

INITIAL STATEMENT OF REASONS

- a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

Section 44-211.51

Specific Purpose:

This section is being amended to expand the use of homeless assistance payments to include eviction prevention.

Factual Basis:

The amendment to this section is necessary to comply with Welfare and Institutions Code Section 11450(f)(2), as amended by AB 1808, Sections 31.1 and 31.2 (Chapter 75, Statutes of 2006), which expanded the use of homeless assistance payments to include eviction prevention.

Section 44-211.511(e)

Specific Purpose:

This section is being adopted to include receipt of a pay rent or quit notice as one of the factors to determine homelessness.

Factual Basis:

This adoption is necessary to comply with Welfare and Institutions Code Section 11450(f)(2) as amended by AB 1808, Section 31.1 and 31.2 (Chapter 75, Statutes of 2006).

Section 44-211.525 Handbook (a)(1) through (b)(2)

Specific Purpose:

This section is being amended to increase the temporary shelter rate amount to \$65 per day and for the fifth and each additional member of an AU to \$15, for a maximum of \$125 per day, and to update the effective date.

Factual Basis:

This section is being amended to comply with Welfare and Institutions Code Section 11450(f)(2)(A), as amended by AB 1808, Sections 31.1 and 31.2 (Chapter 75, Statutes of 2006), effective July 12, 2006.

Section 44-211.526(a)(1) Handbook through (a)(3)

Specific Purpose:

This section is being amended to update the example based on the increased temporary shelter rate of \$65 per night.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11450(f)(2)(A), as amended by AB 1808, Sections 31.1 and 31.2 (Chapter 75, Statutes of 2006).

Section 44-211.53

Specific Purpose:

This section is being amended to provide that Permanent HA is also available to prevent eviction by obtaining or retaining permanent housing.

Factual Basis:

This section is amended to comply with Welfare and Institutions Code Section 11450(f)(2)(B), as amended by AB 1808, Section 31.1 and 31.2 (Chapter 75, Statutes of 2006).

Section 44-211.531 through .531(b)

Specific Purpose:

This section is being adopted to provide that Permanent HA is also available to prevent eviction, and to allow counties to pay up to two months of rent arrearages, with each month of rent arrearages payment not to exceed 80 percent of the total monthly household income (TMHI).

Factual Basis:

This section is adopted for necessity to comply with Welfare and Institutions Code Section 11450(f)(2)(B), as amended by AB 1808, Section 31.1 and 31.2 (Chapter 75, Statutes of 2006)

Section 44-211.532 through .532(b)(3) (Renumbered from 44-211.531(a) and (b))

Specific Purpose:

This section is renumbered from Section 44-211.531(a) and (b) and amended to repeal a reference to MAP and replaces this with a reference to TMHI. Reference to Section 44-211.531 in subsection (a) has been amended to Section 44-211.532, as this section has been renumbered.

Factual Basis:

The rent threshold for Permanent HA changed from 80 percent of the MAP level to 80 percent of the TMHI. This change is necessary to comply with Welfare and Institutions Code Section 11450(f)(2)(B), as amended by AB 1808, Section 31.1 and 31.2 (Chapter 75, Statutes of 2006).

Section 44-211.533 through .533(e) including Handbook

Specific Purpose:

This section is being adopted to provide a new allowable use of Permanent HA payments to prevent eviction and to describe eligibility requirements for these rent arrearage payments. The handbook sections have been added to provide two examples of expenses and reasons of financial hardship.

Factual Basis:

This section is adopted for necessity to comply with Welfare and Institutions Code Section 11450(f)(2)(B), as amended by AB 1808, Sections 31.1 and 31.2 (Chapter 75, Statutes of 2006), which expanded the use of Permanent HA payments to pay for rent arrearages.

Section 44-211.534 through .534 (b)(3)

Specific Purpose:

This section is being adopted to include new definitions to the once-in-a-lifetime Permanent HA Program: Income and Total Monthly Household Income (TMHI), and to instruct counties regarding whose income must be considered in the TMHI and how to count that income.

Factual Basis:

The adoption of this section is necessary to comply with Welfare and Institutions Code Section 11450(f)(2)(B), as amended by AB 1808, Sections 31.1 and 31.2, (Chapter 75, Statutes of 2006), which provides new rules for what income and whose income counts in determining eligibility for the Permanent HA payment.

Section 44-211.535(b) (Renumbered from Section 44-211.532)

Specific Purpose:

This section is renumbered for numerical sequencing and amended to require that the portion of the security deposit payment, available for last month's rent shall not exceed 80 percent of the AU's TMHI.

Factual Basis:

The amendment of this section is necessary to comply with Welfare and Institutions Code Section 11450(f)(2)(B), as amended by AB 1808, Sections 31.1 and 31.2, (Chapter 75, Statutes of 2006), which changed the security deposit payment amount available for last month's rent from 80 percent of the AU's MAP to 80 percent of the AU's TMHI.

Section 44-211.536 (Renumbered from Section 44-211.533)

Specific Purpose/Factual Basis:

This section is renumbered for numerical sequencing and amended from Section 44-211.533 to Section 44-211.536. A cross reference has been updated as a result of renumbering to maintain the numerical sequencing.

Section 44-211.537 (Renumbered from Section 44-211.534)

Specific Purpose:

This section is renumbered from 44-211.534 to 44-211.537 for numerical sequencing and amended to update a reference to the TMHI.

Factual Basis:

The amendment to this section is necessary to comply with Welfare and Institutions Code Section 11450(f)(2)(B), as amended by AB 1808, Sections 31.1 and 31.2, (Chapter 75, Statutes of 2006), which changed the rent threshold for Permanent HA from 80 percent of the MAP level to 80 percent of the TMHI, and to maintain numerical sequence.

Section 44-211.538 (Renumbered from Section 44-211.535)

Specific Purpose/Factual Basis:

This section is renumbered for numerical sequencing.

Section 44-211.539 (Renumbered from Section 44-211.536)

Specific Purpose/Factual Basis:

This section is renumbered for numerical sequencing.

b) Identification of Documents Upon Which Department Is Relying

Assembly bill 1808, Sections 31.1 and 31.2 (Chapter 75, Statutes of 2006).

c) Local Mandate Statement

The regulations do impose a mandate upon local agencies, but not upon school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code because there is no estimated increase in local costs associated with the implementation of these regulations.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.