

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

Permanent Homeless Assistance

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44-200.F

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Revision Date:

April 1, 2023

Background:

Permanent Homeless Assistance (PHA) is available to homeless families seeking a permanent residence. PHA is also available for eviction prevention to families in jeopardy of losing their permanent residence.

Purpose:

The purpose of this revision is to implement changes to the Homeless Assistance program per Senate Bill (SB) 1065 which removed the financial hardship criteria for PHA, reasonable conditions to secure residence, and permanent housing assistance refunds. This section has been renumbered from CalWORKs Program Guide (CPG) section 44-200.H to 44-200.F.

Policy:

PHA

Regulations allow for two types of PHA payments for CalWORKs recipients:

- One that helps secure a permanent residence
- One that would prevent eviction, which includes families who receive a notice to pay rent or quit

An AU may receive PHA payments once every 12 months, unless eligible for an exception. Receipt of Temporary Housing Assistance (THA) payment is not a prerequisite to receipt of PHA.

The payment for permanent housing costs is not available to assist the AU to return to their most recent former residence unless there are unusual circumstances beyond the AU's control. For purposes of this section, a most recent former residence is the house or the same unit in a duplex or apartment complex in which the AU lived just prior to being determined homeless.

Total Monthly Household Income (TMHI)

In order to be eligible to PHA, the monthly cost of housing must be at or below 80% of the TMHI, not including CalWORKs special needs payments.

- In determining the TMHI, the income of all AU members must be counted as well as any other persons whose income is currently used in calculating the AU's grant, including but not limited to:
 - Sanctioned and penalized household members
 - Persons who are excluded by law for their undocumented noncitizen or fleeing felon status
- If an AU intends to share housing costs, the family's total monthly rent amount must be reduced by the amount contributed by the other household. The 80 percent standard must be applied to the family's reduced amount

Shared housing includes, but is not limited to, the following:

- Two or more AUs residing together
- Supplemental Security Income/State Supplementary Payment (SSI/SSP) recipient(s) residing with the AU
- Income that must be counted towards the TMHI includes gross earned and unearned income, and the CalWORKs computed grant. CalFresh, CalWORKs Special Needs, and SSI/SSP payments are not to be included in the TMHI.

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Mid-Period Household Changes

- When a person moves into the home mid-period, that person's income must be included in the TMHI, regardless of when the person is actually added to the AU
- If a person leaves the home mid-period, and that person's income will no longer be available to help the AU pay rent, that person's income must not be included as part of the TMHI

PHA Payment to Secure Permanent Residence

PHA payments may only be issued if the AU will have shelter costs. The PHA payment amount may include the cost of security deposits or other fees which are a condition of securing the permanent residence. Allowable costs include:

- Security deposits that include the last month's rent and any legal payment, fee, deposit, or charge required by the landlord or provider
- The actual cost of utility deposits (turn-on fees) required for gas, electricity, propane, and/or water. The payment does not include the cost of overdue utility bills and does not include telephone deposits

If the AU is receiving housing assistance from Housing and Urban Development (HUD) or some other third party, the amount of the security deposit payable to the AU is to be based on the total rent obligation of the AU including any assistance or subsidy, as opposed to the amount of monthly rent the AU will actually pay.

An AU is eligible for PHA even if the amount required to secure the residence exceeds more than two times the TMHI

If an AU must move within the 12-month period, the AU may be allowed to transfer the PHA deposit received to meet the security deposit for the new residence or may be refunded the security deposit by the landlord. The county will not collect any refunds for returned deposits. Refunded deposits will be treated as liquid resources for CalWORKs as there is no longer a resource limit for Homeless Assistance.

Permanent housing costs paid by the AU may be reimbursed when the costs were paid by the AU on a weekend or holiday because the landlord would not hold the residence until the next workday.

AU Portion of Rent

The PHA amount will only include the portion of the total rent that the AU is responsible for. If the family is receiving rental assistance (for example, Section 8), as long as the family's ongoing rental obligation (their portion of the rent separate from the Section 8 payment) is under 80% of the TMHI, the PHA payment may be authorized even if the total rent of the unit exceeds 80% of the TMHI. The AU's portion of the rent will also exclude contributions from other household members who are not part of the AU such as other families who are sharing housing and SSI/SSP recipients.

PHA Arrearage Payments to Prevent Eviction

PHA is available to pay up to two months of rent arrearages to avoid an eviction and must meet the following criteria:

- Each month of the rent arrearage payment must not exceed 80 percent of the TMHI
- When sharing the housing costs, the PHA is only to cover the AU's share of the rent arrearages

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- The amount of HA for rent arrearages must cover the amount owed in order to prevent eviction
- The payment must prevent eviction And the payment cannot be issued if the customer is being evicted for a reason other than rent arrearages

Allowable Housing Provider

An allowable housing provider is any person or establishment with whom the family enters into a valid lease, sublease, or shared housing agreement. The person renting the property must have the legal right to do so, the housing agreement must indicate that they are the legal owner, landlord, or should include the rental agreement between the owner/landlord and the current tenant. A valid shared housing agreement must include the names of the landlord and tenant, the address of the property, the amount of monthly rent, terms of the agreement and date of occupancy. The provider does not need to be in the business of renting properties or have a history of renting properties.

Payment Verification

Within 30 calendar days of having received the PHA payment, the AU must provide:

- Verification of the amount expended for permanent housing
- Verification that the payment was made to a person or establishment with whom the family has executed a valid lease, sublease, or shared housing agreement.

If a customer fails to provide verification, a determination must be made as to whether the payment was used for permanent housing and a determination that mismanagement of funds exists.

Promptness Requirement

PHA payments must be issued or denied within one working day from the day the AU provides all of the following:

- Form CW 42 *Statement of Facts – Homeless Assistance*
- Information and verification necessary to establish eligibility for CalWORKs
- A rental agreement/shared housing arrangement document which demonstrates the landlord's or provider's intent to rent to the AU at a cost which does not exceed 80 percent of the AU's TMHI
 - If the validity of the rental agreement is questionable, or a rental agreement cannot be provided, a written release of information authorization will be requested from the AU to contact the landlord
 - When the landlord cannot be directly contacted, or some other means are not available, to verify that a rental agreement has been made, then the AU must complete and sign a statement under penalty of perjury which includes the following information:
 - A statement of liability for providing false information
 - Name and phone number of the landlord
 - Location of rental
 - Terms of rental
 - Dollar amount of deposits and rent

Procedure:

HT 228 – Issue Permanent Homeless Assistance

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Impacts:

Forms

- 07-345 HHSA (09/20) CalWORKs Homeless Assistance (HA) Shared Housing Agreement/Housing Verification is now available in the Eligibility Forms Library

Notices of Action (NOAs)

- M44-211D (10/21) – Temporary Shelter and/or Permanent Housing- Denial
 - Updated to add the denial reason “there is evidence that you have permanent housing”

References:

SB 1065

EAS 44-211.53

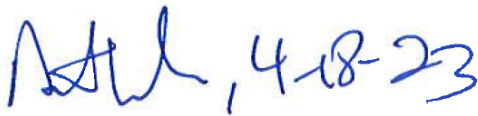
ACL No. 19-118, 21-121

ACIN I-52-20, 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