**REASON FOR AWARD:** EMERGENCY SOLUTIONS GRANT PROGRAM FUNDING FOR HOMELESS ASSISTANCE, HOMELESS PREVENTION, AND OTHER ELIGIBLE ACTIVITIES

**Program Name:** EMERGENCY SOLUTIONS GRANT PROGRAM PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
**Address:** 1535 OLD HOT SPRINGS ROAD, SUITE 50  
CARSON CITY NV 89706

**State Recipient name:** Clark County Department of Social Service, acting as the statewide Homeless Management Information System (HMIS) Lead Agency  
**Address:** 1600 Pinto Lane  
Las Vegas, NV 89106

**Project period:** July 1, 2015 through June 30, 2016

**Approved cost summary:** Clark County Department of Social Service (the “County”) has been designated as the HMIS Lead Agency for the statewide HMIS. State ESG funds allocated to the County shall be provided to the HMIS Vendor to offset costs associated with the HMIS database, reports, training, and other eligible HMIS expenses reflected under 24 CFR part 580, for the northern and rural Continuum’s of Care.

Cost Category and Amount: HMIS database expenses as reflected under 24 CFR part 580 and 576.107 $35,000.00

**Disbursement schedule as follows:**  
The County shall submit at least quarterly an executed Exhibit 1-ESG Draw Reimbursement Request form to the State of Nevada Housing Division (Division). Copies of invoices received from the HMIS Vendor for eligible expenditures shall be included with the form.

**Source of funds:**  
1. FEDERAL (HUD) 100%

In accepting these grant funds, it is understood and agreed that:  
1. This allocation is subject to the successful award of funding by HUD to the Division;  
2. Expenditures must comply with 24 CFR part 576.107 and 24 CFR part 580;  
3. The County shall comply with the Notice of State Recipient Award, Section 2, attached hereto and incorporated by reference;  
4. Funds are subject to recapture and reallocation, as allowed in Part 576 of the Emergency Solutions Grant program, for failure to meet any of the following: 1) expenditure timeliness; 2) submission of reports and draw reimbursement requests by due dates; and 3) failure to provide annual financial statements by deadlines reflected in this Notice. State Recipients will receive written notification of concerns and if applicable, the Division’s intent to recapture funds. Notification will be provided 30 days in advance of recapture. State Recipients subject to recapture of grant funds shall also be subject to future funding sanctions;  
5. Awards to State Recipients or contractors must be executed by September 1, 2015.

**Authorized Clark County official:**  
By:  
Signature of person authorized to accept this Grant on behalf of the State Recipient  
Printed Name  
Date:

**Agency DUNs number:**  
Telephone Number: (____) ______________

**Administrator, Nevada Housing Division:**  
By:  
CJ Manthe, Administrator  
Date:
SECTION 2

ADDITIONAL STIPULATIONS

Additional stipulations accepted and agreed to by the State Recipient for funds received pursuant to this award:

PART I- PROGRAM REQUIREMENTS

A. State Recipient shall comply with Homeless Management Information System Lead Agency requirements reflected under 24 CFR Part 580.9;

B. State Recipient shall execute a Contract with the Nevada Statewide HMIS Provider (Provider) within the required schedule and within the budget allowance, ensuring the Provider has the required licenses and/or authorizations pursuant to all federal, State of Nevada, and local laws in order to conduct business;

C. Contract(s) executed between the State Recipient and the Provider shall include a Scope of Work which details services to be performed by the Provider. State ESG funds will pay for a portion of costs associated with HMIS for PY 2015;

D. State Recipient shall meet expenditure deadlines: One hundred percent (100%) of the grant award shall be expended by June 1, 2016. State Recipients are allowed to spend their allocation at a faster pace.

If requested, the State Recipient further agrees to submit a detailed description of the strategy to expend all funds to the Division if it is determined that the State Recipient is not on target to expend funds within timelines reflected above. In all circumstances funds must be completely expended within the 24 month timeframe or funds will be recaptured by the U.S. Department of Housing and Urban Development (HUD);

E. State Recipient shall maintain files documenting expenditure of grant funds, including all supporting documentation for five (5) years from last date of service;

F. State Recipient shall submit a Reimbursement Request Form (Exh. 1) to the Division on a quarterly basis requesting reimbursement of funds expended for eligible ESG activities. Reimbursements will not be authorized unless expenditures are substantiated in writing and are accompanied by invoices received from county sub-recipients or contractors. If requested, State Recipient agrees to provide supporting documentation of expenditures, including copies of receipts, invoices, time sheets, etc. as part of a Desk Audit Review of the ESG program;

G. State Recipient shall submit in writing on State Recipient letterhead all requests to amend ESG allocations, along with a revised ESG Program Budget Form (Exhibit 4), prior to expending funds from a Category other than what has been previously approved in this award. The written request shall include: (1) an explanation of the amounts to be transferred from the applicable categories; (2) a summary of how funds are proposed to be used; (3) a summary of the cash or in-kind services that will be used to meet the increased match requirement for the category ESG funds will be transferred; and (4) a summary of any changes to the number of program participants anticipated to be assisted under the revised categories;

H. State Recipient shall maintain control of access to accounting records, assets, blank forms, and confidential records to ensure that only authorized persons have access;
I. State Recipient shall make available program files, along with financial and program records, for periodic review by the Division. Monitoring may be conducted by the Division, local HUD Office of Community Planning and Development, HUD’s Office of Special Needs Assistance Programs, HUD’s Office of Inspector General, HUD’s Office of Fair Housing and Equal Opportunity, a contractor hired on behalf of the Division for the purposes of auditing programs funded through the State, or other authorized state or federal agency, to determine compliance with the requirements of each program;

J. State Recipient shall make available copies of monitoring letters received from other federal, state or local grant funded programs if requested by the Division. Copies of written responses addressing areas of concerns or findings shall be included. These copies shall be provided during monitoring review visits or more frequently if requested by Division staff;

PART II-FINANCIAL MANAGEMENT REQUIREMENTS

A. State Recipient shall ensure expenditure of grant funds is in accordance with the audit requirements of the Single Audit Act of 1984 (Public Law 98-502) and Office Management and Budget Circular A-128;

B. State Recipient shall comply with requirements of OMB Circulars A-87, A-102 and A-128, concerning nondiscrimination and equal opportunity. A nonprofit State Recipient must comply with OMB Circulars A-110 and A-122;

C. Acknowledge the requirements of Nevada law that in all contracts it is required that contractors provide proof of workers’ compensation coverage. State Recipient agrees to obtain proof of workers’ compensation coverage in accordance with NRS 616.280 prior to the commencement of any work;

D. Comply with requirements of the Division for submission of financial reports as follows:

State Recipients expending $500,000 or more annually in federal funds shall submit one copy of its most recent A-133 single audit to the Division within 60 days of completion, and not later than nine months from the agency’s fiscal year end. This audit must be performed by a Certified Public Accountant annually.

State Recipients expending less than $500,000 but more than $100,000 in federal funds annually are exempt from OMB Circular A-133, but must request that an audited financial statement be conducted annually. The audited financial statement shall be submitted to the Division within 30 days of receipt, and not later than six months from the agency’s fiscal year end.

State Recipients expending less than $100,000 must submit unaudited financial statements, a profit and loss statement, and a letter stating the agency expended less than $100,000 in federal funds within 60 days following the end of each fiscal year. This letter shall be written on agency letterhead and shall include the signature of the Executive Director. Failure to comply with this part may result in Sanctions described in Section IV of this document. Note: Any State Recipient not required to conduct an A-133 audit or audited financial statements by the Division, but is required to do so under another program, shall provide a copy of the A-133 or audited financial statement in lieu of the unaudited financial statement normally required. The deadline for submission of these copies is the same as above;

E. State Recipient shall comply with requirements of OMB A-133 requiring State Recipients that pass through federal funding to other sub-recipients or contractors to communicate the
Federal award information, including informing each sub-recipient or contractor of the Catalog of Federal Domestic Assistance (CFDA) title and number;

F. State Recipient shall keep an inventory/equipment log of property purchased using $5,000.00 or more in ESG funds and shall make it available for review by Division staff when requested;

G. State Recipient shall comply with all state, local and federal procurement laws and requirements;

H. State Recipient shall have written policies and internal controls to include at a minimum: hiring procedures to ensure that staff qualifications are equal to job responsibilities and that individuals hired are competent to do the job; adequate separation of duties to ensure that no one individual has authority over an entire financial transaction; procedures for the recording of transactions, as well as an accounting manual and a chart of accounts; a policy specifying approval authority for financial transactions and guidelines for controlling expenditures; written position descriptions that describe the responsibilities of all key employees; an organization chart showing titles and lines of authority for all individuals involved in approving or recording financial and other transactions; protocol for creating and maintaining staff time records to support amounts charged to ESG grant if wages are chargeable to more than one funding source, and record that costs charged to the ESG grant are eligible under program regulations; and

I. State Recipient shall have a system in place for maintaining its financial records relative to the ESG grant for five (5) years from the last expenditure report to the Division, or until any litigation, claim, auditor or other action involving the records has been resolved, whichever comes later.

PART III-OTHER FEDERAL REQUIREMENTS

A. State Recipient shall comply with requirements of 24 CFR 576.104(a)(4) and 576.408 concerning Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, if applicable;

B. State Recipient shall comply with Executive Order 13166 concerning Limited English Proficiency (LEP) Persons to improve access of federally funded programs to people who are not native English speakers and do not understand the language, if funds are allocated for client services;

C. State Recipient agrees to follow Nondiscrimination and Equal Opportunity requirements as defined in 24 CFR 5.105(a);

D. State Recipient shall comply with Section 808(e)(5) of the Fair Housing Act;

E. State Recipient shall comply with requirements of 24 CFR Part 35 concerning the Lead-Based Paint Hazard requirements, if applicable;

F. State Recipient shall meet the requirements of the Americans with Disabilities Act of 1990;

H. State Recipient shall comply with requirements of 24 CFR 576.57(d) regarding Conflict of Interest requirements, if applicable;

I. State Recipient shall comply with requirements 24 CFR 576.406 regarding faith-based activities, if applicable;

PART IV-PROGRAM SANCTIONS

A. State Recipient shall accept Program Sanctions if the following issues or concerns occur:
   1. State Recipient is not on target to expend ESG allocation within timeframes stated in Section 2, Part I(D) of this Notice; or
   2. State Recipient has not provided copies of required documents as requested in Section 2, Part II(F) of this Notice; or
   3. State Recipient has been late in providing, at least quarterly, draw reimbursement requests and client data reports as reflected in Section 2, Part I(D) of this Notice; or
   4. State Recipient has expended funds for ineligible costs; or
   5. The Division has been contacted by another Agency, including a federal, state, or local jurisdiction, foundation, non-profit agency, or other grant funder, with concerns that the State Recipient is noncompliant in one or more of their programs and the noncompliance is of such concern that the Division feels that Sanctions are in order.

B. Sanctions for noncompliance with the above may include, but is not limited to:
   1. A warning letter regarding further Sanctions for continued noncompliance;
   2. Conditioning of a future grant award;
   3. Directives to stop incurring certain costs;
   4. Retraction of remaining grant funds;
   5. Requirement to repay certain grant amounts spent ineligibly;
   6. Reducing the level of funds a State Recipient may otherwise be entitled to, including other Grant Programs funded by the Division; or
   7. Electing not to provide future funds until appropriate actions is taken to ensure compliance, including other Programs funded by the Division.
CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

Name of State Recipient: Clark County Social Service
Grant Program Name: ESG Program
CFDA Number: 14.231
Grant Period: July 1, 2015 to June 30, 2016

Total estimated number of employees expected to be engaged in the performance of the grant at the site(s) noted above: _____

Applicants awarded funds from HUD are required to provide a drug-free workplace. Compliance with this requirement means that the applicant will:

1. Publish a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the applicant’s workplace and that such activity is prohibited. The statement must specify the actions that will be taken against employees for violation of this prohibition. The statement must also notify employees that, as a condition of employment under the federal award, they are required to abide by the terms of the statement and that each employee must agree to notify the employer in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace, no later than 5 calendar days after such conviction;

2. Establish an ongoing drug-free awareness program to inform employees about:
   a. The dangers of drug abuse in the workplace;
   b. The applicant’s policy of maintaining a drug-free workplace;
   c. Any available drug counseling, rehabilitation, or employee assistance programs; and
   d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

3. Notify the Division in writing within 10 calendar days after receiving notice from an employee of a drug abuse conviction or otherwise receiving actual notice of a drug abuse conviction the information reflected under (a), (b), (c) and (d) of this section. The notification must be provided in writing to Nevada Housing Division, 1535 Old Hot Springs Road Suite 50, Carson City NV 89706. Once notified the Division will be required to notify HUD’s Office of Strategic Planning and Management, Grants Management and Oversight, Department of Housing and Urban Development, 451 7th Street, SW, Room 3156, Washington DC 20410-3000, along with the following information:
   a. The program title and award number for each HUD award covered;
   b. The HUD staff contact name, telephone and fax numbers;
   c. A grantee contact name, telephone and fax numbers;
   d. The convicted employee’s position and title; and
CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS (continued)

4. Require that each employee engaged in the performance of the federally funded award be given a copy of the drug-free workplace statement required in item (1) above and notify the employee that one of the following actions will be taken against the employee within 30 calendar days of receiving notice of any drug abuse conviction:
   a. Institution of a personnel action against the employee, up to and including termination consistent with requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended; or
   b. Imposition of a requirement that the employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency; and

5. Identify to the agency making the award all known workplaces under the award. Your workplace identification must include the actual address of buildings or other sites where work under the award will take place. You must also inform the agency of any workplace changes during the performance of the award. Your identification of the workplaces must occur either:
   a. At the time of application or upon award; or
   b. In documents that you keep on file in your offices during performance of the award, in which case you must make the information available for inspection upon request by the agency.

Please list below the site(s) expected to be used for the performance of work under the grant covered by the certification:

Place of Performance (includes street address, city, county, state, zip code for each site):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

I agree to comply with federal requirements above and certify programs and services will be administered, in good faith, to ensure that the workplace and/or facility is free from the illegal use, possession or distribution of drugs or alcohol by its beneficiaries.

____________________________________  _____________
Signature of State Recipient Representative     Date
CERTIFICATION REGARDING STATE RECIPIENT LOBBYING REQUIREMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all State Recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.

____________________________________  _____________
Signature of State Recipient Representative    Date
CERTIFICATION REGARDING FAIR HOUSING REQUIREMENTS OF EMERGENCY SOLUTIONS GRANT STATE RECIPIENTS & SUB-RECIPIENTS

The undersigned certifies that the State Recipient and its sub-recipients shall comply with the nondiscrimination and equal opportunity requirements of 24 CFR part 5.105(a) and 576.407(a) and (b):

1. The State Recipient and its sub-recipients shall make known that use of the facilities, assistance, and services are available to all on a nondiscriminatory basis. If it is unlikely that the procedures that the State Recipient or its sub-recipients intends to use to make known the availability of the facilities, assistance, and services will reach persons of any particular race, color, religion, sex, age, national origin, familial status, or disability who may qualify for those facilities and services, the State Recipient shall be required to establish additional procedures that ensure those persons are made aware of the facilities, assistance, and service;

2. The State Recipient and its sub-recipients shall take appropriate steps to ensure effective communication with persons with disabilities including, but not limited to, adopting procedures that will make available to interested persons information concerning the location of assistance, services, and facilities that are accessible to persons with disabilities. Consistent with Title VI and Executive Order 13166, State Recipients are also required to take reasonable steps to ensure meaningful access to programs and activities for limited English proficiency (LEP) persons; and

3. The State Recipient and its sub-recipients will document compliance with the above requirements by:

   • Maintaining records demonstrating compliance with the nondiscrimination and equal opportunity requirements under 576.407(a), including data concerning race, ethnicity, disability status, sex, and family characteristics of persons and households who are applicants for, or program participants in, any program or activity funded in whole or in part with ESG funds along with the affirmative outreach requirements in § 576.407(b).

____________________________________  _____________
Signature of State Recipient Representative     Date
ATTACHMENT 4

EMERGENCY SOLUTIONS GRANT PROGRAM
PRIVACY POLICY NOTICE

This is a policy statement regarding the State of Nevada’s Privacy Policy for the Emergency Solutions Grant Program through the Nevada Housing Division. This Privacy Policy shall be implemented by the Division, and all State Recipients and sub-recipients.

A. What This Notice Covers

1. This Notice describes the privacy policy and practices to be implemented by the Division, State Recipient, and any sub-recipient service providers of the Emergency Solutions Grant Program. The policy and practices in this Notice cover the processing of personal information for clients participating in the ESG program, including data entered into HMIS, and must be included as part of the State Recipient and/or it’s sub-recipient’s policies and procedures.

2. This Notice describes Protected Personal Information (PPI), which is any information that a State Recipient or sub-recipient maintains about a client that:

   a. Allows identification of an individual directly or indirectly;
   b. Can be manipulated by a reasonably foreseeable method to identify a specific individual; or
   c. Can be linked with other available information to identify a specific client.

   When this notice refers to “personal information” it means PPI.

3. This Notice requires the Division, the State Recipient or its sub-recipients to adopt this policy in accordance with the HMIS Data and Technical Standards issued by the U.S. Department of Housing and Urban Development, and any additional Standards issued by the HMIS Lead Agency, the HMIS Steering Committee, or one of the three (2) Continuum’s of Care located within the State of Nevada.

4. This Notice shall identify how the Division and the State Recipient or its sub-recipients will process personal information. All shall follow the policy and practices described in this Notice, and include them in the agency’s formal Privacy Policy Notice executed by the client.

5. This Notice shall be amended as policies or practices change. Amendments may affect personal information that is obtained before the effective date of an Amendment. The new Notice will be posted at www.housing.nv.gov at least 30 days prior to taking effect.

6. The Division will provide a written copy of this Notice to any individual or organization that requests one. The Division shall also maintain a copy of this Notice on its website located at www.housing.nv.gov.

B. How and Why Service Providers Collect Personal Information

1. The Division and the State Recipient or its sub-recipient service providers shall collect personal information only when appropriate to provide services or for another specific purpose of the agency, or when required by law. Providers may collect information for the following purposes:
a. To provide or coordinate services to a client;
b. To locate other programs that may be able to assist a client;
c. For functions related to payment or reimbursement from others for services that are provided;
d. To operate the agency and its programs, including legal activities, audits, personnel oversight, contract monitoring, program evaluation, and other management and/or administrative functions;
e. To comply with government and funder reporting obligations;
f. For research, data analysis, and community reporting purposes; and

g. When required by law.

2. The Division and the State Recipient or its sub-recipient service providers shall only use lawful and fair means to collect personal information.

3. The Division and the State Recipient or its sub-recipient service providers normally collect personal information with the knowledge or consent of clients. If a client seeks assistance and provides personal information, there shall be the assumption that the client consents to the collection of information as described in this Notice and that data may be entered into HMIS.

4. The Division and the State Recipient or its sub-recipient service providers may also obtain information about a client from other available sources such as:

   a. Individuals who accompany the clients, such as a guardian, caretaker, or advocate;
   b. Other private organizations that provide services to the client;
   c. County and other government agencies such as state and local mental health providers, Department of Health and Human Services, etc.; and
   d. Telephone directories and other published sources.

5. A sign shall be posted at each intake desk or other location explaining the reasons a client is asked for personal information. The signage shall be obtained from the HMIS Provider or HMIS Lead Agency, and shall state the following:

   “We collect personal information directly from you for reasons that are discussed in our privacy statement. We may be required to collect some personal information by law or by organizations that give us money to operate this program. Other personal information that we collect is important to run our programs, to improve services for homeless persons, and to better understand the needs of homeless persons. We only collect information that we consider to be appropriate.

Nosotros colectamos información personal directamente de usted por razones que se explican en nuestra declaración de privacidad. Podríamos tener que colectar cierta información personal por ley o por las organizaciones que nos dan dinero para operar este programa. Otra información personal que colectamos es importante para realizar nuestros programas, para mejorar los servicios para las personas sin hogar y para comprender mejor las necesidades de las personas sin hogar. Solo colectamos información que consideramos conveniente.”
C. **How the Division and the State Recipient or its Sub-Recipient Service Providers Will Use and Disclose Personal Information**

1. Personal information will be used for activities described in this part of the Notice. As necessary, the Division and the State Recipient or its sub-recipient service providers may or may not make any of these uses or disclosures.

   It shall be assumed that the client consents to the use or disclosure of personal information for the purposes described here and for other uses and disclosures that is determined to be compatible with these uses or disclosures:

   a. **To provide or coordinate services** for individuals to help them obtain or retain services. Service providers may share client records (with consent) with other organizations that may have separate privacy policies and that may allow different uses and disclosures of the information;

   b. For functions related to **payment or reimbursement for services:**

   c. **To carry out administrative functions** such as audits, oversight and management of the HPRP program, including the maintenance and operation of HMIS;

   d. **To create de-identified (anonymous) information** that can be used for research and statistical purposes without identifying clients;

   e. **When required by law** to the extent that use or disclosure complies with and is limited to the requirements of law;

   f. **To avert a serious threat to health or safety** if:

      - It is believed that use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public; and

      - The use or disclosure is made to a person reasonably able to prevent or lessen the threat, including the target of the threat;

   g. **To report about an individual that is reasonably believed to be a victim of abuse, neglect, or domestic violence to a government authority** (including a social service or protective services agency) authorized by law to receive reports of abuse, neglect, or domestic violence under any of the following circumstances:

      - Where the disclosure is required by law and the disclosure complies with and is limited to the requirements of the law;

      - If the individual agrees to the disclosure; or

      - To the extent that the disclosure is expressly authorized by statute or regulation; and

         i. it is believed the disclosure is necessary to prevent serious harm to the individual or other potential victims; or

         ii. if the individual is unable to agree because of incapacity, then a law enforcement or other public official authorized to receive the report represents that the agency for which disclosure is sought is not intended to be used against the individual and that an immediate enforcement activity that depends upon the disclosure would be materially and
adversely affected by waiting until the individual is able to agree to the disclosure; and

- When the agency makes a permitted disclosure about a victim of abuse, neglect, or domestic violence, they will promptly inform the individual who is the victim that a disclosure has been or will be made, except if:
  
  i. In the exercise of professional judgment it is believed informing the individual would place them at risk of serious harm, or

  ii. The agency would be informing a personal representative (such as a family member or friend), and reasonably believes the personal representative is responsible for the abuse, neglect or other injury, and that informing the personal representative would not be in the best interests of the individual as determined in the exercise of professional judgment.

h. For academic research purposes, release of personal information will only be allowed if research is:

- Conducted by an institution that has a formal relationship with the Division or its State Recipient service providers, as long as the research is conducted by either:
  
  i. An individual employed by or affiliated with the Division or State Recipient service provider for use in a research project conducted under a written research agreement approved in writing the Division; or

  ii. An institution for use in a research project conducted under a written research agreement approved in writing by a State Recipient Executive Director; and

- The formal relationship is contained in a written research agreement that must
  
  i. Establish rules and limitations for the processing and security of personal information in the course of the research;

  ii. Provide for the return or proper disposal of all personal information at the conclusion of the research;

  iii. Restrict additional use or disclosure of personal information, except where required by law;

  iv. Require that the recipient of data formally agree to comply with all terms and conditions of the agreement; and

  v. Not be a substitute for approval, if appropriate, of a research project by an Institutional Review Board, Privacy Board, or other applicable human subject’s protection institution.

i. To a law enforcement official for a law enforcement purpose (if consistent with applicable law and standards of ethical conduct) under any of the following circumstances:

- In response to a lawful court order, court-ordered warrant, subpoena, or summons issued by a judicial officer, or a grand jury subpoena; and
• If the law enforcement official makes a **written request** for personal information that:
  i. Is signed by a supervisory official of the law enforcement agency seeking personal information;
  ii. States that the information is relevant and material to a legitimate law enforcement investigation;
  iii. Identifies the personal information sought;
  iv. Is specific and limited in scope to the extend reasonably practicable in light of the purpose for which the information is sought; **and**
  v. States that de-identified information could not be used to accomplish the purpose of the disclosure;
• If it is believed in good faith that the personal information constitutes **evidence of criminal conduct** that occurred on Division or its State Recipient service provider’s premises;
• In response to an oral request for the purpose of identifying or locating a suspect, fugitive, material witness, or missing person, and the personal information disclosed consists only of name, address, date of birth, place of birth, social security number, and distinguishing physical characteristics;
• If the official is an authorized federal official seeking personal information for the provision of **protective services to the President** or other person authorized by 18 U.S.C. 3056, or to foreign heads of state or other persons authorized by 22 U.S.C 2709(a)(3), or for the conduct of investigations authorized by 18 U.S.C 871 and 879 (threats against the President and others); **and** if the information requested is specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought; **and**
  j. To comply with **governmental reporting obligations** for homeless management information systems and for oversight of compliance with homeless management information system requirements.

2. Before any use or disclosure of a client’s personal information not described in this Notice, the Division and the State Recipient or its sub-recipient service providers will seek client consent first.

D. **How to Inspect and Correct Personal Information**

1. A client may wish to inspect and have a copy of personal information maintained by the Division, the State Recipient, or its sub-recipient service providers. The Division, State Recipient, and/or its sub-recipient service providers will respond to any such request within a reasonable time frame, usually two to three business days.

2. The Division and the State Recipient or its sub-recipient service providers will consider a request from a client for correction of inaccurate or incomplete personal information that is maintained. If agreed that the information is inaccurate or incomplete the Division, State Recipient or its service providers may delete it or chose to mark it as inaccurate or incomplete and will supplement it with additional information.
3. To inspect, receive a copy of, or ask for correction of personal information, a client may ask an ESG staff member. The appropriate staff member will be located to assist with the review and/or correction of the file within a reasonable time period, usually two to three business days.

4. The Division, State Recipient, or its sub-recipient service providers may deny a request for inspection or copying of personal information if:
   
   a. The information was compiled in reasonable anticipation of litigation or comparable proceedings;
   b. The information is about another individual (other than a health care provider or homeless provider);
   c. The information was obtained under a promise or confidentiality (other than a promise from a health care provider or homeless provider) and if the disclosure would reveal the source of the information; or
   d. Disclosure of the information would be reasonably likely to endanger the life or physical safety of any individual.

5. If the Division, State Recipient, or its sub-recipient service provider denies a request for access or correction, there will be included an explanation of the reason for the denial. The Division, State Recipient, or its sub-recipient will also include, as part of the personal information that is maintained, documentation of the request and the reason for denial.

6. The Division, State Recipient, or its sub-recipient service provider may reject repeated or harassing requests for access or correction.

E. Data Quality

1. The Division, State Recipient, and its sub-recipient service providers collect only personal information that is relevant to the purposes stated in this Notice or as required for reporting to funders. To the extent necessary, the Division, State Recipient, and its sub-recipient service providers seek to maintain only personal information that is accurate, complete, and timely.

2. The Division, State Recipient, its sub-recipient service providers, the HMIS Lead Agency, or the HMIS Vendor may dispose of personal information not in current use seven years after the information was created or last changed. As an alternative to disposal, the Division, State Recipient, its sub-recipient service providers, or the HMIS Lead Agency or Vendor may choose to remove identifiers from the information so that the data can be maintained for analysis purposes.

3. The Division, State Recipient or its sub-recipient service providers, or the HMIS Lead Agency or Vendor may keep information for a longer period if required to do so by statute, regulation, contract or other requirement.
F. Complaints and Accountability

1. The Division, and the State Recipient, or its sub-recipients service providers accept and consider questions or complaints about client privacy and security policies and practices. The client has the right to be heard if he or she believes that confidentiality rights have been violated, if a client has been denied access to personal records, or the client has been put at personal risk, or harmed.

The Division, and the State Recipient, or its sub-recipient service providers have established a formal grievance process for use in such circumstances. To file a complaint or grievance, a client may request a copy of the process from the Division’s website at [www.housing.nv.gov](http://www.housing.nv.gov), by calling the Division at 775-687-2040, or by contacting the applicable State Recipient or sub-recipient service provider.

a. For a complaint or grievance against data collected for the HMIS database, clients may obtain a Client Grievance Form at [http://www.miner-hmis.com/client-forms/](http://www.miner-hmis.com/client-forms/). Forms may be submitted to the following:

HMIS Provider:
Bitfocus, Inc.
Via FAX to: (702) 991-1881

Via US Mail to:
Bitfocus, Inc.
9101 W. Sahara Ave #105-158
Las Vegas, NV 89117

2. Staff members of the Division, State Recipient, or its sub-recipient service providers, including employees, volunteers, affiliates, contractors and associates, are required to comply with this privacy notice. Each staff member must receive and acknowledge receipt of a copy of this notice.

G. Privacy Notice Change History

Each copy of this Notice will have a history of changes made to the document. This document’s change history is as follows

Version 1.0 July 1, 2012

*The undersigned certifies that the State Recipient shall ensure compliance with this Privacy Policy and shall adopt a similar policy for the agency and its sub-recipients which will be provided to program staff:*

Certified by:

___________________________________________ _________________________
Signature of State Recipient Representative   Date
EMERGENCY SOLUTIONS GRANT PROGRAM
CONFLICT-OF-INTEREST POLICY

This is a policy statement regarding State of Nevada’s Conflict-of-Interest Policy for the Emergency Solutions Grant Program through the Nevada Housing Division. This Policy shall be implemented by the Division and its State Recipients or sub-recipients.

A. Organizational conflicts of interest

The provision of any type or amount of ESG assistance may not be conditioned on an individual’s or family’s acceptance or occupancy of emergency shelter or housing owned by the Division, the State Recipient or its sub-recipient, or a parent or subsidiary of the State Recipient. No State Recipient or its sub-recipients may, with respect to individuals or families occupying housing owned by the State Recipient or sub-recipient, or any parent or subsidiary of the State-Recipient or sub-recipient, carry out the initial evaluation required under section 576.401 of the ESG regulations, or administer homelessness prevention assistance as reflected under 576.103.

B. Individual conflicts of interest

For procurement of goods and services, the Division and the State Recipient or its sub-recipients must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) summarized at:


and 24 CFR 84.42 (for private non-profits) summarized at:


For all other transactions and activities, the following restrictions apply:

1. Conflicts Prohibited:

No person described in paragraph B(2) of this section who exercises or has exercised any functions or responsibilities with respect to activities assisted under the ESG program, or who is in a position to participate in a decision-making process or gain inside information with regard to activities assisted under the program, 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 family or business ties, during his or her tenure or during the one-year period following his or her tenure.

2. Person Covered:

The conflict of interest provisions of paragraph B(1) of this section apply to any person who is an employee, agency, consultant, officer, or elected or appointed official of the Division, State Recipient or its sub-recipient.
3. Exceptions:

Upon the written request by the Division, HUD has stated that they may grant an exception to the provisions of this rule on a case-by-case basis, taking into account the cumulative effects of the criteria in paragraph B(3)(ii), provided that the Division has satisfactorily met the threshold requirements of paragraph B(3)(i).

i. **Threshold requirements.** HUD will consider an exception only after the Division has provided the following documentation:

   a. If the Division, State Recipient or its sub-recipient is a government, disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and

   b. An opinion of the Division’s attorney that the interest for which the exception is sought would not violate state or local law.

ii. **Factors to be considered for exemptions.** In determining whether to grant a requested exception after the Division has satisfactorily met the threshold requirements under paragraph B(3)(i), HUD must conclude that the exception will serve to further the purposes of the ESG program and the effective and efficient administration of the Division, State Recipient, or its sub-recipient’s program or 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 B(1);

   e. Whether undue hardship results to the Division, the State Recipient, or the person affected, when weighed against the public interest served by avoiding the prohibited conflict; and

   f. Any other relevant considerations.

C. **Contractors**

All contractors of the Division, State Recipient or its sub-recipient must comply with the same requirements that apply to the Division, State Recipients or its sub-recipient.

D. **Additional Requirements for ESG State Recipients, Sub-Recipients and contractors**

Conflict-of- Interest policies must also include instructions to staff that may be in the situation of needing assistance themselves, or providing assistance to close friends or family members, to ensure that ESG funds are not used inappropriately. State Recipient or sub-recipient staff must be aware of the Policy, evidenced by their signature, that they have received a copy of the Policy. The original executed copy shall be maintained in the ESG program file.
E. Conflict of Interest Change History

Each copy of this Notice will have a history of changes made to the document. This document’s change history is as follows:

Version 1.0  July 1, 2012

The undersigned certifies that the State Recipient shall comply with this Conflict-of-Interest Policy and shall adopt a similar policy for the agency which will be provided to program staff:

Certified by:

__________________________________________________________________________  ____________
Signature of State Recipient       Date
Pursuant to the Emergency Solutions Grant Program Guidelines, the following person(s) is/are authorized to execute drawdown functions and deliver all instruments required by or contemplated in connection therewith on behalf of the below named administrative agent:

<table>
<thead>
<tr>
<th>Administrative Agent: Clark County Social Service</th>
<th>Type of function: (mark one)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: 1600 Pinto Lane, Las Vegas NV 89106</td>
<td>1 ☐ New User(s)</td>
</tr>
<tr>
<td>Phone:</td>
<td>2 ☐ Recertify Existing User(s)</td>
</tr>
<tr>
<td>Tax ID #:</td>
<td>3 ☐ Terminate Authority</td>
</tr>
</tbody>
</table>

Authorized User's Name/Title  
Authorized User's Signature

I authorize the above-identified person(s) to drawdown funds on behalf of the above-referenced administrative agent according to the Emergency Solutions Grant Program Guidelines:

________________________________________  _________________________
Administrative Agent Signature          Date

Title