



**PUBLIC INTEREST
LAW PROJECT**

An Advocate's Guide To CalWORKs Homeless Assistance And Housing Support Programs





**PILP is grateful for the assistance
of advocates at:**

- Bay Area Legal Aid
- Coalition of California Welfare Rights Organizations
 - Legal Aid Foundation of Los Angeles
 - Legal Services of Northern California
- Neighborhood Legal Services of Los Angeles County
 - Western Center on Law & Poverty

in the development of these materials.

The Public Interest Law Project (PILP) developed this resource to provide advocates and CalWORKs recipients with information about the Homeless Assistance and Housing Support Programs with the hope of increasing awareness of and, by extension, access to these programs. The Legislature and Department of Social Services update statutes and programs rules periodically, but it can take time for counties to incorporate those changes into their local programs and training materials. PILP devised this guide as a resource to help navigate these programs, anticipate areas of county discretion, and identify potential issues. PILP also aims to ensure that these programs are implemented in a manner that affirmatively furthers fair housing, so as not to disproportionately exclude or push out communities of color, and integrate balanced living patterns as required by California’s affirmatively furthering fair housing (“AFFH”) law. CDSS intends to promulgate HSP regulations in 2024, which could modify, expand on, or contradict the authorities cited here.

This toolkit focuses on the CalWORKs Homeless Assistance and Housing Support Programs, but we have included references to the other programs where appropriate.

The CalWORKs Homeless Assistance and Housing Support Programs offer assistance for CalWORKs families struggling to maintain housing or experiencing homelessness. The Programs have existed for over a decade, yet remain underutilized.

HA and HSP assistance can fund critical elements of housing stability, including first and last month's rent, rent arrearages, rent subsidies, moving costs, and security deposits.

All citations herein reference CDSS' program regulations, codified in CDSS' Manual of Policies and Procedures ("MPP" and CDSS' program guidance letters). Key letters are provided herein, but all are available through CDSS' website at cdss.ca.gov.

The Public Interest Law Project (PILP)

fights for affordable and fair housing, access to public benefits, homelessness prevention and civil rights for and in partnership with low income communities, communities of color, and legal services organizations throughout California.





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California has multiple public benefits programs that aim to prevent homelessness and help unhoused people access stable housing. The Housing and Homelessness Division (HHD) within the California Department of Social Services (CDSS) administers these programs. These programs are intended to promote equal access to safe and affordable housing for all Californians. The CDSS HHD programs include:

- **CalWORKs Homeless Assistance:** helps CalWORKs families meet the reasonable costs of securing housing. Counties can provide payments for temporary shelter, as well as payments to secure or maintain housing, including a security deposit and last month's rent, or up to two months of rent arrearages.
- **CalWORKs Housing Support Program:** fosters housing stability for families experiencing homelessness. Counties assist homeless CalWORKs families in obtaining permanent housing and can provide temporary shelter, help with moving costs, short- to medium-term rental subsidies, and wraparound case management.
- **Housing and Disability Advocacy Program (HDAP):** assists homeless and disabled individuals apply for disability benefit programs, while also providing housing support.
- **Bringing Families Home (BFH):** helps reduce the number of families in the child welfare system experiencing homelessness, increase family reunification, and prevent foster care placements.
- **Home Safe Program:** supports the safety and housing stability of individuals involved in Adult Protective Services (APS) who are experiencing, or at imminent risk of experiencing, homelessness due to elder or dependent adult abuse, neglect, self-neglect, or financial exploitation by providing housing-related assistance using evidence-based practices for homeless assistance and prevention.
- **Project Roomkey/Homelessness COVID Response:** provide non-congregate shelter for people experiencing homelessness, to protect human life, and minimize strain on health care system capacity.
- **Community Care Expansion:** provides funding for acquisition, construction, and rehabilitation to preserve and expand adult and senior care facilities that serve SSI/SSP and Cash Assistance Program for Immigrants (CAPI) applicants and recipients, including those who are experiencing homelessness or at risk of homelessness.

CalWORKs Homeless Assistance Program (HA)

What is Homeless Assistance?

The CalWORKs Homeless Assistance Program (“HA”) was created to provide financial assistance to CalWORKs families to secure or maintain housing.

There are three types of HA:

- 1. Temporary Homeless Assistance (“Temporary HA”)**
 - helps families pay for emergency shelter
- 2. Expanded Temporary Homeless Assistance (“Expanded Temporary HA”)**
 - helps families fleeing domestic violence obtain emergency shelter
- 3. Permanent Housing Assistance (“Permanent HA”)**
 - provides financial assistance for deposits and/or rent.¹

HA is available to families experiencing or at risk of homelessness.² HA is a non-recurring, special need payment.³ CalWORKs families can receive a maximum of 16 days of Temporary HA, and one payment of Permanent HA, only once in any 12-month period, with exceptions.⁴ Families can get up to an extra 32 days of Temporary HA through the Expanded Temporary HA program once in a lifetime.⁵ Generally, the

12-month period begins upon issuance of the first Temporary or Permanent HA payment and does not reset with subsequent payments within that 12-month period.⁶ Families qualify for exceptions to the 12-month limit if they are fleeing domestic violence, have members with a disability or illness that caused homelessness, or because of uninhabitability of the home or a declared disaster.⁷ Families who receive HA may also be eligible for other programs designed to secure or stabilize housing, such as Bringing Families Home or Project Roomkey.⁸

The HA Program has grown tremendously recently: In 2015, 3,386 families received Temporary or Permanent HA. In 2022, 47,255 families received assistance.

Additionally, the HA Program has changed over time to expand the program and make the application process less burdensome. SB 1065, effective September 1, 2022, among other things, introduced self-attestation regarding housing instability or loss, removed a requirement to prove that housing loss was not the applicant’s fault, and required a county to issue HA payment or deny an application within the same day the application is submitted. It is possible that county welfare departments have not updated their rules to reflect these changes. Applicants may benefit from reviewing ACL No. 21-121 if their application is denied.

1. HA Factsheet.

2. Welf. & Inst. Code § 11450(a)(1)(A).

3. See glossary.

4. MPP § 44-211.513.

5. MPP § 44-211.541(c). These 32 days are in addition to any other Temporary or Permanent HA the family may receive.

6. MPP § 44-211.513.

7. ACL No. 21-121. Third-party verification is needed for these exceptions. MPP § 44-211.542.

8. CDSS has more information on these programs, here: <https://cdss.ca.gov/inforesources/cdss-programs/housing-programs>

How do people qualify for Homeless Assistance?

CalWORKs and CalWORKs eligible families are qualified to receive HA if they are experiencing or at risk of homelessness.



The Welfare and Institutions Code defines “homeless” and “at risk of homelessness” for the purpose of HA.⁹ “Homeless” in the HA Program means lacking a fixed and regular nighttime residence, residing in a homeless shelter or place not ordinarily used as sleeping accommodation.¹⁰ “Homeless” also includes families who might become homeless if they lose their housing because they can’t pay rent and they receive a notice to pay rent or quit, regardless of whether an eviction case has been filed in court.¹¹ **This means that families do not need to be on the street to qualify for HA.** Families can also receive HA if they otherwise would be eligible but for a child’s out-of-home placement if the family is also receiving reunification services.¹²

However, a family is not necessarily considered homeless if they have access to ongoing shelter at no cost.¹³ This does not include residing at a homeless shelter, but might include instances where friends or relatives offer to let a CalWORKs family move in for free. Ultimately, it is up to the county welfare office to decide what counts. The determination depends on the applicant’s circumstances, including how long the no-cost housing is available and the impact that accepting the housing may have on the family (e.g., would living there limit the family’s access to school or work). At some point, staying somewhere for free without a date by which the household must leave may result in the county finding that the period of homelessness has ended and the household is not eligible for Temporary HA, though the household would remain eligible for Permanent HA.



9. Welf. & Inst. Code § 11450(a)(1)(A); MPP § 44-211.511.

10. Welf. & Inst. Code § 11450(f)(3)(B). Note that these definitions are listed in statute and not the same as in other homeless programs, including CalWORKs HSP.

11. Welf. & Inst. Code § 11450(f)(3)(B).

12. Welf. & Inst. Code § 11450(f)(A)(iii). These families may be eligible for, or already enrolled in, the Bringing Families Home program.

13. MPP § 44-211.512(b).

What are examples of available assistance?

Temporary Homeless Assistance:

Temporary HA recipients are eligible for up to 16 total (but not necessarily consecutive) days of assistance within a 12-month period.¹⁴ The recipient must search for permanent housing while receiving Temporary HA.¹⁵ Families can receive \$85 per day for a family of four or fewer, plus \$15 per day for each additional family member, up to \$145 per day.¹⁶ Counties may increase the daily amount available for temporary shelter as necessary to secure the additional bed space needed by the family. The payment is loaded to an Electronic Benefits Card (EBT) or, if the client chooses, can be paid directly to the housing provider. The payment can be spent on hotels, motels, and shelters, as well as on shared placements with a valid lease or shared housing agreement.¹⁷ However, it can be difficult to find a place that charges less than the daily Temporary HA payment. Advocates should determine the county criteria for increasing the daily amount available for temporary shelter as necessary to secure the additional shelter. For example, counties may have discretion to increase the amount of aid if the family is large and might need multiple rooms.

14. Welf. & Inst. Code § 18000.

15. HDAP is available in all 58 counties and there are 17 Tribal Grantees.

16. ACL 19-104 at p. 2.

17. ACL No. 21.121.

18. MPP § 44-211.524(d).

19. MPP § 44-211.524(3). Note that the family can also verify homelessness by signing a sworn statement or, if unable to sign, by making a verbal statement.

20. MPP § 44-211.524(f).

21. MPP § 44-211.524.

22. MPP § 44-211.527.

23. *Id.*

24. MPP § 44-211.527.

25. MPP § 44-211.527(a).

26. MPP § 44-211.527(b)(2)(B). In this case, the already-issued Temporary HA will not be considered an overpayment if the family was apparently eligible for CalWORKs when they applied.

MPP § 44-211.527(d).

27. MPP § 44-211.527(c).

28. MPP § 44-211.541(c).

Initially, counties issue Temporary HA for three days, plus any non-working days falling within the three days. This three-day limit is waivable when the family's homelessness results from a natural disaster.¹⁸ During this initial time, the county will work to verify the family's homelessness.¹⁹ Once the county verifies homelessness, the county can issue Temporary HA payments for up to seven days at a time.²⁰ The recipient must provide verification of shelter expenditures and the housing search to receive subsequent payment(s).²¹ If doing so is difficult due to the recipient's disability, the recipient can request a reasonable accommodation.

Expanded Temporary HA for DV Survivors

CalWORKs recipients, or applicants who are apparently eligible for Temporary HA, may receive up to 32 cumulative days of Temporary HA payments if they are actively fleeing domestic violence.²² The payments are made in two 16-day increments,²³ which may be in addition to any days of regular Temporary or Permanent HA that may be available.²⁴ The applicant must sign a sworn statement that they are actively fleeing past or present domestic violence and that they have no more than \$100 in liquid assets.²⁵ If the county denies the application within 16 days, though, the applicant family is eligible only for the initial 16-days temporary shelter assistance.²⁷ Recipients of Expanded Temporary HA payments are not required to submit proof of their search for permanent housing.²⁸ Expanded THA is only available once in the adult's lifetime.

What are examples of available assistance?

Permanent Housing Assistance

Permanent HA is available to help CalWORKs recipients secure a permanent residence or pay up to two months of rent arrearages to prevent eviction.²⁹ Each month of the unpaid rent cannot exceed 80% of the household's Total Monthly Household Income ("TMHI").³⁰ As a reminder, in the CalWORKs program, in determining the TMHI, counties must include the income of any other person whose income is currently used in calculating the Assistance Unit's grant, including but not limited to sanctioned and penalized household members and persons who are excluded by law due to their undocumented non-citizen or fleeing felon status. It also includes the income of someone who is being added to the Assistance Unit, regardless of when the Assistance Unit size increase will be effective, but will not include the income of anyone reported to have left the Assistance Unit.

If the payment is for rent arrearages, the recipient must provide proof of the proposed or pending eviction procedure, such as a pay or quit notice, and that the debt results from the recipient's financial hardship caused by circumstances outside the recipient's control.³¹

If the payment is for securing permanent housing, it can cover a security deposit,

last month's rent, utility deposits, and other fees that must be paid up front.³² The family's share of the monthly rent cannot exceed 80% of the household's TMHI.³³ Within 30 days of receiving the payment, the recipient must provide documentation that shows the amount of money spent and that it went to a person or entity with which the recipient has a valid lease.³⁴ The county must issue a Permanent HA payment within one working day from when the CalWORKs recipient provides a copy of a lease and, if the county is unable to contact the landlord to verify the lease, the county must accept a sworn statement as to the veracity of the lease.³⁵ It is important to remember that counties are not permitted to request more verification than is necessary to establish eligibility. If a recipient secures permanent housing and obtains Permanent HA, they may still receive Temporary HA (if any days remain) if they need temporary shelter prior to occupying the permanent housing.³⁶ At the end of a tenancy, any Permanent HA payments made towards security or utility deposits may be returned to the CalWORKs family and need not be returned to the county.³⁷



29. MPP § 44-211.531(a-b).

30. MPP § 44-211.531(b); see definition of TMHI at 44-211.534(b).z

31. MPP § 44-211.533. Advocates' note: this regulation may be outdated and unlawful because the requirement for circumstances to be outside the recipient's control has been eliminated.

If you encounter a family who is being denied aid because of this reason, consider filing a request for a fair hearing.

32. MPP § 44-211.535(a). "Security deposits include last month's rent and any legal payment, fee, deposit or charge that is required by a landlord as a condition of assuming occupancy.").

33. MPP § 44-211.532(a).

34. MPP § 44-211.535.

35. MPP § 44-211.537.

36. MPP § 22-211.522

37. ACL No. 21-121.

**TEMPORARY AND EXPANDED HA VS.
PERMANENT HOMELESS ASSISTANCE SUMMARY**

	Temporary HA	Expanded Temp. HA	Permanent HA
Eligibility	Can apply if already receiving CalWORKs or, if based on CalWORKs application, appears to be eligible for CalWORKs	Can apply if already receiving CalWORKs or, if based on CalWORKs application, appears to be eligible for CalWORKs	Must be receiving CalWORKs
Available Benefits	Up to 16 days of payment within 12 months	Up to 32 days within 12 months	Up to two months of rental debt or security deposit, first month rent, utility deposit, or other moving expenses for future housing
Required Verifications to Obtain HA	Applicant can self-attest regarding housing instability or loss	Applicant can self-attest they are fleeing domestic violence and regarding housing instability or loss	If the application is to get help paying rental debt, must provide proof of housing instability due to not paying rent. If the application is for help securing future housing, must provide proof of the future rental, such as a lease.
Required Verification After Obtaining HA	To get additional THA payments, must provide proof of shelter costs and housing search, unless can establish good cause. (44-211.524(f)(3)(B) (Handbook –(iii). Lack of proof of shelter costs will result in subsequent payment must be made to the landlord/owner and not the applicant/recipient.	Within 16 days of receiving payment, must provide proof of shelter costs or else subsequent payment must be made to the landlord/owner and not the applicant.	Within 30 days of receiving payment, must prove payment went to a person or entity with which the recipient has a valid lease, such as receipts.

How can someone apply for Homeless Assistance?

One can request HA by completing a Statement of Facts for Homeless Assistance (Form CW 42) at their local county welfare office.³⁸ The county should provide that form to applicant families who indicate they are homeless on their benefits application or, if already receiving benefits, notify their case worker of impending or current homelessness. The CalWORKs application packet provides information to people who need immediate assistance to ask the county for an “Immediate Need” payment, which should prompt the county to review the application for Homeless Assistance eligibility. “Immediate Need” is a cash benefit available to people applying for CalWORKs, who have apparent eligibility, an emergency situation, and insufficient funds to meet the need. It is an aid payment made in advance of a completed determination of eligibility for CalWORKs. Families who are homeless may be eligible for both HA and Immediate Need benefits. For CalWORKs applicants, the family must be “apparently eligible” meaning that they seem to fall within the CalWORKs applicant eligibility rules. If the county cannot verify homelessness, the county must accept a statement.³⁹ Permanent HA is only available to CalWORKs recipients, not applicants.⁴⁰ If an applicant applies for CalWORKs and HA concurrently, they can receive Temporary HA while the county processes the CalWORKs application, and thereafter can also receive



Permanent HA. Temporary HA payments must be issued or denied within the same working day in which the applicant requests Temporary HA.⁴¹ The county can arrange for interim shelter; if they do, the HA payment is due the next working day.⁴² HA payments can be made to the recipient or directly to the shelter, housing, or utility provider based on the applicant’s request unless the county establishes a finding of cash assistance mismanagement

What can I do if something goes wrong?

If a recipient or applicant is concerned that a county made a wrong decision regarding an HA request or assistance payments, they can ask for a state hearing through the county welfare office or directly to CDSS. The various ways a person can ask for a hearing are listed on the back of any notice of action, although that form itself is not required to be used. If the person is facing homelessness, they can ask that the hearing occur within 10 days. The recipient should retain copies of all written correspondence and documents provided to, and received from, the county welfare office.

38. CDSS may add the HA application to the BenefitsCal website to ease access to the program.

As of now, this is not possible, but may change in the future

39. Welf. & Inst.Code § 11450(f)(3)(A)(ii)(I); MPP § 44-211.524(e)(3).

Advocates’ note: A pregnant person should be included in the AU. However, the MPP has not yet been updated to reflect this change.

If you encounter a family who is being denied aid because of this reason, consider filing a request for a fair hearing.

40. MPP § 44-211.53.

41. MPP § 44-211.523

42. MPP § 44-211.523(a).

43. MPP § 44-211.516.

CalWORKs Housing Support Program

What is the Housing Support Program?

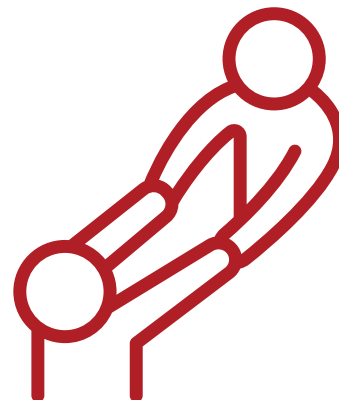
California introduced the CalWORKs Housing Support Program (“HSP”) in 2014 to foster housing stability for CalWORKs recipients experiencing or at risk of homelessness, including recipients who have not yet received an eviction notice.⁴⁴ HSP is intended to supplement services offered through CalWORKs in recognition of housing stability as a fundamental component of self-sufficiency and child well-being.⁴⁵ HSP has grown since inception, expanding from \$20 million allocated to 20 participating counties in 2014 to \$95 million allocated for 55 participating counties in 2022, plus an additional \$190 million available for supplemental funding between 2021 and 2025.⁴⁶ More than 26,000 families have been housed through HSP since 2014.⁴⁷

HSP provides funds for local programs that use evidence-based models including those established by the federal Department of Housing and Urban Development’s programs for homeless services.⁴⁸ Counties obtain funding annually through submission of proposals for supportive services developed to reflect local needs in consultation with local homeless services providers, as well as data reports provided monthly to CDSS.

Do the programs vary by county?

Significantly, HSP services vary by county because each county administers its own program. Counties must structure their HSP services consistently with CDSS rules, but within that framework have discretion on the scope and nature of their program. Counties can also collaborate on “regional” HSP programs with shared administration. Counties must work to minimize administrative costs while maximizing services and financial assistance,⁴⁹ which means it can be difficult to identify available services in any given county at any given time. The swiftest way to learn what services are available is through the county HSP point of contact.⁵⁰

CDSS governs HSP by issuing directive letters, including All County Letters and All County Welfare Director Letters, pending promulgation of HSP regulations.⁵¹ This guide is intended to summarize agency guidance for advocates as it exists at this time.



44. Welf. & Inst. Code § 11330.5(a) (amended 2021).

45. Welf. & Inst. Code § 11330(a).

46. HSP Factsheet dated October 2022.

47. LAO 7/14/23 Program Update.

48. ACWDL dated 7/2/15.

49. ACWDL dated 12/13/21.

50. CDSS maintains a list of county points of contact on its HSP site, but the information may be out of date.

51. Letters available on CDSS website. Regulations are expected by July 2024.

CalWORKs Housing Support Program

How do people qualify for the Housing Support Program?

All CalWORKs recipients are eligible to be served through HSP, even if they are sanctioned.⁵² This includes families participating in, or exempt from, welfare to work activities; families receiving child-only or safety-net CalWORKs; and family-reunification families.⁵³ Counties also have discretion to continue providing certain HSP services to recipients after termination from the CalWORKs program because of being over-income for the program.⁵⁴ Recipients are not required to use all available liquid resources before applying for assistance.⁵⁵



HSP recipients must be experiencing, or at risk of, homelessness.⁵⁶ For the purpose of HSP, a person is defined as “at-risk of homelessness” when they are:

- experiencing housing instability, including recipients who have not yet received an termination or eviction notice; and
- have no future permanent residence secured; and
- lack resources needed to stabilize and secure future permanent housing.⁵⁷



Recipients can self-attest whether they are at-risk of homelessness, and counties cannot require additional evidence for the purpose of HSP enrollment.⁵⁸

52. ACWDL dated 12-13-21. See glossary for more.

53. ACWDL dated 12-13-21 (include in attachments)

54. Welf. & Inst. Code 11330.5(h).

55. Welf. & Inst. Code 11330.5(d)

56. CDSS defers to “homeless” definitions established by the U.S. Department of Housing and Urban Development (“HUD”), codified at 24 CFR § 91.5 (Homeless – Sections 1-4).

57. ACWDL dated 12/13/21 Att.1. Note that those who meet HUD’s definition of “at-risk of homelessness” under 24 Code of Federal Regulations Section 91.5 are included within this definition.

58. ACWDL dated 12/13/21, Att. 1.

How can someone apply for HSP?

The fastest way to identify available support, as well as how to access it, is to call the county's HSP Point of Contact.⁵⁹

Many counties do not have a separate application process for HSP. Rather, a CalWORKs recipient may go through an initial assessment process at the county welfare office or be referred to a local service provider.

The assessment process should identify the recipient's needs and vulnerabilities to tailor appropriate services.⁶⁰ This means that funding, program capacity, and aid determinations can be made to prioritize serving recipients with the highest needs and vulnerabilities as determined based on identified risk factors.⁶¹ These factors include how soon the anticipated loss of housing may occur, single-parent households, immediate crises such as domestic violence, employment status, and criminal records.⁶²

During the assessment process, counties should use an assessment tool to determine individual assistance needs, to encourage consistency and avoid arbitrary decision making by case managers.⁶³ Counties are encouraged to present information in an easily-under-



stood and compassionate manner with the understanding that recipients may be in crisis or hesitant to engage.⁶⁴ The assessment should adopt a race equity framework to ensure equal prediction and utility for all racial groups.⁶⁵ The assessment should reduce barriers to participation and prioritize recipient choice in accordance with Housing First principles.⁶⁶

The Housing First model emphasizes ease of access: county HSPs should not impose additional eligibility requirements on participants, should connect participants to services immediately without preconditions, should make participation voluntary, and should disregard indicia of housing readiness including income, past evictions, or substance use.⁶⁷

59. The HSP Point of Contact is periodically updated and can be found here: <https://www.cdss.ca.gov/Portals/9/Housing/HSP-Public-Inquiry-Contacts.pdf> Advocates' note: information listed on CDSS' website may be outdated.

60. ACWDL dated 12/13/21, Att. 1

61. ACWDL dated 12/13/21, Att. 2.

62. *Id.*

63. ACWDL dated 12/13/21, Att. 1.

64. *Id.*

65. *Id.*

66. ACWDL dated 12/13/21, Att. 1. See Glossary for information on Housing First.

67. *Id.*

What are common examples of assistance?

Available support can include:

- financial assistance, such as security deposits, moving costs, or utility payments;
- housing navigation, such as helping a recipient identify and apply to available housing;
- case management, such as helping a recipient lower barriers to and apply for housing;
- interim shelter assistance, such as temporary housing in motels, hotels, or short-term shelter;
- legal services; and
- credit repair.⁶⁸



These services can be offered directly through a local county welfare office or through referral to a local service provider.⁶⁹ Significantly, HSP funds need not stay in-county: so long as the recipient is eligible to receive CalWORKs in the month the funds are spent, HSP can be used to help recipients access housing in another county or even outside of California.⁷⁰

Homeless prevention services vary and can include any preventative measure that will help a family save a tenancy or move to new permanent housing.⁷¹

Services may include:

- financial assistance, including unpaid rent or utility bills, late fees, or first month's rent and/or security deposits;
- landlord mediation;
- repairs to fix unsafe conditions of improve accessibility; and
- housing navigation, such as helping a recipient identify and apply for available housing.⁷²

However, the services listed may be limited because CDSS encourages counties to prioritize services for people experiencing homelessness and limit spending on homelessness-prevention assistance to no more than 30 percent of their annual HSP budget.⁷³

68. Welf. & Inst. Code § 11330.5(c)(1-2).

69. ACWDL dated 12/13/21 Att. 1.

70. Advocates should know that one unintended consequence of sending client out of the county is that it could low-income Black and Latinx families with kids from high-cost counties to lower-cost, lower-opportunity areas.

71. ACWDL dated 12/13/21, Att. 2.

72. ACWDL dated 12/13/21, Att. 1.

73. *Id.*

What are common examples of assistance?

Examples of Available Assistance:

- **Alameda County:** some of the supportive services Alameda County offers include: rental assistance, security deposits, payment of utilities, moving costs, hotel vouchers, landlord recruitment, case management, housing outreach and placement, legal services, and credit repair.
- **Los Angeles County:** in addition to rental assistance, moving assistance, and other financial aid to preserve or secure housing, LA County deploys a team to the Skid Row area and connected unhoused people with available benefits and services.⁷⁴
- **Yolo:** Yolo County uses its HSP funding for homeless services such as: transitional housing, rapid rehousing, permanent housing, homeless outreach, housing case management, housing navigation.
- **Santa Clara:** Santa Clara's HSP program is robust, offering the following types of support to CalWORKs families: intensive case management, supervised job search support, employment incentives, shared housing incentives, landlord participation incentives, client housing finder's fee incentives, help with housing search, emergency housing (motel/shelter), security deposit, rent subsidies, utility fees, storage and moving fees, home habitable, ongoing case management, and post-subsidy case management.

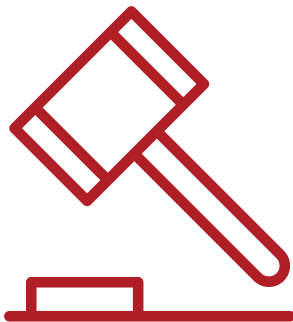


74. More information about LA County's program can be found here: <https://dpss.lacounty.gov/content/dam/dpss/documents/en/calworks-homeless/CW%20Homeless%20Programs%20and%20Services%20for%20Families%2012-2022.pdf>

What are common examples of assistance?

What can I do if something goes wrong?

County policies are divided on whether an HSP recipient is entitled to a state hearing if they want to appeal a county decision regarding services received and may not provide information on how to request a state hearing. However, CDSS' State Hearing Division has jurisdiction over hearing requests related to HSP.⁷⁵ If concerns arise, a recipient should ask for a hearing, submit a written hearing request to the county welfare office and directly to CDSS, and wait for a written response.⁷⁶ If the person is facing homelessness, they can ask that the hearing occur within 10 days.



Example of HSP Advocacy

A local legal aid program assisted a client who was denied HSP housing search services by the County. After initially denying her claim as untimely, an attorney challenged this determination, arguing that the service was a “debt due” to the client, and the County must provide the housing search help. Because of this advocacy, the County confirmed it would pay for the help that the client needed to transition into stable housing instead of into homelessness.

A client facing was eviction was mistakenly receiving CalWORKs HSP for only a portion of the client's outstanding housing cost. The landlord was charging “pet rent” to the client, in addition to their base rent, but County would only pay base rent. The local legal aid program advocated for the client regarding HSP requirements, as well as fair housing issues related to pet rent; the animal was an emotional support animal for a tenant with a disability, and the landlord was prohibited by state and federal fair housing laws from charging an additional fee to the tenant. The tenant ultimately was able to stay housed following the legal aid program's advocacy.

75. Welf. & Inst. Code § 10950(a) (“If any applicant for or recipient of public social services is dissatisfied with any action of the county department relating to his or her application for or receipt of public social services, if his or her application is not acted upon with reasonable promptness, or if any person who desires to apply for public social services is refused the opportunity to submit a signed application therefor, and is dissatisfied with that refusal, he or she shall, in person or through an authorized representative . . . upon filing a request with the State Department of Social Services or the State Department of Health Services, whichever department administers the public social service, be accorded an opportunity for a state hearing.”)

76. Welf. & Inst. Code § 10950(a) (“If any applicant for or recipient of public social services is dissatisfied with any action of the county department relating to his or her application for or receipt of public social services, if his or her application is not acted upon with reasonable promptness, or if any person who desires to apply for public social services is refused the opportunity to submit a signed application therefor, and is dissatisfied with that refusal, he or she shall, in person or through an authorized representative . . . upon filing a request with the State Department of Social Services or the State Department of Health Services, whichever department administers the public social service, be accorded an opportunity for a state hearing.”)



CalWORKs Homeless Assistance and Housing Support Program

If you are on CalWORKs or eligible to receive CalWORKs, you may be eligible for two additional programs that help families facing unstable housing or homelessness.

- CalWORKs Homeless Assistance offers financial assistance paying for a hotel or motel, unpaid back rent, or a security deposit and rent for future housing.
- The CalWORKs Housing Support Program provides services and assistance stabilizing housing or finding new housing.

Am I eligible?

You may be eligible for Housing Support and/or Homeless Assistance if you are unemployed or have very low income, are pregnant or have a child under 18 years old, or if you are under 18 and the head of your household; and you are either about to lose your housing or you are homeless. You can apply for housing assistance at the same time you apply for CalWORKs, or at any point while receiving CalWORKs.

What can I get?

You may be able to receive money for unpaid rent, temporary housing while looking for new housing, and/or money for future housing, plus help finding and applying for new housing. Financial assistance for temporary shelter is available in all counties, but additional help and services vary based on which county you live in.

Can I learn more?

You can learn what services or financial assistance your county offers by calling or visiting your local social services office. Be sure to ask about both the Homeless Assistance and Housing Support Programs.

What if the County tells me no or I need help getting the benefits?

If you apply for CalWORKs, Homeless Assistance, or the Housing Support Program and you have trouble with the application, the county denies your application, or you believe the county has made a mistake in what they give you, you can request a hearing. You can also call your local legal aid office for help.



Request for CalWORKs Housing Assistance

I need help keeping, finding, or getting new housing. I might be eligible for either CalWORKs Homeless Assistance or the Housing Support Program. Please give me information on any available program based on my individual needs as identified below.

- CalWORKs** (check one):
- I am already receiving CalWORKs.
 - I am eligible for CalWORKs but not getting it.
 - I don't know whether I am eligible or receiving CalWORKs.

- My current housing**
(check all that apply):
- I have housing right now but lose it because I received a letter from my landlord telling me in might have to move.
 - I have housing right now, but I might have to leave within 14 days.
 - I have housing right now, but it is not stable.
 - I need to leave my current housing due to domestic violence.
 - I am homeless.
 - I am staying at a homeless shelter.
 - I am sleeping outdoors, in a car, or in another place not normally used as sleeping accommodation.
 - I am under 25 years old and have not had stable housing in a long time.

Brief description of why I lost, or am about to lose, my housing:

- I need**
(check all that applies):
- temporary shelter.
 - money to pay for unpaid rent.
 - money for a security deposit, first months' rent, utility deposit, or other fees I need to pay up front to secure new housing.
 - help finding housing.
 - help resolving issues with my landlord.
 - repairs to my current housing.
 - someone to help me remove problems I have getting new housing, like cleaning up my credit report and completing applications.
 - legal assistance.

Please tell me about and help me apply for any programs managed by the County that could help me with the needs described above. If the County cannot help, please refer me to any local services organizations that could help me.

Glossary

Assistance Unit: The Assistance Unit is everyone included in the household receiving assistance. It may not include everyone living under one roof. MPP Sections 44-205 and 44-206 discuss which people are included in, or excluded from, the assistance unit. See MPP §§ 44-205-206; see also Welf. & Inst. Code §§ 10553-10554, 10604; 42 USC 602(a)(19)(G)(i)(I); 54 FR 42172 (October 13, 1989); 45 CFR 206.10(a)(1)(vii) and 250.34(c)(3).

BenefitsCal: This is a website currently under development through which people can apply to some, but not all, of the public benefit programs available in California. See [BenefitsCal.com](https://www.benefitscal.com).

CalWORKs: The California Work Opportunity and Responsibility to Kids (“CalWORKs”) program provides cash aid and services to low-income families in need. CalWORKs aims to provide equitable access to the services, resources and opportunities families need to increase resilience, achieve economic mobility, and break the cycle of poverty. More information is available at: <https://www.cdss.ca.gov/calworks>.

Electronic Benefits Transfer (EBT) Card: An EBT card is a physical card, similar to a debit card, that an aid recipient uses to access financial assistance. More information, including what to do if a card is lost or stolen, is available at: <https://www.cdss.ca.gov/ebt-card>

Eviction or termination notice: An “eviction notice” or “termination notice” is a letter that a landlord must send to a tenant before the landlord ends that tenant’s lease, including a notice to pay or quit. The letter informs the tenant that the tenancy will end and usually includes both the reason for the termination and the date by which the tenant must move out. This is different from, and comes before, an eviction lawsuit.

Housing First: An approach to serving people experiencing homelessness that recognizes a homeless person must first be able to access a decent, safe place to live, that does not limit length of stay (permanent housing), before stabilizing, improving health, reducing harmful behaviors, or increasing income. See CDSS’ All County Letter 19-114 (Dec. 13, 2019).

Non-Recurring Special Needs Payment: A Special Need is a need not common to a majority of recipients for certain goods or services that are essential for their support. Homeless Assistance is considered a Non-Recurring Special Need, which means it is a household emergency resulting from sudden and unusual circumstances beyond the Assistance Unit’s control. It is the county’s responsibility to help an Assistance Unit identify their needs and explain what funding may be available. MPP Section 44-211 explains Special Needs.

Reasonable accommodation: A modification or adjustment of program rules that allows a qualified individual with a disability to equally access public benefits.

Sanctioning: A person may be sanctioned for not complying with a requirement of the CalWORKs program, which may result in a reduction of the Assistance Unit’s monthly assistance.



Resources

The following resources are available for advocates to consult when they have questions about HA and HSP. CDSS issues a number of guidance documents to counties explaining aspects of the program. These include: All County Letters (ACLs), All County Welfare Directors Letters (ACWDLs), County Fiscal Letters (CFLs, these explain funding allocations to each of the counties). CDSS also has helpful explanatory documents available to the public, such as fact sheets and annual reports.

HA Resources

- [HA Factsheet](#)
- [ACL 21-121](#)
- [ACL19-118](#)

HSP Resources

- [CDSS' October 2022 Fact Sheet](#)
- [ACWDL 12-13-21](#)
- [ACWDL 5-13-2021](#)
- [ACL 19-114](#)



Legal Services of Northern California Regulation Summaries

Summaries of select CalWORKs, CalFresh, Health and Housing Regulations

Legal Services of Northern California publishes summaries of agency guidance, available at reg.summaries.guide. We include relevant summaries here for your review, including links to the official guidance. The authors thank LSNC for their permission to reproduce these summaries

[Changes to CalWORKs Homeless Assistance and referrals for Pregnancy Special Needs](#)

ACL 23-83 (October 6, 2023)

The California Department of Social Services (CDSS) has issued guidance regarding changes to the CalWORKs Homeless Assistance program and referrals for Pregnancy Special Needs.

CalWORKs applicants can verify pregnancy by a sworn statement or verbal attestation, and submitting medical verification within 30 working days of submitting the sworn statement or verbal attestation. This change now applies to requests for CalWORKs Homeless Assistance. CalWORKs applicants with no other CalWORKs eligible children can satisfy the pregnancy verification requirement for Homeless Assistance by sworn statement or verbal attestation. If the applicant does not submit medical verification within 30 days, counties cannot issue additional homeless assistance benefits unless the pregnant person presents evidence of good-faith efforts to get verification of pregnancy.

Counties can require a homeless avoidance case plan when a family receives homeless assistance for the second time in a 24-month period. Effective October 1, 2023, counties that require a homeless avoidance plan must also provide a housing navigator to the family. CDSS encourages that homeless

avoidance plan be optional. CDSS also encourages counties to refer all homeless assistance recipients to Housing Support Program and Family Stabilization. Family may receive both Housing Support Program and Family Stabilization at the same time.

If a county requires a homeless avoidance case plan for a family that verifies domestic violence by sworn statement, the plan shall include providing domestic violence services.

Homeless Assistance eligibility is expanded to families who receive any notice that could lead to an eviction, regardless of the reason for the notice. This change is effective July 1, 2024, or when computer automation is completed, whichever is later.

Note that counties must accept a sworn statement to verify homelessness.

For purposes of homeless assistance eligibility, domestic violence is expanded to include actions done by any roommate. This expansion applies to both the domestic violence homeless assistance benefit, and the domestic violence exception to the once in 12 months limit on homeless assistance. This change is effective July 1, 2024, or when computer automation is completed, whichever is later.

Legal Services of Northern California Regulation Summaries

Effective October 1, 2023, counties must refer pregnancy special needs payment recipients to perinatal home visiting services administered county public health, county social services, or county home visiting providers. This includes CalWORKs Home Visiting Program and California Home Visiting Program. \$150 million to continue Project Roomkey.

End of Homeless Assistance eligibility because of COVID-19

ACL 23-56 (June 26, 2023)

The California Department of Social Service (CDSS) has informed counties of the end of CalWORKs Homeless Assistance (HA) eligibility because of COVID-19. In general, families can only receive HA once per year. However, there is an exception to the once per year limitation because of a disaster. Effective May 12, 2023, families can no longer receive HA under the disaster exception when homelessness is because of COVID-19. Families may still be eligible for an HA exception for medically verified mental or physical disability because of COVID.

Going forward, HA applications do not need to be made in person or include a face-to-face interview. Counties can complete the HA application and have the client sign it electronically.

Counties can continue to accept sworn statements or verbal attestations that HA benefits were properly spent or housing search was done. Counties can also grant good cause for not providing paper verification.

Counties can record a verbal attestation for the homeless assistance application form when the county cannot get a written or electronic signature. Counties that cannot record verbal attestation can enter a journal not stating the attestation.

For clients on vendor payments because of fraud or mismanagement, counties can issue HA benefits directly to the EBT card when there is no feasible way to issue a vendor payment.

CalWORKs and winter storm disaster

ACWDL (April 3, 2023), Addendum ACWDL (April 27, 2023)

The California Department of Social Services (CDSS) has issued a reminder about policy for processing CalWORKs cases for victims and evacuees of state and/or federally declared disasters. Because of the winter storms, Governor Newsom issued statewide Emergency Proclamations affecting Amador, Kern, Los Angeles, Madera, Mariposa, Mono, Nevada, San Bernardino, San Luis Obispo, Santa Barbara, Sierra, Sonoma, Tulare, Butte, El Dorado, Fresno, Humboldt, Imperial, Inyo, Lake, Mendocino, Merced, Monterey, Napa, Placer, Plumas, Sacramento, San Francisco, San Mateo, Santa Clara, Santa Cruz, Stanislaus, Tuolumne, and Yuba counties. In addition, on December 20, 2022, Governor Newsom issued an Emergency Proclamation for Humboldt County due to the effects of the 6.4 magnitude earthquake. These disasters have made it necessary for some families to evacuate their home counties.

Legal Services of Northern California Regulation Summaries

For evacuees who apply for CalWORKs, if the applicant and the county make a good faith effort to obtain verification and are unable to do so, including identity, time on aid, and CalWORKs eligibility factors, the county must accept the evacuee's statements signed under penalty of perjury in lieu of verification.

When an evacuee applies for CalWORKs, counties must establish that the evacuee was living in a county designated as a federal disaster and/or state-declared emergency zone and ask if the evacuee or anyone else in their family is receiving CalWORKs from that county or another disaster county.

Counties are reminded that COVID-19 flexibilities remain in place and apply to evacuees, including flexibility regarding pregnancy verification, in-person photo identification requirements, and signature requirements. These flexibilities should allow for effective disaster response. Disaster evacuees applying for or receiving CalWORKs aid must be informed of their semi-annual and annual reporting responsibilities. Counties must advise evacuees to try to get documentation of eligibility factors impacting for benefits, and to ask for help from the county in getting documentation if they need it.

CalWORKs recipients may be eligible for nonrecurring special needs payments because of emergencies from the fires, such as damage to or loss of shelter or belongings. Nonrecurring special needs funds can be used to repair or replace clothing or household equipment, to provide assistance for damages to the home, or to pay for interim shelter when the AU's home was destroyed or made

uninhabitable or inaccessible. The maximum nonrecurring special needs payment is \$600 for each individual incident.

Disaster assistance from federal, state or local government or disaster assistance organizations is excluded from consideration as income.

For CalWORKs applicants, counties are encouraged to offer CalWORKs diversion to evacuees to address their specific crisis or item of need. Applicants in an emergency should be evaluated for Immediate Need Payments. Both applicant and recipient evacuees should be entitled to an exception to the once in twelve months limitation on receiving Homeless Assistance. Recipient evacuees may also be eligible the CalWORKs Housing Support Program.

A written statement from the applicant is sufficient to establish intent to establish residency in California and in the county of application for the foreseeable future. Receipt of benefits at an address outside of California for two months or longer is not apparent evidence of intent to reside outside of California when return to California is prevented by a disaster. Families who are in an emergency should be evaluated for an immediate need payment.

For income, it is expected that some evacuees will no longer have reasonably anticipated income because of the disaster. For property and resources, counties must consider the applicant's ability to access, occupy or sell their property at the time of application because of the disaster.

Legal Services of Northern California Regulation Summaries

For families temporarily separated because of the disaster, a family member is considered temporary absent if they expect to reunite within one full calendar month. CalWORKs recipients can maintain a home in a different county than the county they are physically residing in if they intend to return to that home within four months.

Most evacuated families will not be able to participate in welfare-to-work activities. Counties should make a good cause determination for evacuated families for nonparticipation in welfare-to-work activities. Counties should also determine if an applicant needs barrier removal services such as mental health services or housing stabilization program services and provide these services as expeditiously as possible.

Counties must maintain the ability for families to apply for Homeless Assistance benefits during normal business hours. Temporary Homeless Assistance must be issued or denied within the same working day as the request. Permanent Homeless Assistance must be approved or denied within one business day.

Homeless Assistance can be issued in one lump sum payment for 16 days when homelessness is caused by a declared disaster. Counties must accept sworn statements of how homeless assistance money is spent, or counties can grant good cause for not providing paper verification such as motel receipts. Homeless Assistance applications are not required to be made in person or to include a face-to-face interview. Counties can complete the homeless assistance Statement of Facts on behalf of the family and accept electronic signature or oral attestation.

The CalWORKs Housing Support Program can provide interim housing, including hotels and motels, for disaster evacuees. CDSS does not limit the number of days the Housing Support Program can cover hotels or motels. Counties must notify CDSS when they will be closed during normal business hours. CDSS asks counties to report closures because of a disaster to CDSS as soon as it is safe to do so.

Addendum — Contra Costa, Riverside, San Diego, and Yolo counties are also now declared disaster counties and are subject to these policies.

[Implementation of CalWORKs Homeless Assistance changes](#)

ACIN I-70-22 (November 1, 2022)

SB 1065 (2020) made several changes to CalWORKs Homeless Assistance benefits. Implementation of those changes was contingent on programming into the CalSAWS computer system. The California Department of Social Services has announced that the programming has been completed, and the changes to the Homeless Assistance program are operational effective September 1, 2022. These changes are described in ACL 21-121, summarized here.

Any family denied Homeless Assistance on or after September 1, 2022 based on rules that were changed shall have that denial reversed.

CalWORKs Housing Support Program funding and rules changes

ACWDL (December 13, 2021)

The CalWORKs Housing Support Program (HSP) is intended to foster housing stability for families experiencing or at-risk of homelessness in the CalWORKs program. All CalWORKs recipient families are eligible for the HSP. HSP eligibility now includes families in CalWORKs who are at-risk of homelessness including recipients who have not yet received an eviction notice, and for whom housing instability would be a barrier to self-sufficiency or child well-being.

In general, homeless for purposes of HSP means either 1) an individual or family who lacks a fixed, regular, and adequate nighttime residence, 2) An individual or family who will imminently lose their primary nighttime residence, 3) Any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, has no other housing and lacks resources to obtain other housing.

For the purposes of HSP, a person is defined as at-risk of homelessness when they are experiencing housing instability, including recipients who have not yet received an eviction notice, and for whom housing instability would be a barrier to self-sufficiency or child well-being; have no subsequent permanent residence secured; and lack resources to secure subsequent permanent housing. Families must be allowed to self-attest that they are at-risk of homelessness.

HSP provides rapid rehousing service, which includes housing identification, rent and move-in assistance, and case management. HSP can also provide homelessness prevention assistance, which includes payment rent or utility arrears, late fee payments, first month rent and/or security deposit, landlord mediation, repairs, habitability/ accessibility improvements, and housing navigation. Counties are encouraged to limit their spending on homelessness prevention assistance to no more than 30 percent of their HSP allocation.

HSP must operate in accordance with the United States Department of Housing and Urban Development Housing First principles. This means that individuals should be connected to housing or housing support without preconditions, services must be voluntary, client choice must be respected, and client cannot be rejected on the basis of income, past evictions, substance abuse, or any other behavior that might indicate a lack of housing readiness.

HSP should assist participants who are behind in rent with accessing ERAP funds before using Home Safe funds to pay back rent. This is not requirement for Home Safe eligibility, but is a requirement to use ERAP funds before Home Safe funds for rental assistance. If ERAP rent relief would not prevent a loss of housing and the family is eligible for HSP, then HSP funds can be utilized to keep the family housed, including by covering arrears to prevent a loss of housing.

Legal Services of Northern California Regulation Summaries

Eligibility of Afghan Humanitarian Parolees and Afghan Special Immigrant Conditional Permanent Residents for Refugee Resettlement Program, CalWORKs, CalFresh and SSI

ACWDL (December 2, 2021)

The California Department of Social Services (CDSS) has provided revised guidance regarding eligibility of Afghan Humanitarian Parolees Afghanistan for Refugee Resettlement Program, CalWORKs and CalFresh benefits, and new guidance regarding eligibility for Afghan Special Immigrant Conditional Permanent Residents. This guidance supercedes ACWDL September 3, 2021.

Afghan Special Immigrant Conditional Permanent Residents and Afghan Special Immigrant Lawful Permanent Residents are eligible for public benefits to the same extent as refugees. Afghan Special Immigrant Conditional Permanent Residents are persons waiting for medical clearance to enter the United States.

Afghan Humanitarian Parolees, and their spouse and children, are eligible for benefits and services to the same extent as refugees. They are eligible from October 1, 2021 or the date they are paroled in the United States, whichever is later, to March 31, 2023, or the end of parolees' parole term, whichever is later. Benefits that Humanitarian Parolees, and their spouse and children, are eligible for are Refugee Cash Assistance, CalWORKs, CalFresh, SSI, Refugee Support Services, and Services for Older Refugees. Counties should redetermine eligibility for benefits when parole has expired or by March 31, 2023, whichever is later.

For CalWORKs, Afghan Humanitarian Parolees are not subject to the five-year ban on federally funded CalWORKs benefits.

For CalWORKs, reception and placement cash benefits count as property because they are considered recurring lump sum payments.

Afghan Humanitarian Parolees can be eligible for CalWORKs Housing Support Program. Housing Support and Homeless Assistance can supplement federal refugee resettlement funds.

Changes to CalWORKs Homeless Assistance program

ACL 21-121 (October 6, 2021)

The California Department of Social Services (CDSS) has issued guidance regarding changes to the CalWORKs Homeless Assistance program in SB 1065. These changes will become effective when CDSS notifies the legislature that the statewide computer system can perform necessary automation to implement them, which is estimated to be in 9 to 12 months.

The \$100 liquid resource limit for applying for Homeless Assistance will be removed. There will no longer be a liquid resource limit for applying for Homeless Assistance.

A county will be required to accept a sworn statement to verify homelessness. The CW 42 is a sworn statement so it will meet that requirement. The county will not be allowed to seek additional verification.

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Counties can refer families to their early fraud prevention and detection unit if they believe the applicant is questionably homeless. SB 1065 defines “questionable homeless” as “when there is a reason to suspect the family has permanent housing.” The county must have evidence to suspect that the family has safe and stable permanent housing in which the family can continue to reside without support for a referral of the family as questionably homeless.

Homeless assistance for domestic abuse victims is for two 16-day periods. When SB 1065 is implemented, the family will be eligible for the second 16-day period even if CalWORKs is granted during the first 16-day period. Note that homeless assistance for domestic abuse victims is in addition to any other temporary or permanent homeless assistance the family may be eligible for.

For families affected by disaster, SB 1065 will remove the requirement for eligibility for disaster homeless assistance that the state or federally declared disaster be a natural disaster.

SB 1065 removes the requirement that security deposit or last month rent be reasonable. Counties will no longer be allowed to reject payment of security deposit or last month rent that is a condition of securing a residence.

SB 1065 will require that any refund of permanent homeless assistance funds be returned to the family. Counties will no longer be allowed to collect homeless assistance funds that are refunded to the family.

Funding and rules changes for CDSS housing program

ACWDL (July 19, 2021)

The Budget Act of 2021 appropriated \$795 million for CDSS housing programs and made changes to program rules.

The CalWORKs Housing Support Program is intended to foster housing stability for families experiencing homelessness in the CalWORKs program. Housing Support Program funds must be used to support projects that follow evidence-based housing interventions, including rapid rehousing. All state-funded housing program must follow the core components of Housing First. The Budget Act amended the program to expand eligibility to families at risk of homelessness, including families who have not yet received an eviction notice.

The Bringing Families Home Program provides housing related services to families receiving child welfare services, increase family reunification, and prevent foster care placements. Funds can be used for evidence-based housing interventions including rapid rehousing, supportive housing and/or subsidies to make rental housing affordable. The Budget Act amended the program to expand eligibility to families where the living situation cannot accommodate the child or multiple children in the home, and that families at risk of homelessness can include families who have not yet received an eviction notice. The Budget Act also exempts counties and tribes from the dollar-for-dollar match requirements for one-time funds awarded between July 1, 2021 and June 30, 2024.

Legal Services of Northern California Regulation Summaries

The Housing and Disability Advocacy Program provides outreach, case management, disability benefits advocacy, and housing assistance. The Budget Act amended the program to exempt counties and tribes from the dollar-for-dollar match requirements for one-time funds awarded between July 1, 2021 and June 30, 2024, that individuals at risk of homelessness can include families who have not yet received an eviction notice, and that the interim assistance reimbursement requirement is waived through June 30, 2024.

The Home Safe Program provides housing-related assistance using evidence-based practices for homeless assistance and prevention for persons involved in Adult Protective Services. The Budget Act amended the program to include that persons at risk of homelessness can include families who have not yet received an eviction notice, that persons in the process of Adult Protective Services intake and individuals served through a tribal social services agency who appeal to be eligible for Adult Protective Services, and that counties and tribes from the dollar-for-dollar match requirements for one-time funds awarded between July 1, 2021 and June 30, 2024. The Budget Act appropriated an additional \$150 million to continue Project Roomkey.

[Homelessness prevention programs](#)

ACWDL (January 14, 2021)

The California Department of Social Services has issued information about various homelessness prevention programs. CalWORKs diversion is a payment to help the family meet a short term need instead of receiving CalWORKs. A diversion payment can be used to pay

overdue rent to help prevent eviction or homelessness. If a family accepts a diversion payment and needs to reapply for CalWORKs during a period equivalent to the months of aid diversion payment would cover, the family must repay the diversion grant or those months count toward the CalWORKs time on aid clock. Diversion recipients who reapply for CalWORKs are eligible for all housing services available to CalWORKs recipients.

Non-Recurring Short-Term Benefits is a lump sum payment to help address a family's specific crisis or item of need. Non-Recurring Short-Term Benefits is for a maximum of four months. Non-Recurring Short-Term Benefits can be used for any accrued debts or liabilities that may be covered including rent. There is no limit on the amount of benefits that can be provided. Families may provide sworn statements to document their need. Counties may accept a verbal statement if the applicant is unable to provide a physical or electronic signature.

Family Stabilization provides intensive case management and services to CalWORKs families facing crisis. Family Stabilization can be used to pay rent owed and provide additional services including case management, referrals to legal services and credit repair to prevent eviction or homelessness.

Permanent Homeless Assistance is available for families that are eligible for, apparently eligible for or receiving CalWORKs and are at risk of eviction or homelessness. Permanent Homeless Assistance can pay up to two months back rent to prevent eviction once every 12 months with exceptions.

Legal Services of Northern California Regulation Summaries

The monthly rent must be less than 80% of the family's total monthly income. Note not included in the letter that alternatively permanent homeless assistance can cover security deposit and first and last month rent.

Disaster Homeless Assistance is available for families that become homeless or are at risk of homelessness because of a state or federally declared natural disaster.

Disaster Homeless Assistance can include 16 days temporary homeless assistance or permanent homeless assistance.

Tribal TANF programs can provide eviction and homelessness prevention services.

CalFresh Employment and Training can provide housing stability services for recipients who are at risk of eviction of homelessness. Federal reimbursement for subsidized housing is limited to no more than two months per year.

Refugee support services can provide emergency assistance, including housing and utility assistance if they experience job disruption, job loss, or other COVID-19 related challenges.

The Bringing Families Home program can pay overdue or ongoing rent for families experiencing or at imminent risk of homelessness who are involved with the child welfare system in counties that operate the program. Bringing Families Home can also provide housing navigation, case management, and coordination with additional necessary services including legal services.

The Home Safe Program provides, in participating counties, assistance to persons involved in the Adult Protective

Services system who are at risk of imminent homelessness because of elder or dependent adult abuse, neglect, self-neglect, or financial exploitation. Home Safe Program assistance includes landlord engagement, case management, legal services, eviction protection, short-term financial assistance, heave cleaning and landlord mediation.

[Temporary homeless assistance repeal of consecutive 16 day rule](#)

ACIN I-83-20 (November 17, 2020)

SB 80 (2019) removed the requirement that the 16 days of temporary homeless assistance had to be used on consecutive days. Changes to the welfare computer systems have now been made, and the removal of the requirement that the 16 days of temporary homeless assistance to be used on consecutive days is effective as of October 1, 2020.

[COVID-19 Homeless Assistance issuance](#)

ACIN I-57-20 (July 28, 2020)

The California Department of Social Services (CDSS) reminds counties that despite any changes to county operations because of COVID-19, families must be able to apply for Homeless Assistance benefits during normal business hours. Payment for temporary Homeless Assistance must be approved and issued, or denied, within the same day that the family applies. For permanent Homeless Assistance, the county must issue or deny payment within one business day of receiving all required information.

Families can receive the 16 days permanent Homeless Assistance in one lump sum if homelessness is because of

Legal Services of Northern California Regulation Summaries

a state or federally declared natural disaster. Counties can accept sworn statements as verification that Homeless Assistance funds were properly spent, or counties can grant good cause for not providing paper verification. Homeless Assistance applications are not required to be made in person or include a face-to-face interview. Counties can complete the application on behalf of the family and electronic signatures are allowed.

Until the end of the COVID-19 State of Emergency or Executive Order N-71-20 is rescinded, whichever is earlier, the county can accept verbal attestation if the county cannot accept, or the applicant cannot provide, and a physical or electronic signature.

Homeless Assistance payments must be issued to clients in the manner the client requests. The family can ask that payments go directly to the family or to providers of temporary housing, permanent housing or utilities. In the event of funds mismanagement, clients are still entitled to their Homeless Assistance benefits. Counties should consider issuing benefits on an EBT card if it is not possible to issue a vendor payment within the required timeframes if there is a mismanagement issue.

Families without mailing addresses who list the county office as their mailing address for their benefits must have timely access to their mail despite office closures or reduced hours. All clients, including those without residential mailing addresses, must get their Homeless Assistance within the legal timeframes.

CalWORKs Homeless Assistance shared housing

[ACIN I-52-20 \(June 30, 2020\)](#) and [ACIN I-52-20E \(December 15, 2020.\)](#)

The California Department of Social Services (CDSS) has provided questions and answers regarding CalWORKs Homeless Assistance shared housing. Effective January 1, 2020, CalWORKs families may use homeless assistance payments to rent from any person or establishment with whom they have a valid lease, sublease or shared housing agreement.

For temporary homeless assistance, a lease is not necessary and any form of documentation showing the address, dates of stay, rent, and contact information of the provider is acceptable. For permanent homeless assistance, the agreement must show the rent the CalWORKs family is paying to determine if the rent exceeds 80% of total monthly income.

For a long-term sublease or shared housing agreement for permanent homeless assistance, there should be documentation that the family is legally allowed to reside in the property, and that the sublease or shared housing agreement does not violate the original lease. For short-term housing agreements for temporary homeless assistance, counties need to confirm that allowing a short term guest does not violate the terms of the original lease. A statement from the tenant providing the housing is sufficient.

If the county cannot verify that there is a valid rental agreement, the county can

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contact the landlord with permission of the CalWORKs family. This contact can be done by phone. If contact cannot be made, a sworn statement from the client is sufficient.

There are no homeless assistance regulations regarding the maximum number of people per room. There are also no requirements for the county to do a habitability check on the property prior to approving homeless assistance.

For temporary homeless assistance, the shared housing agreement is sufficient verification that the benefits were spent on shelter. If counties want additional verification, a statement from the housing provider or a sworn statement from the client is adequate.

Temporary homeless assistance is a set amount, and the family is entitled to that amount even if their shelter cost is less than that amount.

Counties must comply with the assistance unit's request to issue homeless assistance to the assistance unit or to the provider unless there is a finding of mismanagement of funds.

Families are not required to use their 16 nights of temporary homeless assistance in the same location.

Permanent homeless assistance can be used to pay security deposits. This includes payment of the client's share of an existing security deposit that is paid to the housing provider.

Temporary homeless assistance cannot be replaced when a housing provider breaks an agreement to provide housing.

There is no requirement that providers have a tax ID number. If it is not possible to issue a vendor payment, counties should issue homeless assistance directly to families despite a mismanagement finding because they are entitled to the benefits.

Clients not providing receipts verifying that homeless assistance funds were spent on housing is not a basis for assessing an overpayment. Not providing receipts is a basis for a finding of mismanagement of funds and subsequent benefits being issued by vendor payments. The only time homeless assistance can be an overpayment is when the family was not eligible for the benefits when they received them.

The allowance of shared housing in homeless assistance does not change CalWORKs or CalFresh rules regarding how to treat rental payments when families are sharing housing.

COVID-19 new interim homeless assistance program guidance.

[All County Welfare Directors Letter](#)
(March 31, 2020)

The California Department of Social Services (CDSS) has issued new guidance CalWORKs Homeless Assistance (HA) and COVID-19. This new guidance supersedes CDSS' March 19, 2020 All County Welfare Directors Letter for HA only.

Up to 16 days of motel vouchers are available from HA for eligible or apparently eligible CalWORKs participants. Because of COVID-19, counties may waive the three-day limit to

verify homelessness. Counties may issue benefits in increments of more than one week, up to all 16 days at once.

Families should be granted good cause for not completing daily permanent housing search.

Receiving HA because of a state or federally declared disaster does not count against a client's once per 12-months limit on HA. In addition, clients affected by COVID-19 may be eligible for an exception to the once per 12-months limit because of uninhabitability of the home or a medical illness. For example, if a parent needs to isolate themselves because of COVID-19, HA should be granted based on exception because of medical illness.

HA applications are not required to be made in person or to include a face-to-face interview. Counties can complete the application and have the client electronically sign it. Counties can also record a verbal attestation over the phone or enter a case note stating the client attested to the information.

Counties can accept sworn statements for not providing paper verification such as hotel receipts or counties can grant good cause for not submitting paper verification. Although existing guidance requires counties to issue vendor payments when there has been a finding of mismanagement, if there is no feasible way to issue vendor payments because of COVID-19, counties should consider issuing benefits on the client's EBT card.

Changes to CalWORKs Homeless Assistance

[ACL 19-118 \(January 2, 2020\)](#)

The California Department of Social Services (CDSS) has issued guidance regarding changes to the CalWORKs Homeless Assistance program. 16 days of temporary homeless assistance no longer needs to be used consecutively. Families will be able to receive 16 days of Homeless Assistance cumulative in a 12-month period. The 16 days of temporary Homeless Assistance will not be exhausted until all 16 days are used, the family resolves their homelessness or 12 months have passed. The first three days of temporary homeless assistance must still be issued the day the family applies, followed by weekly issuances not to exceed 16 days.

However, this change will not be effective until it is automated. CDSS estimates that will take six to nine months. Counties are encouraged to implement this change using a manual workaround as soon as possible. CDSS will release the official implementation date later.

Families must still provide receipts verifying temporary Homeless Assistance was spent on shelter. Counties are encouraged to offer good cause or accept a sworn statement when benefits are not received consecutively and families have not kept their receipts. Counties are also encouraged to grant good cause or accept a sworn statement of permanent housing search when they do not have proof of their search.

Removal of the consecutive day requirement also applies to Homeless

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Assistance for persons fleeing domestic violence. However, those benefits will still be issued in 16 day increments.

Effective January 1, 2020, families will no longer be required to use Homeless Assistance to rent from a person in the business of renting properties. Families now can use Homeless Assistance to rent from any person or establishment with whom the family executes a valid lease, sublease or shared housing agreement. This change also allows temporary Homeless Assistance to enter into a short-term lease, sublet or sharing housing arrangement to meet temporary housing needs.

Temporary Homeless Assistance increase final regulations

[ACIN I-64-19](#) (October 15, 2019)

The California Department of Social Services (CDSS) has issued final regulations implementing the increase in the daily payment amount for temporary homeless assistance. The daily temporary homeless assistance rate for a family of up to four is increased from \$65 to \$85 per night. Each additional family member still increases the rate by \$15, but the daily maximum for a family of 8 is increased from \$125 to \$145 per night.

Homeless Assistance clarifications

[ACL 19-77](#) (July 31, 2019)

The California Department of Social Services (CDSS) has issued clarifications regarding recent changes to the CalWORKs Homeless Assistance program. Participants who become homeless because of a state or federally declared disaster qualify for good cause for failure to provide proof of housing search.

In addition, counties can waive the initial three-day limit on temporary homeless assistance and instead issue temporary homeless assistance in increments of more than one week for persons who become homeless because of a state or federally declared natural disaster. There is no limit on the number of times in a year a family can receive homeless assistance because of a state or federally declared natural disaster, and receiving benefits on this basis does not count toward once every 12-month limit on Homeless Assistance. Counties must identify and inform CalWORKs in a state or federally declared disaster area of their eligibility for Homeless Assistance.

Homeless CalWORKs families who are receiving Family Reunification services are eligible to receive temporary homeless assistance if the county determines that these benefits will assist with reunification, despite the fact that these cases do not receive a cash grant.

CDSS has revised the [CW 42](#) Homeless Statement of Facts to include information about expanded Homeless Assistance for persons fleeing domestic violence. CDSS has also issued new and revised notice of action messages.

Using HSP to purchase housing structures

[ACIN I-85-18](#) (December 7, 2018)

The California Department of Social Services (CDSS) has issued guidance regarding use of Housing Support Program funds to purchase housing structures. CDSS has set aside \$1,500,000 to purchase housing structures, which includes RVs, mobile homes and tiny homes. Housing structures do

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not include any type of housing that is permanently fixed to the ground. Counties can submit plans to CDSS for purchase of structures, and each individual purchase must be approved by CDSS.

Counties generally will not purchase structures until they have identified a family for the unit. Counties must ensure that a habitability inspection of the structure is completed before purchase.

Counties must identify a space where the structure will be located before purchase. CDSS encourages counties to locate space within a designated park. If developed parks are not available, counties may seek private land to place the structure. The county must ensure that the family has a written lease agreement with the land owner.

Maximum purchase price for the structure is \$24,999. This includes improvements to make the structure habitable. This cap does not include other Housing Support Program services such as assistance with move in costs and ongoing space rent. Families must enter into an agreement with the county. This agreement can include a creating a lien to protect the structure from being sold without county approval; client obligations such as not reselling the property for a period of time, paying the taxes, and paying rent and other fees; county obligations such as retaining title for a period of time and assisting the client with taxes and other fees; using the structure as a personal residence; and recovering the property if the family does not meet their obligations.

Counties must identify parameters for how they will target families receiving Housing Support Program for structure purchases.

[Increase in Temporary Homeless Assistance payment amount](#) [ACL 18-106](#) (September 12, 2018)

The California Department of Social Services (CDSS) has issued instructions implementing AB 1811 increase the temporary homeless assistance payment amount. Temporary homeless assistance pays for up to 16 days of temporary shelter while a family searches for permanent housing.

Effective January 1, 2019, the daily payment rate for temporary homeless assistance will increase to \$85 per day for up to a family of four. Each additional family member will get \$15 per day with a maximum for the family of \$145 per day. This increase also applies to homeless assistance for persons fleeing domestic violence and homeless assistance for CalWORKs family reunification cases.

[Homeless Assistance for family reunification](#) [ACL 18-71](#) (June 25, 2018)

The California Department of Social Services (CDSS) has issued instructions implementing AB 236 regarding homeless assistance for family reunification cases. CalWORKs families receiving family reunification services are now eligible for 16 days of temporary homeless assistance while searching for permanent housing.

CalWORKs families receiving family reunification services are eligible if they are homeless and have no more than \$100 in liquid resources. Counties should offer additional services to assist with housing including Family Stabilization, Housing Support Program and Bringing Families Home program.

CalWORKs Homeless Assistance Program

ACL 16-98 (November 30, 2016)

Effective January 1, 2017, clients are eligible to receive CalWORKs Homeless Assistance once every 12 months with exceptions. Previously, clients were eligible for Homeless Assistance once in their lifetime with exceptions. This change is because of AB 1603, Section 15 (2016).

There are two types of Homeless Assistance. Temporary Homeless Assistance is available to CalWORKs recipients or apparently eligible applicants and provides up to 16 consecutive days of shelter, which is generally a hotel. Permanent Homeless Assistance provides security deposit, last month rent and utility deposit for commercially available rental unit where rent does not exceed 80 percent of the client's income. Alternatively, for clients facing eviction, Permanent Homeless Assistance can provide up to two months or rental arrearages for a client to remain in their unit.

The 12 month period begins the day the welfare department issues the first payment of temporary or permanent homeless assistance. Exceptions are available once during the 12 month period.

Free copies of birth certificates for homeless persons

ACIN I-90-15 (11/25/15)

AB 1733, which became effective on July 1, 2015, requires the registrar or county recorder to provide free certified copies of birth certificates to homeless persons. County Welfare Departments (CWDs) are considered homeless services providers under the statute. This means that CWDs are required to assist homeless clients who need to get a birth certificate by completing an affidavit that the client is homeless. The form for the affidavit is part of California Department of Public Health ACL 15-05, which is attached to CDSS' instructions. This duty is in addition to the CWDs duty to cover fees if necessary to obtain information or verification to receive benefits.