to approval by the Membership and Rules Committee.

The Membership and Rules Committee shall develop and implement a process for the nomination and election of "at large" Board members from each of the five (5) DCA super-regions. All appointments will be subject to approval by the Membership and Rules Committee based upon criteria established by that Committee.

The responsibilities of the Board include:

- Following its initial ratification by membership, and in consultation with the Collaborative Applicant and the HMIS Lead, update and follow the Georgia Balance of State Continuum of Care Governance Charter [24 CFR 578.7(a)(5)]. Exception: The Board selection process outlined in the Charter may only be revised by a vote of membership;
- Publish agendas on the DCA Continuum of Care website and hold meetings as necessary to carry out the work of the Continuum. Full membership meetings must be held at least twice annually [24 CFR 578.7(1)];
- Appoint standing committees outlined in this Charter, as well as additional committees, as necessary, and in collaboration with its committees, manage the work of the "Collaborative Applicant," and "HMIS Lead" [24 CFR 578.7(4)].
- Appoint Committee members;
- Act on recommendations of Continuum Committees; and
- Set Priorities for the Continuum based on solely upon committee recommendations.

Board procedure shall be established as follows:

- From its membership, the Board shall appoint a Chair and a Vice-Chair. The Chair of the Membership and Rules Committee shall serve as the Ethics Officer of the Board but may or may not be a member of the Board. The Board shall be governed by this Charter, and otherwise by *Roberts Rules of Order*. Board terms shall be for three years. Initially, however, to ensure continuity, initial terms will

be staggered (3, 4, and 5 years), as determined by the Membership and Rules Committee. Absent reappointment or a new appointment, Board Members shall continue to serve indefinitely following the end of their term. There shall be no limit on terms of service. Board members may be terminated by the Membership and Rules Committee for reasonable cause. Reasonable cause includes, but is not limited to, the presence of a conflict of interest that cannot be mitigated or if attendance at meetings does not meet standards established by the Membership and Rules Committee.

- Meetings of the Board shall be held as called by the Collaborative Applicant, and each meeting shall be attended by the Collaborative Applicant. Meetings may be attended either in person, via Webinar, or by phone. Meetings must be called at least seven (7) calendar days in advance and are open to the public. Meeting notices shall be distributed to all Continuum members and posted by the Collaborative Applicant on the DCA Continuum of Care website.
- A quorum shall require that at least fifty percent (50%) of the entire board membership is present. Assigned proxy can be used.
- The affirmative vote of a majority of the Board members in attendance at a meeting shall be the act of the Board if a quorum is present.
- The Chair, or the person acting as Chair, shall only vote in the event of a tie vote from other Board members.
- A record shall be kept of attendance and all motions, votes and actions taken by the Board.
- For business matters that the Chair determines require immediate action between regularly scheduled Board meetings, the Chair may call for a vote from Board members via email. An affirmative vote of a majority of the Board members via email shall be the act of the Board. A record of any motions, votes, and actions taken via email will be entered into the record at the next regularly scheduled meeting of the Board. It is the intention of this provision that email voting will be utilized only when a business matter cannot wait until the next regularly scheduled Board meeting.

C. Committees and Subcommittees

General Requirements for All Committees

While decisions for the Continuum will be made by the Board, the work of the Continuum will generally be carried out by Committees, and as appointed by Committees, Subcommittees. Committee members may be recommended to the Board by Committees themselves, but all Committee appointments shall also be “members” of the Continuum with formal appointment of each by the Board. Board members may

also, and are encouraged to, serve on Committees. All subcommittee appointments may be made by the appropriate Committee. Each Committee may establish a Committee Chair and the Chair, or his/her designee, must make a good faith effort to attend all Board meetings at which content from the relevant committee are discussed.

Subcommittees are formulated by committees in order to add specific expertise and to develop special recommendations to the committee. Expertise may come from outside the Continuum geography, so logically, subcommittee appointments (made by members of each Committee) may or may not be members of the Continuum.

Formal Committee meetings must be called and attended by the Collaborative Applicant. The Collaborative Applicant will maintain Committee records. With the exception of the Membership and Rules Committee, Committees are responsible not for decision-making, but for making recommendations to the Board.

The Board may appoint Committees as it deems necessary to carry out the work of the Continuum, but at a minimum, BoS CoC Committees shall include the following:

- Standards, Rating and Project Selection Committee;
- HMIS Committee;
- Membership and Rules Committee; and
- Assessment, Placement and Services Committee.

At its discretion, the Board may expand the work of these Committees and/or appoint other Committees with special purposes associated with priorities such as ending chronic, veterans, family and youth homelessness, coordination with educational and family violence providers, etc.

1. Standards, Rating and Project Selection Committee

The Standards, Rating and Project Selection Committee shall be responsible for developing and recommending written standards for all phases of BoS CoC and Emergency Solutions Grants programs for Board approval. In accordance with the goals of the Continuum, these written standards shall prioritize assistance and placement for persons and families who are chronically homeless, persons with disabilities, and persons with the highest number of barriers to placement and stable housing (24 CFR 578.9(a)(2)).

Acting on behalf of the Continuum, and as a part of its duty to “design, operate and follow a collaborative process” in response to a HUD NOFA, the process established by this Committee and due diligence in its implementation shall serve as “approval for submission” of the BoS CoC by the Collaborative Applicant (24 CFR 578.9(a)(1)).

These written standards will be developed in consultation with the Collaborative Applicant, the Continuum's four (4) ESG entitlement jurisdictions [Clayton County, Gwinnett County, Macon-Bibb County and the State of Georgia (Georgia Housing and Finance Authority (GHFA)] and with stakeholders throughout the Continuum, including Continuum recipients and subrecipients, shall be updated annually, and shall be approved by the Board (24 CFR 578.7(a)(9)). Standards shall reflect the goals of the Continuum which are also consistent with the HUD Strategic Goals, the McKinney Vento Act, and with the USICH "Home, Together" plan.

Written standards will be established for all prevention, outreach, shelter, rapid re-housing, transitional, supportive service, and permanent supportive housing programs that serve homeless or near homeless persons in the Continuum (24 CFR 578.7(a)(9)(i)-(vi)).Among other requirements, these standards will include criteria for ESG and CoC programs, as follows:

- Policies and procedures for evaluating household eligibility;
- Policies and procedures for determining appropriate transitional, permanent supportive (including rapid re-housing and permanent supportive housing), or other housing placement; and
- Rental payment standards for the Continuum's rapid re-housing programs.

The standards will reflect priority for project type and performance and outcome criteria. Standards shall include scoring criteria for project applications and renewal applications, as well as monitoring criteria and accompanying policy surrounding poor performance to be implemented by the Collaborative Applicant (24 CFR 578.7(a)(6)).

The Standards, Rating and Project Selection Committee shall evaluate the outcomes of ESG and Continuum of Care programs as described in the Georgia Balance of State Continuum of Care Policies and Procedures document, and as possible other programs within the Continuum, and report those outcomes to the Board, Continuum membership, to HUD, and to others (24 CFR 578.7(a)(7)).

This Committee shall also be responsible for developing the semi-annual "point in time count," as well as the annual shelter and transitional housing count methodologies. The Committee shall determine gaps in housing and services, consult with ESG entitlements on the allocation of funds in accordance with 24 CFR 578.7(c)(5),and develop and implement a rating and selection system for Continuum projects. This Committee, or a subcommittee that it may choose to appoint, is further responsible for review of

Continuum of Care applications. The work of this Committee may also include tasks assigned by the Board (24 CFR 578.7(c)(2)-(3)).

For this Committee, the Membership and Rules Committee shall review all appointments, and direct conflicts of interest will not be allowed. Perceived conflicts of interest will be disclosed and mitigated through a process established by the Membership and Rules Committee.

2. Homeless Management Information Systems (HMIS) Committee

The HMIS Committee will be responsible for communicating HMIS needs of the Continuum and for assisting the Board with management and oversight of the HMIS Lead and the Continuum's HMIS implementation. This Committee, in consultation with the Collaborative Applicant, and as appropriate, the HMIS Lead, shall have further responsibilities, as follows (24 CFR 578.7(b)):

- As may be necessary, making recommendations to the Board on changes to the HMIS system, HMIS Lead, and HMIS applicant utilized by the Continuum;
- Reviewing policies and procedures and making recommendations for a privacy, security, and data quality plan to the Board;
- Monitoring the Continuum's compliance with HMIS requirements prescribed by HUD (24 CFR 587.7(a)(5));and
- Monitoring participation in HMIS by users throughout the Continuum.

3. Membership and Rules Committee

Unlike any of the other committees, the Membership and Rules Committee will act with a great deal of autonomy. It will provide checks and balances for the Continuum and operate with absolute authority over all matters related to:

- Development and operationalizing the Continuum's "Conflict of Interest and Recusal Policy" (24 CFR 578.7(a)(5)) and process, as required by HUD rule at 24 CFR 578.95 (see Exhibit B). The initial Conflict of Interest and Recusal Policy and Code of Conduct Policy was approved on May 21, 2015. The Code of Conduct Policy includes code of conduct provisions for all members. Both policies will be updated no less than every two (2) years and reviewed with the Board annually;
- The exercise of judgment over the selection of Board members in order to assure that prospective members are qualified;
- Assurance that there is geographical dispersion and diversity among Board members; and

- Ethics and parliamentary procedure while carrying out its duties to provide Board oversight.

The Membership and Rules Committee will have ultimate responsibility for making sure that appointments meet HUD and Continuum rules around diversity in the selection of Board members so that “relevant organizations” will be included.

The Membership and Rules Committee will create criteria for conducting elections of Board Members. The Committee will work with appointing authorities to assure relevance and diversification in Board appointments. It may develop criteria for selection, verify that candidates meet said criteria, and must ratify all appointments.

This Committee may serve, as necessary, as a nominating committee for Board appointments, as well as for candidates for election. The Committee shall monitor service by all Continuum and Board members and shall set terms for all Board members. The Committee shall also review, and as necessary, propose revisions to the criteria for Board selection not less than once every five (5) years. Revisions to Board structure must be presented to the Board for approval, and once approved, ratified by a majority vote of membership.

The Membership and Rules Committee will act on complaints filed against the Continuum in accordance with 24 CFR 578.7 and 24 CFR 578.9 and report on all complaints and actions to the Board. As necessary, Committee recommendations will be presented to the Board for mitigation.

In consultation with the Collaborative Applicant and the HMIS Lead, this Charter shall be updated by the Committee and approved not less than annually by a majority vote of a quorum of the Board. For substantial updates to this Charter, as determined by this Committee, a majority vote of Continuum membership must be obtained.

4. Assessment, Placement and Services Committee

The Assessment, Placement and Services Committee will be primarily responsible for identifying and seeking to maximize and coordinate mainstream and homeless services as well as housing resources available for homeless and near homeless persons throughout the Continuum. Together with the Collaborative Applicant, the Committee will develop written standards for assessment and program admissions within the Continuum.

The Committee will develop policy to be approved by the Board and will work to ensure that the Continuum's system of care meets the needs of homeless individuals and families by seeking to implement comprehensive prevention, outreach, engagement, assessment, shelter (or other short-term housing), transitional (very limited), and permanent housing strategies throughout its broad geographical area. The group served will also include persons fleeing family violence, including victims of dating or sexual assault, and/or stalking, as well as unaccompanied youth.

This work will include identification of ongoing gaps in housing and service resources, as well as barriers to housing (including barriers to housing choice) and services that limit the ability of homeless persons to access and sustain stable housing. The Committee will work in partnerships with all stakeholders (including educational liaisons, family violence staff, public housing officials, etc.) at local, regional, state and federal levels in order to identify resources to fill identified gaps in housing and services.

Specific work of this Committee will center on measures that will enable the Continuum's homeless service providers to do the following:

- Implement plans within their programs that will affirmatively further fair housing, per 24 CFR 578.93(c);
- Prevent involuntary separation of families experiencing homelessness within the Continuum; and
- Best collaborate with Georgia Department of Education officials and with homeless liaisons and others associated with local school systems in order to maximize the availability of HUD McKinney resources for housing and services (including prevention) for families with school age children, as well as to measure the mainstreams services of the school system in order to further stabilize families in housing.

The Committee will recommend (and may oversee the development of) training for Continuum providers. It will monitor changes and proposed changes to funding programs and other public assistance at all levels (local, regional, state and federal) for diminished programs and benefits, as well as stricter eligibility requirements that limit access to ongoing benefits that may either (1) limit the Continuum's ability to place and serve homeless persons in stable housing, or (2) lead to further destabilization of fragile populations currently housed.

The Collaborative Applicant will troubleshoot system access issues on a state, local and regional basis, and will coordinate/collaborate closely with the Committee. Working closely with the Collaborative Applicant, the Assessment, Placement and Services

Committee will be responsible for oversight related to meeting the HUD mandate for "coordinated or centralized intake and assessment" under 24 CFR 578.7(a)(8). The Coordinated Entry (CE) Written Standards, CE Diversion and Prevention Screening Tool, CE Regional Planning Guide, and other related documents that were initially approved on June 20, 2017.

D. Collaborative Applicant

In accordance with HUD's Continuum of Care Interim Regulations, the Georgia Department of Community Affairs (DCA) is designated as the Collaborative Applicant. The Georgia Housing and Finance Authority (GHFA) is a state authority attached to DCA, and for administrative purposes, DCA may transfer legal authority, at its discretion, to GHFA in the future. At its discretion, the Collaborative Applicant shall have the authority to apply for planning funds from HUD.

DCA shall provide comprehensive oversight for the Continuum in order to meet HUD's rule for Continua of Care and to assure that requirements are met for the annual HUD Continuum of Care funding competition. DCA shall collaborate with other Georgia Continua and shall provide administrative support for the Board, all Continuum committees, and maintain CoC policies and procedures that shall be updated as necessary to assure the sound operation of and the success of the BoS CoC. DCA shall work to build awareness for and public/stakeholder confidence in the Continuum and will publicize its work.

For the Continuum DCA will maintain membership lists, conduct membership recruitment campaigns targeted to stakeholders, publish agendas for membership meetings, and assist the Board in conducting meetings of full membership not less than twice annually (24 CFR 578.7(a)(1)-(2)). DCA shall update and maintain the Continuum's website with meeting notices, a list of Board members, Board meeting minutes, downloads of documents related to Board actions, and other related documents. The website shall also include an open invitation and process for membership.

DCA's work with the Board will include, but will not be limited to, providing or securing meeting space, calling meetings, providing notice to Board/Continuum members and others, technology for conference call or web meeting capacity, recordkeeping, assisting the board with draft policies and updates (including updates to this Charter) as directed by the Board, and other duties assigned by the Board or as necessary in order to meet Continuum compliance requirements or other standards established by HUD.

DCA shall serve as staff to all Continuum committees, call meetings, develop agendas, keep records of committee meetings, provide technical assistance and monitor

recipients of funds, and assist with research and the development of plans and documents for each committee. Working with the Standards, Rating and Project Selection Committee, DCA will seek outside funds for, and will provide staff oversight and training for the semi-annual unsheltered point in time count and the annual shelter survey (24 CFR 578.7(c)(2)).

The Collaborative Applicant will provide lead staff for the Continuum's planning by working with stakeholders Continuum-wide through state-wide, regional and local meetings (onsite and/or web-based) as well as attendance at local and regional events, local coalition meetings, etc. This includes coordination and implementation "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 the following: (i) Outreach, engagement, and assessment; (ii) Shelter, housing, and supportive services; and (iii) Prevention strategies" (24 CFR 578.5(c)).

DCA will meet the Continuum's obligations through the HUD rule to coordinate with ESG Entitlements (Clayton, Gwinnett, Macon-Bibb, and State), and to collaborate with and provide information to complete plans for the HUD Consolidated Planning jurisdictions (the cities of Albany, Brunswick, Dalton, Gainesville, Hinesville, Macon, Rome, Valdosta, Warner Robins, the counties of Cherokee, Gwinnett, Clayton and Henry, and the State) within the Continuum (24 CFR 578.7(c)(4)).

DCA will collect and combine all required application information from projects within the Continuum, prepare, and submit the annual Continuum application to the Board for approval and then to HUD.

E. Homeless Management Information Systems (HMIS) Lead

The Georgia Housing and Finance Authority (GHFA), a state authority attached to the Georgia Department of Community Affairs (DCA), is designated by the Georgia Balance of State Continuum of Care as the HMIS Lead for the Continuum.

The roles and responsibilities of the HMIS Lead, as well as the roles and responsibilities of the CoC, as they relate to HMIS matters, are outlined in the "Georgia HMIS Bylaws," which were approved by the CoC HMIS Committee and the CoC Board.

GHFA shall attend all HMIS Committee meetings and coordinate closely with this Committee in all of its work.

GHFA shall have the authority to apply for and administer Continuum funds for HMIS in accordance with all HUD requirements. GHFA, in working with the Continuum's HMIS

Committee, shall review, revise and approve a privacy, security and data quality plan (or plans) for the Continuum's HMIS.

GHFA shall exercise required due diligence in order to assure that the Continuum's HMIS is administered in compliance with all present and future HUD requirements, and it shall ensure consistent participation by all HUD McKinney-funded recipients and subrecipients in the Continuum. For non-HUD funded Continuum agencies, GHFA shall work with those agencies as well as their funders to maximize HMIS participation.

Lastly, GHFA will work to maximize the use of HMIS data in order to meet the Continuum's obligations through the HUD rule to coordinate with ESG Entitlements (Clayton, Gwinnett, Macon-Bibb and State) and HUD Consolidated Planning jurisdictions (the cities of Albany, Brunswick, Dalton, Gainesville, Hinesville, Rome, Valdosta, Warner Robins, and the counties of Cherokee, Gwinnett, Clayton. Henry, and Macon-Bibb) within the Continuum.

Exhibit A: Georgia Balance of State Continuum of Care Super Regions

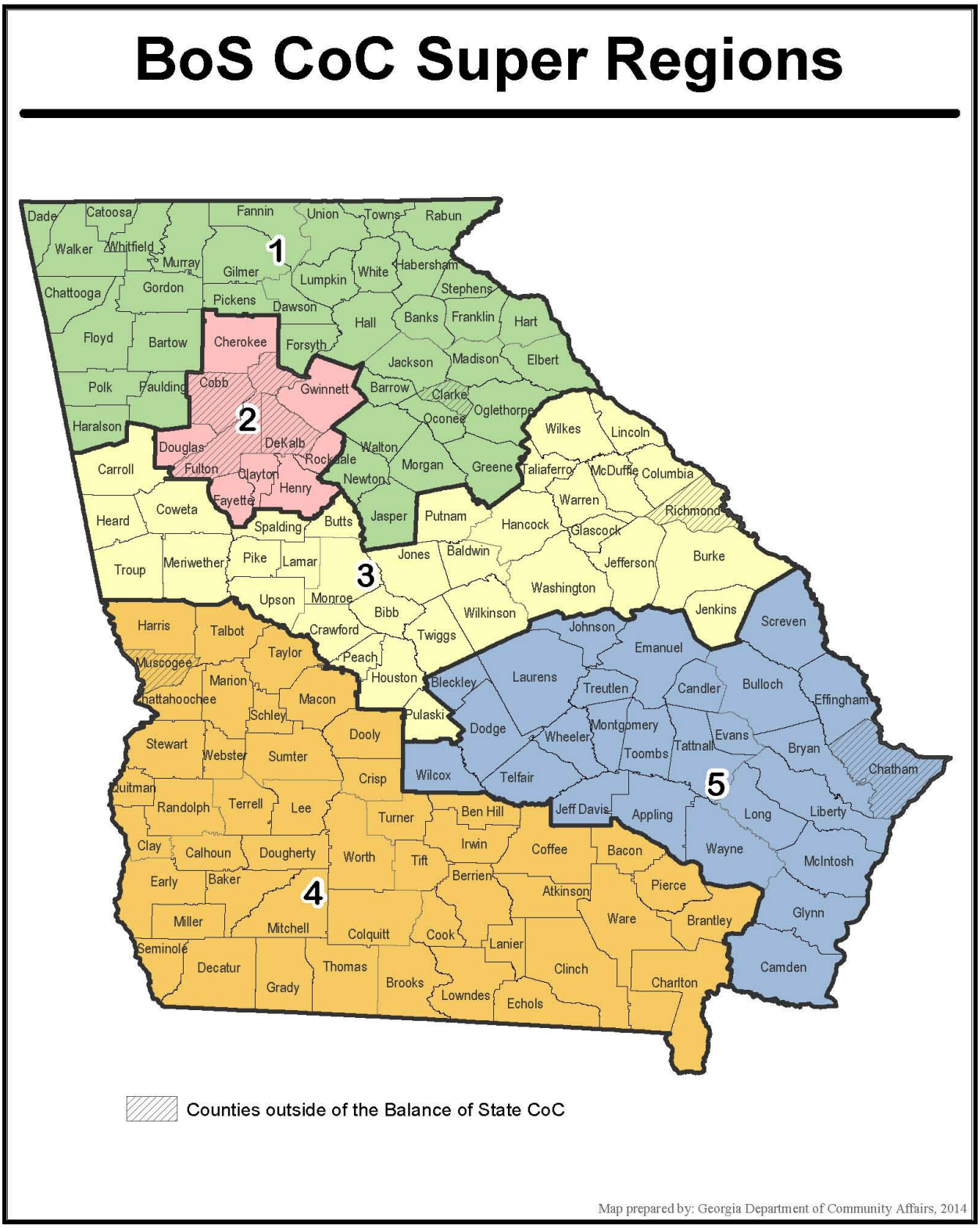

Exhibit B: Conflicts of Interest

24 CFR 578**.95 Conflicts of interest.**

(a) Procurement. For the procurement of property (goods, supplies, or equipment) and services, the recipient and its subrecipients must comply with the codes of conduct and conflict-of-interest requirements under 2 CFR 200.317 and 200.318.

(b) Continuum of Care board members. No Continuum of Care board member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.

(c) Organizational conflict. An organizational conflict of interest arises when, because of activities or relationships with other persons or organizations, the recipient or subrecipient is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance under this part, or when a covered person's, as in paragraph (d)(1) of this section, objectivity in performing work with respect to any activity assisted under this part is or might be otherwise impaired. Such an organizational conflict would arise when a board member of an applicant participates in decision of the applicant concerning the award of a grant, or provision of other financial benefits, to the organization that such member represents. It would also arise when an employee of a recipient or subrecipient participates in making rent reasonableness determinations under §578.49(b)(2) and §578.51(g) and housing quality inspections of property under §578.75(b) that the recipient, subrecipient, or related entity owns.

(d) Other conflicts. For all other transactions and activities, the following restrictions apply:

> (1) No covered person, meaning a person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or its subrecipients and who exercises or has exercised any functions or responsibilities with respect to activities assisted under this part, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under this part, may obtain a financial interest or benefit from an assisted activity, have a financial interest in any contract, subcontract, or agreement with respect to an assisted activity, or have a financial interest in the proceeds derived from an assisted activity, either for him or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or during the one-year period following his or her tenure.

(2) Exceptions. Upon the written request of the recipient, HUD may grant an exception to the provisions of this section on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph (d)(2)(ii) of this section, provided that the recipient has satisfactorily met the threshold requirements of paragraph (d)(2)(ii) of this section.

(i) Threshold requirements. HUD will consider an exception only after the recipient has provided the following documentation:

(A) Disclosure of the nature of the conflict, accompanied by a written assurance, if the recipient is a government, that there has been public disclosure of the conflict and a description of how the public disclosure was made; and if the recipient is a private nonprofit organization, that the conflict has been disclosed in accordance with their written code of conduct or other conflict-of-interest policy; and

(B) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law, or if the subrecipient is a private nonprofit organization, the exception would not violate the organization's internal policies.

(ii) Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements under paragraph (c)(3)(i) of this section, HUD must conclude that the exception will serve to further the purposes of the Continuum of Care program and the effective and efficient administration of the recipient's or subrecipient's project, taking into account the cumulative effect of the following factors, as applicable:

(A) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;

(B) Whether an opportunity was provided for open competitive bidding or negotiation;

(C) Whether the affected person has withdrawn from his or her functions, responsibilities, or the decision-making process with respect to the specific activity in question;

(D) Whether the interest or benefit was present before the affected person was in the position described in paragraph (c)(1) of this section;

(E) Whether undue hardship will result to the recipient, the subrecipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict;

(F) Whether the person affected is a member of a group or class of persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class; and

(G) Any other relevant considerations.