

Legal Services for Homeless Veterans and **Veterans At-Risk for Homelessness (LSV-H) Grant Program**

FY24 Grantee Onboarding Day 2 August 14, 2024

Recording: https://veteransaffairs.webex.com/recordingservice/sites/veteransaffairs/recording/playback/4f6a73883c95103db9ef1ee7885cf09d

Password: Homeless1!









Legal Services for Veterans Team



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Agenda

I. Financial Management

II. Office of Business Oversight

III. eGMS & Provider Website



Financial Management

- Allowable Costs/Fundable Services
 - Training and Outreach
- Grant & Financial Compliance
 - Federal Cost Principles set forth in 2 CFR part 200
 - Federal Regulations specific to LSV eCFR: 38 CFR Part 79
 - Administrative Costs
 - Fiscal Controls
- Payment Guidance
 - HHS & eGMS
 - Requesting a payment



Allowable Costs

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 10U.S.C. 1553.





Allowable Costs (cont)

- 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.

Training and Outreach

One component applicants were scored on related to the program concept and plan demonstrated by the following Outreach and Screening Plan:

- Applicant has a feasible outreach and referral plan to identify and assist eligible veterans in need of legal services.
- Applicant has a plan to process and receive legal services referrals for eligible veterans.
- Applicant has a plan to assess and accommodate the needs of referred eligible veterans.
- Collaboration and communication with VA. Applicant has a plan to coordinate outreach and services with local VA facilities.
 - https://www.ecfr.gov/current/title-38/section-79.35

NOTE: While outreach is a necessary component of this grant, the intent of the grant is to resolve legal issues that create barriers to housing and/or employment. Grantees will be required to submit quarterly performance reports to demonstrate they are meeting the requirements of this grant as outline in the NOFO under which grantees applied.





Training and Outreach

Training Veterans is an allowable activity. Such trainings, which may be used as outreach, should be captured on the 'Group Training' Tab of the Caseload Tracking Tool.

- You can bill and would include any outreach or training provided to Veterans as direct/nonadministrative services.
- The **hours** associated with a training should include preparation, travel (if applicable), and the actual training. While we'd always like as many Veterans to be at a training as possible, the number of veterans who show up won't impact the cost (so if 20 Veterans register but only 8 show up, VA won't deduct any payment).
- As for the 'Number of Veterans in Attendance', you can enter an estimate. We recognize
 that there may be non-eligible individuals attending those groups as well, we simply need an
 estimate of how many Veterans attended.
 - You don't need to register each Veteran or verify their eligibility for covered legal services under LSV-H. Should a Veteran request assistance with a covered legal service following the training, they would need to be screened by the grantee to ensure they are eligible.





Training and Outreach

Training staff who support Veterans is allowable as an Administrative Cost.

- Costs associated with training attorneys, employees, and VA health professionals are *not* direct services.
- These would be considered administrative and are limited to 10% of the total award
- You'll log such training when you submit a payment request.



Federal Cost Principles

- Federal Regulations specific to LSV under <u>eCFR</u>: 38 CFR Part 79
 § 79.90 Financial management and administrative costs.
- All costs charged to the grant must be allowable (2 C.F.R. § 200.403), allocable (2 C.F.R. § 200.405) and properly segregated within your financial system.
- Payment up to the amount specified in the legal services grant must be made only for allowable, allocable, and reasonable costs in conducting the work under the legal services grant. The determination of allowable costs must be made in accordance with the applicable Federal Cost Principles set forth in 2 CFR part 200.
- Grantees are responsible to have qualified staff knowledgeable regarding federal funding requirements (e.g., 2 CFR 200) and ensure their accounting systems comply with these requirements.

Administrative Costs

Administrative Costs

- 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.
- Per 38 CFR 79.90(d): Administrative costs are all direct and indirect costs associated with the management of the program, including administrative costs of subcontractors.
- Administrative costs may not exceed 10% of grant funds and must be substantiated.
- Grantees may choose to utilize the de minimis rate of 10% of modified total direct costs for their Administrative Costs pursuant to 2 CFR 200.414(f).

Administrative Costs

Administrative costs are the allowable, reasonable, and allocable costs related to the overall management of the LSV grant that relate to legal services to eligible Veterans.

What types of costs are considered to be Administrative? These are costs that would typically fall into this category:

- Staff Training
- Office Expenses/Supplies
- Office Space
- Utilities
- Insurance
- Computer/phone/internet
- Computer software
- Salaries (Admin, HR, IT, Accounting)
- Travel costs incurred for official business in carrying out the grant

Fiscal Controls

- 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.
- 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.
- All financial reports must be accurate. Supporting documentation must be maintained and made available for VA review upon request. Grantees are encouraged to monitor their requests for funding closely

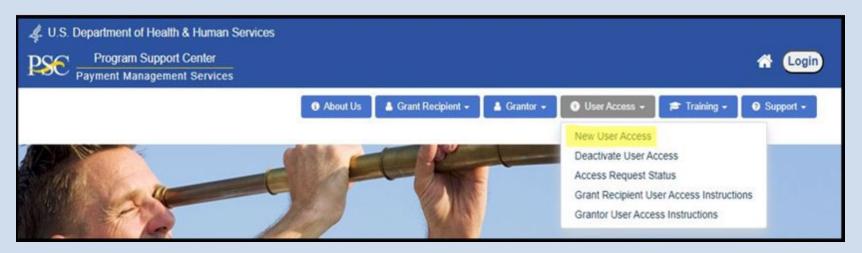
Fiscal Controls

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. Should VA elect to recoup unspent funds, reductions in available grant funds would take effect the first business day following the end of the quarter. VA may elect to recoup funds in the following circumstances:

- 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.

Payment Process – Register

- •LSV payments are reviewed in our **eGMS** system **and** electronically deposited to your bank account through the HHS, Payment Management System (PMS)
- •By August 2024, grantees should ensure that they have an active HHS/PMS account
- •To create a new user in PMS you must first login or create an account with one of our Partners (ID.me). Afterwards, you will be asked to fill out and submit a New User Access Request form.
- •You should have received an email from our office with your Payee Account Number (PAN) and HHS EIN, you will need this to register
- •New Users: follow the instructions for requesting access at: Payment Management System (psc.gov)
- •Existing Users: to add the new grant award, log into the Payment Management System and enter a request to update your access. The instructions can be found at: <u>User Access | HHS PSC FMP Payment Management</u> Services

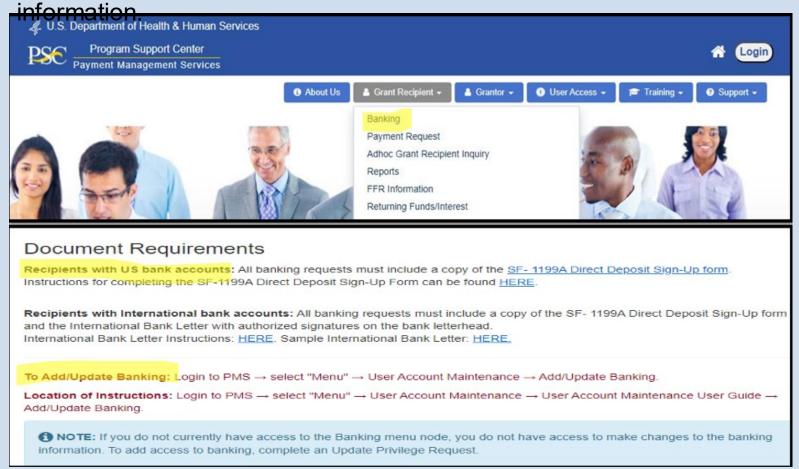






Payment Process – Register

 If you are a new recipient, you will need to obtain access to the Payment Management system prior to providing your banking





Payment Process – Draw Down

- Grantees will request funds through the HHS system AND submit a payment request through the eGMS portal: eGMS Login Webpage
- Grantees will follow the How-to guide available on the <u>LSV Provider</u> <u>Website</u> that provides detailed steps on how to properly submit your payment request
- Generally, grantees will request funds on a monthly or quarterly basis for costs incurred.
 - If funds are requested for pending expenses, they must be spent within three business days
 - LSV will review each payment request for reasonableness and allowability, we will utilize the original budget submission to ensure services are in line with scope of project

NOTE: Be sure to login to PMS at least every 60 days or they will deactivate your account and require you to submit a new user access form.



Payments

If you had a grant with us that ended 7/31, the funds for your new FAIN will be entered in HHS in August.

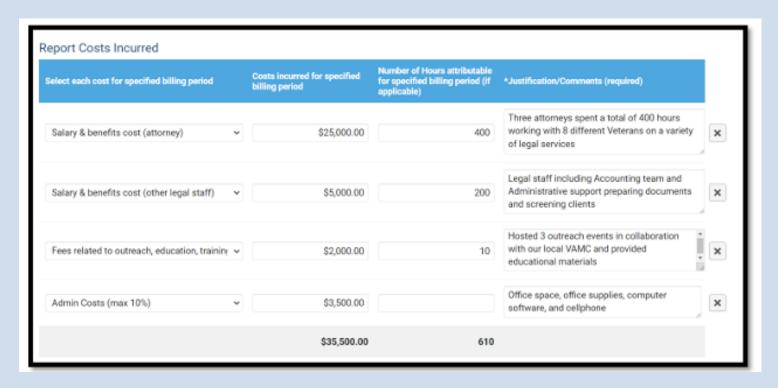
- Please be mindful when drawing funds that you are drawing from the correct grant
 - For costs through 7/31/24, you will draw from your grant (ending -22)
 - For costs beginning 8/1/24, you will draw from your new FY24 grant (ends in -24)
- When entering a payment request in eGMS for costs incurred through 7/31, you can find your grant under the Closed tab

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■ My LSV Applications & Grants

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Requesting a Payment

- You must complete the payment table within eGMS, this is required for our review and part of the supporting documentation
- You will request reimbursement for costs incurred and provide a brief justification that ties to each cost







Payment Example

Examples of salary and benefit costs:

- One attorney spent 386 hours working with Veterans on a variety of legal services.
- Nine attorneys spent a total of 235 hours working with veterans on a variety of legal services
- 22 attorneys and outreach staff spent a total of 565 hours working with veterans on a variety of legal services
- One attorney spent a total of 350 hours working with low income, homeless, and at-risk veterans on legal matters related to housing instability in quarter two
- One paralegal spent a total of 265 hours performing grant related duties, such as applicant screening for eligibility, program related outreach, and legal clinics work.



Payment Examples

Examples of allowable Administrative Costs:

- Computer equipment and software, office space, office supplies, office phone line
- Office, phone, printing, promotional materials, and other administrative cost associated with providing legal services to client base.
- Agency has an Indirect cost rate negotiated @ 38.3% of direct salaries and benefits, due to the 10% cap on this grant, only 10% of indirect cost is charged.
- General Management Staff, Finance Staff, HR Staff, Tech & Communications Staff, IT Systems Maintenance & Support, Outsourced Payroll & HR
- Office space, grant administration, staff travel for grant related conference, computer equipment and supplies.
- Janitorial Services, Utilities, Postage, Supplies, Telephone, Wide area Network and Equipment Rental and Lease.



OBO Fiscal Oversight

- LSV National Program Office secures the services of VA's Office of Business
 Oversight (OBO) to support our financial oversight and monitoring responsibilities.
 - VA audit staff and contractors conduct onsite and virtual fiscal reviews of grantees.
 - Review SF425's and supporting documentation.
 - Assess compliance with A-133 audit requirements.
- VA continues to invest its financial oversight resources as one way to mitigate risk.
 - All grantees should be prepared for an onsite fiscal review from OBO.
 - Make sure you have qualified staff that understand the requirements outlined in the Uniform Guidance (2 CFR 200) to properly manage your Federal funding.
 - Ensure your organization has written standard operating procedures (SOPs)
 related to your management of funds. Routinely review and update these
 documents, as appropriate.



Grants Service

OFFICE OF BUSINESS OVERSIGHT PREPARING FOR A LSV-H GRANT REVIEW

Presentation for:

LSV-H Grantees

Presented by: Office of Business Oversight

August 14, 2024



Purpose and Topics

- This training will help you become familiar with the Office of Business Oversight (OBO) and how we conduct Legal Services for Veterans (LSV-H) reviews of Grantees who receive funds from the LSV-H Program.
 - OBO Background
 - LSV-H Grant Review Areas and Process
 - Tips for Grantee Financial Management
 - How to Prevent Questioned Costs
 - Keys to a Successful Review
 - SF-425 Quick Tips
 - Key Points of Contact and Additional Information



OBO Background - Service Level Agreement

- OBO has a Service Level Agreement with the LSV-H Program Office to:
 - Complete Grantee Onsite and Offsite Reviews to Ensure Compliance with:
 - LSV-H Regulatory Guidance (38 CFR Part 79)
 - LSV-H Program Guide
 - Notice of Funding Opportunity (NOFO)
 - Grant Agreements and Other Uniform Grant Guidance (2 CFR Part 200)
 - Provide Recommendations and Corrective Action Plans (CAP)
 - Review Grantee Federal Financial Report (FFR) SF-425s
 - Conduct Training for Grantees



LSV-H Grant Review Areas

- OBO reviews the following areas:
 - Internal Controls and Fraud, Waste and Abuse
 - Veteran Case Files
 - Expenses
 - Payroll
 - SF-425 Financial Reporting



Review Process – Pre-Site Visit

- Engagement letter and preliminary document request sent to grantee
- Conduct review kick-off call
 - Timeline and critical target dates
- Grantee will provide requested documents via BOX.com
- Review Team will:
 - Conduct a preliminary review of provided documents
 - Develop sample selections after receipt of supporting documentation
 - Review and analyze supporting documentation
 - Review questionnaire responses with follow-up actions
 - Review budget to actual results



Review Team will:

- Conduct entrance conference
- Discuss grantee processes and procedures
- Review case files, discuss any exceptions
- Continue testing of expenses, payroll, and administrative costs
- Discuss any issues or concerns
- Conduct an exit conference and present findings



Review Process - Post Site Visit

- One week following the onsite visit last day to accept supporting documentation
- Review Team will begin drafting report
- 30 to 60 days after visit report will be finalized
- Program Office will issue:
 - Report, Recommendation Response Form (RRF), Predetermination letter for questioned costs
- Grantee shall:
 - Respond to recommendations (30 days)
 - Provide a CAP based on recommendations
- Review Team will request supporting documents for review and analysis to verify the CAP is appropriately addressed



Review Process - Follow-up and Close-out

- If no questioned costs, OBO will send an email stating the review has been completed.
- If questioned costs,
 - Grantee can provide additional supporting documentation during the CAP process to adjust the questioned costs.
 - Notice of Indebtedness Letter issued to the grantee (if applicable)
 - Notice of Indebtedness will be sent to the organization within 4 to 8 weeks after all support documentation has been gathered and approved.
 - The letter will explain all the options the organization has for repaying the debt, disputing the determination, or requesting a waiver.



Tips for Grantee Financial Management

- Financial Documentation
 - Detailed General Ledger (Excel format)
 - Expenditures (including administrative costs)
 - Revenue
 - Chart of Accounts
 - Cost Allocation Policy
 - Financial Policies and Procedures
 - Budget to Actual Results



Tips for Grantee Financial Management

- Allowability of Costs The grantee should address the allowability of costs as follows:
 - To be allowable under a Federal award, costs must be reasonable, allocable, and adequately documented
 - A cost is reasonable if it does not exceed what a prudent person would incur under similar circumstances
 - A cost is allocable to a Federal award to the extent the goods or services benefited the program
 - A cost is adequately documented if it is supported by accounting records and source documentation, such as purchase orders, vouchers, invoices, payroll allocation reports, payroll summaries, timesheets, etc.



Tips for Grantee Financial Management

- Sample Support Expectations
 - Clearly identify sample #
 - Must include an invoice and copy of payment
 - For payroll, must include timesheet for all hours worked
 - If allocated, include allocation breakout for total cost
 - If invoice includes costs for several programs, clearly identify LSV-H specific costs that tie to amount expensed



How to Prevent Questioned Costs

- Create policies and procedures for all expenditures in accordance with federal cost principles <u>2 CFR Part 200</u>
- Ensure costs are reasonable, allocable, and adequately documented.
- Maintain support for methods used to calculate cost allocations
- Segregate LSV-H funds from non LSV-H funds
- Require timesheets for <u>all employees</u> with hours worked and include all projects for allocated employees
- Retain employee offer letters to support annual salary or hourly rate
- Keep your expense receipts or contracts (i.e. gas receipts, lease agreements, and detailed invoices)
- Email the LSV-H Program Office if you are unclear regarding the allowability of expenses



Keys to a Successful Review

- Have an open mind
 - We are here to help
 - There will likely be findings and questioned costs
- Be responsive to auditor requests
 - Timeliness will help reviewers verify program compliance and complete an accurate assessment of your organization
 - Ensure requested items are clear, understandable (intuitive), and complete
- Ensure all required staff/subcontractors will be available during the onsite visit
 - Team lead will coordinate with POC (minimal impact on your operations)
- Be willing to engage the Review Team
 - Review Team members are open and willing to learn about specific circumstances or unique operational environments for your organization
 - Review Teams want to learn the program from a real-world application

SF-425 – Quick Tips

- Create policies and procedures to review, reconcile, and submit the SF-425.
- Submit your SF-425 with total amounts that reconcile to the support provided.
- Assign designated individual(s) to submit a PDF of the SF-425 and the related general ledger no later than 120 days after the end of the grant award period (SF-425 due by November 28, 2024) to <u>LSV425@va.gov</u> with the grantee's FAIN in the subject line.
- Please do not hesitate to reach out to <u>LSV425@va.gov</u> or <u>Tamara.Friday@va.gov</u> with questions.
- SF-425 Template: <u>Legal Services for Veterans: Provider Website VA Homeless Programs</u> (NOTE: Under the SF-425 Resources section, right click on the link, select "Save link as" and save the PDF file to your computer and then open it from the saved location.)

- FY22 Award Year (August 1, 2023 July 31, 2024)
 - Final SF-425 due no later than November 28, 2024

- FY24 Award Year (August 1, 2024 September 30, 2025)
 - A Mid Year SF-425 (for the 7 month period August 1, 2024 – February 28, 2025) is due by March 31, 2025
 - A Final SF-425 is due by January 27, 2026



Key Points Of Contact & Additional Information

- OBO LSV-H Audit Team
 - Tamara Friday, Auditor <u>Tamara.Friday@va.gov</u>
 - Omar Ochoa, Supervisory Auditor Omar.Ochoa@va.gov
 - Jeff Brean, Associate Director <u>Jeffrey.Brean@va.gov</u>
- LSV-H Program Staff
 - LSV-H Program Questions: <u>LSVGrants@va.gov</u>
 - SF-425 Questions: <u>LSV425@va.gov</u>
- LSV-H Provider Website
 - https://www.va.gov/HOMELESS/LSV Provider.asp#regs
- 2 CFR Part 200 Website
 - https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1
- 38 CFR Part 79 Website
 - https://www.ecfr.gov/current/title-38/chapter-l/part-79

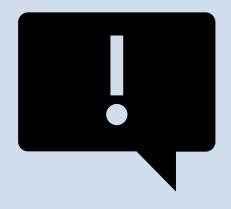


Questions?

Electronic Grants Management System (eGMS)



eGMS Grant Contacts



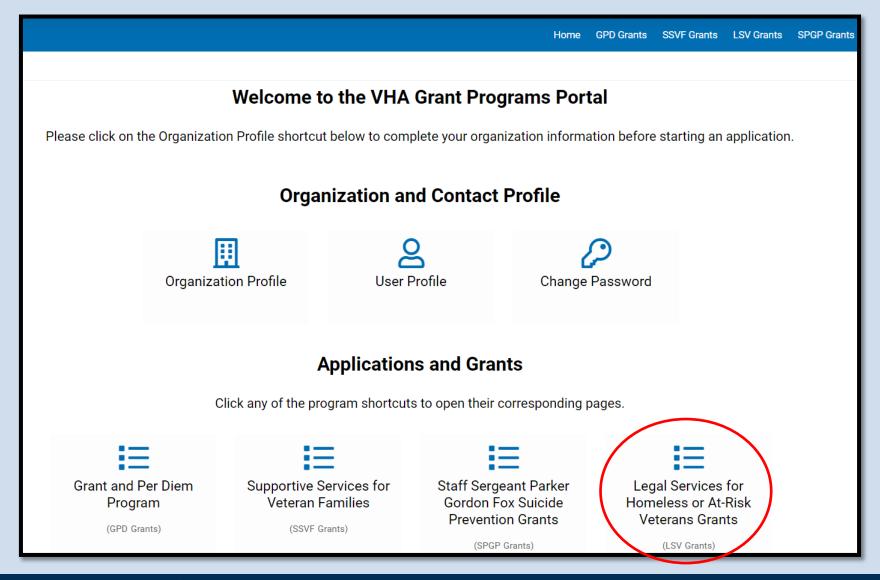
- Keeping your contacts in eGMS up to date is very important
- The contacts provide in eGMS is how our office communicates with and shares important information and updates with all grantees
- Please reference our how-to guide for updating and adding contacts:

https://www.va.gov/HOMELESS/lsv/providers/UDPaaST utorialAddContacts LSV 508c.pdf





eGMS Portal Overview

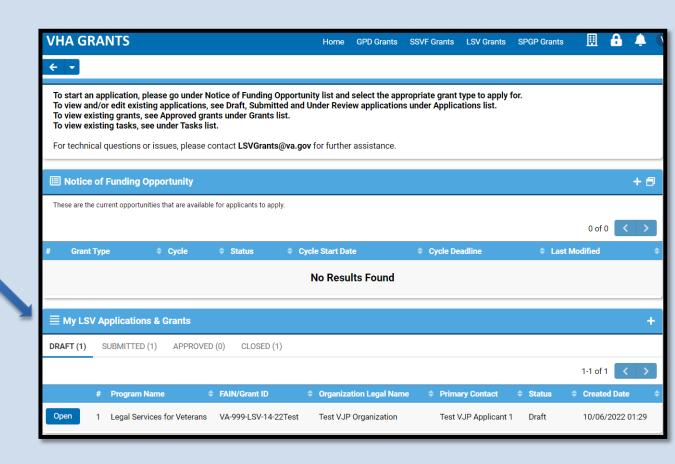






LSV Portal Overview

Find your grant records located under My LSV Applications & Grants

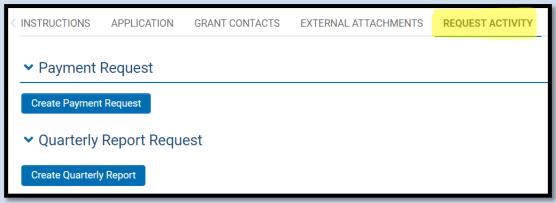




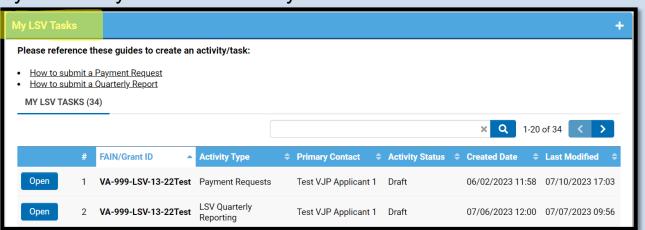


LSV Activities/Tasks Overview

Start a new quarterly report or payment request by going to your active grant record and selecting the Request Activity tab:



Once an activity has been started or sent to you, you can find your activity located under My LSV Tasks:







How-To Guides for LSV-H Activities

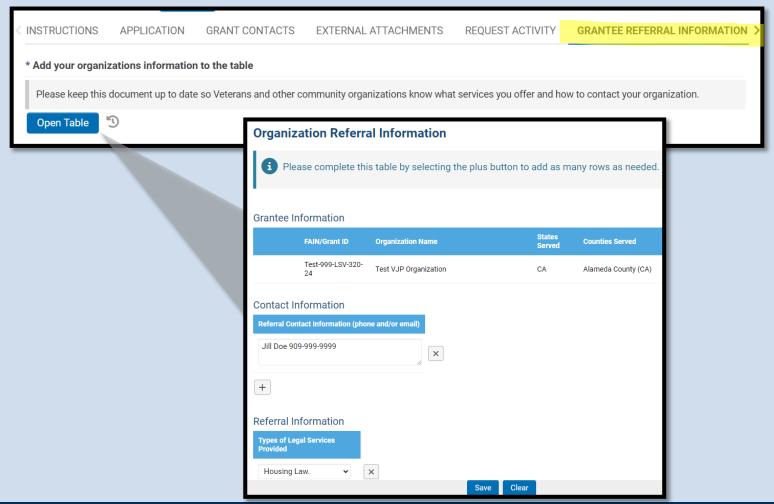
How-to Guides for submitting Activities in eGMS:

- Quarterly Report:
 https://www.va.gov/HOMELESS/lsv/providers/How-To-Submit LSV Quarterly Report 508c.pdf
- Payment Request:
 https://www.va.gov/HOMELESS/lsv/providers/How-to-
 to Submit LSV Payment Request 508c.pdf

LSV-H Grantee Referral Information

Please keep your Grantee's Referral Information up to date

Add your contact information and the types of legal services your organization provides

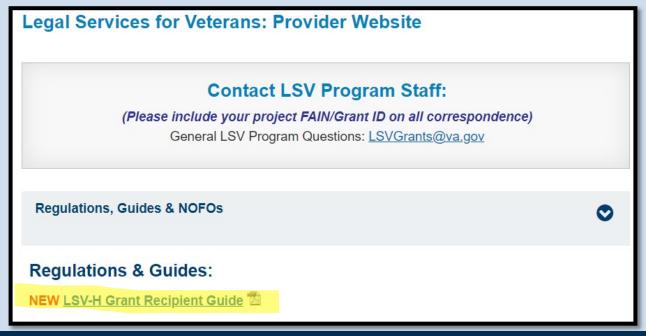






Recipient Guide for LSV-H Grant

- ☐ All grant information is located on the LSV Provider Website: https://www.va.gov/HOMELESS/LSV_Provider.asp
 - FAQs https://www.va.gov/HOMELESS/lsv/providers/LSV-H_FAQ.pdf
 - ➤ LSV-H Grant Recipient Guide: A Grant Participant Guide has been developed for the LSV-H Grant which contains relevant information about LSV-H Operations – <u>LSV-H Grant Recipient Guide 508c.pdf</u> (va.gov)

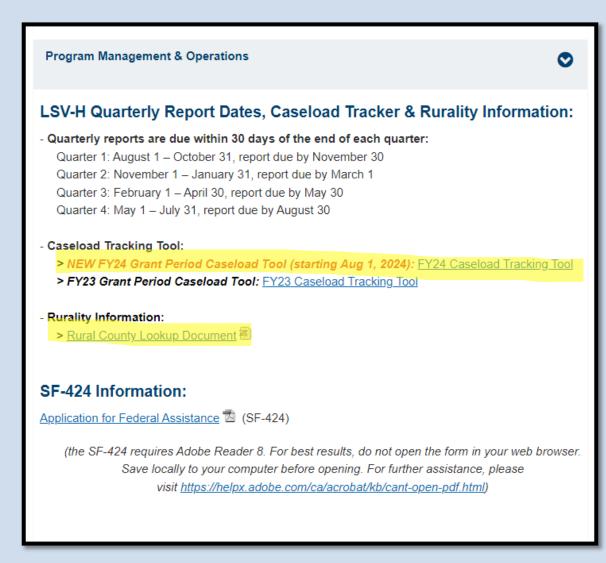






Caseload Tracking and Rurality Tools:

Please find both the Caseload Tracking Tool and the Rurality **Document** on the LSV Provider website.



Questions





