

Veterans Justice Programs

Fiscal Year 2024

**Legal Services for Homeless Veterans and
Veterans At-Risk for Homelessness Grant**

Grant Recipient Guide

VA



U.S. Department
of Veterans Affairs

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VA Veterans Justice Programs

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LSV Web Resources

LSV National Site: [Legal Services for Veterans: Provider Website - VA Homeless Programs](#)

LSV CFR: [eCFR :: 38 CFR Part 79 -- Legal Services for Homeless Veterans and Veterans At-Risk for Homelessness Grant Program](#)

Overview

Welcome to the Legal Services for Homeless Veterans and Veterans At-Risk for Homelessness (LSV-H) Grant Program. The Veterans Justice Programs Office applauds the collaborations that LSV-H grantees and VA teams cultivate together to provide legal services for our nation's most vulnerable Veterans. Thank you for the valuable work you do every day to help end Veteran homelessness.

This guide was developed to give grantees and VA staff an overview of LSV-H operations. The performance period for LSV-H awards begins on August 1, 2024, and ends on September 30, 2025. The information contained herein is to be used for reference and general guidance. It does not supersede any national LSV-H regulations, other statutes, or governing laws. LSV-H grantees are required to be aware of and comply with all applicable federal, state, or local laws. Links to the LSV-H regulations—as well as other relevant regulatory and statutory guidance—may be accessed at on our [LSV National Site](#).

Expectations and Operational Framework

Electronic Grants Management

The LSV Program Office is currently using an Electronic Grants Management System (eGMS) hosted by UDPaaS for electronic grant submissions and ongoing grant management. It is critically important that grantee staff have access to eGMS, and the grantee's contacts are up to date. Vital information from the LSV Program Office will be relayed to grantees through the eGMS system. Grantees will only be able to properly interface with eGMS if their points of contact are entered correctly and maintained as staffing changes. It is the grantee's responsibility to maintain current and accurate contacts in eGMS. Information and training about the eGMS system is available on the [LSV National Site](#).

Financial Management

Please review the Financial Reporting section of this guide. LSV-H grants have a period of performance from August 1, 2024, to September 30, 2025. A Mid-Year SF-425 is due by March 31, 2025. A Final SF-425 is due by January 28, 2026.

Grantees must have a thorough understanding of all federal regulations applicable to LSV-H:

- 38 U.S.C. provides the statutory authority.
- 38 C.F.R. 79 sets forth LSV-H specific regulations.
- 38 U.S.C. 101(2) is to be used to define 'Veteran' for LSV-H.
- 38 U.S.C. 5303A establishes the length of service requirement for LSV-H eligibility.
- 38 C.F.R. 79.15 and 24 CFR 576.2 establish the definition of homeless to be used for LSV-H.
- 2 C.F.R. § 200 lays out Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Understanding the LSV-H Grant

The LSV-H grant provides legal services grants to public or non-profit private entities that will provide legal services to eligible Veterans who are homeless or at risk for homelessness. This is consistent with the intent and purpose of Section 4202 of the Veterans Health Care and Benefits Improvement Act of 2020 and is within the continuum of the VA's homeless services programs.

Funding Uses

Allowable legal services covered under this Grant Program are limited to the following, without prior written approval:

- a. Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.
- b. Legal services relating to family law, including assistance in court proceedings for child support and custody, divorce, estate planning, and family reconciliation.
- c. Legal services relating to income support, including assistance in obtaining public benefits.
- d. Legal services relating to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, driver's license revocation, and citations. To reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing, covered legal services relating to criminal defense also include legal assistance with requests to expunge or seal a criminal record.
- e. Legal services relating to requests to upgrade the characterization of a discharge or dismissal of a former member of the Armed Forces under [10 U.S.C. 1553](#).
- f. Other covered legal services as determined appropriate by the Secretary, including:
 - (1) Legal assistance with protective orders and other matters related to domestic or intimate partner violence.
 - (2) Access to health care.
 - (3) Consumer law matters, such as debt collection, garnishments, usury, fraud, deceit, and financial exploitation.
 - (4) Employment law matters.
 - (5) The unmet legal needs of male and female veterans in VA's annual Community Homelessness Assessment, Local Education and Networking Groups (CHALENG) survey for the grant award year.

Unallowable Uses

In accordance with the principles set out in 2 CFR 200 Subpart E - Cost Principles, there are certain costs which are not permissible under federal grants. Understanding these unallowable costs is crucial for maintaining the integrity of your scope of work, avoiding audit findings, and ensuring the successful completion of your grant obligations.

Unallowable costs, as defined by 2 CFR 200 Subpart E, are expenses that cannot be charged, either directly or indirectly, to federally sponsored projects. While some unallowable costs are universal across all federal

grants, others are specific to individual grant programs. Consequently, it's essential to understand both the general principles and any restrictions specific to your grant. Some examples of Unallowable Costs include:

- Entertainment costs: Costs of entertainment, including amusement, diversion, and social activities and any associated costs are unallowable, except where specific costs that might otherwise be considered entertainment have a programmatic purpose and are authorized either in the approved budget for the Federal award or with prior written approval of the Federal awarding agency.
- Alcoholic beverages: Costs of alcoholic beverages are unallowable and may not be charged to the federal award.
- Fines, penalties, damages, and other settlements: Costs resulting from non-compliance with federal, state, local, or foreign laws and regulations are unallowable, unless incurred as a result of compliance with specific provisions of the Federal award, or with prior written approval of the Federal awarding agency.
- Associated Legal Costs: Reimbursement for Bar Membership.
- Food and Beverages: The LSV-H grant exists to provide covered legal services to eligible Veterans. Food and Beverage expenses, even nominal ones, are not authorized under this grant. There are other VA funded grants which provide these services to eligible Veterans.

The above are only examples and do not encompass all unallowable costs. Therefore, we recommend that you familiarize yourself thoroughly with 2 CFR 200 Subpart E. Please feel free to reach out to the LSV Program Office for more specific inquiries or clarification.

Understanding Roles and Responsibilities

It is expected that the grantee is familiar with the VA regulations, LSV-H grant regulations, the grant application, and any subsequent approved changes of scope. Regulations are available on the LSV website: [LSV National Site](#).

Grantee Roles

- Provide services described in the grant application
- Complete the LSV-H Quarterly Report no later than 30 days after the end of each fiscal quarter
- Participate in required reviews/audits as they arise
- Navigate VA systems and request guidance if needed
- Complete corrective action when relevant
- Maintain administrative files and Veteran case files

Please note that if there are multiple grantee staff members involved with one grant, it is imperative that there is an effective system of communication in place. This is necessary to ensure knowledge by all involved staff members of current grant status, issues, successes, and next steps.

Monthly Webinars

Grantees must check the LSV website frequently for current guidance and policies. Grantees should also attend monthly LSV-H webinars and technical assistance trainings. Monthly LSV-H grantee webinars will be scheduled by the LSV Program Office. A calendar invitation with the meeting information will be sent to the

designated LSV-H grantee's point of contact. The LSV Program Office expects a representative from the grantee's organization to attend.

Grant Administration & Oversight

Attorney-Client Privileged Information / Unique Client Identifier

The Department of Veterans Affairs (VA) will never ask for information that is protected by the Attorney-Client Privilege (ACP). When information is requested at the Veteran level (such as the *LSV Caseload Tracking Tool*), grantees need to utilize a Unique Client Identifier (UCI) instead of providing personally identifiable information for a given Veteran. A UCI is a unique combination of letters and numbers which is used to produce unduplicated counts of Veterans served over time. UCIs are widely used in other US Government grants such as those funded by the Legal Services Corporation, IRS's Low Income Taxpayer Clinics and many others. If your organization has a casework system that generates its own UCI, you are welcome to use that. If not, please create a UCI for the LSV-H Grant using the naming convention below:

- Two-character State/Territory abbreviation for where grantee is located
- Four-digit year Veteran was last discharged from the military
- First three letters of Veteran's first name
- Veteran's four-digit year of birth
- First letter of Veteran's last name

Example 1: Legal Aid Florida is assisting Veteran John Smith with a Discharge Upgrade. Mr. Smith was born in 1975 and was discharged from the US Army in 2010.

- UCI for Veteran John Smith: FL2010JOH1975S

Example 2: Legal Aid Texas is assisting Veteran Jane Smith with a debt collection issue. Ms. Smith was born in 1985 and was discharged from the United States Marine Corps in 2008. She later joined the Texas Army Guard and was discharged from them in 2015.

- UCI for Veteran Jane Smith: TX2015JAN1985S

Utilizing a UCI will ensure that the VA can collect the relevant data we need while ensuring that information covered by ACP is protected.

Administrative File

The administrative file contains documentation associated with the grant award. The administrative file can be either paper or electronic. The method is determined by the grantee. The file must be accessible by all relevant staff. Grantees must ensure the confidentiality of records maintained on Veterans receiving services under the grant.

The below must be maintained in the grantee's administrative file:

- A copy of the original grant application
- Change of Scope requests and responses from the LSV Program Office
- *LSV Caseload Tracking Tool* (Excel-based and electronically stored)
- Corrective Action Plan correspondence

Case File

The case file is a record of legal services provided to individual Veterans. The case file can be either paper or electronic. The method is determined by the grantee. Grantees must ensure the confidentiality of records maintained on Veterans receiving services under the grant.

The below must be maintained in the case file:

- Veteran information including:
 - Verification of eligibility status (e.g., SQUARES report, DD214)
 - Information needed to populate LSV Caseload Tacking Tool
- Case Specific Documents – Any documents related to or generated as part of a given legal matter that the grantee is assisting the Veteran with.

Data & Reporting

The grantees are responsible for maintaining data. Grantees will provide a Quarterly Report no later than 30 days after the end of each fiscal quarter and a copy of their LSVH Caseload Tracking Tool no later than 30 days after the end of the grant period or as otherwise requested by the LSV Program Office.

LSV-H Caseload Tracking Tool

The LSV-H Caseload Tracking Tool is a cumulative Excel file that tracks legal services provided to Veterans at the case level. The following information is captured in the LSV-H Caseload Tracking Tool:

- Unique Client Identifier: A UCI is a unique combination of letters and numbers which is used to produce unduplicated counts of Veterans served over time. See 'Attorney Client Privileged Information / Unique Client Identifier' above for more information.
- Confirmation if Veteran is new or carry-over from prior grant year
- Age At Time of Screening: The Age (in years) of the Veteran at time of screening.
- Race: Use the drop-down to select the Race of the Veteran.
- Ethnicity: Use the drop-down to select the Ethnicity of the Veteran
- Sex: Use the drop-down to select the Sex of the Veteran.
- Housing Status Upon Screening: Use the drop-down to select the Housing Status of Veteran Upon Screening.
- Sheltered Homeless: Refers to Veterans who are staying in emergency shelters, transitional housing programs, or safe havens.
- Unsheltered Homeless: Refers to people whose primary nighttime residence is a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for people (for example, the streets, vehicles, or parks).

- **At-Risk for Homelessness:** Refers to Veterans who do not have sufficient resources or support networks, e.g., family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the definition of “homeless” in 24 CFR 576.2 and meets one or more of the following conditions:
 - (1) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance;
 - (2) Is living in the home of another because of economic hardship;
 - (3) Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
 - (4) Is constructively evicted from their current housing because of untenable conditions created by the landlord such as shutting off electricity and water or discriminatory acts;
 - (5) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by Federal, State, or local government programs for low-income individuals;
 - (6) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than 1.5 persons reside per room, as defined by the U.S. Census Bureau;
 - (7) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution);
 - (8) Is fleeing, or is attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual, including a child, that has either taken place within the individual's primary nighttime residence or has made the individual afraid to return to their primary nighttime residence; or
 - (9) Otherwise lives in housing that has characteristics associated with instability and an increased risk for homelessness.
- **Does the Veteran reside in a Rural Area:** "Rural" is any area that is not located in a standard metropolitan statistical area (SMSA) or a primary metropolitan statistical area (PMSA). To determine if an area is considered Rural, please utilize the LSV-H Rural County Lookup Excel file located on the LSV-H National Site. Simply find the County and State where the Veteran resides / last resided in Column 'C' then refer to the 'Yes' or 'No' listed in Column 'D'.
- **Presenting Legal Problem:** Use the drop-down to select the legal problem of the Veteran. Note, if a Veteran has more the one legal problem that the grantee is assisting them with, each legal problem should be a separate row in the LSV-H Caseload Tracking Tool.
- **Level of Legal Services Provided:** Use the drop-down to select the level of legal services provided to the Veteran.
- **Type of Legal Service Provided:** Use the drop-down to select the type of legal services provided to the Veteran.
- **Status of Legal Problem:** Use the drop-down to select the status of legal services provided to the Veteran. As noted above, the LSV-H Caseload Tracking Tool is a living tool that should be updated regularly.

- **Housing Status at Exit:** Use the drop-down to select the housing status of the Veteran upon completion of the legal services rendered by the grantee.
- **Hours Spent on Legal Problem:** Enter the hours spent on the given legal problem. Round up to the nearest half-hour.

Additionally, the LSV-H Caseload Tracking Tool has a separate 'tab' which should be used to track Group Trainings that LSV-H grantees provide to Veterans as part of outreach services. The following information needs to be provided for Group Trainings:

- **Date of Group Training**
- **Location of Group Training:** Provide the location of the group training. This just needs to be the name of the facility or location. Examples include 'Jefferson Legal Aid Office', 'Jefferson Center for Veterans Education', 'Jefferson City VFW'.
- **Number of Veterans in Attendance**
- **Brief Description of Topics Covered:** Provide a brief description of topics covered such as 'Provided Know Your Rights Training, provided VA Benefits information, and answered questions pertaining to Landlord/Tenant Disputes'
- **Total Hours Spent on Group Training:** Please provide the Total Hours your organization spent on this training. For example, if an attorney and a paralegal drove thirty minutes from Jefferson Legal Aid to the Jefferson VFW and gave a one-hour presentation before driving back to Jefferson Legal Aid, this would be four Total Hours. Round up to the nearest half-hour.

LSV-H Quarterly Report

Grantees must submit a performance report to LSV Program Office on a quarterly basis. This report is cumulative in nature and should include all cases worked up to the end of that quarter. These are due no later than 30 days after the end of each fiscal quarter (i.e., no later than 30 days after October 31st, January 31st, April 30th, and September 30th).

- These reports will be required to contain information relating to operational effectiveness, fiscal responsibility, legal services grant agreement compliance, and legal and regulatory compliance.
- This report must include a breakdown of how the grantee used the legal services grant funds, the number of participants assisted, information on each participant's sex, age, race, and service area, a description of the legal services provided to each participant, and any other information that the VA requests.
- Grantees are reminded of their responsibility to protect Veterans' privacy.
- Grantees will be required to track data that will consist of information on the participants served and the types of legal services provided by grantees.
- The LSV Program Office will provide a How-to guide to submit the report in eGMS
- Information regarding legal services provided may be protected from being released to the VA under attorney-client privilege; however, the grantee must provide sufficient information to demonstrate the frequency and type of services delivered to meet performance measurement outcomes, as defined in 2 CFR 200.301.

Grant & Financial Compliance

Grantees must ensure that all operational costs assigned to the grant are allowable, allocable, and reasonable in conducting the work under LSV-H grant program. The determination of allowable costs must be made in accordance with the applicable Federal Cost Principles set forth in [2 CFR part 200](#) and LSV-H Program Regulations. Grantees must use a financial management system that will provide adequate fiscal controls and accounting records.

Under LSV-H, a minimum of 90% of grant funds must be used to provide legal services for Veterans at risk of or experiencing homelessness. Administrative costs may not exceed 10% of grant funds and must be substantiated. For example: If your award is \$150,000, your total administrative costs must not exceed \$15,000. Administrative costs are all direct and indirect costs associated with the management of the program, including administrative costs of subcontractors.

Under LSV-H, at least 10% of the funds allocated to a grantee must be used for the provision of legal services to women veterans. For example, if your award is \$150,000 at least \$15,000 of that must be used to provide legal services to women veterans.

Grantees must establish procedures for accounting with respect to the grant and are required to follow all guidelines and laws for receiving federal grants. Not only federal law but also state and local laws may apply. Additionally, audit requirements must be followed as set forth in the Office of Management and Budget (OMB) Circulars (available on our website).

All grant recipients are subject to audits to ensure regulatory compliance. Grantees working closely with the LSV Program Office can help to clarify operational roles and address any problems before they become issues of noncompliance. A few points:

- Grant compliance is assessed through various mechanisms, and grantees should be familiar with all applicable areas
- Applicable federal regulations ([eCFR: 38 CFR Part 79](#)); OMB Uniform Guidance for Grants ([eCFR: 2 CFR Part 200](#))
- The original NOFO under which the grantee applied
- The grantee's grant application and approved changes of scope
- Applicable VA Directives and guidance (*see Regulations on Page 1 of this guide*)
- Any federal legislation that enacts program changes before federal regulations are updated
- The LSV Program Office will keep all informed of any legislative changes

Approval of payments does not constitute approval of individual costs charged as part of the payment. If VA subsequently determines through a fiscal review or audit that costs were not charged appropriately, VA may issue a Letter or Indebtedness to collect for the over-billing. Submission of budgets or other information as part of the grant application or through subsequent changes of scope does not constitute approval for charges that violate program regulations or OMB Uniform Guidance. Each grantee must track costs by each FAIN. In addition, each grantee is advised it must meet the requirements of 38 CFR 79.90 Financial Management.

Generally, grantees are expected to use grant funds on a consistent basis throughout the one-year award period. Grantees whose requests exceed 35% of the grant award in the first quarter, 60% in the second quarter, or 80% in the third quarter will need **prior** written approval from VA. VA reserves the right to adjust access to funds based on a variety of factors including performance.

If VA determines that grantee spending is not meeting the minimum percentage milestones identified below, VA may elect to recoup projected unused funds and reallocate funds among other grantees who are able to fully use the funds to provide legal services during the grant period.

- The grantee's requests to VA for grant funds are less than 10% of the total grant award by the end of the first quarter of the grant cycle, no later than October 31, 2024.
- The grantee's requests to VA for grant funds are less than 30% of the total grant award by the end of the second quarter of the grant cycle, no later than January 31, 2025.
- The grantee's requests to VA for grant funds are less than 55% of the total grant award by the end of the third quarter of the grant cycle, no later than April 30, 2025.

Supporting documentation must be maintained and made available for VA review upon request. Grantees are encouraged to monitor their requests for funding closely. It is the grantee's responsibility to initiate timely communication with the LSV team.

Allowable expenses must meet all the requirements in 2 C.F.R. § 200 and be

- Necessary, reasonable, and allocable to the grant and otherwise in conformance with the general criteria for allowable costs set forth in 2 C.F.R. § 200.403-405
- Billable Hours/Labor Rates –actual cost incurred for person or service. Different from hourly rate paid (not portion that has profit built in)
- Allocated consistently with a sound methodology and be clearly documented
- Costs are allocable to a particular cost objective if the goods or services involved are chargeable or assignable to such cost objective in accordance with relative benefits received or in accordance with another equitable relationship
- Documented adequately
- Included within the description of eligible activities in the applicable LSV regulations, NOFO, etc.
- Incurred directly or indirectly for the benefit of an eligible Veteran
- In compliance with any limitations or exclusions set forth in these principles or as specified in the grant award process (and codified in the grant agreement)
- Treated consistently and determined in accordance with generally accepted accounting principles

Payment Guidance

Ensure the grantee's account is set up in [Health and Human Services, Division of Payment Management System](#) (HHS).

The grant award amount for the entire grant award period is on the first page of the grant agreement. The LSV Program Office makes electronic payments to grantees for services rendered through HHS. Payments are made to the appropriate vendor account associated with the Employer Identification Number (EIN) and Unique Entity Identifier (UEI) indicated by the applicant on their Application for Federal Assistance (SF-424). VA will not provide funds to the grantee prior to the start date on the grant agreement. Generally, grantees will access funds quarterly or monthly as needed for costs incurred. If funds are requested for pending expenses, they must be spent within three business days.

Grantees should ensure that they have an active HHS DPM account.

- For new users to the Payment Management System, follow the instructions for requesting access at [Payment Management System \(psc.gov\)](https://psc.gov)
 - If a grantee needs its Payee Account Number during the registration process, please email LSVgrants@va.gov with the project's FAIN.
- For users that already have access to the Payment Management System and need to add the new grant, please **Login to PMS → select "Menu" → User Account Maintenance → Update Privileges**

Steps to request payment

Grantees must make payment requests through two systems:

1. **HHS system:** [Home | Payment Management Services \(psc.gov\)](https://psc.gov) AND
2. **eGMS:** [eGMS Login Webpage](#)

The steps for payment requests are described as follows:

- 1) Request draw down through HHS (for electronic deposit of funds)
- 2) Enter a payment request through eGMS (for LSV program staff to review detailed request)
- a. Follow steps on the How-To: Submit a LSV-H Payment Request available on the [Legal Services for Veterans: Provider Website](#)

Grant Closeout

Fiscal reporting will be based on the full grant award period .

All grantees are required to complete the FFR SF 425 on an annual basis for each FAIN.

- Annual FFRs are due no later than 120 days after the end of the grant award period ()
- Grantees email SF 425s to LSV425@va.gov <mailto:GPD425@va.gov>
- If the LSV grantee withdraws from the grant or is terminated, a final FFR will be due
 - The final FFR is due no later than 120 days after the date of withdrawal or termination
 - If the grantee's agency has overages, DO NOT include a check with the FFR
 - If the FFR indicates funding is due to be returned, grantees must repay the amount immediately. The LSV office will initiate a formal Notice of Indebtedness with instructions on how and where to send payment or request waivers of debt

It is very important that if no one in the grantee's agency has expertise in meeting federal grant compliance requirements, professional grant management services are retained.

Eligibility

A Veteran's eligibility for the LSV-H Grant is determined by a two-prong test. First, the individual must be found to be a 'Veteran' pursuant to 38 U.S.C. 101(2). Second, the individual must be found to be homeless or at risk for homelessness pursuant to 38 CFR § 79.15.

Regarding the first element, within LSV-H, the definition of "Veteran" found in 38 U.S.C. 101(2) is to be used ("a person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable.") Additionally, the length of service requirements set forth in 38 U.S.C. 5303A apply to this grant program. These requirements apply to the administration of VA benefits and services unless otherwise explicitly made inapplicable under an authorizing statute.

Regarding the second element, 38 CFR § 79.15 states "To be eligible for legal services under this part, an individual must be a: (1) Homeless veteran or (2) Veteran at risk for homelessness." § 79.15(b)(1-9) goes on to provide a list of conditions of which at least one must be met to be considered 'at risk for homelessness'. Please note, there is no income cap for LSV-H. Income, assets and property should not be taken into consideration when making an eligibility determination outside of what is listed in 38 CFR § 79.15.

Verification of Veteran's Eligibility

VA requires grantees verify and document a Veteran's eligibility for legal services prior to providing legal services. VA also requires that services continue to be provided through completion of the legal services so long as the participant continues to be eligible and if, at any point, the grantee finds the participant is ineligible, they must document such ineligibility and provide the individual with information on other available programs/resources or provide a referral.

- The grantee must verify Veteran eligibility for the LSV-H Program by reviewing the Veteran's DD 214 or other discharge documents ([Complete List Of Discharge Documents | Veterans Affairs \(va.gov\)](#)) or by utilizing [SQUARES](#).
- Accessing SQUARES requires permission and a greater level of review. Community users must verify their identity. Community organizations serving Veterans will need to apply for SQUARES access. Each organization must designate a SQUARES manager. The SQUARES manager is responsible for reviewing and approving user access within the grantee's organization. If a grantee is having trouble verifying a Veteran's LSV-H eligibility, the grantee's staff may ask the Veteran for her/his records. If there are questions about SQUARES, please refer to this website: <https://www.va.gov/homeless/squares/>. Additionally, grantees may contact SQUARESAdmin@va.gov for technical assistance.
- If using SQUARES, grantees are expected to keep a copy of the eligibility confirmation from SQUARES in the Veteran's case file.

Grievance Process

Per Section 29 of the LSV-H Grant Agreement, grantees shall utilize their existing grievance process to address Veteran client concerns raised at intake, during the provision of, or following the completion of legal services.

The VA Program Office strongly encourages grantees to adopt and follow a formal process for receiving, reviewing, and responding to Veteran client concerns and complaints about the VA grant funded services. In the event the grantee does not have an existing grievance process, the grantee shall make a best effort to

assist the Veteran client to ensure their legal needs are met, including making referrals to other providers when the grantee determines that it is unable to serve the Veteran client.

If the grantee is unable to assist the Veteran client to their satisfaction, the grantee may refer the Veteran client to the VA Program Office at LSVGrants@va.gov. The VA Program Office's review will be limited to the application of program criteria established in 38 CFR Part 79. The VA Program Office will not offer legal advice or access the merit of a Veteran client's underlying legal claim.

Written Notice to Veterans about Protections Against Religious Discrimination

Consistent with the requirements of 38 C.F.R. part 50, all LSV-H grantees who provide legal services to Veterans under a LSV-H funded project must give written notice to Veteran clients. This written notice must provide information about protections against religious discrimination. Grantees are responsible for ensuring that subrecipients comply with this requirement.

This requirement applies to all LSV-H grantees regardless of the organization type (e.g., non-profit, State government, local government, Tribal government, faith-based organization, non-faith-based organization, housing authority).

The following template language may be used to provide notice according to your organization's operating procedures. Each organization's written notices may vary depending on internal practices (e.g., handout, poster, signed agreement); however, the language must be substantially similar to the template text and grantees are responsible for proactively communicating the message.

Written notice to beneficiaries must be provided to new Veteran Clients beginning August 1, 2024. Template Language for ALL LSV-H Grantees:

TEMPLATE

Name of Organization: [insert grantee name]

Name of Program: Department of Veterans Affairs (VA), Legal Services for Homeless Veterans and Veterans At-Risk for Homelessness (LSV-H) Grant Program

Contact Information for VA's LSV-H Program Office: LSVGrants@va.gov

Because this program is supported in whole or in part by financial assistance from the Federal Government, we are required by 38 C.F.R. part 50 to let you know that:

- 1) We may not discriminate against you based on religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice.
- 2) We may not require you to attend or participate in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) that may be offered by our organization, and any participation by you in such activities must be purely voluntary.
- 3) We must separate in time or location any privately funded explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) from activities supported with direct Federal financial assistance.
- 4) You may report violations of these protections, including any denials of services or benefits by an organization, by contacting or filing a written complaint with the grant program office using the contact information set forth above.

5) If you would like to seek information about whether there are any other organizations that provide these kinds of services in your area, including Federally funded organizations, please use the contact information above.

As of August 1, 2024, this written notice must be given to you before you receive services from the LSV-H program. When it is impractical to provide such notice before we provide the service, this notice must be given to you at the earliest available opportunity.

Requesting Corrective Action

Corrective action is required when a grantee is not adhering to the grant. A deficiency identified at any time, does not automatically trigger the corrective action process. Typically, grantees are allowed 30 days to correct deficiencies depending upon the severity and provided there is no immediate danger to the safety of Veterans.

Corrective Action Plan

A Corrective Action Plan is a structured and time-bound strategy implemented by deficient grantees to address and rectify performance deficiencies identified in their grant activities. However, corrective action involves due process, and grantees and the LSV Program Office should work closely and proactively to resolve any issues requiring correction before a formal process is needed.

A CAP is a formal letter signed by the VJP National Director outlining the deficiency that is not meeting grant requirements. The CAP will clearly state the deficiency or deficiencies and allow the grantee time—typically 30 days—to perform remediation.

Grantees should not be surprised by nor be unaware of an impending CAP letter. The LSV Program Office shall clearly discuss any findings at once upon discovery and provide the grantee the opportunity for correction. Quarterly reviews lend themselves to discussion of any grant compliance or performance issues. Grantees should include their leadership in the discussions.

When a CAP is considered successfully remediated, the VJP National Director will sign another letter noting the issue is resolved.

Payment Withhold/Suspension

If a grantee fails to provide an acceptable CAP, a letter withholding and then suspending grant payments may be issued. If funds are withheld, and the situation is corrected, the grantee may be paid the funds withheld for the services rendered. However, if funds are suspended, even though the situation is corrected, the grantee will not be paid for those services rendered during the suspension period. Payments may be reinstated from the date of satisfactory correction. As a last resort, projects can be terminated. The LSV Program Office is the office of primary responsibility for the termination of a LSV-H award. When termination occurs, VA will conduct a complete audit to determine if any funds are due the government.

Changes Related to the Grant

Any significant alteration in an awarded grant requires a change of scope which must be approved in writing by the LSV Program Office before it can be implemented. Proposed reductions in service are not acceptable rationale for a change in scope. Please note, the LSV Program Office will also consider whether the grant application would have scored as well in the year it was funded if the proposed change of scope is approved.

Changes of scope must be submitted to the LSV Program Office (through LSVGrants@va.gov) by the grantee. Examples of modifications that require a change of scope request:

- Use of new previously unidentified third-party.

- Change in geographic area served

LSV-H Interaction with Other USG Grants

Other VA Grants

Grants allocated for the LSV-H grant program within the Department of Veterans Affairs have a specific and exclusive focus on providing services and support to eligible veterans under this program. It is crucial to note that these grants cannot be utilized to deliver services or fulfill the scope of work authorized by other VA grants. The intent is to ensure a clear separation and avoid any overlap in the provision of services, thereby maintaining the integrity and targeted impact of both the LSV-H program and other VA grant initiatives. (See generally 38 CFR 79.70(c) “*No funds provided under this part may be used to replace Federal, State, tribal, or local funds previously used, or designated for use, to assist eligible Veterans.*”).

Legal Services Corporation

The LSV Program Office is aware that Legal Services Corporation (LSC) prohibits their grantees from providing criminal defense however that does not apply to the LSV-H ‘dual status’ grantees. To quote LSC:

“The restriction on criminal cases is found in the LSC Act and applies only to LSC funds and private funds by operation of Section 1010(c), 42 U.S.C. 2996i(c). The restriction does ***not*** extend to public funds—which include Federal grants—or Tribal funds as long as the public or Tribal funds are used for the purposes for which they were granted. In the case of LSV grants, because criminal representation is a permitted activity, LSC grantees would be able to use LSV funds consistent with that purpose.”

If grantees have any additional questions regarding LSC’s position, please contact Stefanie Davis – Senior Associate General Counsel and Ethics Officer with LSC’s Office of Legal Affairs (Office: 202-295-1563 / Email: sdavis@lsc.gov). The LSV Program Office is unable to provide any further information on this topic.