

INAUGURAL MEETING OF

CENTRAL CALIFORNIA HOMELESS ROUNDTABLE

MERCED CITY HALL | SAM PIPES ROOM
OCTOBER 3, 2014

AGENDA

- 9:30** **Gathering and Networking**
- 10:00** **Welcome & Introductions**
- 10:15** **Accessing Housing for Homeless People:** Best practices in locating housing and working with landlords
- 11:00** **HUD Updates-** CPD representative
- 11:15** **HCD Updates-** HCD representative
- 11:30** **Funding Roundtable**
- 11:45** **Legislative and Budget Updates and Actions**
- Federal, HomeBase
 - State, Housing California
- 12:15** **Lunch & Networking**
- 1:30** **Fair Housing Presentation-** HUD FHEO
- 3:00** **Evaluations & Adjourn**



CALIFORNIA'S 58 COUNTIES

OREGON

NEVADA

PACIFIC OCEAN

MEXICO

Central California Homeless Roundtable Acronym List

Acronym	Definition
AB	Assembly Bill
ACA	Affordable Care Act (Obamacare)
ADAP	AIDS Drug Assistance Program
AHAR	Annual Homeless Assessment Report
AI	Analysis of Impediments (to fair housing), a part of Consolidated Plans
AOD	Alcohol and Drug Dependency
APR	Annual Performance Report (for HUD homeless programs)
CA	Collaborative Applicant
CalFresh	California's SNAP (Supplemental Nutrition Assistance Program) (formerly Food Stamps)
CalWORKs	California Work Opportunities and Responsibility to Kids
CBO	Community Based Organization
CDBG	Community Development Block Grant (CPD program – federal)
CDCR	California Department of Corrections and Rehabilitation
CDVA	California Department of Veterans Affairs
CH	Chronically Homeless
CSBG	Community Services Block Grant (Federal program that flows from US Department of Health and Human Services to the California Department of Consumer Services and Development to California counties)
CHDO	Community and Housing Development Organization. Non-profit housing provider receiving minimum of 15% of HOME funds
CoC	Continuum of Care approach to assistance to the homeless
Continuum of Care	Federal grant program stressing permanent solutions to homelessness
Con Plan	Consolidated Plan, a locally developed plan for housing assistance and urban development under CDBG and other CPD programs
CPD	Community Planning and Development (HUD Office)
CY	Calendar Year
Davis Bacon	Statutory requirement that persons working on Federal assisted projects be paid at least minimum prevailing wage rates.
DHHS	Department of Health and Human Services (State Office)
DV	Domestic Violence
EHAP	Emergency Housing and Assistance Program Operating Facility Grants (State program. Obsolete.)
EHAPCD	Emergency Housing and Assistance Program Capital Development (State program). Not open to new applications
ESG	Emergency Solutions Grants (CPD – federal program. Flows to entitlement jurisdictions and HCD)
e-SNAPS	Electronic grants application and management system for HUD Homeless Assistance Programs
FESG	Federal Emergency Shelter Grants (obsolete program – replaced by ESG)
FHEO	Fair Housing and Equal Opportunity (HUD Office of)
FMR	Fair Market Rent (maximum rent for many HUD housing programs)
FQHC	Federally Qualified Health Center
FTE	full-time equivalent (employee) (2080 hours of paid employment)
FY	Fiscal Year
GAO	Government Accountability Office
GA/GR	General Assistance/General Relief (county assistance)
HAP	Housing Assistance Payments

Acronym	Definition
HAP	Housing Assistance Plan; Housing Plans required by CDBG
HCD	Housing and Community Development (California Department of)
HCV	Housing Choice Voucher Rental Assistance (formerly Section 8)
HEARTH Act	Homeless Emergency and Rapid Transition to Housing (HEARTH) Act of 2009, S. 896
HIC	Housing Inventory Chart (inventory of housing for the homeless conducted annually in January for same night as the PIT)
HPRP	Homeless Prevention and Rapid Re-Housing Program (obsolete)
HMIS	Homeless Management Information System
HOME	Home Investment Partnerships (CPD program)
HOPWA	Housing Opportunities for Persons with AIDS (CPD program)
HPC	High Performing Community
HQS	Housing Quality Standards (required before move in for HUD programs)
HRSA	Health Resources and Services Administration (division of US HHS)
HUD	U.S. Department of Housing and Urban Development (federal)
HUD-VASH	HUD Vouchers through Veterans' Affairs Supportive Housing
IDIS	Integrated Disbursement and Information System (CPD system)
IHSS	In-Home Supportive Services
LEA	Local Education Agency
LGBTQ	Lesbian, Gay, Bisexual, Transgender, or Questioning
LOCCS	Line of Credit Control System
MHSA	Mental Health Services Act
MOU	Memorandum of Understanding
NAEH	National Alliance to End Homelessness
NAMI	National Alliance on Mental Illness
NIMBY	Not In My Back Yard
NOFA	Notice of Funding Availability
OneCPD	Resource Exchange and email notice system for HUD CDP
PHA/ HA	Public Housing Authority
PIT Count (PITC)	Point-In-Time Homeless Count (unsheltered count conducted biennially, every odd numbered year; sheltered count, every January)
PSH	Permanent Supportive Housing
RFP	Request for Proposals
RFQ	Request for Quotations. Used to solicit price quotes under the simplified acquisition procurement method.
SA	Sexual Assault Or Substance Abuse
SB	Senate Bill
SAMHSA	Substance Abuse & Mental Health Services Administration
S + C	Shelter + Care (obsolete – replaced by CoC Program)
Section 8	Housing Assistance Payment Program (Housing and Community Development Act of 1974)
Section 202	Loans for construction/rehab of housing for the elderly or handicapped
Section 202/811	Programs for housing assistance to the elderly and people with disabilities
SHP	Supportive Housing Program (obsolete – replaced by CoC Program)
SMI	Serious Mental Illness or Seriously Mentally Ill
SNAP	Supplemental Nutrition Assistance Program (formerly Food Stamps)
SNAPS	Special Needs Assistance Program (HUD Division that deals with homelessness)
SOAR	SSI/SSDI Outreach, Access, and Recovery (SSI/SSDI Application program)

Acronym	Definition
SRO	Single-Room Occupancy housing units
SSA	Social Security Administration
SSDI	Social Security Disability Income
SSI	Supplemental Security Income
SSO	Supportive Services Only (Type of CoC grant providing services only)
SSVF	Supportive Services for Veterans Families (but can serve single adults)
TA	Technical Assistance
TANF	Temporary Assistance to Needy Families
TAY	Transition Age Youth
UFA	Unified Funding Agency
USDA	U.S. Department of Agriculture
VA	Veterans Affairs (U.S. Department of)
VASH	Veterans Affairs Supportive Housing

*Thanks to Nevada/Placer CoC for use of their acronym list.

PROMOTING LANDLORD PARTNERSHIPS TO OVERCOME HOUSING ATTAINMENT BARRIERS

BACKGROUND

The hardest-to-house populations, such as persons with felony records, multiple evictions, behavioral health challenges, and long-term or chronic homelessness, have historically faced difficulties affording market rate rental units and meeting the screening criteria set by property owners, managers, and landlords. This memo will introduce practical strategies that have been implemented in various communities.

Financial incentives can help mitigate the real and perceived risks associated with renting to homeless households, such as non-payment of rent, property damage, or the burden of having to deal with other potential problems caused by tenants. While financial incentives can be helpful to gain landlord interest, community examples show that financial incentives alone are not proven to substantially increase landlord participation in rental assistance programs. Programs with the greatest success in recruiting landlords, housing residents, and retaining both tenants and landlords alike provide robust nonfinancial as well as financial incentives for landlords.

FINANCIAL INCENTIVES FOR LANDLORDS

PRE-LEASING INCENTIVES: LEASING BONUSES AND BROKER'S FEES

Leasing bonuses can be provided to landlords as a non-refundable reward for leasing to “hard to house” tenants.¹ There are two types of leasing bonuses in practice:

- A fixed bonus amount provided to landlords for each unit they rent to clients
 - Example: \$100 bonus/unit rented
- A fixed-scale system where the leasing bonus provided is determined by the type of unit or the size of household
 - Example for unit size: \$400/studio, \$600/one-bedroom apartment rented
 - Example for household: \$400/single tenant, \$600/family

Payment of administrative costs and pre-leasing fees can also serve as a financial incentive for landlords. The Rapid Exit Program in Hennepin County, Minnesota pays

¹ http://partnering-for-change.org/wp-content/uploads/2011/07/Brief_RehsingStrategiesFINAL.pdf.

holding fees for vacant units while a landlord considers a client's application, and the Housing Stability Plus Program in New York City provided a 15% finder's fee for real estate brokers who found units for low-income residents during the programs three-year run.²

RISK MITIGATION POOLS

"Risk mitigation pools," also known as insurance pool grants and landlord guarantee funds, reduce landlord exposure to financial risks caused by excessive damage costs and non-payment of rent. Risk mitigation pools create a reserve fund that can be accessed by landlords to reimburse payments for damage and inconveniences that are not covered by a security deposit.

Some examples of risk mitigation pools in practice include the Landlord Liaison Project in King County, Washington (Seattle); the Home Forward Program in Portland; The South Hampton Roads Insurance Pool Grant in Norfolk, Virginia; and the Risk Mitigation Pool of the City of Portland that is held and administered on behalf of the City of Portland Bureau of Housing and Community Development. King County provides funding for and holds management and oversight of the risk mitigation pool and staff oversee the process of approving and submitting claims to the County for damages. Examples of typical costs include: carpet, vinyl floor, wall damage, cleaning, garbage hauling, and legal costs.³

Risk mitigation pools vary in size, but are often between \$800,000 and \$1,000,000.⁴

There are a few general restraints and guidelines that are common across risk mitigation pools that help them function and mitigate the financial risk taken on by program providers. These include:

- Claims against tenants for funds from the risk mitigation pool must be above and beyond those costs covered by the security deposit
- Most risk mitigation pools do not cover normal operating costs for landlords such as repainting or replacement of furniture for reasons such as "wear and tear"
- Landlords must provide receipts for repairs caused by excessive damage in order to be reimbursed through the risk mitigation pool
- Funds from the risk mitigation pool are usually capped between \$1,000-2,000 per household
- Financial guarantees are often time limited, expiring after 6-12 months of responsible tenancy

² <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordIncentivesProtections.pdf>.

³ www.kingcounty.gov/.../DCHS/Levy/ProcurementPlans/VHS_Levy_2_3.ashx

⁴ <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordIncentivesProtections.pdf>, <http://www.homeforward.org/landlords/section-8-features>, <http://www.endhomelessness.org/page/-/files/MOU%20for%20Insurance%20Pool%20Funds.pdf>.

SECURITY DEPOSITS

Some programs provide landlords with increased security deposit payments as a way to incentivize landlords. Programs can negotiate with landlords to determine new security deposit amounts to reflect the real and perceived risks for landlords. For example, the Rapid Exit Program in Hennepin County, Minnesota pays double security deposits for clients with poor rental history.⁵

Rapid rehousing providers often utilize ESG and TANF funds to pay for modest incentives including paying security deposits for program participants or negotiating increases in deposit amounts. CalWORKS provides move-in costs, such as last month's rent, security deposits, utility deposits, and cleaning fees, provided that the total rent does not exceed eighty percent of the family's total monthly income. Generally, this assistance is only available once in a lifetime, unless the homelessness was the result of domestic violence or a natural disaster.⁶⁷ Yolo County's 2014 strategic plan outlines an objective to partner with the Center for Families to ensure that this resource is reaching eligible families.⁸

The Emergency Solutions Grant program (ESG) includes the following eligible costs for financial assistance: rental application fees, security deposits, last month's rent, utility deposits, utility payments, and moving costs.⁹ In Los Angeles County, the Department of Public Social Services is using ESG funding to provide security and utility assistance for families moving into permanent housing and those enrolled in a rapid re-housing program.¹⁰

PROTECTIVE PAYEE PROGRAMS

Protective payee programs function by holding a client's monthly income in an escrow account that is managed by a third party. This third party then becomes responsible for making rent payments on behalf of the tenant. Protective payee services should not be confused with representative payee services. While the latter are often targeted to individuals deemed incapable of handling their own finances (e.g., severely disabled individuals on SSI), the former have no legal requirements for participation. Protective payee programs serve to convince landlords and management companies to relax screening criteria, while at the same time enabling program participants to build budgeting and financial management skills. The Shelter to Independent Living (SIL) Program in Lancaster, Pennsylvania uses a protective payee program on a time-limited

⁵ <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordIncentivesProtections.pdf>.

⁶ <http://www.lafla.org/service.php?sect=govern&sub=help>;

⁷ <http://www.211scc.org/downloads/CalWORKs%20Resource%20Guide%202014.pdf>

⁸ <http://www.yolocounty.org/home/showdocument?id=26136>

⁹ <https://www.hudexchange.info/resources/documents/ESG-Program-Components-Quick-Reference.pdf>

¹⁰ <http://documents.lahsa.org/Programs/funding/2014/rfp/HFSS/FINAL-2014-HFSS-RFP-AND-APP.pdf>

basis as a means of addressing landlords' concerns about high income-to-rent ratios and poor credit histories among hard to house clients.¹¹

SAVED COSTS: TENANT VETTING AND REFERRALS

Some programs provide landlords with financial incentives through costs saved in tenant vetting and referral processes. Tenant vetting programs broadly involve checking referral and assessment information for the client to create a comprehensive character reference and background check for the landlord to evaluate. Landlords may view those clients who have been thoroughly vetted and referred by a program that has a vested interest in that client's success as a more attractive potential tenant.¹²

Discussion

What kinds of financial incentives have been successful with landlords in your CoC?

What partnerships may be needed in order to develop financial incentives in your community?

NONFINANCIAL INCENTIVES FOR LANDLORDS

Financial incentives for landlords are often paired with nonfinancial incentives that create a supportive environment for the tenant and landlord alike.¹³ Some examples of nonfinancial incentives include:

- Tenant certification and recommendation programs that provide hard-to-house clients with education on topics such as budgeting, tenant rights, repairing credit, and other tools to be a responsible tenant. Clients who complete the program receive certificates of completion or recommendation letters that allow them to apply for housing from landlords partnered with the program.
- Case management and support services provided during transitional housing period
- Landlord access to support hotlines
- Property maintenance for client-occupied units provided by rental assistance program or associated agencies
- Character letters from case managers and/or respected third parties, such as religious leaders, employers, or even parole officers, describing how the head of household or individual concerned has participated in specialized services (e.g., substance abuse treatment, mental health counseling, financial education)

¹¹ <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordIncentivesProtections.pdf>.

¹² <http://www.crisis.org.uk/data/files/publications/Youth%20&%20PRS%20report.pdf>.

¹³ http://partnering-for-change.org/wp-content/uploads/2011/07/Brief_RehsingStrategiesFINAL.pdf.

- classes) and has made great strides in overcoming personal problems indicates to a landlord a level of commitment, motivation, and ability to turn one's life around
- Recognition (e.g. thank you or birthday cards from staff and clients, hosting owner appreciation breakfasts at which partners receive plaques or other type of recognition)
 - Inviting landlords to open houses where they can meet staff, agency leadership and each other. Often, landlords know each other and are assisting the same pool of tenants, so they can develop their own support network.

LOCATING POTENTIAL NEW LANDLORDS

Housing Authority listings for Section 8 are a good place to start looking for potential landlords; landlords who are willing to rent to Section 8 voucher holders, they are more likely to rent to our hardest-to-house populations. Cold calling can also be effective; programs report that locating one potential landlord may open doors to others. However, housing locators find that landlords located through mainstream housing sources (such as Craigslist) are typically not willing to participate in a supported housing program.

Discussion

What nonfinancial incentives have been helpful in your community for engaging and maintaining landlord participation?

What are some strategies used in your community for locating new landlords who might be willing to participate?

PROJECT PROFILES

LANDLORD LIAISON PROJECT: KING COUNTY, SEATTLE

The Landlord Liaison Project (LLP) began in March 2009, as a means of increasing access to private market and non-profit owned rental housing for vulnerable populations moving out of homelessness into permanent housing. The LLP is supported by the King County Department of Community and Human Services, the City of Seattle, King County, Representative of the United Way of King County, and a broad array of service and nonprofit housing providers.¹⁴

The Landlord Liaison Project provides landlords with the following services:

¹⁴ <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordIncentivesProtections.pdf>.

- Access to qualified, vetted applicants to fill vacant units
- Access to LLP's 24-hour hotline to address immediate issues
- Rapid response to landlord concerns by partnering agencies and the YWCA
- Access to a Landlord Risk Reduction Fund in the case of excessive property damage and/or the nonpayment of rent. The Risk Reduction Fund established in King County is \$1 million.

The LLP provides clients with important services as well, such as move-in costs and rental assistance, eviction prevention, tenant trainings, mediation with landlords, and access to support services through partner agencies for at least the first year of their tenancy in permanent housing.

During its first 10 months, the Landlord Liaison Project placed 147 households in permanent housing with a retention rate of 96% of households after 6 months of tenancy. 68% of the tenants were subsidy holders. During the same time period there were 87 interventions/mediations on behalf of housed clients between the landlords and case managers, but no calls placed after hours to the 24-hour emergency hotline. In 2009, the LLP used only \$2,663 from the Risk Reduction Fund for repairs to damage caused in three client units. Finally, 71% of landlords involved in the program stated that they were "satisfied" or "very satisfied", with 79% ranking the financial guarantees of the LLP as the most important factor for their participation.^{15 16}

HOME FORWARD: PORTLAND, OREGON

Home Forward, the housing authority in Multnomah County, Oregon, has emphasized the need to provide better housing choices and accessibility to rental properties for Section 8 voucher holders. The program provides landlords with financial incentives to take on Section 8 voucher holders as tenants, while still allowing landlords to charge market rate for their units. Home Forward pays a set amount, directly to the landlord, and the renter pays the difference. Landlord rents have to be reasonable compared to rents for similar units in the same market area.

Home Forward has created the Landlord Incentive Fund, which is a \$100 leasing bonus paid directly to the landlord each time he or she rents a unit in a low-poverty census tract to a Section 8 participant. The housing authority has also established the Landlord Guarantee Fund (LGF), which will reimburse up to two months of rent for damage beyond wear and tear that exceeds \$1,000 in a client's unit.¹⁷

¹⁵ All statistics found in the Landlord Liaison Project 2010 Performance and Evaluation Report.

¹⁶ For more information, see: <http://www.landlordliaisonproject.org/>.

¹⁷ <http://www.homeforward.org/landlords/section-8-features>.

Home Forward has experienced mixed results through its Section 8 housing and landlord incentive program. In the first six months of 2012 alone, the program helped 301 voucher-holders find rental units in low-poverty neighborhoods.¹⁸ However, the program also received criticisms for not strictly enforcing their policies on renting in low-poverty census tracts and allowing clients to rent substandard units in high-poverty census tracts through Home Forward. Furthermore, the \$100 leasing bonus was incorporated into Home Forward policy after the Landlord Guarantee Fund failed to recruit or retain Section 8 landlords.¹⁹ Home Forward's director of rent assistance has indicated that the new financial incentive has not resulted in a substantial increase in landlord participation.

HOUSING STABILITY PLUS: NEW YORK CITY

Housing Stability Plus (HSP) provided rental subsidies to long-term clients in the City's homeless service system, while at the same time providing landlord incentives to encourage the leasing of units to subsidy holders and "hard to house" tenants.

The financial incentives provided to landlords through HSP were substantial, including²⁰:

- Advanced payment of three months rent to landlords
- Increased security deposit payments consisting of one month's rent
- 15% finder's fee for real estate brokers who found apartments for HSP clients to lease
- Streamlined application and inspection process for lease signing

The Program received about 50% of its funding from Temporary Assistance for Needy Families/Social Security Insurance, 25% from State contributions and 25% from city levy taxes.

During its existence, the program served 6,400 households with children and 1,600 without children, with only 100 households vacating their tenancy early or dropping out of the program. The program was also the first to introduce the 15% finder's fee as a landlord incentive.²¹ However, Housing Stability Plus suffered from a lack of quality apartment units that led to tenant dissatisfaction, opaque rules and regulations that were difficult for landlords to understand, and landlord dissatisfaction with the lack of financial guarantees provided while dealing with high-risk tenants.²² As a result, the Housing Stability Plus Program was eliminated in 2007, less than three years after its implementation.

¹⁸ http://www.oregonlive.com/portland/index.ssf/2013/02/oregon_bill_would_end_section.html.

¹⁹ http://www.oregonlive.com/portland/index.ssf/2014/03/home_forward_plans_to_give_low.html.

²⁰ http://coalhome.3cdn.net/0fc1b9afcc11c89627_dgm6vdpb8.pdf, <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordIncentivesProtections.pdf>

²¹ <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordIncentivesProtections.pdf>.

²² <http://www.gothamgazette.com/index.php/housing/3574-a-new-program-to-fight-homelessness>.

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FEDERAL LEGISLATIVE UPDATE

CENTRAL CALIFORNIA HOMELESS ROUNDTABLE

OCTOBER 3, 2014

Federal Budget

On September 17, 2014, the House passed with strong bipartisan support a \$1.012 trillion continuing resolution (CR) to fund federal government programs through December 11, 2014. The Senate followed suit on September 18, and both chambers have left for the pre-election recess. The CR will have little or no effect on housing and community development programs since the CR extends only into December. In addition, HUD will not award funding for major grant programs, such as HOME, CDBG, and McKinney homeless assistance, until after the final 2015 appropriations bill has been enacted; therefore, the final bill, and not the current CR, will determine final funding levels in those area. Congress will return November 12 to continue work on the 2015 Fiscal Year (FY15) budget.

HUD

The Transportation-HUD (T-HUD) bill provides funding for McKinney-Vento Homeless Assistance Grants. The President proposed \$2.406 billion to fund FY15 McKinney-Vento Homeless Assistance Grants. The House T-HUD bill would provide \$2.105 billion for McKinney-Vento Homeless Assistance Grants. The House T-HUD bill would not be sufficient to fund all Continuum of Care renewal projects. The Senate T-HUD bill would increase funding for homeless assistance by \$40 million. The T-HUD bill also provides funding for the HUD-VA Supportive Housing (HUD-VASH) Program. The President's Budget Proposal, the House T-HUD bill, and the Senate T-HUD bill all would provide for \$75 million addition funding for new HUD-VASH vouchers. The T-HUD bill also provides funding for the Section 8 Housing Choice Voucher (HCV) program's Tenant Based Rental Assistance (TBRA) account. The President proposed \$20.045 billion for the Section 8 HCV TBRA account. The House T-HUD bill would provide \$19.357 billion and the Senate T-HUD bill would provide \$19.562 billion for the account.

On June 10, 2014, the House passed its T-HUD spending bill. However, the Senate was unable to reach an agreement concerning its T-HUD spending bill.

USDA

The USDA bill provides funding for nutrition programs, including the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in addition to funding the rural housing programs. Congress has not passed a USDA appropriations bill. Congress is expected to enact a spending bill after the mid-

term election in November. During the interim, it is expected that USDA nutrition and rural housing programs will be funded at FY14 levels via a continuing resolution.

Legislation Update

The Homeless Children and Youth Act

On July 24, 2014, Senator Feinstein (D-CA) introduced to the Senate the Homeless Children and Youth Act. The Senate Bill would amend the definition of homeless person under the McKinney-Vento Homeless Assistance Act to include certain youth or families with children. It would expand the homeless definition to include youth and families temporarily sharing the housing of another or living in a room in a motel or hotel (i.e., “poorly housed”). The Senate Bill was referred to the Senate Committee on Banking, Housing, and Urban Affairs.

On July 24, 2014, Representative Stivers (R-OH) introduced to the House the Homeless Children and Youth Act. The House Bill’s language is similar to the Senate Bill’s and would have the same impact on the homeless definition. It was referred to the House Committee on Financial Services and the House Committee on Education and the Workforce.

The National Alliance to End Homelessness (NAEH) has commented that the bill would expand the population eligible for homeless assistance without increasing available federal resources. NAEH argues that the CoC Program is currently underfunded and unable to provide housing and services to every literally homeless individual and family, so including poorly housed youth and families in the CoC Program would further strain already limited resources available to the literally homeless population.

Western Regional Advocacy Project (WRAP) supports the bills because the distinction between “literally homeless” and “poorly housed” creates barriers that prevent families and children from accessing housing and services and makes them invisible when CoCs set priorities. WRAP notes that families are particularly vulnerable because unsheltered children are at risk for Child Protective Services (CPS) involvement, while staying with other people makes the family ineligible for assistance. WRAP argues that the federal response to homelessness should be based on an accurate understanding of the whole problem, and that it should empower those closest to the problem to design and implement the best local response.

Senate Confirmations

On July 9, 2014, the Senate confirmed Julián Castro’s nomination for secretary of the Department of Housing and Urban Development (HUD). Julián Castro was formerly the mayor of San Antonio, Texas.

On July 10, 2014, the Senate confirmed Shaun Donovan’s nomination for director of the White House Office of Management and Budget. Shaun Donovan was formerly the secretary of HUD.

Legislative Recess

On September 18, 2014, Congress adjourned for the pre-election recess. The General Election is on November 4, 2014, and Congress will return November 12.

Regulation Update

Fair Market Rent

On August 15, 2014, HUD proposed Fair Market Rents (FMR) for Fiscal Year 2015. HUD uses FMR to determine the annual renewal demand for a rental assistant project under the CoC Program. The public comment period closed on September 15, 2014.

Affirmatively Furthering Fair Housing

On July 19, 2013, HUD published a proposed rule to amend Affirmatively Furthering Fair Housing regulations. The proposed rule would replace the Analysis of Impediments (AI) with an Assessment of Fair Housing (AFH), standardize the AFH, link the Consolidated Plan and PHA Plan regulations to the AFH, and require submission to and approval from HUD of the AFH. The public comment period closed on September 17, 2013. Final action is scheduled for December 2014.

Veterans

On May 15, 2014, the Department of Veteran Affairs (VA) proposed amendments to regulations under the Health Care for Homeless Veterans (HCHV) program. The proposed rule would eliminate the requirement that homeless veterans be diagnosed with a serious mental illness or substance use disorder to be eligible for the HCHV program. The proposed rule would also align in part the VA homeless definition with HUD’s homeless definition. Finally, the proposed rule would require non-VA community-based HCHV providers to include case management services. The notice and comment period ended July 14, 2014.

STATE LEGISLATIVE UPDATE

SPONSOR:

AB 1733 (*Quirk-Silva, Maienschein, Atkins*) – Waives birth record and state identification card fees for homeless individuals. **PASSED**

SUPPORT:

AB 264 (*Maienschein*) – **DIED (Held in Senate Approps)**

AB 1452 (*Stone*) – **DIED (Held in Senate Approps)**

AB 1613 (*Stone*) – **DIED (Held in Senate Approps)**

AB 1654 (*Bonilla*) – **DIED (Held in Senate Approps)**

AB 1806 (*Bloom*) – Affords homeless youth the same benefits as foster youth in education. **PASSED**

AB 2061 (*Chau*) – Promotes funding housing for families in reunification process. **DIED (Inactive File)**

AB 2129 (*Jones-Sawyer*) – **DIED (Held in Assembly Appropriations)**

AB 2382 (*Bradford*) – Removes financial penalty to CalWORKS families with a truant child. **PASSED**

AB 2405 (*Ammiano*) – **DIED (Assembly Judiciary Committee)**

SB 899 (*Mitchell*) – **DIED (Held in Senate Approps)**

SB 1029 (*Hancock*) – **DIED (Held by Author); However, PASSED as part of 2014 Budget Bill.**

SB 1252 (*Torres*) – Expands transitional housing assistance for foster children aging out. **PASSED**

SB 1439 (*Leno*) – **DIED (Assembly Housing & Comm. Development Committee)**

NEUTRAL (FORMERLY OPPOSE UNLESS AMENDED, Authors took requested amends):

AB 1686 (*Medina*) – Expands trespass notice effectiveness **PASSED**

SB 1295 (*Block*) – Expands trespass notice effectiveness **PASSED**

OPPOSE UNLESS AMENDED:

AB 1718 (*Wagner*) – **DIED (Assembly Public Safety Committee)**

Proposition 47 – The Safe Neighborhoods and Schools Act

- Reclassifies certain nonviolent offenses (commercial burglary, forgery, writing bad checks, petty theft, receiving stolen property, and controlled substance possession) that are currently wobblers or felonies to misdemeanors with a max penalty of less than one year in county jail.
- Allows a person serving a felony sentence for any of the above crimes, who would be guilty of a misdemeanor under this measure, to petition for resentencing and requires a court to grant a qualifying petition for resentencing unless the court finds that resentencing would pose an unreasonable risk that the petitioner will commit one of a limited set of specified violent felonies (e.g., murder, sexually violent crimes). Also allows people who have completed their sentences to petition to have their record changed.
- Provides that a person resentenced under the measure shall be given credit for time served and shall be subject to parole for one year, but gives the court discretion to release a person from state prison without parole. Revocations of parole would be served in county jail.
- Prohibits resentencing from resulting in the imposition of a longer sentence.
- Deposits the savings from the resentencing into a newly created “Safe Neighborhood and Schools Fund,” and prohibits the Legislature from appropriating the funds described in the measure to any purpose other than as follows:

- a) 25% to the Department of Education to administer a grant program to public agencies to reduce truancy and support students who are at risk of dropping out or are crime victims.
- b) 10% to the Victim Compensation and Government Claims Board, for grants to trauma recovery centers to provide services to victims of crime.
- c) 65% to the Board of State and Community Corrections, to administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system, with an emphasis on programs to reduce recidivism.

Things to consider about the measure:

- 1) Criminal records are a major barrier for people experiencing homelessness. The groups of felonies that would be reclassified are low-level, non-violent and non-sexual offenses that are among the common offenses people experiencing homelessness and living in poverty are arrested and convicted of. Felony convictions are a basis to deny a person housing, employment, some educational opportunities and access to other programs and services that may help them end homelessness.
- 2) As the ballot measure reads in part: “65 percent [of funds] to the Board of State and Community Corrections, to administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversity programs for people in the criminal justice system, with an emphasis on programs that reduce recidivism of people convicted of less serious crimes, such as those covered by this measure, and those who have substance abuse and mental health problems.” I have received confirmation from the proposition’s sponsors that housing is intended to be a viable use of the funds.
- 3) Volunteers.

CALWORKS HOUSING SUPPORT PROGRAM

CDSS is reviewing over 40 applications put forth by counties looking to obtain part of a \$20 million competitive grant funded by the budget this year to provide county-level housing support and homelessness prevention to participants in the CalWORKs Program that rely on evidence-based models utilized as part of the federal Rapid Rehousing program. Grants will be awarded 9/1/14.

VETERANS HOUSING AND HOMELESS PREVENTION (VHHP) PROGRAM

HCD and CalVet have finished reviewing the public comments provided after 7 separate stakeholder meetings were conducted around the state in July. Issues related to geographic distribution, services, prioritization of different subgroups, financing and other matters have been discussed at length. A revised draft of the program framework is set to be released and a new round of stakeholder meetings in September will address program guidelines and implementation details.