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May 18, 2015

Handbook Package # 0115-02

CDSS MANUAL LETTER NO. CCL-15-05

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL,  
TITLE 22, DIVISION 6, CHAPTER 7, TRANSITIONAL HOUSING  
PLACEMENT PROGRAM

**Handbook Package # 0115-02**

**Effective 5/18/2015**

**Handbook Section 86036**

This manual letter has been posted on the Office of Regulations Development website at <http://www.dss.cahwnet.gov/ord/PG649.htm>.

This manual letter is updating a handbook section which includes quoted material relevant to the transitional housing placement program regulations.

Since these corrections are nonsubstantive, a public hearing was not necessary.

**FILING INSTRUCTIONS**

**Revisions to all manuals are indicated by a vertical line in the left margin.** The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-15-04. The latest prior manual letter containing transitional housing placement program regulation changes was Manual Letter No. CCL-12-04.

Page(s)  
20 through 21.3

Replace(s) Pages  
20 through 21.3

Attachments

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<b>86030.5</b>	<b>IDENTIFICATION OF TRANSITIONAL HOUSING PLACEMENT PROGRAM PARTICIPANT LIVING UNITS</b> (Continued)	<b>86030.5</b>
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**HANDBOOK BEGINS HERE**

- (1) Health and Safety Code Section 1559.110(d)(3) states:

"Programs in which a participant lives independently in an apartment, single family dwelling, or condominium rented or leased by a provider under the supervision of the provider [may operate only] if the State Department of Social Services provides approval."

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- (e) A copy of the Certificate of Compliance shall be maintained in the licensee's administrative office.
- (f) Copies of the Certificate of Compliance shall also be maintained in the sub-administrative office responsible for the THPP participant living unit and/or the staff residential unit, if applicable.
- (g) The Certificate of Compliance is not transferable and shall be void upon a change of location of the participant living unit.

NOTE: Authority cited: Sections 1530 and 1559.110, Health and Safety Code. Reference: Sections 1501, 1502, and 1559.115, Health and Safety Code; and Section 16522.1, Welfare and Institutions Code.

<b>86031.5</b>	<b>NOTIFICATION</b>	<b>86031.5</b>
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- (a) The licensee shall notify the licensing agency when a THPP participant living unit is approved for use, and when a THPP participant living unit is no longer used.
- (b) The licensee shall provide the licensing agency with a list of all current addresses and telephone numbers of all THPP participant living units and THPP staff residential units. The licensee shall provide the licensing agency an updated list whenever a change is made.

NOTE: Authority cited: Sections 1530 and 1559.110, Health and Safety Code. Reference: Sections 1501, 1531, and 1559.115, Health and Safety Code; and Section 16522, Welfare and Institutions Code.

## 86036 APPLICATION PROCESSING AND ANNUAL LICENSE FEES

86036

- (a) The department shall charge applicants and licensees fees in accordance with Health and Safety Code Section 1523.1.

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Health and Safety Code Section 1523.1 reads as follows:

“(a)(1) An application fee adjusted by facility and capacity shall be charged by the department for the issuance of a license. After initial licensure, a fee shall be charged by the department annually on each anniversary of the effective date of the license. The fees are for the purpose of financing the activities specified in this chapter. Fees shall be assessed as follows, subject to paragraph (2):

Fee Schedule

Facility Type	Capacity	Initial Application	Annual
...			
Other Community Care Facilities	1-3	\$454	\$454
	4-6	\$908	\$454
	7-15	\$1,363	\$681
	16-30	\$1,815	\$908
	31-49	\$2,270	\$1,135
	50-74	\$2,725	\$1,363
	75-100	\$3,180	\$1,590
	101-150	\$3,634	\$1,817
	151-200	\$4,237	\$2,119
	201-250	\$4,840	\$2,420
	251-300	\$5,445	\$2,723
	301-350	\$6,050	\$3,025
	351-400	\$6,655	\$3,328
	401-500	\$7,865	\$3,933
	501-600	\$9,075	\$4,538
	601-700	\$10,285	\$5,143
	701+	\$12,100	\$6,050

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**HANDBOOK CONTINUES**

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(2)(A) The Legislature finds that all revenues generated by fees for licenses computed under this section and used for the purposes for which they were imposed are not subject to Article XIII B of the California Constitution.

(B) The department, at least every five years, shall analyze initial application fees and annual fees issued by it to ensure the appropriate fee amounts are charged. The department shall recommend to the Legislature that fees established by the Legislature be adjusted as necessary to ensure that the amounts are appropriate.

(b)(1) In addition to fees set forth in subdivision (a), the department shall charge the following fees:

(A) A fee that represents 50 percent of an established application fee when an existing licensee moves the facility to a new physical address.

(B) A fee that represents 50 percent of the established application fee when a corporate licensee changes who has the authority to select a majority of the board of directors.

(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

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(D) An orientation fee of fifty dollars (\$50) for attendance by any individual at a department-sponsored orientation session.

(E) A probation monitoring fee equal to the current annual fee, in addition to the current annual fee for that category and capacity for each year a license has been placed on probation as a result of a stipulation or decision and order pursuant to the administrative adjudication procedures of the Administrative Procedure Act (Chapter 4.5 (commencing with Section 11400) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

(F) A late fee that represents an additional 50 percent of the established current annual fee when any licensee fails to pay the current annual licensing fee on or before the due date as indicated by postmark on the payment.

(G) A fee to cover any costs incurred by the department for processing payments including, but not limited to, bounced check charges, charges for credit and debit transactions, and postage due charges.

(H) A plan of correction fee of two hundred dollars (\$200) when any licensee does not implement a plan of correction on or prior to the date specified in the plan.

(1) Foster family homes shall be exempt from the fees imposed pursuant to this subdivision.

(2) Foster family agencies shall be annually assessed eighty dollars (\$80) for each home certified by the agency.

(3) No local jurisdiction shall impose any business license, fee, or tax for the privilege of operating a facility licensed under this chapter which serves six or fewer persons.

(c)(1) The revenues collected from licensing fees pursuant to this section shall be utilized by the department for the purpose of ensuring the health and safety of all individuals provided care and supervision by licensees and to support activities of the licensing program, including, but not limited to, monitoring facilities for compliance with licensing laws and regulations pursuant to this chapter, and other administrative activities in support of the licensing program, when appropriated for these purposes. The revenues collected shall be used in addition to any other funds appropriated in the Budget Act in support of the licensing program. The department shall adjust the fees collected pursuant to this section as necessary to ensure that they do not exceed the costs described in this paragraph.

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**HANDBOOK CONTINUES**

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(2) The department shall not utilize any portion of these revenues sooner than 30 days after notification in writing of the purpose and use of this revenue, as approved by the Director of Finance, to the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committee in each house that considers appropriations for each fiscal year. The department shall submit a budget change proposal to justify any positions or any other related support costs on an ongoing basis.

(d) A facility may use a bona fide business check to pay the license fee required under this section.

(e) The failure of an applicant or licensee to pay all applicable and accrued fees and civil penalties shall constitute grounds for denial or forfeiture of a license.

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