



## Housing Contract Administration

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KENTUCKY BALANCE OF STATE

EMERGENCY SOLUTIONS GRANT PROGRAM

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2016

## COMPETITIVE APPLICATION GUIDELINES

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## Introduction

The Emergency Solutions Grant (ESG) guidelines and application have been revised to incorporate 24 CFR 91 Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 and 24 CFR 576 ESG Interim Rule changes and Kentucky Housing Corporation (KHC)'s Action Plan.

## Emergency Solutions Grant Purpose

The ESG Program, established by The McKinney-Vento Homeless Assistance Act, as amended by S.896 The HEARTH Act of 2009, is designed for the rehabilitation or conversion of buildings for use as emergency shelter for the homeless, for the payment of certain expenses related to operating emergency shelters, for essential services related to emergency shelters and street outreach for the homeless, and for homelessness prevention and rapid re-housing assistance.

The ESG policies and procedures incorporate 24 CFR 91 HEARTH Act of 2009 and 24 CFR Part 576 ESG Interim Rule changes and Kentucky Housing Corporation Consolidated Plan and Annual Action Plan.

Implementation of The McKinney-Vento Homeless Assistance Act as amended by S.896, The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, has renamed the program from the Emergency *Shelter* Grant to the Emergency *Solutions* Grant and has resulted in many changes to the ESG program as outlined in the ESG Interim Rule, 24 CFR Part 576. Among the changes included in the ESG Interim Rule is the alignment of the ESG program with the Continuum of Care (CoC) program (24 CFR Part 578) in order to facilitate coordination and foster efficient use of resources. Specifically, implementation of the ESG program is required to be done in consultation and collaboration with the Participating Jurisdiction's (PJ) CoC planning entity, which in the case of this application and ESG program, is the Kentucky Balance of State Continuum of Care (KY BoS CoC). The KY BoS CoC is responsible for the homeless response system, including how federal resources are utilized for all counties in Kentucky except Jefferson and Fayette, which have their own CoC planning bodies. The KY BoS CoC is comprised of housing and homeless service providers, advocates and other stakeholders involved in the homeless response system. KHC serves as the lead agency for both the CoC and ESG programs and facilitates the collaboration between the two.

**If funded, ESG projects will be governed by the cumulative information contained in these guidelines, all federal and state statutes and regulations, KHC's Balance of State Emergency Solutions Grant Program Policies, KHC's 2015-2019 Consolidated Plan, the 2016 Action Plan and policies and procedures adopted by the KY BoS CoC.**

## Pertinent Dates

- April 22, 2016 – Capacity Scorecard Opens
- April 22, 2016 – Application Opens
- May 6, 2016 – Capacity Scorecard Closes, 5 p.m., ET
- May 31, 2016 – Application Closes 5 p.m., ET

## Funding Sources Available

The following funding sources are available for the ESG Program:

<b>Funding Source:</b>	<b>Emergency Solutions Grant (ESG)</b>	<b>CFDA #</b>
<b>Amount Available:</b>	\$2,397,901	14.231

## Obligation of Grant Funds

**All grant funds must be expended by February 28, 2018 and with a final draw submitted by March 31, 2018.**

## Maximum Funding Requests

No single application may request more than \$150,000 of the total amount of funds available.

## Eligible Applicants

All of the allocation will be made available to:

- Units of local government
- Private nonprofit organization
- Balance of State resources are NOT eligible for projects or activities located in Jefferson or Fayette counties

Nonprofit organizations must be exempt from taxation under subtitle C of section 501(c), have an accounting system, a voluntary board, and practice nondiscrimination in the provision of assistance. Assistance may be provided to primarily religious organizations that agree to provide all eligible activities in a manner that is free from religious influences.

## Allocation Plan

ESG is one of the Department of Housing and Urban Development's (HUD) Community Planning and Development formula block grant programs. State, local governments and territories, referred to as Participating Jurisdictions (PJ), are the direct recipients of ESG funds. These funds are accessed through the Consolidated Plan process. The Consolidated Plan—also referred to as the Strategic Plan—outlines the housing and community development strategies the PJ will utilize in allocating funding from HUD's block grant programs. The Consolidated Plan is carried out through a jurisdiction's Annual Action Plans,

which provide a concise summary of the actions, activities and the specific resources that will be used each year to address the priority needs and specific objectives identified by the Consolidated Plan.

Kentucky is the PJ for the ESG allocation to be awarded through this application process. KHC is the lead agency for the Commonwealth of Kentucky 2015-2019 Consolidated Plan as well as the Action Plans developed annually for each of the years covered in the Consolidated Plan period. As the lead agency, KHC is responsible for working with stakeholders around the state to develop the plans, including how block grant funds will be used to accomplish stated objectives within the jurisdiction's plans.

As part of the ESG program, states are required to identify within its Action Plans its process for making subawards and a description of how the state intends to make its allocations available to units of general local government and private nonprofit organizations, including community and faith-based organizations. (24 CFR Part 91 Subpart D)

Jurisdictions are permitted to develop competitive application processes, but are not required to so long as the allocation process is approved by HUD prior to subawards being released.

As in previous years, KHC will allocate ESG funds through a competitive application process.

Previous years allocation levels do **not** guarantee current allocation amounts. Scores are based on the overall comparison of applicants applying each round.

The only time a **single** applicant can submit more than one application is if the project's facilities are located in different counties. No more than two applications will be accepted from any single applicant.

KHC will make every attempt to award limited resources as prudently as possible and will award those agencies with the greatest capacity to effectively administer the funds. The amount of funds awarded will depend on how well a particular application scores. Those applications receiving higher scores are likely to be funded. Applications with low scores are less likely to receive funding. KHC intends to fund projects based on project viability, applicant capacity and program design. It is our goal to achieve as much geographic distribution as possible, while ensuring that the strongest applications receive funding based on their total scores.

Applications that are selected for funding will receive funding proportional to their ranking as outlined in the Sample Allocation Formula Model on the following page. The minimum score below which no funds will be awarded will depend on the overall mix of applications received, how those applications are ranked and the amount of funding available. KHC reserves the right to limit the minimum award amount.

## PY 2016 Sample Allocation Model

After determining the minimum score percentage to be considered for funding, the funds will be allocated based on a descending scale (similar to the model below with adjustments made as necessary):

<b>Application Ranking</b>	<b>Sample Allocation Model (For Illustration Purposes Only)</b>
1	100% of the request or maximum eligible (whichever is lowest)
2	99% of the request or maximum eligible (whichever is lowest)
3	98% of the request or maximum eligible (whichever is lowest)
4	97% of the request or maximum eligible (whichever is lowest)
5	96% of the request or maximum eligible (whichever is lowest)
6	95% of the request or maximum eligible (whichever is lowest)
7	94% of the request or maximum eligible (whichever is lowest)
8	93% of the request or maximum eligible (whichever is lowest)
9	92% of the request or maximum eligible (whichever is lowest)
10	91% of the request or maximum eligible (whichever is lowest)
11	90% of the request or maximum eligible (whichever is lowest)
12	88% of the request or maximum eligible (whichever is lowest)
13	86% of the request or maximum eligible (whichever is lowest)
14	84% of the request or maximum eligible (whichever is lowest)
15	82% of the request or maximum eligible (whichever is lowest)
16	80% of the request or maximum eligible (whichever is lowest)
17	78% of the request or maximum eligible (whichever is lowest)
18	76% of the request or maximum eligible (whichever is lowest)
19	74% of the request or maximum eligible (whichever is lowest)
20	72% of the request or maximum eligible (whichever is lowest)
21	70% of the request or maximum eligible (whichever is lowest)
22	68% of the request or maximum eligible (whichever is lowest)
23	66% of the request or maximum eligible (whichever is lowest)
24	64% of the request or maximum eligible (whichever is lowest)
25	62% of the request or maximum eligible (whichever is lowest)
26	60% of the request or maximum eligible (whichever is lowest)
27	57% of the request or maximum eligible (whichever is lowest)
28	54% of the request or maximum eligible (whichever is lowest)
29	51% of the request or maximum eligible (whichever is lowest)
30	48% of the request or maximum eligible (whichever is lowest)

In case of a tie, the applicant with the highest rate-of-homelessness score will receive funding. (Confirmed by the most recent K-Count data).

## Emergency Solutions Grant Reallocations for Unspent Funds

During the term of the Emergency Solutions Grant (ESG), Kentucky Housing Corporation may deem it appropriate to recapture ESG funds before the grant term expires. Agencies may be invited to submit an application for additional funds based on their expenditure rate and other performance criteria outlined below. Eligible and interested applicants will be required to provide additional documentation at the time of additional funding notification. Factors considered for funds through reallocation may include:

- Current expenditure rate.
- The agency's ability to provide the minimum match.
- A portion of agency's request is allocated to Rapid Re-Housing Component.
- The agency must have no unresolved issues as a result of an ESG desk audit, TA visit, and/or monitoring review.
- Agency must be in good standing with ESG HMIS, ESG reporting and ESG draw requests.
- Agencies receiving recaptured funds must be able to meet all commitment and expenditure guidelines.

If an ESG agency can successfully demonstrate eligibility, it may be considered for a reallocation of funds.

Kentucky Housing Corporation reserves the right to modify the stated requirements at any time.

## Competitive Application Process

### Technical Assistance

KHC offers technical assistance opportunities for both new and seasoned applicants. During technical assistance, KHC staff will assess the applicant's readiness to submit an application. KHC recommends that in addition to the grant writer, the individuals responsible for the day-to-day activities of the project administration and completion also attend the technical assistance session. KHC staff is available to review draft applications and answer general application questions until the day prior to application submission. Working with KHC staff provides applicants with helpful information regarding KHC program regulations and potential funding sources, as well as suggestions on how to enhance the information provided in the application.

**Please note:** Requesting or attending technical assistance does not guarantee the project will be awarded funds. For more information, contact Rosemary Luckett, toll-free in Kentucky at 800-633-8896 or 502-564-7630, extension 317; TTY 711; or e-mail [rluckett@kyhousing.org](mailto:rluckett@kyhousing.org).

### Public Information and Open Records Act Requests

Applicants are advised that materials contained in applications for Emergency Solutions Grant are subject to the requirements of the Kentucky Open Records laws at KRS 61.870-61.884, and the application materials may be viewed and copied by any member of the public. Applicants seeking to claim a statutory exemption to disclosure from open records requests must place all documents viewed as confidential in a sealed envelope marked "Confidential." If an open records request is made for any

of the application materials, KHC will make an independent determination of confidentiality and may or may not agree with the applicant's determination regarding the confidentiality of the materials. KHC will publish via the eGram an announcement of all awarded applications for the current application round. The list will be made available within sixty days of the current application deadline.

## Capacity

In an effort to create consistency and equity, Kentucky Housing has developed a **"Capacity Scorecard"** that will be used by all of the program areas that have competitive applications. The scorecard will be used to determine the capacity of the agency to administer a program based on the knowledge and expertise of the agency, staff, and development team; the financial capacity of the agency; and its ability and willingness to meet the ongoing compliance requirements of programs funded through Kentucky Housing.

Applicants are urged to review the Capacity Scorecard questions and seek technical assistance from KHC staff if there are questions or if there are opportunities to make changes that could improve scoring. For example, if there are outstanding Compliance Monitoring findings that can be resolved prior to submitting the Capacity Scorecard, it could improve the capacity score by clearing those outstanding items.

A minimum threshold score of 60 percent will be required in order to apply for ESG funds. Capacity scoring will be the first section of the Universal Funding Application (UFA) and is considered to be a minimum threshold. Once the applicant has completed this self-assessment section, KHC staff will also complete a Capacity Scorecard for the applicant and assign a score. Once KHC staff has completed the review, the KHC score will be visible to the applicant, so applicants will be able to identify potential areas of weakness prior to submitting the entire application. If you receive a final capacity score of less than 60 percent, your application will not be reviewed.

## Analysis of Impediment to Fair Housing

Impediments to fair housing are outlined in [KHC's Our Right to Choose Where We Live](#). Applicants must identify which of those impediments to fair housing their ESG project will address. In addition applicants must address how the ESG project will reduce or eliminate impediments to fair housing.

If the ESG application does not identify which impediments to fair housing will be addressed and explain how the ESG project will reduce or eliminate these impediments, your application will not be reviewed.

## System Performance Measures

A major component of the McKinney-Vento Homeless Assistance Act as amended by the Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH) is a requirement for communities to measure their performance as a coordinated system, in addition to analyzing performance by specific projects. Section 427 of the Act established selection criteria for the United States Department of Housing and Urban Development (HUD) to use in awarding Continuum of Cares (CoCs) to report to HUD their system-level performance. The intent of these selection criteria are to encourage CoCs, in coordination with ESG Program recipients and all other homeless assistance stakeholders in the community, to regularly measure their progress in meeting the needs of people experiencing homelessness in their community and to report this progress to HUD. HUD will use the system-level

performance information as a competitive element in its annual CoC Program Competition and to gauge the state of the homeless response system nationally. HUD has established seven (7) measures for CoCs to track and report progress.

### **Street Outreach Component**

- Successful Placement from Street Outreach (Measure 7a): The desired outcome is an increase in the percent of persons who exit to an emergency shelter (ES), transitional housing (TH), Safe Haven (SH), or permanent housing destination.

### **Emergency Shelter Component**

- Length of Time Persons Remain Homeless (Measure 1) and Successful Placement in or Retention of Permanent Housing (Measure 7b): The desired outcomes are a reduction in the average and median length of time persons remain homeless and increase in the percent of persons who exits to or retain permanent housing.

### **Homeless Prevention Component**

- Number of Persons who Become Homeless for the First Time (Measure 5): The desired outcome is a reduction in the number of persons who become homeless for the first time.

### **Rapid Re-Housing Assistance Component**

- Extent to which Persons who Exit Homelessness to Permanent Housing Return to Homelessness with 6 to 12 Months and within 2 Years (Measures 2a and 2b) and Successful Placement in or Retention of Permanent Housing (Measure 7b): The desired outcomes are a reduction in the percent of persons who return to homelessness within these timeframes and an increase in the percent of persons who exit to or retain permanent housing. In addition, the time it takes to move a rapid re-housing participant from emergency shelter to permanent housing (with or without rental assistance) will contribute to Measure 1 – Length of Time Person Remain Homeless

**Please note, while you are not being scored at this time on your outcomes relating to these measurements, you will be in future application rounds. In this application, you will be scored on your description of your plans to achieve the outcomes for these measures.**

## **Application Submission Requirements**

This application is designed to obtain information for Emergency Solutions Grant (ESG) funding selection. It is evaluated on the specifics of a proposal as it relates to each priority in the application point system.

Your application **must**:

- Include only responses to the ESG Application and required attachments. Any other information provided **will not** be reviewed for use in scoring the application.
- Demonstrate knowledge of ESG program definitions, requirements, policies and procedures. Applicants are expected to thoroughly review the [Kentucky Balance of State ESG Program Policies](#) (including familiarity with all federal and state regulations referenced in the policies) and ensure application responses are consistent with said policies.

**Nonprofit applicants must have the following attachments:**

- Proof of 501(C) Status (If not previously submitted and on file with KHC)

***The following attachments require current documentation dated no earlier than January 1st.:***

- Certification of Local Approval (Applies only to private, nonprofit organizations ***applying for emergency shelter component*** funds. The sub-recipient must obtain a certification of approval from the unit of general purpose local government for the geographic area in which the emergency shelter activities are to be carried out. See 24 CFR §576.202
- Signed copy of ESG Certification and Assurances
- Evidence of Submission to State Clearinghouse via [www.dlgweb.ky.gov](http://www.dlgweb.ky.gov).
- State Applicant Identifier Number \_\_\_\_\_

**Annual Performance Report(s):**

- Copy(s) of all required Annual Performance Reports (Nonprofit or Local Government Applicants) for the period July 1, 2015 to March 31, 2016.

**The ESG CFDA Number is 14.231.**

**State Clearinghouse Review**

To comply with Executive Order 12372, all applicants must complete the online Kentucky State Clearinghouse review application. This application is available on the Department for Local Government’s Web site, [www.dlg.ky.gov](http://www.dlg.ky.gov), under [Kentucky State Clearinghouse](#). Print the application and follow the directions listed. If you have any questions about this application, please contact:

Ms. Lee Nalley  
 Department for Local Government  
 Office of the Governor  
 KY State Clearinghouse, Office of Federal Grants  
 1024 Capital Center Dr., Ste, 340  
 Frankfort, KY 40601  
 (502) 573-2382 ext. 274

## Application Review Process

### Notice to Applicants

It is the applicant's responsibility to submit all required documentation to adequately support its Application. Any material deficiency in the Application or omission from the mandatory submissions may result in an immediate rejection of the application. In addition, the Application must meet all eligibility requirements set forth in the guidelines. Any application which does not contain sufficient information to be reviewed will be rejected.

Although KHC will award funds to the highest scoring projects, KHC will make every effort possible to ensure that funds are geographically distributed across the state. KHC reserves the right to allocate funds to lower scoring applications to ensure equitable allocation of resources in each congressional district throughout the state.

KHC may, at its discretion, request information from applicants to address and resolve issues identified during application review. The application will be reviewed and scored as submitted.

Following are the areas KHC staff will review and score:

- Need for Proposed Project
- Program Plan and Project Design
- Financial Plan
- Plan of Area-Wide Systems Coordination
- Capacity

### Application Scoring Response Period

Once all applications have been fully reviewed and scored, and prior to submission to the KHC Credit Committee, KHC will make the preliminary project score sheet available to the appropriate contact for each application. Applicants will not be made aware how other applications have scored. KHC will establish a time by which applicants can review their initial scores and offer a written response if they disagree with their preliminary score. This is not a cure period; therefore, applicants will not be able to submit any additional or revised documentation. The purpose of the scoring response period is to allow the applicant the opportunity to address any oversights or calculation errors by KHC staff.

## Reconsideration Processes

The processes described in this section are the exclusive means by which an applicant may request reconsideration of a decision by KHC regarding disqualification, scoring, or the award of KHC resources. Information submitted to KHC outside of these processes, whether in writing or otherwise, will not be considered.

## **Disqualification Decisions Review Request**

If KHC identifies a deficiency in an application during its review that results in the disqualification of an application, KHC will issue a preliminary decision letter to the applicant identifying the grounds for the disqualification. The applicant may then provide a written response specifically identifying the reasons why the applicant believes the application should not be disqualified. Written responses must be delivered via electronic mail, by hand delivery, or overnight mail, to the attention of the managing director of Housing Contract Administration.

Only the application and documents already existing in KHC's file will be considered when reviewing the applicant's written response. No additional documentation will be accepted unless such documentation only serves to explain previously submitted documentation. The burden is on the applicant to demonstrate why the application should not be disqualified or the amount of KHC resources should not be reduced.

The managing director of Housing Contract Administration will forward the review request, along with the applicant's response, to KHC staff involved with the initial scoring of the application and to KHC's Credit Committee for review and decision. The Credit Committee shall review the request and KHC's staff's response and issue a final determination. The Credit Committee may, in its sole discretion, request additional information or documentation or conduct a meeting or conference with the applicant and KHC staff.

The Credit Committee's decision on the review request will be final, and KHC will provide a copy of the written decision to the applicant. The Credit Committee shall consist of members of KHC's Executive Staff or as appointed by KHC's Executive Director.

Applicants may request a meeting with KHC's Credit committee or its representatives within five (5) business days of the final written decision. The applicant may offer additional explanations; however, the Credit Committee will only consider the information that is in the project file at the time of the review. The Credit Committee may modify or affirm its final decision based on information presented at the meeting.

## **Scoring Decision Reconsideration Request**

Any applicant wishing to request a reconsideration of a preliminary scoring decision by KHC or a reduction in funding may do so in writing to the managing director of Housing Contract Administration. Applicants may **only** request reconsideration for applications in which they have an ownership interest. Requests must be sent via electronic mail, hand delivery or overnight mail.

Reconsideration requests must specifically identify the basis for the reconsideration request. The burden is on the applicant to demonstrate any alleged errors in the review and/or scoring process. KHC will review the applicant's written responses and, if KHC concurs with the applicant, appropriate scoring corrections will be made. KHC's final scoring decision will be shared in writing with the applicant.

The final scoring decision will be shared with the KHC Credit Committee at the same time funding recommendations are made to the Committee for its review and approval.

If, during the scoring review process, applicants dispute their preliminary scoring and KHC does not concur, the applicant's written request along with KHC staff's written determination will be shared with

the Credit Committee for their information and review as part of their consideration of the funding recommendations.

The Credit Committee may, in its sole discretion, request additional information or documentation or conduct a meeting or conference with the applicant and KHC staff.

The Credit Committee's decision regarding the reconsideration request will be final and will be provided in writing to the applicant. The Credit Committee shall consist of members of KHC's Executive Staff or as appointed by KHC's Executive Director.

Applicants may request a meeting with KHC's Credit Committee or its representatives within five (5) business days of the final written decision. The applicant may offer additional explanations; however, the Credit Committee will only consider the information that is in the project file at the time of the review. The Credit Committee may modify or affirm its final decision based on information presented at the meeting.

### **Communications with Credit Committee Members**

Applicants, members of applicants' Development Teams, or other persons operating on behalf of Development Teams are expressly prohibited from having ex parte communications with KHC's Credit Committee regarding any reconsideration or review requests or any related topic, from the issuance of the preliminary scoring decision until KHC renders its final determination. Any violation of this prohibition may result in disqualification of the pending application and suspension from participation in the next competitive funding cycle for the applicant and all of its Development Team members, regardless of which team member initiated the prohibited contact.

### **Conditional Approval Process**

Funding recommendations are made by the application review team within KHC's Housing Contract Administration Department. The recommendations are based on application review as submitted by the applicant with possible minor scoring adjustments.

Staff recommendations are presented to KHC's Credit Committee for conditional project approval. Once conditional approval is received, they will be posted on KHC's website and will also be sent through KHC's eGram system. Approved projects will receive a preliminary award letter based upon technical submission requirements. In order to be funded, the applicant will be required to comply with the terms and conditions. If a conditional funding commitment is cancelled, the applicant may reapply in the next competitive funding round. Execution of the HOME funding agreement will occur after the successful completion of the conditional commitment of funding and all terms and conditions are met.

### **Compliance Monitoring**

KHC is responsible for conducting monitoring reviews for all projects. KHC conducts on-site visits of funded projects to monitor for compliance with the applicable program regulations. This includes ensuring funds were used for eligible costs and assisted households meet income eligibility requirements. The compliance staff maintains a tracking system to ensure reviews are completed as required by the program regulations. Each recipient of HOME funds is required to make available all documentation requested by KHC's monitoring staff.

## Draw Requests

All draw requests must be submitted through the Program Funding Draw Management System. Draw requests are to be submitted at a minimum of at least once every sixty (60) days.

**All Grant Funds must be expended by February 28, 2018 with a final draw submitted by March 31, 2018.**

To set-up your account, visit the [Program Funding Draw Management System](#) and follow three easy steps.

1. [Register/Create](#) an account.
2. [Request access](#) to your project(s).
3. After project access is approved, [create and submit](#) the draw request.

It is recommended that you use Internet Explorer 10 or above, or the latest version of Firefox or Chrome when completing your registration.

If you have any questions or need assistance registering, please review the [FAQ](#) section of the System or submit a request through the Housing Contract Administration [Help Desk](#).

## Resources

If you have any questions, you may contact Davey King, managing director of Housing Contract Administration, toll free in Kentucky at 800-633-8896 or 502-564-7630, extension 412; TTY 711; or email [dking@kyhousing.org](mailto:dking@kyhousing.org).

You may also submit a question through the Housing Contract Administration (HCA) Help Desk.

[HCA Help Desk](#)

[ESG Program Policies and Procedures](#)

[ESG Interim Rule](#)

[ESG Application Score Sheet](#)

[New Homeless Definition Rule \(HEARTH\)](#)

[NAEH Rapid Re-Housing Performance Benchmarks and Program Standards](#)

[HUD System Performance Measures](#)

