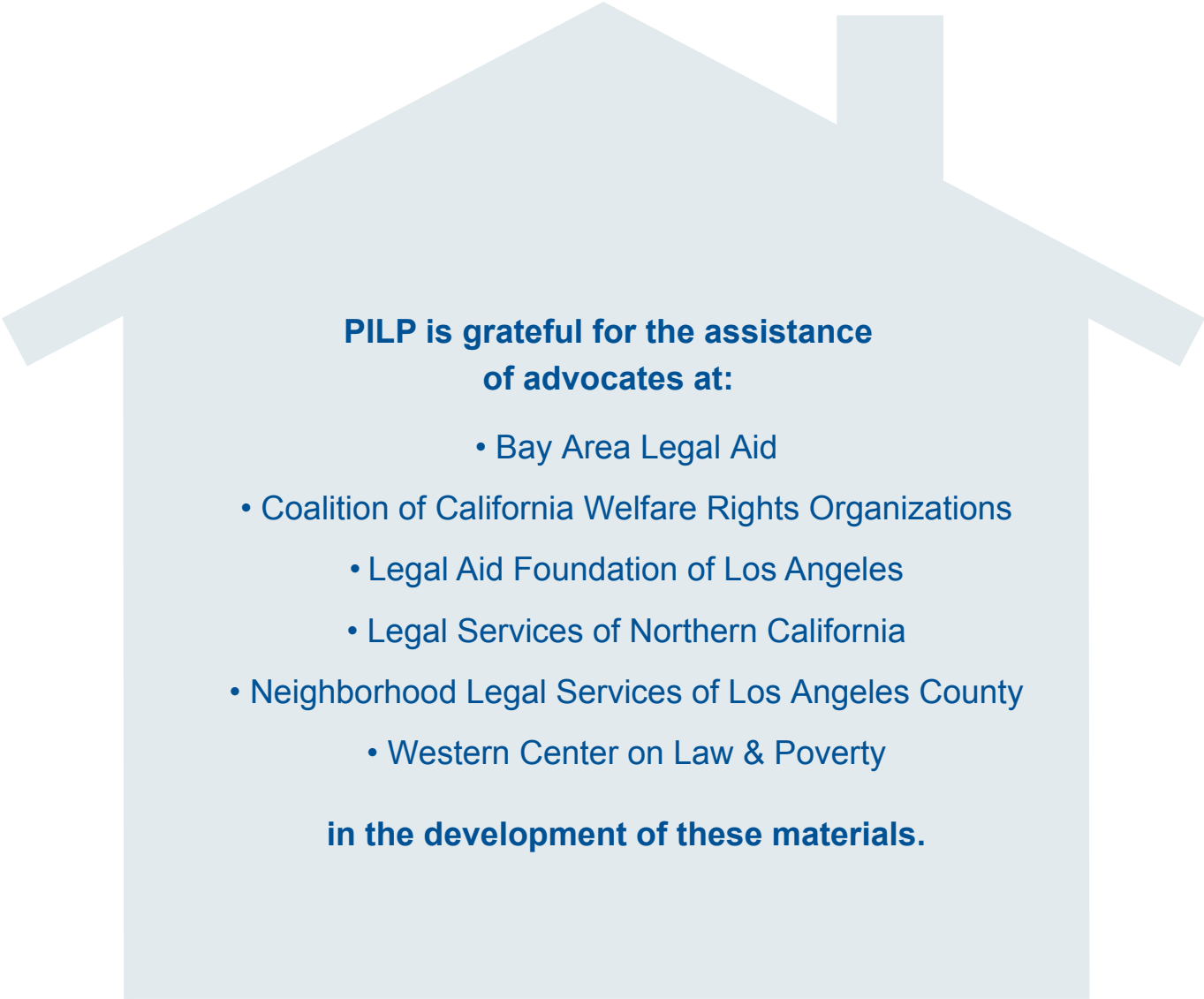




An Advocate's Guide To The Housing And Disability Advocacy Program





**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.

PILP developed this resource to provide advocates and HDAP recipients with information about the Program with the hope of increasing awareness of and, by extension, access to the Program. The Legislature and Department of Social Services update statute and program 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 this Program and identify potential issues. CDSS intends to promulgate HDAP regulations in 2024, which could modify, expand on, or contradict the authorities cited here.





Housing and Disability Advocacy Program (HDAP)

Housing and Disability Advocacy Program (HDAP)

is a state-funded, county-administered program that assists individuals who are likely eligible for disability benefits and who are homeless, or at risk of becoming homeless, with applying for disability benefit programs while also providing housing support to help clients find safe, decent, affordable, and sustainable housing.

The Public Interest Law Project (PILP)

fight 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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What is HDAP?

The Housing and Disability Advocacy Program (HDAP) was established in 2016 to assist people experiencing or at risk of homelessness who are likely eligible for disability benefits by providing advocacy for federal disability benefits as well as housing supports.¹

Housing-related financial assistance and wraparound supportive services provided by HDAP include but are not limited to: interim shelter assistance, rental assistance, housing navigation, case management, security deposits, utility payments, moving costs, legal services, and credit repair.

HDAP has 4 core requirements:

- 1) Outreach
- 2) Case Management
- 3) Disability Benefits Advocacy
- 4) Housing Assistance

Housing First

California law requires all state-funded or administered programs that provide housing or housing-related services to people experiencing or at risk of homelessness to adopt the core components of Housing First.

Housing First is rooted in the philosophy that safe, stable housing is a fundamental human need that must be secured before other issues that may have contributed to a person's homelessness can be effectively addressed. It follows a basic principle—that everyone is ready for housing, regardless of the complexity or severity of their needs, and that stable housing is the foundation for achieving other goals. Housing First is defined by statute as an evidence-based approach to addressing homelessness that provides, or connects, homeless individuals and families to permanent housing as quickly as possible without preconditions. ACL 19-114 details Housing First.



1. Welfare and Institutions Code Section 18999, enacted by Assembly Bill (AB) 1603 (Committee on Budget, Chapter 25, Statutes of 2016); ACL No. 19-104.

History of HDAP

HDAP was created in 2016 by the California Legislature.²

The UCSF Benioff Homelessness and Housing Initiative recently found that 52% of unhoused people indicated that they were unable to work due to problems related to their older age, health, or disability.³

These individuals are likely eligible for public benefits, including Supplemental Security Income or Social Security Disability Insurance, potentially qualifying them for a minimum of \$1,133.73 each month.⁴

Applying for these means-tested disability benefits is a time consuming and long process.

In 2023, the average time the Social Security Administration took to process an initial application was 217 days.⁵

Additional delay is built in as many people are denied at the initial stage and must appeal. The process is burdensome and confusing, and having the help of an advocate or attorney greatly improves the likelihood that the Social Security Administration will approve a person's application. HDAP was developed in recognition of these barriers in order to help people apply for SSI or SSDI and to provide interim/permanent housing supports.

The 2017-18 California Budget Act appropriated \$43,461,000 in one-time funding for the Program with funds available over three years, beginning July 1, 2017 through June 30, 2020.⁶

Thirty-nine counties applied for program funds and implemented programs locally in early 2018.⁷ The 2019 Budget Act appropriated an additional \$25 million for HDAP to continue on an on-going basis. SB 80 (Chapter 27, Statutes of 2019) changed the HDAP requirements and prioritization criteria.⁸ Today, all 58 counties and 17 Tribal Grantees participate in HDAP.

The 2022 California Budget Act

appropriated \$25 million General Fund (GF) HDAP ongoing match-required funds available for encumbrance through June 30, 2024.⁹

The program is relatively small.¹⁰

Since 2018, counties have enrolled 5,563 people in HDAP.

Counties have submitted 7,705 disability applications, of which only 1,851 were approved (or 24%).¹¹ Approximately 4,048 individuals have been connected to temporary and/or permanent housing.¹²

2. ACL No. 19-104.

3. *Toward a New Understanding: the California Statewide Study of People Experiencing Homelessness, June 2023 at p. 68.* https://homelessness.ucsf.edu/sites/default/files/2023-06/CASPEH_Report_62023.pdf

4. *This is the 2023 grant amount for an individual.*

5. *Data from the Social Security Administration, found here:* <https://www.ssa.gov/open/data/Combined-Disability-Processing-Time.html>

6. *Id.*

7. *Id.*

8. *Id.*

9. *County Fiscal Letter No. 22/23-84 at p. 1.*

10. *Annual Report to the California Legislature on the Housing and Disability Advocacy Program, February 2023 at p. 2.*

11. *Id.*

12. *Id.*

How do people qualify for HDAP?

HDAP is for individuals who are experiencing or at risk of homelessness and who are likely eligible for disability benefits like SSI and Social Security Disability Insurance.

For HDAP, the California Department of Social Services defines “chronically homeless” and “homeless” according to the definitions used by the U.S. Department of Housing and Urban Development (HUD) and defined in 24 Code of Federal Regulations (CFR) section 91.5.¹³

Not everyone who is homeless and likely eligible for disability benefits receives assistance through HDAP. HDAP is not an entitlement program. Counties and tribes must prioritize individuals and families who are homeless or chronically homeless and who rely most heavily on government-funded services.¹⁴

To learn more about your local HDAP program and how people can qualify for the program, it is helpful to ask the county or tribal grantee for its rules, policies, or other guidance it uses to administer the program.

Counties have discretion in identifying people who may be eligible for HDAP (see more below under Outreach). If the county will not give you the requested information when you ask, you can do a Public Records Act request for the documents. You can also ask your county how to refer someone to the HDAP program. Some counties have created referral forms for local community-based organizations, advocates, or other people who regularly work with homeless people.



13. ACL 19-104 at 13; see also Glossary of Terms.
14. ACL No. 19-104; ACWDL dated September 13, 2021.

How can someone apply for or access HDAP?

The Housing and Disability Advocacy Program is administered locally by counties and tribes.

- **Look up your County Point of Contact for more information.**

OR

- **Contact the CDSS Housing and Homelessness Division to learn more about how to connect with your local program.**

CDSS does not require counties to have a formal application, and most do not. But, some counties might require a signature on an intake form or other paperwork. Service providers and county workers can identify potentially-eligible people and refer them to the county to be assessed for HDAP. Counties have discretion in this area. At least one County, Los Angeles, has created a referral form for other agencies to use to alert the county welfare department that an individual may be eligible for and benefit from HDAP.

Advocates should find out from their county how to connect potentially-eligible individuals with the county's HDAP intake system.



What are some common examples of available assistance?

HDAP services vary from county to county.

California delegates the administration of all public benefit programs to the counties.¹⁵ Unlike in some other public benefit programs, like CalFresh, counties have more discretion about how to administer HDAP, subject to certain parameters established by statute and communicated in CDSS guidance. Each county has established a different HDAP and you should check with your county and get the county's written policies and procedures to get more information about the program.¹⁶ HDAP provides outreach, case management, benefits advocacy, and housing support to individuals who are likely eligible for disability benefits and who are experiencing homelessness.¹⁷



15. Welf. & Inst. Code § 18000.

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

17. ACL 19-104 at 2.

1

Outreach

Counties must do outreach to actively seek out potentially eligible HDAP clients.

Active outreach includes establishing and utilizing partnerships with local homeless outreach teams within the community or utilizing other engagement teams trained in seeking out and engaging with vulnerable individuals experiencing homelessness in the community. Outreach activities may be conducted by HDAP staff within a county or provided in collaboration with community-based organizations.¹⁸ People who are chronically homeless are often unsheltered and may or may not be participants in a social service program administered by the county welfare department (CWD) or tribal agency administering social services, e.g., General Assistance or General Relief (GA/GR). As such, active outreach is critical to ensuring the most vulnerable are engaged and served.



At least one county utilizes its Homeless Management Information System (HMIS) to identify individuals to refer for HDAP screening as resources become available in the program.¹⁹ Best practices include face-to-face interaction with, and through trusted messengers of, people experiencing homelessness wherever they are located, including outreach to people who are living on streets, in encampments, or temporary shelters, and people who are being discharged from jails, prisons, hospitals, and rehabilitation facilities.



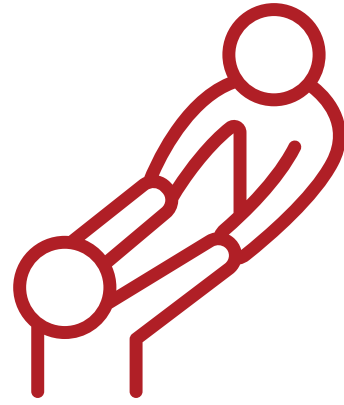
18. ACL 19-104 at 9.

19. HMIS is a local information technology system used to collect client-level data and data on the provision of housing and services to individuals and families at risk of and experiencing homelessness. The U.S. Department of Housing and Urban Development (HUD) use aggregate HMIS data to better inform homeless policy and decision making at the federal, state, and local levels.

2

Case Management

HDAP must offer intensive case management services to help clients navigate and address barriers to housing and disability benefits, and coordinate the multiple HDAP service components.



Case management should be offered from the point of outreach and program intake through program exit. Activities associated with the role of HDAP case management function may include general activities of daily living skill development, care coordination and linkage to disability advocacy services, behavioral health services, food benefits and medical care, and housing assistance, including housing navigation and housing specific case management.



3 Disability Benefits Advocacy

Counties are required to provide benefits advocacy services for a variety of disability benefit programs, as appropriate, including:

- Supplemental Security Income and State Supplementary Payment for the Aged, Blind, and Disabled (SSI/SSP);
- Social Security Disability Insurance (SSDI) Program;
- Cash Assistance Program for Immigrants (CAPI);
- Veterans Benefits provided under federal law, including, but not limited to, disability compensation and Veterans Pension.



Disability advocacy includes collaboration and coordination with local disability determination stakeholders, including Social Security Administration offices.

Through disability benefits advocacy, counties may become aware of other entitlement benefits the client is eligible to receive, such as retirement and/or survivors' benefits. As part of a thorough disability benefit application, counties seek out all benefits the client may be eligible to receive. Disability benefits advocacy services can be provided through legal representation (at no cost to program participants) and/or through disability advocacy case managers with benefits assistance training. Note: veterans benefits disability advocacy must be provided through Veterans Affairs (VA) accredited representatives.²⁰ Some counties accomplish this goal by providing funding to local legal services programs to help people apply for these benefits; some counties handle the applications in-house at the county welfare department.

Clients should get help completing:²¹

- The initial disability benefit applications, along with compiling appropriate medical documentation to support the application;
- Reconsideration proceedings if necessary;
- Appeals if necessary;
- Recertifications and/or Continuing Disability Reviews

20. ACL 19-104 at 11.
21. ACL 19-104 at 7.

4 Housing Assistance

Housing-related financial assistance and wraparound supportive services may include:²²

- Interim housing;
- Recuperative care;
- Rental assistance;
- Housing navigation;
- Security deposits;
- Utility payments;
- Moving costs;
- Legal services; and/
or
- Credit repair

HDAP must operate in a manner consistent with core components of Housing First. In practice, this means that programs will link homeless individuals to housing as quickly as possible with few or no preconditions, behavioral contingencies, or other barriers at enrollment or throughout the program.²³

Housing assistance includes financial assistance for housing costs provided in coordination with both housing navigation and housing specific case management services. Financial assistance varies from county to county, and you should seek your local policies to find out what your county offers.

For example, some counties pay for market rate housing; others provide more limited rental assistance.

Housing specific case management provides support to HDAP clients specific to their housing needs as determined by housing assessments, most often done through the county's Coordinated Entry System.

Housing-related case management is offered in coordination with housing financial assistance throughout clients' participation in HDAP. This is an important service to help clients stabilize in housing and maintain the obligations of tenancy to remain stably housed. Services must be offered in a manner consistent with the Housing First philosophy and follow evidence-based practices including trauma-informed care and harm reduction.²⁴

It can be useful to screen your clients for potential eligibility if they are facing an Unlawful Detainer eviction action. If HDAP participants are not approved for disability income benefits, counties can assist the participants in developing a transition plan for housing support through other available programs within the local community and the local Coordinated Entry System. Counties can use HDAP funds to establish or expand housing programs in order to offer housing assistance to program participants from the point of outreach and engagement, through the disability application determination, and until the client is stabilized in permanent housing.

22. ACL 19-104 at 6.

23. *Id.* at 8-9.

24. ACL 19-104 at 6.

One client who has benefited from HDAP is a 56-year-old man who had been homeless in San Francisco for 18 years. He has musculoskeletal health problems and complex trauma, and had difficulty connecting to a primary care physician. The local legal services organization has a contract to provide disability benefits advocacy to HDAP participants in the county. His advocates worked to reconnect him with his primary care physician and helped him obtain General Assistance (cash aid) and CalFresh (food) benefits. His advocate also made a Reasonable Accommodation request for housing tailored to his specific needs. In October 2022, the client moved into a housing unit which could support his unique needs and started receiving consistent and fresh food weekly. He has reconnected with his children.



HDAP advocacy helped a client obtain disability benefits during the pandemic.

A 53-year-old indigenous man, qualified for HDAP and started working with the local legal aid program before the pandemic, and on the day of his scheduled disability benefits hearing, the nation shut down due to pandemic closures. He was eventually able to attend his hearing and was granted a fully favorable decision, awarding him back pay of \$65,000. He is now securely housed and receiving ongoing monthly income from SSA, as well as consistent health care.



Case Examples

A 43-year-old man was assaulted multiple times and has lived both in shelters and outside. Due to traumatic brain injuries, he was one of the highest users of the local hospital emergency room care, and communicating with the client was extremely difficult. As a result of working with the local legal services program and being a recipient of HDAP, the client now has a positive relationship with his doctor, whom he sees monthly, and he drops into the clinic when feeling poorly. He has seen a neurologist and is getting regular speech therapy and occupational therapy. Because of his positive relationship with his doctor and support services, his use of the ER dramatically decreased to zero to two visits a month.

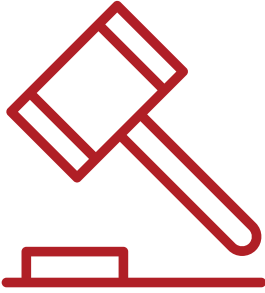
In April 2023, the client was awarded Social Security benefits and in June 2023 moved into a quiet building with supportive services.



In the fall of 2022, at a homeless shelter for trans and gender-nonconforming individuals, a local legal aid program that has been contracted to provide HDAP services met with and accepted for representation a 55-year-old transgender woman. She came to them with no documentation of her immigration status or benefits. The team obtained her immigration documents, secured General Assistance and CalFresh benefits, and recovered money that was left at her prior housing in Nevada. She was placed in housing while waiting for her Cash Assistance Program for Immigrants (CAPI) claim to be processed.

This August her CAPI was approved, providing her a stable income which will support her housing.

What can I do if something goes wrong?



HDAP recipients are entitled to a fair hearing if benefits are denied, reduced, or discontinued. A county may erroneously attempt to discontinue a person's HDAP benefits (e.g., housing support, case management, benefits advocacy, etc.). Some counties try to discontinue these benefits without providing the person a notice and the opportunity to contest the action, which is unlawful. In one example, a county attempted to discontinue benefits for a man who was accused of not complying with the rules at his housing placement.

The county tried to terminate the client's benefits without due process, putting him in jeopardy of becoming homeless. The local legal services program advocated to the County to provide the client a chance to contest the discontinuance of his benefits. The California Constitution affords applicants and recipients this right, and we recommend asking for a hearing and considering whether to file a petition for writ of mandate if that request is denied.

PILP is a resource for advocates in this position. Other reasons that a client may be discontinued is if they are denied disability benefits after exhausting all appeal options, or if they do not wish to participate further in the program and do not comply with the local county's HDAP rules.



When do HDAP benefits end?

Eligibility for the HDAP services is not based on the disability benefits application timeline alone. Participants are eligible for, and should continue to be offered, any of the program components until a final disability benefits determination is made and the participant is stabilized in permanent housing. It is unlikely that the disability benefits determination timeline and housing stabilization timeline will be fully aligned. Rather, it is highly likely that one may be achieved before the other, and programs should be designed accordingly.²⁵ The disability application timeline may be lengthy given the prioritized population. Counties and tribes must plan for longer than average disability application wait times (sometimes lasting two or more years).²⁶

If HDAP participants are not approved for disability income benefits, HDAP housing case managers must assist the participant in developing a transition plan for housing support through other available sources within the local community, including the Coordinated Entry System.²⁷ While counties may opt to provide ongoing rental subsidies to participants who are denied disability benefits (with no appeals²⁸ left), it is strongly encouraged that they identify HDAP participants who are likely to be

denied benefits and begin seeking alternative housing options (e.g., permanent supportive housing, affordable housing through federal vouchers, referrals to appropriate workforce development programs) as soon as disability advocates determine the application will likely be denied.²⁹ If a program participant decides they no longer wish to pursue an application for disability benefits, the county or tribal worker shall assist the participant in developing a transition plan for housing support through other available resources in the community to avoid a return to homelessness. Counties have the discretion to establish rules about when this transition plan will be developed with the HDAP recipient.

If a county determines that an HDAP participant is not likely to be eligible for disability benefits, the county has the option to refer the participant to a relevant workforce development program.³⁰ The county may also refer a person to a relevant workforce program after considering and assessing the circumstances of a participant's disability and consulting with the participant. Counties are not required to include a workforce development piece with their HDAP services. In addition, it is important to note that participation in a workforce development program, if offered by the county for the HDAP participant, is not mandatory but rather a voluntary activity.

25. ACL 19-104 at 5.

26. *Id.* at 12.

27. ACL 19-104 at 11-12.

28. There are several steps in the appeal process for disability benefits. For more on how to appeal a denial of SSI benefits, please see: <https://www.ssa.gov/ssi/text-appeals-ussi.htm>

29. Counties usually give HDAP to people who meet the criteria for disability income benefits. It may later become apparent that the person is likely to be denied disability income benefits for other reasons, such as not having sufficient medical verification or if the person no longer wishes to pursue the application.

30. ACL 19-104 at 11-12.



The Housing and Disability Advocacy Program (HDAP)

The Housing Disability Assistance Program, or HDAP, provides services and financial help for people who: are experiencing homelessness or at risk of homelessness, and who are likely eligible for disability benefits.

Each county has staff, case managers, and/or other partners that connect homeless individuals to housing and help them with applications and appeals for the following disability benefits:

- **Supplemental Security Income (SSI)**
- **Social Security Disability Insurance (SSDI)**
- **Cash Assistance Program for Immigrants (CAPI)**
- **Veteran's Benefits**

Every county's HDAP program is different, but some common HDAP services are:

- **Help finding and maintaining housing**
- **Case management**
- **Help applying for disability benefits, as well as other public benefits**
- **Help gathering and summarizing medical evidence for a disability benefits application**
- **Submitting disability benefits applications**
- **Help appealing denials of disability benefits, including legal representation**
- **Help appealing suspensions and terminations of disability benefits**



To find out if you qualify, or to refer someone who you think might qualify, please contact your local county social services office at:

Local social services address:

Legal services name and phone number:

Glossary

• **Coordinated Entry System:** a process by which counties ensure that all people experiencing a housing crisis have fair and equal access to housing options and are quickly identified, assessed for, referred, and connected to housing and assistance based on their strengths and needs.

• **Chronically homeless per 24 C.F.R. § 91.5(a):** (1) A “homeless individual with a disability,” as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), who: (i) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and (ii) Has been homeless and living as described in paragraph (1)(i) of this definition continuously for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (1)(i). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility; (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or (3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless. Please note: Disabling condition included in this definition of chronically homeless is not the same definition used for SSI eligibility purposes. Disabling condition for the purposes of chronic homelessness is defined as a diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness or disability, including the co-occurrence of two or more of these conditions. A disabling condition limits an individual’s ability to work or perform one or more activities of daily living.

• **Homeless per 24 C.F.R. § 91.5(b):** (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning: (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; (ii) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); or Attachment 15 (iii) An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution; (2) An individual or family who will imminently lose their primary nighttime residence, provided that: (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance; (ii) No subsequent residence has been identified; and (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks needed to obtain other permanent housing; (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who: (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a); (ii) Have not had a lease, ownership

interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance; (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse (including neglect), the presence of a child or youth with a disability, or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or (4) Any individual or family who: (i) 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, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; Attachment 16 (ii) Has no other residence; and (iii) Lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, to obtain other permanent housing.

- **Housing Management Information System (HMIS):** a local information technology system used to collect client-level data and data on the provision of housing and services to individuals and families at risk of and experiencing homelessness. The U.S. Department of Housing and Urban Development (HUD) use aggregate HMIS data to better inform homeless policy and decision making at the federal, state, and local levels.

- **Housing Disability Advocacy Program or HDAP:** a state-funded program, administered by local counties that assists individuals who are likely eligible for disability benefits and who are homeless or at risk of becoming homeless with applying for disability benefit programs, while also providing housing supports.

- **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.

- **Reasonable accommodation:** modification or adjustment of program rules that allows a qualified individual with a disability to equally access public benefits, such as HDAP.³¹



31. ACL 19-45.

Resources

The following resources are available for advocates to consult when they have questions about HDAP. 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. The organization ChangeWell also provides support to counties on HDAP and other programs.

-
- [CDSS HDAP Fact Sheet](#)
 - [CDSS 2023 HDAP Annual Report to the Legislature](#)
 - [Toward a New Understanding: the California Statewide Study of People Experiencing Homelessness, June 2023](#)
 - ChangeWell: <https://www.changewellproject.com/strengtheningrehousinghdap>
 - [Welfare and Institutions Code 18999](#)
 - [County Fiscal Letter \(CFL\) 22/23-84 \(May 5, 2023\)](#): Fiscal Year 2022-23 Targeted Strategic Investment grants for the Housing and Disability Advocacy Program.
 - [County Fiscal Letter \(CFL\) 22/23-43 \(December 20, 2022\)](#): Fiscal Year (FY) 2022-23 Bringing Families Home (BFH), Home Safe, the Housing and Disability Advocacy Program (HDAP), and California Work Opportunity and Responsibility to Kids Housing Support Program (CalWORKs HSP) Allocation
 - [CFL 21/22-75 \(February 10, 2022\)](#): FY 2021-22 HDAP Allocations, Grants and Reappropriated Funds
 - [ACWDL \(September 21, 2022\)](#) Notice of Funding for CalWORKs Housing Support Program (HSP), Bringing Families Home (BFH) Program, Housing and Disability Advocacy Program (HDAP), and Home Safe Program
 - [ACWDL \(September 13, 2021\)](#): Notice of Funding for the Housing and Disability Advocacy Program
 - [CFL 20-21-53 \(January 4, 2021\)](#): FY 2020-21 HDAP Augmentation Allocation
 - [ACWDL \(August 10, 2020\)](#): Request for HDAP Applications for FY 2020-21
 - [ACWDL \(March 19, 2020\)](#): Interim Housing And Homeless Program Guidance and Recommendations During COVID-19
 - [ACL 19-114 \(December 13, 2019\)](#): Implementation of SB 1380: Housing First
 - [ACL 19-104 \(November 1, 2019\)](#): Updated HDAP Guidance
 - [ACWDL \(November 1, 2018\)](#): Implementation of HDAP Aggregate Monthly Status Report HDAP 18

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.

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.

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.

Legal Services of Northern California Regulation Summaries

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 a 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. 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 or 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, heavy cleaning and landlord mediation.

Housing and Disability Advocacy Program guidance

ACL 19-104 (November 1, 2019)

The California Department of Social Services (CDSS) has issued updated program guidance regarding the Housing and Disability Advocacy Program (HDAP). HDAP offers funding to county agencies or tribal governments to assist homeless disabled individuals with applying for disability benefits programs while providing housing assistance. 39 counties currently have HDAP programs. HDAP requires grantees to offer outreach, case management, advocacy and housing assistance concurrently.

Assistance should be provided until disability benefits are granted and the

participant is stabilized in permanent housing. A dollar-for-dollar grantee match is also required.

There are several changes to the program because of legislation in 2019. These changes include: 1) Funding is now available for federally recognized tribal governments; 2) Priority for assistance is for chronically homeless individuals or homeless persons who rely most heavily on government-funded services; 3) Programs can consider providing housing assistance after disability benefits are granted until housing placement is stable and affordable; 4) Case management staff must assist in developing a transition plan for housing support when disability benefits are granted or denied.

HDAP continues its principles of housing first, collaboration among programs and prioritizing assistance is for chronically homeless individuals or homeless persons who rely most heavily on government-funded services. Providing services on first-come, first-served basis or by most likely to find housing is improper.

Required program components continue to be outreach, case management, benefits advocacy and housing assistance. Limiting outreach to General Assistance/General Relief applicants or recipients is insufficient.

Additional program components include transition planning, workforce development for participants not likely to be eligible for disability benefits, interim assistance reimbursement, and data gathering.

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.

