

VOCA Victim Assistance: Allowability of Idle Vacancies

Background

Transitional housing provides temporary, supportive accommodation to help individuals and families move from unstable living situations resulting from victimization to more permanent housing. It serves as a bridge between emergency shelters and long-term housing, offering a safe place to live while individuals work toward stability. This expense is allowable under the Victims of Crime Act (VOCA) Victim Assistance “Final Rule.” (See 28 C.F.R. § 94.119 “Allowable direct service costs” and 28 C.F.R. § 94.119(k) Transitional housing).

However, there are times when a unit supported with VOCA transitional housing funds becomes temporarily vacant or idle. “The costs of idle capacity are normal costs of doing business and are a factor in the normal fluctuations of usage or indirect cost rates from period to period.” (See 2 C.F.R. § 200.446.) These costs can be allowable, provided the capacity is reasonably anticipated to be necessary to carry out the purpose of the federal award.

The victim assistance subrecipient programs at many state administering agencies (SAAs) use transitional housing support as victim services; rarely do SAAs have internal or state policies regulating the definition and time frame of idle units.

Clarification

The VOCA Victim Assistance “Final Rule” neither references idle facilities or units, nor does it clearly define a reasonable period of non-occupancy. The Office of Justice Programs’ Office for Victims of Crime became aware of this issue during Office of the Inspector General subgrantee audits and OJP financial monitoring activities.

Under Section 3.9 of the Department of Justice Grants Financial Guide, the cost of space procured for project usage is not charged to the program for periods of non-occupancy without authorization of the grant making component. (See 2 C.F.R. § 200.446 “Idle facilities and idle capacity.”)

Recommendation

The Office for Victims of Crime recommends that VOCA Victim Assistance SAAs develop internal subrecipient policies that define what an idle vacancy is and for what period a vacancy can be charged to the VOCA subgrant. If a state has a preexisting policy related to idle vacancies, it is important that subrecipients are made aware of these policies.