

Policies & Procedures

Updated 10/24/23

Housing Stabilization Collaborative Rent/Utility Assistance Program (HSC-RUAP)

Funding Period:	There is no set funding period for the HSC-RUAP.
Policy Agency:	Douglas County – Housing and Human Services
Administering Agency:	Douglas County and Partnering Agencies
Enquires:	If you have any questions, contact the Douglas County Housing and Human Services (HHS) Program Manager Gabi Sprague, 785-424-5266, gsprague@douglascountyks.org

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HSC Rent/Utility Assistance Policies & Procedures

1 Introduction

Douglas County Housing and Human Services is responsible for administering the Housing Stabilization Collaborative (HSC) Rent/Utility Assistance Program, which is available to all eligible Douglas County residents.

The HSC partners with private, not-for-profit 501(c)3 corporations that provide affordable housing and supportive services for low-income populations. These agencies include, but are not limited to, The Ballard Community Center, the Willow Domestic Violence Center, Centro Hispano, East Central Kansas Economic Opportunity Corporation (ECKAN), Family Promise of Lawrence, Tenants to Homeowners, Lawrence Public Library, Lawrence Community Shelter, United Way of Douglas County, Catholic Charities of Northeast Kansas, Bert Nash Community Health Center, DGCO Reentry, Salvation Army, Success By Six, and the Lawrence Douglas County Housing Authority. The HSC accepts applications from both partnering agencies and individual, unaffiliated community members. If a household is already working with a partnering agency, that agency provides the processing and supportive services of that application. If a participant is not working with a partnering agency at the time of application submission, the HSC intends to refer them to a partnering agency to retrieve needed documentation and ensure the household is supported. The HSC is in constant partnership and communication with other programs to ensure education of, and enrollment in, other providers' programs. This document sets out the policies & procedures for the HSC Rent/Utility Assistance Program.

2 Definitions

Rent – as defined in K.S.A. 58-2543, means all payments to be made to the landlord under the rental agreement, other than the security deposit.

3 Non-Discrimination Policy

Douglas County Housing and Human Services (HHS) is committed to promoting fair housing and ensuring that every person has equal access to housing opportunities regardless of their race, color, national origin, religion, sex, familial status, or disability.

To that end, Douglas County HHS notes that the following is prohibited by federal law in all housing-related activities, including but not limited to:

- Refusing to rent or sell housing to a person based on their protected characteristic;
- Setting different terms or conditions for housing based on a person's protected characteristic;
- Providing different services or facilities based on a person's protected characteristic;
- Failing to make reasonable accommodations for a person with a disability;

- Harassing or intimidating a person based on their protected characteristic;
- Advertising or making any statement that indicates a preference or limitation based on a protected characteristic.

Douglas County HHS will take prompt and appropriate action to address any instances of discrimination, including but not limited to:

- Investigating any complaints of discrimination as it pertains to programming described in this document;
- Taking corrective action to eliminate discriminatory practices or policies;
- Providing training and education to staff, residents, and other relevant parties to prevent discrimination from occurring;
- Providing information and assistance to individuals who believe they have experienced discrimination;
- Cooperating with federal, state, and local fair housing agencies to ensure compliance with fair housing laws;

Douglas County Housing and Human Services encourages all members of the community to report any suspected instances of discrimination and will not retaliate against anyone who reports discrimination or participates in an investigation.

If you believe you have been subjected to discrimination, or if you have questions or concerns about our non-discrimination policy, please contact Douglas County Housing and Human Services at gsprague@douglascountyks.org or hsc@douglascountyks.org.

4 The Rent/Utility Assistance Program

4.1 Rent/Utility Assistance Program Aim

The aim of the Rent/Utility Assistance Program is to provide rent and utility assistance to prevent homelessness.

4.2 Rent/Utility Assistance Program Objectives

The objective of the Rent/Utility Assistance Program is to keep as many households as possible housed for one year from the date of application submission.

4.3 Eligibility Criteria

Due to funding constraints and access, eligibility criteria may change with little to no notice.

To be eligible for Project Funding under the Rent/Utility Assistance Program, an applicant must:

- (a) Have annual adjusted gross income lower than or equal to the 50% Area Median Income (AMI) according to the Department of Housing and Urban Development's (HUD) annual determination for Douglas County, KS. This limit may be found [here](#).

Income Eligibility – Very Low (50%) Income Limit – HUD 2023	
Household Size	Household Income
1	\$33,150
2	\$37,850
3	\$42,600
4	\$47,300
5	\$51,100
6	\$54,900
7	\$58,700
8	\$62,450

Douglas County employs guidelines as set forth in Chapter 5 of the [Department of Housing and Urban Development \(HUD\) Handbook](#)¹ in determining annual adjusted gross income. The following policies and procedures are direct quotes from this handbook.

Annual income is the amount of income that is used to determine a family's eligibility for assistance. Annual income is defined as follows:

- *All amounts, monetary or not, that go to or are received on behalf of the family head, spouse or co-head (even if the family member is temporarily absent), or any other family member; or*
- *All amounts anticipated to be received from a source outside the family during the 12-month period following admission or annual recertification effective date.*

Annual income includes amounts derived (during the 12-month period) from assets to which any member of the family has access.

¹ https://www.hud.gov/sites/documents/doc_35615.pdf

Self-attestation should be used whenever funding sources allow. Income information is defined in the Code of Federal Regulations, Title 24, Subtitle A, Part 5, Subpart B:

Income information means information relating to an individual's income, including:

(1) All employment income information known to current or previous employers or other income sources that Douglas County or other processing agency determines is necessary for purposes of determining an assistance applicant's or participant's eligibility for, or level of assistance in, a covered program;

(2) All information about wages, as defined in the State's unemployment compensation law, including any Social Security Number; name of the employee; quarterly wages of the employee; and the name, full address, telephone number, and, when known, Employer Identification Number of an employer reporting wages under a State unemployment compensation law;

(3) With respect to unemployment compensation:

(i) Whether an individual is receiving, has received, or has applied for unemployment compensation;

(ii) The amount of unemployment compensation the individual is receiving or is entitled to receive; and

(iii) The period with respect to which the individual actually received such compensation;

(4) Unearned IRS income and self-employment, wages and retirement income as described in the Internal Revenue Code, 26 U.S.C. 6103(l)(7); and

(5) Wage, social security (Title II), and supplemental security income (Title XVI) data obtained from the Social Security Administration.²

(b) Reside in Douglas County.

(i) Households living outside of Douglas County but in the 66044-66049 zip codes will also be included **if** the household's answer to the question "Where do you buy your groceries?" is within Douglas County.

(ii) Proof of address may be required in some circumstances. When required, the following document types will be valid:

- Utility bill from the past 90 days;

² <https://www.ecfr.gov/current/title-24/subtitle-A/part-5/subpart-B>

- Lease with verifiable signatures;
 - Bank statement;
 - Copy of government mail;
 - Voter registration card;
 - Vehicle registration;
 - Kansas driver's license with current address;
 - ID renewal postcard;
 - 3rd party verification from social service agency.
- (c) Submit and sign an online application.
- (i) Online applications and the eligibility criteria self-attested therein are valid for thirty days from date of submission unless otherwise determined by the HHSPM.
- (d) Applicant must be selected through the lottery process.

4.4 Lottery Process

Lotteries occur when the amount of funding requested through the HSC application exceeds the amount of funding available to the program.

Before every lottery, the HHSPM assesses funding to determine how many applications can be selected. Amount of funding available to each municipality is determined by the percentage of each municipality's renter population compared to the Douglas County renter population and the amount of funding available overall.

The first lottery utilizes 75% of the available funding and consists of applications who selected that their eviction status is "received a 3 day notice," "received other eviction notice," or "received a court date notice" and/or that their utility status is "past due, utilities currently disconnected."

The second lottery utilizes 25% of the available funding and consists of all applications not selected and/or not included in the first lottery.

There is only one lottery per municipality for Baldwin City and Eudora due to the low number of applications. Applications from households in Lecompton are automatically processed. These parameters are subject to change at any time depending on how many applications are received from these municipalities.

4.5 Eligible project costs

Project Funding may only be applied towards "Eligible project costs". Eligible Project costs:

- (a) Include only:
- (i) current or past due rent paid directly to landlord;
 - (ii) one month of future rent **if** the household is selected in the second lottery of the month;

- (iii) security deposit paid directly to landlord;
- (iv) utilities paid directly to landlord;
- (v) utilities paid directly to utility company;
- (vi) supportive Services Stipends (SSSs) paid directly to Memorandum of Understanding (MOU)-partnering HSC agency;
- (vii) reasonable late fees subject to HHSPM's discretion;
- (viii) current or past due rent paid directly to tenant when landlord refuses to participate in the program or other circumstances subject to the HHSPM's discretion;
- (ix) other fees subject to HHSPM's discretion.

(b) Do not include:

- (x) legal fees of any kind unless ordered by a district court judge;
- (xi) mortgage payments.

4.6 Assessment of Eligibility

HSC Application Processors, after receiving the application from the HHSPM, will assess eligibility from application inputs, source documents, and self-attestations of applicant.

4.7 Funding arrangements

Funding will remain with Douglas County unless restricted to 501(c)3 organizations as determined by funders. In the case that 501(c)3 financial sponsorship is needed, partners will be sought. Douglas County staff will perform all resource development, administration, and management.

Supportive Services Stipends (SSSs), as determined with individual agencies during the MOU writing process, will be disbursed on a quarterly basis. This is dependent on available SSS funding sources.

Douglas County does not owe SSS disbursements to any agencies who have not signed an MOU.

4.8 Application process

Application will remain open.

4.9 How to apply

- (a) Funding under this Rent/Utility Assistance Program is awarded to participants through an application process. To apply, an applicant must:
 - (i) Complete and sign the online application;

- application includes signing the HSC Form and agreement to Rent/Utility Assistance policies & procedures;
- (ii) Provide all supporting documentation to HSC Application Processor or partner agency.
- (b) To assist an applicant in applying, the HSC Application Processor must:
 - (i) Assist applicant in retrieving required documentation;
 - (ii) Complete the e-document Proposal Form and Landlord Agreement;
 - (iii) Perform any additional supportive services as outlined in agency-specific MOUs.

4.10 Assessment

Annual assessments administered by the Housing and Human Services Program Manager (HHSPM) will occur in the last quarter of every year. This will include an assessment of the overall effectiveness Rent/Utility Assistance Program and of MOU-partnering agencies.

5 Emergency Services Grants (ESG) Addendum

Despite any provisions of these Guidelines to the contrary and to the best of its ability, Douglas County Housing and Human Services will distribute ESG – Homelessness Prevention (HP) funding according to the provisions stated in the Kansas Housing Resources Corporation (KHRC) [ESG Handbook](#). The following applies to ESG funding used by Douglas County HHS:

5.1 ESG-RUAP Eligibility Criteria

Due to funding constraints and access, eligibility criteria may change with little to no notice.

To be eligible for the Project Funding under the HSC ESG-RUAP Program, an applicant must:

- (a) Have annual adjusted gross income lower than or equal to the 30% AMI according to the Department of HUD annual determination for Douglas County, KS. This limit may be found [here](#).

Income Eligibility – Extremely Low* Income Limit – HUD 2023	
Household Size	Household Income
1	\$19,900
2	\$22,750
3	\$25,600
4	\$30,000
5	\$35,140
6	\$40,280
7	\$45,420
8	\$46,630

*either 60% of **Very Low** or the [poverty guideline as established by the federal Department of Health and Human Services](#), whichever is greater

- (a) Reside in a rental unit or hotel/motel located in Douglas County.
- (b) Submit and sign an online application.
 - a. Online applications and the eligibility criteria self-attested therein are valid for thirty days from date of submission unless otherwise determined by the HHSPM.
- (c) Perform Coordinated Entry intake with one of the following:
 - a. MOU-partnering agency
 - b. Douglas County HHS
 - c. Douglas County District Court
- (d) Meet one of the following HUD Homeless Category 2 by providing evidence of the of the following stating that the household must leave within 21 days:
 - a. A court order resulting from an eviction notice or equivalent notice, or a formal eviction notice;
 - b. For applicants whose primary nighttime residence is a hotel or motel room not paid for by charitable organizations or federal, state, or local government programs, Evidence that the individual or family lacks resource necessary to reside there for more than 21 days after the date of application for homeless assistance OR
 - c. An oral or written statement by the individual or head of household that the owner or renter of the housing in which they currently reside will not allow them to stay for more than 21 days after the date of application for homeless assistance. The intake worker must record the statement and certify that it was found credible.
 - i. **To be found credible, the oral statement must either:**
 - 1. Be verified by the owner or renter of the housing in which the individual or family resides at the time of application for homeless assistance **AND**
 - 2. Be documented by a written certification by the owner or renter or by the intake worker's recording of the owner or renter's oral statement.

5.2 **Coordination among Emergency Shelter providers, essential services providers, Homelessness Prevention, and Rapid Rehousing assistance providers**

Douglas County HHS will coordinate with ESG providers through attendance of Douglas County regional planning meetings, Coordinated Entry meetings, Kansas

Homeless Coalition Balance of State meetings, and KSHC Committee meetings. Douglas County HHS will attend meetings as requested by the local ESG recipient agency. When possible, MOU-partnering agencies will also be encouraged to attend.

5.3 Participation in HMIS

Douglas County HHS will input all data for ESG funded participants into Clarity.

5.4 ESG-RUAP Program Standards

5.4.1 Program Period

The HSC-RUAP Program and all appropriate funding sources run on a calendar year cycle.

5.4.2 Continued Eligibility Assessment

Eligibility will be assessed every three months to ensure funds are being used for those who need it most.

5.4.3 Standard Rental Payment Percentage

When supporting a household with ESG-HP funding, Douglas County HHS will pay 100% towards a household's rental balance up to 24 months.

5.4.4 Prioritizing Homelessness Prevention funding

Douglas County HHS will work with other local ESG-HP funded agencies to prioritize households closest to losing their housing.

6 Grievance Procedure

The Emergency Services Grant Homelessness Prevention program of Douglas County, KS encompasses many activities and is regulated by several laws, rules, and regulations.

One of the requirements of the program is that participants be provided with a procedure to voice complaints. In order to provide community members of Douglas County a procedure for voicing complaints with some assurance their complaints will receive a fair consideration, Douglas County Housing and Human Services has established the following procedure for hearing complaints regarding any part of the HSC-RUAP program.

1. If any person wishes to lodge a complaint about any aspect of the HSC-RUAP program, the complaint shall be in writing and addressed to the HHSPM at 2518 Ridge Court Room 202 Lawrence, KS 66046.
2. If the person lodging the complaint does not get a satisfactory explanation from the Program Manager, the complaint shall be addressed to the Assistant County Administrator with the Statement that the Program Manager did not give a Satisfactory

Response. This complaint shall also be in writing and addressed to 1100 Massachusetts Street Lawrence, KS 66044.

3. If the person lodging the complaint does not get a satisfactory explanation from the Assistant County Administrator, the person can request that the complaint sent to the County Administrator be forwarded to the care of the County Administrator and request a response.
4. If the person lodging the complaint does not get a satisfactory explanation from the County Administrator, the complainant may request that the complaint be included as an item on the agenda of the next regularly scheduled County Commission Meeting for hearing. A record of this meeting will be maintained.
5. If the complainant does not receive a satisfactory response to the complaint from the County Commission and the complaint is in regard to programming funded by the federal Department of Housing and Urban Development (HUD), the complainant may submit the complaint to the HUD area office in Kansas City, Missouri, Attention: Area Director. The County will forward all records of meetings relevant to the complaint to HUD upon request. The HHSPM can answer whether the programming is funded by HUD.
6. Housing and Human Services subdepartment will assist complainants with the preparation of written complaints or advise the complainants of other sources which could help with the presentation.
7. All complaints shall be submitted on a form provided by the Planning and Development Services Department of the City of Lawrence and shall be signed by the complainant(s).

COMPLAINT FORM
Douglas County, Kansas
Housing and Human Services Department

PLEASE PRINT OR TYPE

1. Name of person or organization submitting complaint.

Name _____

Address _____

2. Nature of complaint

Please summarize briefly the facts. If you need more space for additional details, you may attach a statement. If your complaint is against an individual, please include that person's name.

3. Previous Action

a. Have you expressed your complaint to any person in the Housing and Human Services department verbally? Yes _____ No _____

b. If yes, to whom? _____

c. Have you expressed your complaint to any person in another department of the City? Yes _____ No _____ If yes, to whom? _____

d. Have you expressed your complaint to any member of the City Commission? Yes _____ No _____

If yes, to whom? _____

4. I HAVE READ THIS COMPLAINT (including any attachments) AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Date

Signature

NOTE: The complainant will get a copy of this complaint and will receive a written reply within fifteen (15) days.

7 Termination Policy

Households will be terminated from the program at the end of their assistance period without written notice. An exit survey will be conducted over the phone with willing participants.

If a household is terminated prior to the end of the assistance period, written notice will be provided. The notice will contain adequate reasoning for the termination.

Douglas County reserves the right to terminate a participant's participation in the program at any time for any reason.

8 Appeals Process

If a household's application for housing assistance is denied, the HHSPM will provide a written explanation of the reasons for denial via email. If the household wishes to contest the decision, they may request an appeal by emailing hsc@douglascountyks.org within 15 days of receiving the denial email. Upon receiving the appeal request, the HHSPM will assign an internal or MOU-partnered agency staff member to review the request. If the appeal is deemed eligible, the household will be assisted based on the original application submission date. However, if the appeal is denied, the HHSPM will send a written letter explaining the reasons for upholding the denial. The appeal review process will be completed within ten business days. It's important to note that a successful appeal decision does not guarantee receipt of assistance, as it is subject to the availability of HSC-RUAP funds at the time of the decision.

9 Violence against Women Act – Emergency Transfer Plan

In Draft

Douglas County HHS is committed to ensuring the safety of tenants, including those who are victims of domestic violence, dating violence, sexual assault, or stalking. To comply with the Violence Against Women Act (VAWA), Douglas County HHS allows such tenants to request an emergency transfer assistance to move to a safe unit. Regardless of sex, gender identity, or sexual orientation, tenants may request assistance for an emergency transfer if they reasonably believe that there is a threat of imminent harm from further violence if they remain in their current unit. A tenant may also be eligible to transfer if they were a victim of sexual assault on the premises within the 90-calendar-day period preceding their request for an emergency transfer.

The eligibility requirements, documentation, confidentiality protections, transfer timing and availability, and safety and security of tenants are all identified in this plan, which is based on a model emergency transfer plan from the US Department of Housing and Urban Development (HUD). Tenants must expressly request a transfer following the procedures outlined in the plan. Even if a tenant is not in good standing, they may still request an emergency transfer if they meet the eligibility requirements.

To request an emergency transfer, a tenant must notify the Douglas County Housing and Human Services by submitting an email request to hsc@douglascountyks.org with the Subject Line "Emergency Transfer Request" for a transfer to the designated location. Douglas County HHS will maintain the confidentiality of any information the tenant submits unless required by law, in an eviction proceeding or hearing regarding termination of assistance from the program, or with the tenant's written permission for a time-limited period. HP will also keep the new location of the dwelling unit confidential from the perpetrator(s) of the domestic violence, dating violence, sexual assault, or stalking.

Douglas County HHS cannot guarantee that a request for transfer assistance will be approved or how long it will take to process a transfer request. However, Douglas County HHS will act as quickly as possible to move a tenant to another unit subject to availability and safety. If a tenant does not believe a proposed transfer would be safe, they may request assistance to transfer to a different unit. If there are no safe and available units for the tenant, Douglas County HHS or other MOU-partnered agency will assist them in identifying other housing providers that may have safe and available units.

While the transfer request is pending, tenants are encouraged to take reasonable precautions to ensure their safety. Tenants who have been victims of domestic violence or sexual assault can contact the National Domestic Violence Hotline or the Rape, Abuse & Incest National Network's National Sexual Assault Hotline, respectively, for assistance in creating a safety plan. Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center.

10 Communications

10.1 Communications with the media

All media enquiries or public announcements relating to the Rent/Utility Assistance Program will be coordinated and handled by Douglas County's HHS Program Manager. Please direct all media enquires or public announcements to this position.

10.2 Confidentiality, privacy, and use of information

Douglas County will maintain controls in relation to the management of confidential information provided by applicants.

Douglas County may disclose information, including confidential information, of or provided by an applicant to the following parties:

- (a)** To MOU-partnering community partners;
- (b)** To community partners who have a release of information on file for the applicant and have shared such with the HHSPM;

(c) To any government agency or authority and its representatives and advisors, including for the purpose of assessing and verifying such information.

And for the following reasons:

(d) To comply with or meet applicable standards of accountability of public money or established government policies, procedures or protocols;

(e) To comply with or meet applicable standards of accountability of public money or established government policies, procedures or protocols or

(f) If required to be disclosed by law.

Douglas County will not publicly share any information regarding applicants. Any personal information submitted as part of an application will not be shared by Douglas County or disclosed to any third party for any purpose(s) other than in connection with the intent of distributing rent and/or utility assistance to the benefit of the applicant and improving the quality of care and service for people in need. The following consent statement will be a required input of the application:

I give permission to Douglas County to collect and enter my personal household information into the Douglas County database. I understand that the data is shared with and used by authorized agencies in my community for the purposes of:

- 1. Assessing the needs of low income, homeless or other people with special needs in order to give better assistance and to improve their current or future situations.*
- 2. Improving the quality of care and service for people in need.*
- 3. Tracking the effectiveness of community efforts to meet the needs of people who have received assistance.*
- 4. Reporting data on an aggregate level that does not identify specific people or their personal information.*

I understand that:

- 1. All agencies that use the data will treat my information in a professional and confidential manner.*
- 2. Signing this release form does not guarantee that I will receive assistance.*
- 3. My information may be shared with a third party (utility provider, landlord, social service providers) in order to process the service I have requested.*
- 4. I have the right to a printed copy of my data file.*

All applications will be retained according to Douglas County's record retention policy.

10.3 Complaints

The decision in relation to an application is final and may not be appealed. If, however, an applicant has any concerns in relation to the application or assessment process, an applicant may raise their concerns in writing by contacting: Gabi Sprague, 785-424-5266, gsprague@douglascountyks.org

11 Terms and Conditions

11.1 Reservation of Rights

- (a)** Despite any provision of these Guidelines to the contrary, Douglas County reserves the right to administer the Rent/Utility Assistance Program and conduct the process for the assessment and approval of applications to the Rent/Utility Assistance Program in such manner as it thinks fit, in its absolute discretion.
- (b)** Douglas County retains all rights and powers to make all decisions and actions in order to achieve the Rent/Utility Assistance Program objectives and Douglas County reserves the right, in its absolute discretion and at any time, to:
 - (i)** Change the structure, procedures, nature, scope or timing of, or alter the terms of participation in the process or overall Rent/Utility Assistance Program (including submission and compliance of applications), where in such circumstances notice will be provided to partnering agencies;
 - (ii)** Vary or amend the eligibility or assessment criteria;
 - (iii)** Take into account any information from its own and other sources;
 - (iv)** Accept or reject any application, having regard to these Guidelines, the eligibility criteria, the assessment criteria or any other item, matter or thing which Douglas County considers relevant, including the limitations on the funds available for the Rent/Utility Assistance Program;
 - (v)** conduct due diligence investigations in respect of any applicant and subject applications to due diligence, technical, financial and economic appraisals;
 - (vi)** require an applicant to clarify or substantiate any claims, assumptions or commitment contained in an application or provide any additional information;
 - (vii)** terminate the further participation of any applicant in the application process;
 - (viii)** terminate or reinstate the Rent/Utility Assistance Program or any process in the Rent/Utility Assistance Program;

- (ix)** not proceed with the Rent/Utility Assistance Program in the manner outlined in these Guidelines, or at all;
 - (x)** amend the nature, scope or timing of the Rent/Utility Assistance Program; and
 - (xi)** take such other action as it considers in its absolute discretion appropriate in relation to the Rent/Utility Assistance Program processes.
- (c)** Where, under these Guidelines, it is stated that Douglas County may exercise a right or discretion or perform any act or omit to perform any act, then unless stated otherwise Douglas County may do so at its sole and absolute discretion and will not be required to act, or be restrained from acting, in any way or for any reason nor to take into account the interests of any third party (including an applicant or partnering agency).
- (d)** Douglas County's obligations in connection with the application process are limited to those expressly stated in these Guidelines.
- (e)** No contractual or legal relationship exists between Douglas County and an applicant in connection with the Rent/Utility Assistance Program, these Guidelines or the application process or any stage of the Rent/Utility Assistance Program.
- (f)** An applicant and its representatives or partnering agency and its representatives have no authority or power, and must not purport to have the authority or power to bind Douglas County, or make representations on behalf of Douglas County;

11.2 No Action

To the extent permitted by law, no partnering agency or applicant will have any claim of any kind whatsoever against Douglas County (whether in contract, tort (including negligence), equity, under statute or otherwise) arising from or in connection with:

- (a)** any costs, expenses, losses or liabilities suffered or incurred by the applicant in preparing and submitting rent/utility assistance applications (including any amendments, requests for further information by Douglas County, attendance at meetings or involvement in discussions) or otherwise in connection with the Rent/Utility Assistance Program;
- (b)** Douglas County at any time exercising or failing to exercise, in its absolute discretion, any rights it has under or in connection with the Rent/Utility Assistance Program; or
- (c)** any of the matters or things relevant to its application or the Rent/Utility Assistance Program in respect of which the applicant must satisfy itself under these Guidelines.

(d) Without limiting paragraph (a), if Douglas County cancels or varies the Rent/Utility Assistance Program at any time or does not select any applicant following its assessment of the applications, or does (or fails to do) any other thing referred to under clause 6.1 of these Guidelines, no applicant will have any claim against Douglas County arising from or in connection with any costs, expenses, losses or liabilities incurred by the applicant in preparing and submitting its application or otherwise in connection with or in relation to (whether directly or indirectly) the Rent/Utility Assistance Program.

(e) For the avoidance of doubt, each applicant and partnering agency:

- (i)** participates in the Rent/Utility Assistance Program at its own risk; and
- (ii)** is wholly responsible for its costs of applying for, participating in, or otherwise in connection with, the Rent/Utility Assistance Program.

11.3 Non-exhaustive

(a) These guidelines do not contain all of the information that applicants may require in reaching decisions in relation to whether or not to submit an application. Applicants must form their own views as to what information is relevant to such decisions.

11.4 Disclaimer

Douglas County makes no warranty or representation express or implied, and does not assume any duty of care to the applicants that the information in these Guidelines, or supplied in connection with the Rent/Utility Assistance Program (Information) is accurate, adequate, current, suitable or complete, or that the Information has been independently verified.

Douglas County accepts no responsibility whether arising from negligence or otherwise (except a liability that cannot lawfully be excluded) for any reliance placed upon the Information or interpretations placed on the Information by applicants.

11.5 Intellectual property

Any intellectual property rights that may exist in an application will remain the property of an applicant or the rightful owner of those intellectual property rights. Any part of an application considered to contain intellectual property rights should be clearly identified by an applicant.

11.6 Law

These guidelines are governed by the laws applicable in the United States and specifically in the state of Kansas.