

Texas Department of Housing and Community Affairs



Homeowner Assistance Fund (HAF) Subrecipient Activities

Onboarding Manual

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Texas Homeowner Assistance Fund (TXHAF)

ONBOARDING MANUAL

INTAKE CENTERS / HOUSING COUNSELORS / LEGAL SERVICES

Background

President Biden signed the American Rescue Plan Act into law on March 11, 2021, which created the Homeowner Assistance Fund (HAF) overseen by the US Treasury. Through HAF, Treasury has awarded Texas with \$842,214,006.

The purpose of the HAF is to prevent mortgage delinquencies and defaults, foreclosures, loss of utilities or home energy services, and displacement of homeowners experiencing financial hardship due to COVID-19. Funds from HAF may be used for assistance with mortgage payments, homeowner's insurance, property taxes, utility payments, and other specified purposes. Treasury required that all state recipients of HAF submit a HAF Plan. The Texas HAF Plan was approved by Treasury on January 27, 2022.

The Department is using HAF funds to address the needs of financially distressed homeowners in the state of Texas. The funds are being used in several components; the most significant portion of funds are available directly to homeowners who apply through the HAF website.

However, another portion of funds has been dedicated to supporting providers of certain categories of services. These Subrecipients do not receive actual HAF assistance to pass through to eligible households, but instead will receive HAF funds to support one of several administrative services to help households access the HAF funds. Subrecipients will help the program effectively reach and serve eligible homeowners throughout the state, including those in more rural areas and in areas with concentrations of non-traditional mortgage loans. The Department will contract with Subrecipients to serve as intake centers providing application assistance, legal services, and/or housing counseling services to homeowners.

Program Goals

The goal of TXHAF is to mitigate financial hardships associated with the coronavirus pandemic by preventing homeowner mortgage delinquencies, defaults, foreclosures, and displacements of homeowners experiencing financial hardship.

To meet these goals TDHCA is using Subrecipients to support homeowners across the state in navigating the TXHAF program by providing the following services:

- Intake Center Services
- Housing Counseling Services
- Legal Services

Subrecipients can provide one or more services depending on the capacity and mission of the Subrecipient. The following manual provides guidance for each role separately in areas that are distinct

for that function while combining where the requirements are the same, (i.e., performance management, recordkeeping, reporting, etc.). TDHCA reserves the right to adjust the procedures detailed in the following document but will make best efforts to communicate these changes in a timely manner.

All Subrecipients participating in the TXHAF program are required to participate in three onboarding trainings – Training one is Program Overview, Training two is Housing Contract System, and Training three is Fraud Prevention Training. This manual is an essential part of the onboarding training and operations of the program through Subrecipient agencies. It addresses the following topics:

- Application Management
- Reporting Requirements
- Programmatic Recordkeeping Reports
- Forms Distribution and Control
- Individual Case Filing/Case Filing format
- Housing Counselor Collaboration
- Referral Information to be used for Legal Services and Housing Counseling

General

The following sections apply to all contracted Subrecipients regardless of the service provided. Additional and unique guidelines specific to intake centers, housing counseling providers, legal services providers and outreach services can be found in their corresponding sections.

Governing Requirements

The following regulations establish federal and state requirements. Relevant legal authority includes, but is not limited to, the following as now in effect or as amended in the future:

- [2 CFR Part 200 \(OMB Super Circular\)](#) (ecfr.gov)
- [Texas Grant Management Standards \(TxGMS\) \(for Units of Government\)](#)
- [Texas Administrative Code: Title 10, Part 1, Chapters 1 and 2](#)

If state or federal statutes or regulations, or other laws, relating to the TXHAF program funds are modified by the United States Congress, Treasury, the Department, the Texas State Legislature, or the Governor, the changes may become effective immediately and may be applicable to existing contracts executed between TDHCA and Subrecipients.

If there is a conflict between the state and federal regulations, the federal regulations shall prevail. In addition, the Department reserves the right, at its sole discretion, to suspend or amend the provisions governing this program. If such an action occurs, the Department will notify interested parties. Awards are also contingent upon the Department executing a grant agreement from the Treasury for the TXHAF funds.

Financial Management

Subrecipients must demonstrate to the satisfaction of the Department that they are in compliance with the financial management requirements at 2 CFR Part 200, including the single audit requirements of 2 CFR §200.501. All Subrecipients are subject to the requirements of 10 TAC §1.403, concerning Single Audits. If a Subrecipient utilizes a Subawardee the Subrecipient is responsible for monitoring the Subawardee's financial management systems in accordance with 10 TAC §1.402.

Housing Contract System

All TXHAF Subrecipients are required to use TDHCA's Housing Contract System (HCS) as its method for reporting and for requesting payments under the Contract. Training is available on how to correctly use and access the HCS on the [HAF Training Videos and Webinars](#) webpage. HCS access request form, direct deposit form and reporting templates are located on the [HAF Program Guidance](#) webpage.

Direct Deposit Information Procedures

When a Subrecipient requests to change direct deposit information the Contract Manager will contact the Subrecipients financial POC listed in your application to obtain a verbal verification of the direct deposit change. The Contract Manager will then send the [verification/direct deposit form](#) to accounting to complete the change. Please ensure that any changes in your points of contact are updated with your Contract Manager to ensure there is no delay in requests.

Fidelity Bond Requirements

All TXHAF Nonprofit Subrecipients and any nonprofit subgrantee shall maintain adequate fidelity bond coverage as set forth in 10 TAC §1.406. The fidelity bond must be for a minimum of \$10,000 or an amount equal to the contract if less than \$10,000. The bond must be obtained from a company holding a certificate of authority to issue such bonds in the State of Texas. Subrecipients may use Administrative funds to pay for this coverage or a proportional amount of coverage if the coverage is for more than the TXHAF program funds.

Performance Requirements

All contracts with Subrecipients, in Exhibit A. Section VIII, clearly specify the service area in which the Subrecipient is required to provide contracted services.

TXHAF Weekly Virtual Forum and Open Office Hour

Every week, Subrecipients will have the opportunity to meet virtually to communicate with TXHAF staff and with each other about the TXHAF program during rotating bimonthly forums and/or open office hour. Any and all topics related to operating the program will be covered (i.e., applicant scenarios, general questions, program news, updates, etc.) during the forums. TDHCA will use this community group to communicate with intake centers, and/or providers of housing counseling services, legal services providers, and TXHAF staff about upcoming calls, as well as information received from Treasury. Attendance is not required but it is highly recommended that representation from each agency attend the forum for the first eight (8) weeks of the program. Subrecipients are expected to share any content of

these forums with their staff to ensure that all staff engaging with households have the most current information available. Open Office Hour is a time that Subrecipients can drop-in to discuss issues or ask questions that impact their staff and/or applicants.

Program Overview

Intake Center

Intake Centers play a key role in the application process for homeowners that need support in completing the application. This could be for several reasons, including access to internet, need for accommodations because of disability, or just a general need for support in completing the application.

Application management begins with the manner of handling applications as they are received and by their accuracy when entered into the TXHAF Application Portal. Quick data entry and complete applicant information represent two keystone elements of an intake center representative to manage the processing of applications.

To assist homeowners effectively and efficiently when entering applications into the Application Portal, all staff performing debt to income (DTI) intake at intake centers will be required to complete the following webinar trainings:

- A. Mortgage Relief Homeowner Representative for Intake Centers and Housing Counselors
 1. This webinar is intended for intake centers and will include a live demonstration and training on the Homeowner Representative Portal
 - i. Offered every other Wednesday at noon (CT)
 - ii. Registration Link – [Homeowner Representative](#)
- B. Mortgage Relief Case Management Webinar
 1. This webinar presents the workflow of all case management roles and how to navigate a case from a New Status to an Approved / Denied status. It will include dashboard overviews for case managers, case auditors, and case supervisors.
 2. Offered bi-weekly, every other Tuesday at 3:00 PM – 4:00 PM (EST)
 3. Registration Link – [Case Management](#)

In addition to providing assistance to homeowners in applying for HAF assistance, intake centers will be responsible for community outreach and education efforts. See the Outreach section of this manual for more details.

Intake Centers will only be funded for the period in which direct assistance HAF funds are still available for applicant households. The Department will provide thirty (30) calendar days written notice by electronic mail or in accordance to Subrecipient when the total amount of TXHAF funds requested by applicants has reached an amount that is 90% of the funds available to Eligible Homeowners. Legal Services and Counseling services may extend beyond that time.

Scope of Services

Intake Centers have two deliverables pertaining to Application Management. They include:

- A. Conduct targeted outreach to Eligible Homeowners with Highest Need within the local community
- B. Provide intake and application assistance to eligible homeowners

Services required by Subrecipients for TXHAF application intake assistance include but are not limited to:

- A. Provide translation services and have a Language Access Plan (LAP) for persons with limited proficiency in speaking or writing English.
- B. Have the technological capacity to deliver application intake assistance within thirty (30) calendar days of Award.
- C. Have the ability to conduct meetings via Zoom, MS Teams, or other virtual meeting platforms.
- D. Have the ability to exchange information and documents via secure email or file exchange system, which will be provided by Department.
- E. Have robust policies and procedures in place for handling and disposing of Personally Identifiable Information (PII) that are compliant with the contract.
- F. Have policies and procedures in place for the recovery of the destruction of program information as a result of natural or man-made disaster.

Processes and Procedures

Intake Process

The intake process and application assistance services include:

- Performing a basic review of the household's eligibility to ensure they are able to receive intake assistance from the Subrecipient
- Answer in person, phone, and electronic inquiries from potential applicants
- Refer phone and electronic inquiries from potential homeowners to the HAF Call Center
- Provide application assistance in person, by phone or virtually which may include educating the household on the different program benefits and identifying documents for submission
- Complete the application on behalf of an applicant as a Homeowner Representative
- Serve as a liaison for each homeowner throughout the application process until the case is concluded (either by payment of assistance or denial)

The intake center staff will assess prospective homeowner's documentation to determine if all required documents appear present, but will not predetermine eligibility, or the availability of funds and shall not represent their role in assisting with the application process, as being a prequalification or pre-approval. Intake centers must provide services and staff in English and Spanish.

Application Methods

All applications for HAF assistance from households must be submitted online in the TXHAF Application Portal. Paper applications will not be accepted. It is recommended that the Homeowner Representative work directly in the portal when working with the applicant. If the situation precludes the Homeowner

Representative and applicant from accessing the portal (i.e. no internet access at the location), a paper copy of the application is available for information gathering purposes *only*. *Paper applications will not be accepted*. The Homeowner Representative is responsible for daily reviewing and electronically submitting all applications.

When conducting intake interviews at the office and pop-up events ensure compliance with the Americans with Disabilities (ADA) act, non-discrimination, and accessibility compliance requirements are followed as stated in the contract. In addition, all necessary precautions to protect a client's privacy at all stages in the application process should be taken including creating a space to securely discuss confidential information and securely storing documents and using secure digital platforms.

Acceptable application assistance methods are as follows:

- **In-Person Office Interviews**

Each Subrecipient is required to have an accessible location to assist applicants with their TXHAF application submission. This includes compliance with the Americans with Disabilities (ADA) act.

- **Off-site Applications**

Opportunities to conduct application intake in accessible locations other than the main office are encouraged particularly for those Subrecipients with large service areas. Subrecipients are expected to take all precautions in ensuring data security and privacy.

- **Telephone/Virtual Applications/Assistance**

Each Subrecipient is expected to provide virtual/phone assistance. Many homeowners do not have access to reliable transportation and could potentially be in an area that is not easily accessible. Note that appropriate documentation for the application will need to be obtained from the Homeowner and uploaded to the TXHAF application portal on the Homeowner's behalf.

One method for Intake Center Representatives to assist homeowners is through completing applications by proxy, if agreed to by the homeowner through printing and signing the borrower consent form in the portal.

- **Application by Homeowner Representative**

- The Homeowner Representative logs into the application portal as Homeowner Representative. The Homeowner Representative fills in their information, which only needs to be done once per Homeowner Representative.
- The Homeowner Representative creates a new case for each applicant.
- The homeowner signs the Borrower Consent Form/Third Party Authorization form in the documents tab of the TXHAF Application Portal.
- The Homeowner Representative fills in the applicant information and uploads required documentation accordingly.
- The representative adds the homeowner's contact information to the application so the homeowner can be notified of the application status independent of the Homeowner Representative.

For a complete overview of the Homeowner Representative Intake process, please refer to the registration link to the training, “Mortgage Relief Webinar for Intake Centers and Housing Counselors on Homeowner Representative Application” found on page 7 of this Manual.

Denial and Appeal

Homeowner applications can only be denied for the program through the TXHAF Application Portal by the program’s vendor. Applications that are denied by the TXHAF program, due to failure to meet eligibility criteria and/or submitting an application outside of the program submission guidance, are to be handled as follows:

Homeowners are notified by the program’s vendor of their case decision via email. However, in the case of a proxy application the Intake Center representative will be notified and should notify the Homeowner of the denial. In all cases the intake center representative should explain the process for submitting an Appeal.

Any applicant who believes they were denied in error may submit an appeal within thirty (30) calendar days by logging into the portal. Appeal requests must include additional facts or evidence to show why the case should be reconsidered.

Referral Process

Through the application process, homeowners will indicate whether they wish to, or need to, meet with a housing counselor, or be referred to legal services. Interested Homeowners will be directed to a participating HUD approved counseling agency and/or to a participating HAF provider of legal services.

There will be situations where an applicant will require assistance outside of the scope and capacity of the Intake Center. There are additional Subrecipients supporting homeowners throughout the state. The following details the scenarios under which a referral should be provided, and the appropriate process to follow.

Referral to Housing Counseling

Below details when a homeowner should be encouraged to use the services of Housing Counselors and a referral should be made by an Intake Center:

- The applicant’s debt to income (DTI) is:
 - 0 INCOME (0% DTI),
 - DTI 32-55% and Homeowner says they cannot afford payments, or
 - DTI exceeds 55%.

The applicant will be referred to an approved Housing Counseling Agency for assistance in exploring eligibility for the Reinstatement and Monthly Payment Assistance otherwise known as R+U Program. Qualified homeowners can receive up to three (3) months of monthly payment assistance, in addition to Reinstatement assistance.

Referral to Legal Services

Below details when a homeowner should be referred for legal services:

- They are at risk or are currently in the process of foreclosure
- When mediation is required between a servicer/lender and a homeowner
- When the household appears to be in need of credit correction/protection, and
- Assistance to enable households to receive clear title to their properties.

Process

- If a homeowner has a case ID from the TXHAF Application Portal encourage the homeowner to provide this information to the agency. This enables the agency to track and report this information more easily.
 - The case ID can be found in the portal on the Case Info tab
- If the homeowner does not have a case ID, encourage the homeowner to provide the name of the Intake Center that referred them.
- The nearest housing counselor or legal service provider can be found on the TXHAF website <https://texashomeownerassistance.com/find-help/>

Housing Counseling

All applicants will be provided information on available Housing Counseling services.

TDHCA is requiring housing counselors to include curriculum for the purpose of resolving or preventing mortgage delinquency and default.

Scope of Services

Subrecipients providing housing counseling services will assist Homeowners with improving their financial sustainability through HUD-approved curriculum. Eligible counseling services are provided through individual counseling in two (1) hour classes or Group Counseling in six, 8-hour classes. More details on counseling activities and eligible topics are listed below.

Processes and Procedures

The counseling and education provided to Texas homeowners under this category includes, but is not limited to, understanding the consequences of default and foreclosure; loss mitigation, budgeting, and credit; restructuring debt; and establishing reinstatement plans.

Ideally, housing counselors can be involved with the homeowner early in the process to increase the likelihood that the default will be cured, and the homeowner will be able to retain ownership. The housing counselors will conduct follow-up housing counseling with the homeowner on an as-needed basis until the default is corrected. Housing counselors, who are required to be HUD certified, must have completed training under the National Foreclosure Mitigation Counseling program and will be well-equipped to handle loss mitigation counseling and planning for homeowners in the TXHAF program.

Housing Counseling Activities

Individual Counseling

- Counseling is described as counselor-to-client assistance that addresses unique financial circumstances and housing issues, and focuses on overcoming specific obstacles to achieving a housing goal. These obstacles can include repairing credit; purchasing a home; locating cash for down payment; raising awareness about critical housing topics, such as predatory lending practices, fair lending, and fair housing requirements; finding units accessible to persons with disabilities; avoiding foreclosure; or resolving a financial crisis.

Group Education

- Education is defined as formal classes, with established curriculum and Instructional goals, provided in a group or classroom setting.

Counseling / Education Topics under HAF

(All topics reported on HUD Form 9902 are eligible for reimbursement under HAF)

Counseling:

- Homeless Assistance
- Home Maintenance and Financial Management for Homeowners (Non-Delinquency Post-Purchase)
- Resolving or Preventing Mortgage Delinquency or Default

- Understanding use of Credit
- Predatory Lending, Loan Scam or Other Fraud Prevention
- Fair Housing
- Homelessness Prevention
- Non-Delinquency Post-Purchase
- Home Maintenance
- Financial Management for Homeowners
- Resolving or Preventing Mortgage Delinquency
- Other

Education:

- Financial Literacy
- Home Affordability
- Budgeting

Referral Process

Through the application process, homeowners will indicate whether they wish to, or need to, meet with a housing counselor, or be referred to legal services. Homeowners that respond in the affirmative will be directed to a participating HUD approved counseling agency and/or to a participating provider of legal services. The referral process utilizes the Homeowner ID attached to each case for ease in tracking and reporting. For the full process please refer to the Intake Center Referral Process section of this manual.

In the circumstance of case denials, the e-mail notification delivered to the homeowner provides information for the homeowner in an effort to promote housing counseling. Housing counselor and legal service provider availability and contact information are at:

Legal Counseling

Scope of Services

Subrecipients awarded funds to provide Legal Services will provide free civil legal counsel to households meeting program requirements and facing housing instability, including foreclosure prevention activities.

Services may include assistance with home and tax lien foreclosures, as well as other issues.

Subrecipients may provide the following legal services:

- **Counsel and Advice:** A case closed resulting from the provision and receipt of legal advice to an Eligible Household, such as the review of relevant facts, exercised judgment in interpreting the particular facts presented and in applying the relevant law to the facts, and the counseling of the client on actions to take to address the problem(s).
- **Limited Action:** A case closed through limited action(s) on behalf of an Eligible Household that addressed the Household's legal problem that is not as complex or extended as to meet the requirements for "extensive service." Examples include communications by letter, telephone, or other means to a third party; preparation of a simple legal document; or legal assistance to a pro se client that involves preparation of court of other legal documents.

Eligible subject matters are those that support the Homeowner's housing stability, including:

- Foreclosure
- Mediation between a servicer/lender and a homeowner,
- Credit correction/protection, and
- Assistance to enable households to receive clear title to their properties.

Component services or activities may include:

- Client intake
- Legal advice
- Engaging with opposing parties on behalf of client
- Preparation of cases for trial, representation at hearings
- Mediation and counseling
- Brief Services
- Extended litigation
- Alternative dispute resolution, and entering into negotiation with servicers/lenders
- Incorporating referrals to appropriate community resources,

- Obtaining a professional’s determination of a disability in order to obtain reasonable accommodation or modification

Not all members of the household are required to be a client.

Outreach

TDHCA has developed a comprehensive marketing and outreach plan designed to raise awareness and inform homeowners, mortgage companies, non-profits, community development corporations, housing counselors, and banks and trade groups throughout the state to reach as many delinquent homeowners as possible of the availability of assistance through the HAF program.

TDHCA has contracted with a marketing firm to provide materials in English and Spanish and visual aids that are reflective of the different populations the program is trying to reach. When developing messaging, TDHCA has been mindful of the region being served. Texas is a culturally diverse state, and what works in one area of the state may not work in another. TDHCA will monitor marketing efforts to ensure that the message remains culturally relevant, with maximum reach, particularly within harder-to-serve markets. Intake centers, housing counseling agencies and other affordable housing Subrecipients will assist TDHCA in evaluating the message to ensure that it remains culturally relevant for maximum impact.

Outreach to find and educate homeowners in the targeted communities about HAF is permitted, however the focus of the intake center is to help households apply for and access HAF funds.

- Any outreach and marketing materials used must follow the TDHCA HAF branding guidelines and have received approval from TDHCA prior to use. Materials can be found in the Outreach Toolkit Download pdf found on the Subrecipient SharePoint Marketing folder. The Outreach Toolkit contains:
 - Applicant Success Checklist
 - [TXHAF Applicant Success Checklist \(English\) \(PDF\)](#)
 - [TXHAF Applicant Success Checklist \(Spanish\) \(PDF\)](#)
 - E-blast Materials
 - Has five jpg images to send in a e-blast
 - Fliers
 - Four General program fliers (BW and color) in English and Spanish
 - Subfolder with four Fliers to add agency/partner information (for intake centers to use) in English and Spanish (BW and color)
 - Logo Guidelines
 - Brand guidelines
 - Social Post Materials
 - Five folders with various graphics/content for Facebook and Twitter
 - Word doc with content to post
 - WhatsApp Graphics
 - Fraud Prevention Graphics
 - Lawn/Yard Signs
 - Videos

Marketing and Outreach Process

Each Subrecipient is required to:

- Implement all components of the program design provided in the proposal.
- Provide translation services and have a LAP for persons with limited proficiency in speaking or writing English.
- Distribute TXHAF resources, subject to Department approval, including, but not limited to the following:
 - o Telephone Campaigns
 - o Email Campaigns
 - o Print Materials such as Pamphlets/Brochures
 - o Social or Digital Media Content
- In person seminars or outreach clinics to sign up eligible borrowers in the appropriate phase
- Conduct special events to increase program awareness or to help homeowners apply for TXHAF;

Limited English Proficiency (“LEP”)

Subrecipients that interact with program participants must create a Language Access Plan (LAP) to provide program applications, forms, and educational materials in English, Spanish, and any appropriate language, based on the needs of the Service Area. Each Subrecipient must take reasonable steps to ensure that people with LEP have meaningful access to the program. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

Outreach Reporting Requirements

Weekly Events Update: Ten (10) business days ahead of any outreach events please fill out the outreach reporting form on the Subrecipient SharePoint so that TDHCA is aware of events across the state and assist in marketing the event in some cases.

Information regarding the outcome of the event (i.e., number of attendees and households assisted etc.) must be included in the Subrecipient’s standard monthly report. TDHCA will, at least monthly, review its outreach and marketing efforts, in conjunction with its performance goals, to ensure that outreach and marketing efforts are effectively reaching target homeowners. Adjustments to the outreach and marketing plan will be made accordingly.

Any publications produced with funds from this award must display the following language: “This project is being supported, in whole or in part, by federal award number HAF0033 awarded to The Texas Department of Housing and Community Affairs by the U.S. Department of the Treasury.”

Exhibit C of the Agreement provides a sample report. Intake center staff members are encouraged to become familiar with all the reports for help in making decisions on a daily basis.

Performance Management and Reporting

Expenditure Reporting

Agreement benchmarks as reflected through the monthly expenditure and performance report:

A. Monthly Reports. Monthly reports are to be submitted through the Housing Contract System (HCS) as part of making a draw request. More instructions for the monthly report are found under *Reporting*.

B. Performance Reporting Benchmarks

Monthly Performance Reports provided to the Department on the fifteenth (15th) of each month, for previous month's activity, beginning the first month following award.

1. Quarterly performance report provided to the Department not more than two (2) months after the end of each completed quarter.
2. Final Monthly Performance Report provided to the Department on the fifteenth (15th) of the month following contract termination.
3. Close-Out Report provided to the Department forty-five (45) calendar days after contract termination.
4. Inventory Report provided to the Department forty-five (45) calendar days after contract termination.

Reporting Requirements

A. Reports. Beginning at execution of Agreement, reports are due quarterly, and by the fifteenth (15th) of each following month (as applicable). Subrecipient shall provide the following:

1. Monthly Supplemental Reports
2. Monthly Expenditure Reports
3. Monthly Performance Reports
4. Quarterly Performance Reports
5. Annual and ad hoc data and reports to support Department's state, federal, and United States Department of Treasury reporting and auditing requirements, which Department will further define or reasonably request during the Agreement Term upon Department receiving guidance on these topics.

B. Client Level Data for Eligible Homeowners Receiving Assistance: Subrecipient must report the following client-level data on the Monthly Performance Report, in the HCS and in a supplemental spreadsheet, as needed, and any other data further required by the Treasury:

1. Total spent monthly, quarterly and annually
2. Subrecipient Unique Identifier for each applicant
3. Total of applications received, processed, and referred

4. Previously serviced
5. Region
6. Zip code
7. County
8. Household Size
9. Persistent Poverty County for each service
10. Household Income
11. Gender of Applicant
12. Race of Household
13. Ethnicity of Household
- 14.
15. I
16. Age of Applicant
17. Services Received
18. Status of Services
19. Whether foreclosure prevention was achieved (only applied to Housing and Legal)

Documentation Management

Subrecipients are expected to implement and maintain records in accordance with recordkeeping procedures outlined below or in other sections of this manual.

For purposes of compliance, all associated documentation regarding fiscal and programmatic records must be readily available, whether stored electronically or hard copy to document compliance with TXHAF program rules and guidelines.

Programmatic Recordkeeping

Subrecipients shall comply with all the recordkeeping requirements and shall maintain fiscal and programmatic records and supporting documentation for all expenditures made under the Agreement in accordance with [2 CFR Part 200](#) . For purposes of compliance, all associated documentation must be readily available, whether stored electronically or hard copy to justify compliance with TXHAF program rules and guidelines.

Recordkeeping Requirements:

- A. Written Policies and Procedures. Subrecipient must have written policies and procedures to ensure that sufficient records are established and maintained to determine that TXHAF outreach and intake application activities are performed for Eligible Entities based on their specific need.

- B. Access to Records. Subrecipient agrees that Department, the Auditor of the State of Texas, the Comptroller of the State of Texas, or any of their duly authorized representatives, shall have the right to access and to examine and to copy, on or off the premises of Subrecipient, all books, accounts, records, reports, files, and other papers or property belonging to or in use by Subrecipient pertaining to the Agreement. Subrecipient agrees to maintain such records in an accessible location. Such right to access shall continue as long as the records are retained by Subrecipient.
- C. Record Retention. Records pertinent to this Agreement shall be retained by Subrecipient for a period of three (3) years that starts on the day the Single Audit is due or would be due if the Single Audit requirements are not triggered, except if any litigation, claim, negotiation, audit, monitoring, inspection or other action has started before the expiration of the required record retention period. In this case, records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the required recordkeeping period as described herein, whichever is later.
- D. Open Records. Subrecipient acknowledges that all information written, produced, collected, assembled, or maintained by Subrecipient pursuant to this Agreement is subject to the Texas Public Information Act (Chapter 552 of Texas Government Code) and must be provided to citizens, public agencies, and other interested parties in accordance with the Texas Public Information Act. Subrecipient is required to make any information created or exchanged with the State of Texas pursuant to this Agreement, available in a format that is accessible by the public at no additional charge to the State of Texas. A request to the Subrecipient for public information shall be communicated to the Department's contact identified in this Agreement, by the close of business on the following business day after the request is received. Subrecipient shall not provide to the requestor any information that was written, produced, collected, assembled, or maintained under this Agreement, but shall respond to the requestor that the request has been forwarded to the Department for processing. After gathering all information that is responsive to the request, but in no event later than five (5) business days after receiving the information request, Subrecipient shall send the information to the Department. Subrecipient shall timely contact the Department if there will be any delay in sending the information request or responsive documents to the Department.

Forms Distribution and Control

Department provides any resources used in marketing and outreach efforts, such as promotional materials, social media content, FAQs, etc. All marketing/media materials are posted on the Subrecipient SharePoint.

FAQs are found at: <https://www.tdhca.state.tx.us/haf/guidance.htm>

Individual Case Filing / Case Filing format

Documentation of an applicant's request for assistance is key to providing the proper service to the applicant. A standardized format is required to be followed for the documentation received from the applicant. In addition to standard forms, all written correspondence, verbal contact, or phone calls made to and received from applicants shall be placed or documented in the file.

To meet its own management needs, as well as State requirements each Subrecipient has the flexibility to institute its own system of filing. The recommended method of filing individual applicant files is to organize the filing system by the status of the application. Such as In-progress, referred to housing counseling, referred to legal counseling, received housing funding, received utility funding, prevented foreclosure, denied, etc.. Each applicant file shall contain the following when applicable:

- **File Number.** A unique file number for each household, and each interaction easily defined.
- **Activity Log.** A record of the date, time, and description of each interaction
- **Action Plan.** For all assistance provided include an action plan
- **Follow-up.** A record of all follow-up communication written and verbal
- **Results.** Documentation of the results of the assistance
- **Disclosure.** A copy of any executed forms or disclosure statements, if applicable
- **Client Authorization.** Documentation indicating client authorization to share information or enter data on their behalf as a proxy
- **Denial** The date and cause/explanation of why assistance ceased, if applicable
- **Miscellaneous.** Other information obtained during intake and counseling sessions not mentioned above

Note: This is the information the TXHAF staff member will be looking for during monitoring visits

Budget and Invoicing

Subrecipients may be reimbursed by TDHCA for the approved costs that are consistent with amounts specified in the budget in the “Performance Statement” of the executed agreement that are incurred during the Agreement Term.

- A. The funds must be spent on the activity for which they are allocated within the Term of the Agreement. Funds are awarded to reimburse eligible expenses dated no further back than the start of the Agreement Term.
- B. Funds are obligated and expended during the Agreement Term and reported with monthly, quarterly and during the Close-Out Process.
- C. Recapture of Funds. Unexpended fund balances will be recaptured.
- D. Housing Services will submit the quarterly HUB Form-9902 with invoice.

Monitoring Compliance

All Subrecipients are subject to periodic on- or off-site monitoring of the Subrecipient’s performance of the contract. TDHCA will conduct on-site monitoring visits to each participating agency. The following is a non-exhaustive list of items to be reviewed pertaining to the HAF grant agreement:

1. Performance is being conducted as proposed

2. Documentation is properly maintained for services and referrals
3. Customers are being served in a timely manner with sufficient staff
4. Affirmative outreach and engagement is being conducted as proposed
5. LAP is available and utilized based on the needs of the service area
6. Approved marketing and outreach material is available for customers
7. Files will not be audited during monitoring visits but are available and set up correctly
8. Evidence of Fraud Waste and Abuse

Department will advise Subrecipient in writing of any deficiencies noted during such monitoring and may also suggest or require changes in Subrecipient's program implementation or in Subrecipient's accounting, personnel, procurement, and management procedures in order to correct noncompliance.

Fraud Waste and Abuse

Fraud prevention and process

1. If at any point in the application process, you suspect fraud waste and abuse please report the suspected issue through one of four methods:
 - a. Leaving a detailed voicemail with the HAF Fraud Hotline: 1-833-651-3874
 - b. Mailing a written allegation to:

Texas Department of Housing and Community Affairs
Attn: Texas Homeowner's Assistance Program Fraud
P.O. Box 580314
Houston, TX 77258
 - c. Reports may also be sent by email to: haffraudreporting@tdhca.state.tx.us
 - d. Submitting complaints to the State Auditor's Office website: (<http://sao.fraud.state.tx.us>)
 - e. Submitting complaints to the U.S. Dept. of Treasury Office of Inspector General's website: ([Report Fraud, Waste, and Abuse | Office of Inspector General](#))
2. Key details to include are:
 - a. Your name (optional if you would like to remain anonymous).
 - b. Contact information, such as e-mail, telephone, or address (if using a P.O. Box, please also include a physical address).
 - c. Description of incident ([see SAO FAQ for more details](#)).
3. Cases are also reviewed for fraud throughout the application review process by the case auditors and supervisors, as well as by a fraud specialist team
4. Cases that are determined to be fraudulent will be denied due to apparent misrepresentation.