



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES

744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

November 30, 2016

ALL COUNTY LETTER (ACL) NO. 16-98

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALWORKS PROGRAM SPECIALISTS
ALL CONSORTIA PROJECT MANAGERS

SUBJECT: **CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CalWORKs) HOMELESS ASSISTANCE PROGRAM**

REFERENCE: ASSEMBLY BILL (AB) 1603 (Chapter 25, Statutes of 2016); WELFARE AND INSTITUTIONS CODE SECTION (WIC) [11450\(f\)\(3\)\(E\)\(i\)](#); MANUAL OF POLICIES AND PROCEDURES (MPP) SECTIONS [44-211.5](#); ALL COUNTY LETTERS (ACLs) No. [95-62](#), [96-30](#), [06-25](#) AND [06-58](#).

The purpose of this letter is to inform County Welfare Departments (CWDs) of a change to the CalWORKs Homeless Assistance (HA) program, which is effective January 1, 2017.

AB 1603 (Chapter 25, Statutes of 2016) amends section 11450 of the WIC by repealing the once-in-a-lifetime limit placed on temporary and permanent HA benefits. Under the new law, both temporary and permanent HA shall be available to an eligible assistance unit (AU) once every 12 months, with exceptions. Exceptions are listed in the Manual of Policies and Procedures (MPP) section 44-211.541, and include domestic violence, uninhabitability of the residence, a medically verified physical or mental illness, or a state or federally declared natural disaster.

Background

The CalWORKs HA program serves CalWORKs recipients who are homeless or at risk of homelessness. CalWORKs recipients, or apparently eligible CalWORKs applicants who meet the criteria for being homeless, are eligible for payments to stay in temporary shelter (e.g., a motel) for up to 16 consecutive days. Following the 16-day period, even

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

if the AU did not receive all 16 days, the temporary shelter benefit is considered exhausted.

While receiving temporary HA, recipients are required to search for permanent housing. Once permanent housing is located, recipients may be eligible to receive permanent HA within one working day of the request. Permanent HA may consist of assistance with the security deposit, which may include last month's rent, with the total not to exceed twice the amount of the monthly rent. The recipient may also receive assistance with the utility deposit, if required. For recipients facing eviction, HA may provide up to two months of rent arrearages. Rent and rent arrearages may not exceed 80 percent of the AU's total monthly household income (TMHI).

Implementation

This section will address how CWDs are to implement the new HA rule, specifically:

- How to determine the once every 12-month HA policy;
- Who is potentially eligible when the new law takes effect; and
- How the 12-month period is determined for HA based on an exception.

Effective January 1, 2017, an eligible CalWORKs applicant or recipient will be entitled to temporary HA – still limited to one period of up to sixteen consecutive days – along with one payment of permanent HA, every 12 months, unless meeting an exception. The 12-month period begins on the day the CWD issues the first payment of either temporary or permanent HA (whichever comes first) to the recipient or landlord and ends 12 months later. In other words, there is one 12-month period wherein an AU may, if eligible, receive temporary HA, permanent HA, or both. Once the instance of homelessness is resolved, the AU is not eligible for any further HA payments until the next 12-month period, unless meeting an exception. Within the 12-month period, an AU is only eligible to receive temporary HA following the issuance of permanent HA if the AU is still in need of temporary shelter before occupying permanent housing.

Example 1: An AU begins receiving temporary HA on February 1, 2017. However, the AU remains homeless for two months following the issuance of temporary HA. On April 1, 2017, the AU finds housing and receives permanent HA. In this example, the 12-month period is from February 1, 2017 (representing the day the first payment of HA is issued), through January 31, 2018. If otherwise eligible, on February 1, 2018, the AU may receive HA again—temporary HA, permanent HA, or both.

Example 2: An AU receives a three day pay or quit notice. On February 15, 2017, the AU applies for and receives permanent HA in the form of rent arrearages. On October 16, 2017, the AU falls behind on rent again and receives another three day pay or quit notice. Unless the AU meets an exception, the AU is not eligible for temporary or permanent HA until February 15, 2018.

Example 3: An AU receives temporary HA on May 1, 2017, but never secures permanent HA during the 12-month period. On May 1, 2018, a new 12-month period begins and the AU is still experiencing the same instance of homelessness. The AU is eligible to receive temporary and and/or permanent HA again without meeting an exception.

The once every 12-month HA limitation takes effect on January 1, 2017. On January 1, 2017, those recipients who received the first payment of HA (temporary or permanent) after January 1, 2016, are required to wait until 12 months have elapsed from the time of the initial HA payment was issued.

Example 4: An AU began receiving temporary HA on September 9, 2016 and becomes homeless again on January 1, 2017. Unless the AU meets an exception, the AU would not be eligible for additional HA until September 9, 2017.

Example 5: An AU began receiving temporary HA on October 1, 2015, and experiences another instance of homelessness on January 2, 2017. The AU is potentially eligible to receive temporary and/or permanent HA on January 1, 2017, when the new law takes effect, because more than 12 months have elapsed since the last issuance of HA.

Under the new law, HA payments based on an exception, as referenced above, continue to be allowed only once in a 12-month period. However, the method for determining the 12-month period for exceptions is changing. Under current rules, the 12-month period is defined as the 12 months following the AU's last issuance of HA based on an exception. Effective January 1, 2017, HA based on an exception is available once at any point during the 12-month period established for "standard" HA. The issuance of an HA payment based on an exception does not restart the "standard" HA 12-month period.

Example 6: An AU begins receiving temporary HA on March 1, 2017, and locates permanent housing later in the month. On September 1, 2017, the same AU becomes homeless again and begins receiving HA based on an exception. The AU's 12-month period continues to be March 1, 2017 through February 28, 2018. The AU would be potentially eligible for HA again starting on March 1, 2018.

Changes to Forms and Notice of Action (NOA) Messages

In order to incorporate the above change to the HA program, the California Department of Social Services (CDSS) has provided the following revised form and NOA message documents as attachments to this letter:

- CW 42 (11/06) – Statement of Facts – Homeless Assistance;
- M44-211A (11/06) – Temporary Shelter and Permanent Housing, Approve; and
- M44-211D (7/10) – Temporary Shelter and/or Permanent Housing, Deny.

The CDSS is currently in the process of incorporating the SAWS 2A SAR into the SAWS 2 PLUS and plans to release the revised form under separate cover. The consortia shall complete all programming and CWDs must ensure appropriate processes are in place to meet the requirements of the policy change effective January 1, 2017, until necessary automation changes are complete.

CAMERA READY COPIES AND TRANSLATIONS:

For a camera-ready copy in English, contact the CDSS Forms Management Unit at FMU-FormsManagementUnit@dss.ca.gov. You may obtain these forms from the CDSS webpage at: <http://www.dss.cahwnet.gov/cdssweb/PG167.htm>.

When all translations are completed per MPP Section 21-115.2, they are posted on an on-going basis on the CDSS webpage. Copies of the translated forms can be obtained at: http://www.dss.cahwnet.gov/cdssweb/FormsandPu_274.htm.

For questions on translated materials, please contact the CDSS Language Services at (916) 651-8876. Until translations are available, recipients who have elected to receive materials in languages other than English should be sent the English version of the form or notice along with the GEN 1365 - Notice of Language Services and a local contact number. <http://www.cdss.ca.gov/cdssweb/entres/forms/Multi/GEN1365MUL.pdf>.

The CWDs shall ensure that effective bilingual services are provided. This requirement may be met through utilization of paid interpreters, qualified bilingual employees, and qualified employees of other agencies or community resources. These services shall be provided free of charge to the applicant/recipient.

In the event that CDSS does not provide translations of a form, it is the CWD's responsibility to provide interpreter services if an applicant or recipient requests them. More information regarding translations can be found in MPP section 21-115.

If CWDs have questions regarding this ACL, please contact the CalWORKs Eligibility Bureau at (916) 654-1322.

Sincerely,

Original Document Signed By:

TODD R. BLAND
Deputy Director
Welfare to Work Division

Attachments

STATEMENT OF FACTS - HOMELESS ASSISTANCE

Important Information

- If you have no place to stay or have received a pay rent or quit notice from your landlord, you may be able to get Homeless Assistance payments **once in a lifetime**, unless your homelessness is due to an exception. To get Homeless Assistance, you cannot have more than \$100 in resources and you must either be eligible for CalWORKs or appear to be eligible for CalWORKs.
- Exceptions to the once-in-a-lifetime rule are homelessness due to: domestic violence, physical or mental illness, or uninhabitability of the home. These exceptions are limited to once every 12 months. Homelessness that is directly caused by a State or Federal declared natural disaster is also an exception.
- If you received a pay rent or quit notice you may be able to get Homeless Assistance payments for up to two months of back rent.
- If you have no place to stay, you must be looking for permanent housing to get Homeless Assistance for Temporary Shelter (TS). If you find someplace to live, you may get money for permanent housing.
- You may get TS payments for up to 16 days in a row. The first day starts when you get the first TS payment. If you stay anywhere for free, or somewhere other than a shelter or business which rents rooms, you can't get a TS payment, but the days count as part of the 16 days.
- To get TS payments you must rent from a person or place that is in the business of renting property.
- At the end of the 16 days, TS will stop. You will never be able to get TS again, unless you have an exception, even if you have not used up all the TS benefits.
- You will be asked to prove that your payments were spent on shelter. If you can't, future payments will go to a shelter, landlord or others for you.

Instructions: Print all answers in ink. If you need help, ask your worker.

1. Name of Caretaker Relative (first, middle, last)

Message Phone	A	Social Security Number - -	B	Date of Birth Mo. ____ Day ____ Yr. ____
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2. What is your current or last address?
 Number, Street City State Zip

3. Do you get Cash Aid? YES NO
 If "YES," in which county:

4. Did you get Homeless Assistance from any county at any time? YES NO
 If "YES," complete:
 Which county: When:

5. Does anyone in your home get income from a job or training program or any other source? YES NO
 If "YES", list all income and who gets it below:

6. List all liquid resources you own (include cash, checks, savings or checking accounts, credit union accounts, etc.). List each item and give its value.

7. If you get Homeless Assistance, you may have the payment made out to you or given directly to a shelter, landlord or other for you. Check (✓) below to tell us how you want the payment made:
 To Yourself To a Landlord To a Shelter Other (explain):

If you do not have a permanent home, fill out questions 8 through 12. If you are asking for back rent, skip to questions 13 through 17.

8. Explain where you are staying now.

9. How long have you been there?

10. Do you pay for staying there?
 If "YES," how much?

11. Explain why you have no place to live.

12. Are you seeking permanent housing? YES NO
 Explain:

COUNTY USE ONLY				
DATE RECEIVED				
C	CO	Aid Code	Case Number	AU
D	Case Name (Last, First)			
E	Date HA Authorized Mo. ____ Day ____ Yr. ____			
F	Type of HA (check)			
	<input type="checkbox"/> Temporary	<input type="checkbox"/> Permanent		
	<input type="checkbox"/> TV	<input type="checkbox"/> PV		
	<input type="checkbox"/> TM	<input type="checkbox"/> PM		
	<input type="checkbox"/> TU	<input type="checkbox"/> PU		
	<input type="checkbox"/> TD	<input type="checkbox"/> PD		
	Start Date: _____		Start Date: _____	
	Disposition:			
	<input type="checkbox"/> Shelter arranged prior to TS			
	<input type="checkbox"/> Vendor payment issued			
	<input type="checkbox"/> HA denied			
Worker:				
Total resource value:				

13. What day did you get a pay rent or quit notice?

14. How many months of back rent do you owe?

15. How much is your monthly rent?

16. Why didn't you pay your rent?

17. Why is your Landlord evicting you?

CERTIFICATION

I understand that:

- Homeless Assistance Temporary Shelter (TS) and Permanent Housing (PH) payments are limited to once in a lifetime, unless I have a verified exception.
- There is a limit on how much Homeless Assistance I can get.
- I am required to give my Social Security Number, which will be used to check identity and verify that I am not getting aid in more than one case, one county, or one state.

I understand that I must **provide proof** that:

- I am homeless; or I have received a notice to pay rent or quit.
- I am homeless due to an exception, if I have already gotten homeless assistance.
- I used the TS payment for housing, and that if I cannot, I must have my homeless assistance payments made out or given to a shelter, landlord or to others for me.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the information contained on this Statement of Facts - Homeless Assistance is true and correct.

SIGNATURE OF CARETAKER RELATIVE

DATE

State of California
Department of Social Services

Noa Msg Doc No.: M44-211A Page 1 of 3
Action : Approve
Issue: Homeless Eligibility
Title: Temporary Shelter and Permanent
Housing

Auto ID No.:
Source : 01-43
Issued by :
Reg Cite : 44-211.5

Use Form No. : NA 290 & NA Back 9
Original Date : 02-01-88
Revision Date : 11-30-16

YOU CAN GET HOMELESS ASSISTANCE ONLY ONCE
EVERY 12 MONTHS UNLESS YOU MEET AN EXCEPTION.

MESSAGE:

As of _____ the County has approved your
request for homeless assistance. The amount
of your homeless assistance is \$_____.

[] **Temporary Shelter**

Temporary Shelter Aid per Night: \$_____
Number of Nights: x_____
Total Temporary Shelter = \$_____

[] If you do not find a permanent place to
live by _____, you may be able to get
more temporary shelter aid. Come back
to this office no later than _____ and
give us proof that you are looking for a
permanent place to live. If you do not
give us proof, your temporary shelter
aid may end. You can get temporary
shelter aid for up to 16 days in a row.
At the end of your 16 days, your
temporary shelter aid will stop.

[] This is your last payment for temporary
shelter aid.

If you are still homeless after your
temporary shelter aid stops, you may be able
to get permanent housing aid when you find a
place to live. You can get permanent
housing aid if your rent is no more than 80%
of your total monthly household income
(TMHI). 80% of your TMHI is _____. If your
income changes this amount could change.
When you find a place to live, get a signed
statement or rental agreement from the
landlord telling how much your rent will be.

Permanent Housing Assistance

[] **Permanent Housing Move in Costs**

You have been approved for permanent homeless assistance because your rent is less than 80% of your total monthly household income.

Your Actual Cost of Housing

Last Month's Rent	\$_____
Security Deposits	+ _____
Utility Deposits:	+ _____
Your Total Move in Costs	=\$_____

Amount of Monthly Rent: \$_____

80% of Total Monthly Household Income \$_____

NUMBER OF MONTHS: X 2

= _____

Amount of Utility Deposits: + _____

Most homeless assistance you can get =\$_____

[] **Back Rent Payment**

To prevent eviction, you will receive a payment for up to two months of back rent. This amount is calculated below.

Amount of back rent for the month of:

\$_____

80% of Total Monthly Household Income _____

Amount of back rent for the month of:

\$_____

80% of Total Monthly Household Income _____

Your Total Back Rent Payment =\$_____

Your total housing costs are /_/ less /_/ more than the homeless assistance you can get, so you will get \$_____.

Original Date : 02-01-88

Revision Date : 11-30-16

INSTRUCTIONS: Use to approve a nonrecurring special need (homeless assistance) payment for temporary shelter, permanent housing, and rent arrearages.

Complete the first blank on page one with the date the homeless aid was approved. Fill in the second blank with the amount of homeless aid.

Check the appropriate box(es) and fill in the items depending on whether temporary shelter and/or permanent housing or rent arrearage payments was approved.

This message replaces M44-211A dated 11-30-16.

file : lchurch/MSERIES/M.44211A

Auto ID No.:
Source : 01-43
Issued by :
Reg Cite : 44-211.5

Use Form No. : NA 290 & NA Back 9
Original Date : 02-01-88
Revision Date : 11-30-16

MESSAGE:

The County has denied your request dated
_____ for homeless assistance for:

- Temporary Shelter
- Permanent Housing

Here's why:

- You are not homeless.
To get homeless assistance, you must meet one of these rules:
 - You do not have your own place to stay at night,
 - OR You are staying at night in a shelter that is temporary,
 - OR The place you are living in is a place that people do not usually live.
 - OR You have not received a notice to pay rent or quit.
- You can only get homeless assistance once every 12 months unless you meet an exception.
- You were living with a family at the time they got homeless assistance.
- There is no proof that your homelessness was caused by one of the following 12 month exceptions:
 - o domestic violence
 - o place not livable
 - o medical illness
- You already got homeless assistance due to a 12 month exception.
- Your homelessness was not due to a state or federally declared natural disaster.
- There is no proof that you were homeless the whole time after you got your last temporary shelter aid payment.
- You cannot get homeless assistance because you are not getting cash aid.

- [] You have more than \$100. To get homeless assistance you cannot have more than \$100 in liquid resources unless it is in a restricted account.
- [] You would not agree to let us verify your homelessness. If you do agree to let us verify your homelessness, you may be able to get temporary shelter aid.
- [] You have to show proof that you are looking for permanent housing. You have not shown proof. You will no longer be able to get temporary shelter aid.
- [] You have a permanent place to live.
- [] You can only rent from the owner of the property, or a property manager who works for the owner.
- [] The place you found to live costs too much. It costs \$_____. To get aid for permanent housing, the place you find to live in cannot cost more than 80% of your total monthly household income. 80% of your total monthly household income is figured on this notice.
- [] The amount of homeless assistance would not cover the total back rent amount due.
- [] Your monthly back rent amount is higher than 80% of your total monthly household income. (Your total monthly household income is calculated below)
- [] You did not provide a pay rent or quit notice.
- [] Your eviction is due to something other than not paying your rent.

[] Your eviction, due to non-payment of rent, is not due to a financial hardship beyond your control.

[] You wouldn't agree to let us verify your pay rent or quit notice.

Total Monthly Household Income for the month of:

\$_____
x .80

Total Amount Your Housing Can Cost (80% of Total Monthly Household Income):

=\$_____

INSTRUCTIONS: Use to deny a request for homeless assistance for temporary shelter, permanent housing and rent arrearages.

Complete the first blank on page one with the date homeless aid was requested and check the appropriate box(es) to inform the applicant.

This message replaces M44-211D dated 11-30-16.

file : lchurch/MSERIES/M.44211D