

**County of San Diego, Health and Human Services Agency (HHSA)  
CalWORKs Program Guide**

**Homeless Assistance**

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**44-200.D**

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**Revision Date:**

April 1, 2023

**Background:**

Homeless Assistance (HA) benefits are special need benefits available to assist homeless families seeking shelter.

**Purpose:**

The purpose of this revision is to implement changes to the HA program per Senate Bill (SB) 1065. Effective September 21, 2022, SB 1065 removed the \$100 liquid resource limit for HA, changed the homeless verification requirements, processing timeframe, expanded the definition of a disaster to meet an exception, and removed the financial hardship criteria to qualify for HA. This section has been renumbered from CalWORKs Program Guide (CPG) section 44-440.F to 44-200.D.

**Policy:**

**HA Eligibility**

An Assistance Unit (AU) must be eligible or apparently eligible to CalWORKs to receive HA. There is no liquid resource limit for HA. HA benefits cannot be denied due to the amount of exempt or nonexempt liquid resources available to the Assistance Unit (AU) if the AU meets the CalWORKs liquid resource limit.

**Homeless Criteria for HA**

An AU meets the criteria for HA when they:

- Lack a fixed and regular nighttime residence
  - This includes temporarily staying with another family, known as “couch surfing,” when the AU is trying to obtain separate housing. This does not include situations where the AU is in receipt of ongoing shelter at no cost and is intended to be permanent housing.
- Have a primary nighttime residence that is a supervised, publicly or privately operated shelter designed to provide temporary living accommodations
- Are residing in a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings
- Have a need for housing in a commercial establishment, shelter, publicly funded transitional housing, or from a person or establishment with whom the AU has executed a valid lease, sublease, or shared housing agreement
- Have received a notice to pay rent or quit

**Types of HA**

There are three types of HA:

- Temporary Homeless Assistance (THA)
- Permanent Homeless Assistance (PHA)
- Expanded THA

**Request for HA**

The AU must complete form *CW 42 Statement of Facts for Homeless Assistance* to apply for HA. The CW 42 can be completed by the customer or staff can assist the customer with completing the CW 42 over the phone with a Telephonic Signature. Refer to the *Telephonic Electronic Signatures EOPG*.

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Informing of HA

Any AU applying for HA must be informed that:

- HA benefits are limited to once in a 12-month period, with exceptions
- THA benefits are available for a total of 16 days over a 12-month period
- Expanded THA benefits are available for CalWORKs applicants when fleeing domestic violence

Verification of Homelessness

The customer's sworn statement provided on the CW 42 under the 'certification' section is the only verification required to verify homelessness. **No further verification is necessary to verify homelessness.**

If the AU meets the definition of questionable homelessness, staff are to refer the household to the Bureau of Public Assistance Investigations (BPAI). Questionable homelessness is defined as a reason to suspect that the family has permanent housing. Staff must have evidence to suspect the family has safe and stable permanent housing in which the family can continue to reside without preventative support to avoid eviction and/or homelessness.

Period of Eligibility for THA/PHA

An eligible AU may receive THA, PHA, or both once in a 12-month period.

- The 12-month period begins on the day the first payment of THA or PHA is issued (whichever comes first) and ends 12 months later. Once the instance of homelessness is resolved, the AU is not eligible for any further HA payments until the next 12-month period, unless the AU meets an exception
- An AU may only be granted THA after PHA has been received if the AU still needs THA prior to occupying the permanent housing (if they have not exhausted their 16 days of THA benefits). For example, a customer secures permanent housing, but the housing will not be available until a future date and the family does not have stable housing until the date the permanent housing is available
- A permanent housing payment may be granted whether a payment for THA has been issued but will end the instance of homelessness and the customer will not be eligible for any other THA/PHA payments for the remainder of the 12-month period, unless they meet an exception

An instance of homelessness is a continuous period of homelessness caused by the same specific circumstances. The instance of homelessness ends when the AU:

- Receives the PHA payment
- Finds a place to reside meant to be permanent housing for the AU (even if HA is not received). For example, if an AU receives THA June 1, the Period of Eligibility begins June 1. The AU finds permanent housing on August 1 without the county's assistance. The customer loses their housing and becomes homeless again on December 1. Unless the AU meets an exception, they are not eligible for any further HA until June 1 of the following year as this is a separate instance of homelessness. Their initial instance of homelessness was resolved on August 1

Any AU receiving THA, who is unable to secure permanent housing during the 12-month period (and is still experiencing the same instance of homelessness), may be eligible to THA again once a new 12-month period begins.

Exceptions to the 12-Month Period

HA payments are limited to once in a 12-month period unless they meet an exception. The exception:

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- Reason must be the direct and primary cause of homelessness and the exception reason must be verified
- Must only be authorized for a new instance of homelessness, after the initial instance of homelessness has been resolved
- Is available once during the 12-month period unless otherwise stated
- Does not restart the 12-month period
- Can be issued for THA only, PHA only, or both. In order to receive both THA and PHA due to an exception, the AU would have to be continuously homeless due to the same specific circumstance when requesting the THA and PHA.

**One Time Exceptions**

The following exceptions may be allowed one time during the 12-month period:

- The customer is a victim of domestic violence by a spouse, partner, or roommate
- Uninhabitability of the former residence caused by sudden and unusual circumstances beyond the customer's control, such as fire, natural catastrophe, or condemnation
- A medically verified physical or mental illness, excluding alcoholism, drug addiction or psychological stress. For example, a customer who suffers from a mental illness who is evicted because of disruptive behavior towards other tenants

**State or Federally Declared Disaster**

An exception can be allowed each time a family experiences any state or federally declared disaster (chemical, terrorist, biological, natural etc.) that is the direct and primary cause of homelessness. An exception may be allowed once every 12 months per disaster. For example, if a customer becomes homeless due to loss of income as a result of the COVID-19 pandemic and later finds permanent housing, and later loses their home due to a state emergency declared wildfire, they would be eligible to the exemption two times.

**New Caretaker Relative**

AUs are eligible to an exception if all these conditions apply:

- There is a new caretaker relative who was not living with the AU at the time the original HA payment was issued
- The new caretaker relative has not previously received HA on behalf of or as part of another AU within the past 12 months
- The former caretaker relative is no longer living in the home with the AU

Verification of the Exceptions to the 12-month period

The exception which resulted in the AU's homelessness must be verified through a third-party governmental, or private, Health and Human Services Agency. Verification for the exceptions may include:

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<b>Exception</b>	<b>Acceptable Verification</b>
Domestic Violence	<ul style="list-style-type: none"> <li>• Copies of reports or records from:               <ul style="list-style-type: none"> <li>○ Law enforcement agencies</li> <li>○ Medical facilities</li> <li>○ Battered women’s shelters</li> <li>○ Protective Services, Family Service Bureau, Crisis Counseling Service agencies</li> </ul> </li> <li>• A sworn statement by the victim is acceptable, unless the agency documents in the case file, in writing, an independent and reasonable basis to find the customer not credible               <ul style="list-style-type: none"> <li>○ If a sworn statement is accepted, the customer will be informed of the availability of domestic violence counseling and services and referred to services upon request</li> <li>○ If the customer has previously received homeless avoidance services based on domestic violence, a review will be done to determine if services were offered to the customer and provide additional services that would assist the customer in leaving the domestic violence situation</li> </ul> </li> </ul>
Uninhabitability of Former Residence	<ul style="list-style-type: none"> <li>• Written statements or copies of reports from:               <ul style="list-style-type: none"> <li>○ Law enforcement agencies</li> <li>○ Fire departments</li> <li>○ The Red Cross</li> <li>○ Health Department</li> <li>○ Any other agencies authorized to verify the uninhabitability of the former residence</li> </ul> </li> </ul>
Physical or Mental Illness	<ul style="list-style-type: none"> <li>• A verification of the eviction such as a statement from the landlord or eviction paperwork</li> <li>• Medical verification from:               <ul style="list-style-type: none"> <li>○ The treating physician</li> <li>○ A state certified nurse</li> <li>○ A nurse practitioner</li> <li>○ A physician’s assistant</li> <li>○ A therapist, psychologist, or licensed counselor</li> <li>○ Medical or clinical personnel with access to the patient’s records who can verify the diagnosis</li> </ul> </li> </ul>
State of Federally Declared Disaster	<p>Written documentation from the state or federal government declaring the disaster</p> <p><b>AND</b></p> <p>A sworn statement that the family is experiencing homelessness as a direct and primary result of the disaster. Question 7 on the CW 42 is sufficient verification, and no other verification will be requested.</p>

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Allowable Shelter Provider

In order to be eligible to an HA payment, the AU must use an allowable provider of housing. Allowable providers include:

- A commercial establishment
- A shelter
- Publicly funded transitional housing
- Any person or establishment with whom the AU has executed a valid lease, sublease, or shared housing agreement. The provider does not need to be in the business of renting properties or have a history of renting properties

HA Issuance

HA benefits should be issued according to the customer's selection on the CW 42 unless mismanagement of funds exists. The HA will be issued onto the customer's EBT card. A check can be issued under special circumstances.

Mismanagement of Funds

Mismanagement exists when:

- The HA payment was not used for shelter
- The AU fails to provide acceptable verification that the THA payment was spent on shelter
- The AU fails to provide verification of the amount expended for permanent housing within 30 days of having received the PHA payment
- The AU provides verification which shows the HA payment was not paid to an allowable provider of housing
- The AU's homelessness is the result of failure to pay rent, other than for the following reasons:
  - A rent increase which results in the AU's share of the rent being over 80 percent of the Total Household Monthly Income (THMI)
  - Reasonable exercise of a tenant's right to withhold rent for cause
  - Domestic Violence by a spouse, partner, or roommate

Restricted (Vendor or Two-Party) Payments

Restricted payments will be issued via check and may be issued by mail, or issued directly to the AU for delivery, to the service provider.

Vendor payment is mandatory when mismanagement exists. Future HA benefits, associated with the current incident, are to be issued as vendor payments.

Overpayments

HA benefits received will not be considered overpayments as long as the AU was eligible for the benefits at the time they were received. HA overpayments, which are the result of fraud or administrative error, are to be processed and collected. An overpayment may be all, or a portion, of the payment.

Inter-County Transfer (ICT)

Refer to CPG 40-100.P

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**Procedure:**

CalWORKs Processing Guide 44-300.A1 – Vendor Payments  
HT 216 – Set Up Vendor Account Numbers and Vendor Payments  
HOME (HAPI) – Homeless Eligibility – (HAPP) – Reference Guide

**Impacts:**

**Forms**

07-345 HHSA (09/20) *CalWORKs Homeless Assistance (HA) Shared Housing Agreement/Housing Verification* has been uploaded to the Electronic Forms Library. Customers may provide this form to verify they have entered into a valid shared housing agreement.

CW 42 (10/21) *Statement of Facts – Homeless Assistance* has been updated to remove references and questions regarding the liquid resource limit, added a checkbox in the certification section to verify homelessness, and removed that an exception due to a state or federally declared disaster must be natural.

Notice of Action - M44-211D (10/21)

- Added denial reasons “you did not verify on the Homeless Assistance request form (CW42) that you are homeless” and “there is evidence that you have permanent housing”
- removed the denial reason related to having more than \$100 in liquid resources
- updated language related to state of federally declared disasters, removed reference to natural disasters

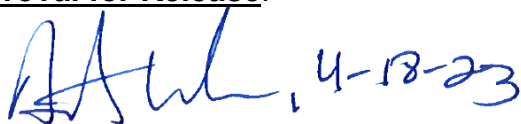
**References:**

WIC 11450(f)(3)(E)(i)  
Assembly Bill (AB) 1603, AB 557  
SB 1065  
EAS 44-211.5  
ACL No. 16-98, 18-34, 18-71, 18-78, 19-118, 21-121  
ACIN I-52-20, I-92-20, I-70-22

**Sunset Date:**

This policy will be reviewed for continuance by April 30, 2026.

**Approval for Release:**



Rick Wanne, Director  
Self-Sufficiency Services