

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

Homeless Assistance

Number

44-200.F

Page

1 of 5

Revision Date:

November 1, 2020

Background:

Per state regulations (EAS 44-211.5) Homeless Assistance (HA) is available to assist homeless families seeking shelter.

Purpose:

The purpose of this revision is to implement changes to the Homeless Assistance program made by Assembly Bill (AB) 960 and Senate Bill (SB) 80 which, effective January 1, 2020, removed the consecutive day rule and expanded the definition of an allowable provider of housing for the purpose of Homeless Assistance.

Policy:

HA Eligibility

An Assistance Unit (AU) must be eligible or apparently eligible to CalWORKs, this includes meeting the non-recurring special needs resources limit (CPG 44-200.C).

Criteria for HA

An AU meets the criteria for HA when they:

- Lack a fixed and regular nighttime residence
- 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 basic types of HA:

- Temporary Homeless Assistance (THA)
- Permanent Homeless Assistance (PHA)
- Expanded Temporary Homeless Assistance - Refer to CPG 44-200.I for more information

Request for HA

The AU must complete a *CW 42 Statement of Facts for Homeless Assistance* to apply for HA.

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

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

Homeless Assistance

Number

44-200.F

Page

2 of 5

Verification of Homelessness

The AU must provide verification of homelessness within the first three working days of the date of application for HA. Verification may consist of verbal or written contact. A written release of information authorization from the AU must be obtained prior to contacting any person outside the AU.

If the AU cannot verify the homelessness, the AU must complete and sign a statement under penalty of perjury, which includes the following:

- A statement of liability for providing false information
- Name, address and phone number of previous landlord, if any
- Location where the AU is currently staying

Note: Homelessness does not need to be re-verified after initial verification has been received even if the AU does not receive or use their benefits on non-consecutive days. The additional benefits can be issued without re-verifying unless it is determined, due to extenuating circumstances, that homelessness needs to be re-verified.

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 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)

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 with the following exceptions:

- 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 is no longer living in the home with the AU
- A State or Federally declared natural disaster is the direct and primary cause of homelessness
- 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

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

Homeless Assistance

Number

44-200.F

Page

3 of 5

- A medically verified physical or mental illness, excluding alcoholism, drug addiction or psychological stress

The issuance of a HA payment based on an exception:

- Must only be authorized for a new instance of homelessness, after the initial instance of homelessness has been resolved
- An AU that receives THA based on an exception and requests PHA within the exception period may be eligible if the AU continues to be homeless due to the same specific circumstance of the THA
- Is available once during the 12-month period
- Does not restart the 12-month period

Verifications of the Exceptional Circumstances

Exceptional circumstance(s), which resulted in the AU's homelessness, must be verified through a third-party governmental, or private, health and human services agency. Verifications for the exceptions may include:

Domestic Violence:

- Copies of reports or records from:
 - Law enforcement agencies
 - Medical facilities
 - Battered women's shelters
 - Protective Services, Family Service Bureau, Crisis Counseling Service agencies
- A sworn statement by the victim is acceptable, unless the agency documents in the case file, in writing, an independent, reasonable basis to find the customer not credible
 - If a sworn statement is accepted, inform the customer of the availability of domestic violence counseling and services, and refer the victim to services upon request
 - If the customer has previously received homeless avoidance services based on domestic violence, review whether services were offered to the customer and consider what additional services would assist the customer in leaving the domestic violence situation

Uninhabitability:

- Written statements or copies of reports from:
 - Law enforcement agencies
 - Fire departments
 - The Red Cross
 - Health Department
 - Any other agencies authorized to verify the uninhabitability of the former residence

Physical or Mental Illness:

- A medical verification from:
 - The treating physician
 - A state certified nurse
 - A nurse practitioner
 - A physician's assistant
 - A therapist, psychologist, or licensed counselor

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

Homeless Assistance

Number

44-200.F

Page

4 of 5

- Medical or clinical personnel with access to the patient's records who can verify the diagnosis

Allowable Shelter Provider

Effective January 1, 2020, the definition of who allowable providers are for the purposes of acceptable use of HA payments was expanded. 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.

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 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

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

Restricted (Vendor or Two-Party) Payments

Restricted payments may be issued by mail, or delivery 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.

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

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

Homeless Assistance

Number
44-200.F

Page
5 of 5

verify they have entered into a valid shared housing agreement.

References:

WIC 11450(f)(3)(E)(i)

AB 1603, AB 557

EAS 44-211.5

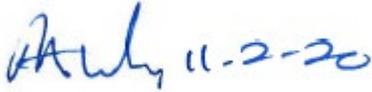
ACL No. 16-98, 18-34, 18-71, 18-78, 19-118

ACIN I-52-20

Sunset Date:

This policy will be reviewed for continuance by September 30, 2023

Approval for Release:



A handwritten signature in blue ink that reads "Rick Wanne 11-2-20".

Rick Wanne, Director
Eligibility Operations