36. Homeless Assistance

36.1 Program Eligibility [EAS 44-211.5]

36.1.1 Rules

Homeless Assistance (HA) is granted for a continuous period of homelessness caused by specific circumstances to an eligible or apparently eligible CalWORKs assistance unit (AU). HA is available once every 12 months starting from the day the first payment is issued, unless the recipient has a verifiable exception. HA is available to meet the reasonable costs of securing permanent housing, to prevent eviction, and to meet the costs of temporary shelter while the AU is seeking permanent housing. [“Rule,” page 36-26]

- The homelessness must be verified within the first three working days of the initial Temporary Shelter (TS) payment.
- The homeless AU must be SEEKING PERMANENT HOUSING.
- Temporary Shelter (TS) is available to eligible and apparently eligible CalWORKs AUs, including an AU of One.
- Permanent Housing (PH) is available to recipients of CalWORKs, including an AU of One.
- The incident of homelessness ends when the AU receives the payment for Permanent Housing (PH) or Permanent Homeless Arrears, even if they have not received Temporary Shelter (TS).
- HA is not available to RCA or Foster Care AUs. However, if the caretaker relative of a Foster Care child is receiving CalWORKs, then that individual may be eligible to receive HA if all other HA requirements are met.
- Temporary Shelter (TS) may be available for a period not to exceed 16-consecutive-calendar-days.
- A Permanent Housing (PH) payment may be granted after the issuance of the Temporary Shelter (TS) payment only if the AU has been continuously homeless since receiving the TS payment and the cause of the homelessness remains the same.
- Permanent HA is available to pay up to two months of rent arrearages to prevent eviction. Each month of back rent shall not exceed 80 percent of the Total Monthly Household Income (TMHI). Receipt of either of these two permanent HA payments satisfies the AU’s eligibility to the HA benefit for the 12-month period.
• When computing the Applicant Gross Income Test and the Recipient Net Income test, the EW must add the Homeless Assistance Special Need to MBSAC and/or MAP, as appropriate, to determine the AU’s eligibility.

• Recipients who receive aid paid pending may receive HA. However, if the recipient loses the hearing the HA payment is considered an overpayment.

• HA cannot be issued once INELIGIBILITY for CalWORKs has been established.

• A “Statement of Facts - Homeless Assistance” (CW 42) is required for the initial Temporary Shelter (TS) payment. A separate CW 42 is required for the Permanent Housing (PH) or Permanent Homeless Arrearages (PHA) payment, unless the application for TS and PH or is made simultaneously.

36.1.2 Informing

An AU applying for Homeless Assistance must be informed that:

• HA benefits are available once every 12 months starting from the day the first payment is issued, unless the recipient meets a specific verifiable exception.

• The Temporary Shelter (TS) period is for 16-consecutive-days and once that 16 day period is over, TS benefits are exhausted even if the AU has not received all 16 days of payments.

Although this information can be found on the “Statement of Facts - Homeless Assistance” (CW 42), the EW must verbally advise the client of this information in addition to providing the CW 42 for completion.

36.1.3 Resources

The resource limit for HA is determined at the beginning of the 16-day Temporary Shelter (TS) period and at the point that an application is made for Permanent Housing (PH).

The AU cannot have liquid resources in excess of $100. Liquid resources include those resources which are, or can be made, immediately available. This includes cash, negotiable stocks or bonds, bank accounts, etc. Do not include cash surrender value of insurance, trust deeds, household items and furnishings, personal effects, motor vehicles, or real property.

Reminder:

Money cannot be counted as both income and a resource in the same month. Income in one month becomes property in the following months, if any of the funds remain. For example, a client CalWORKs benefits does not become a resource until the first of the following month.
36.1.4 12-Month Period

Assembly Bill (AB) 1603 (Chapter 25, Statutes of 2016) amended section 11450 of the Welfare and Institution Code (WIC) by repealing the once-in-a-lifetime limit placed on temporary and permanent HA benefits. Effective January 1, 2017, eligible CalWORKs (CWs) applicants or recipients are entitled to receive TS, limited to one period of up to sixteen consecutive days, along with one payment of PH every 12 months, unless an exception is met. Eligible AUs may receive payments for TS and PH for a continuous period of homelessness (an incident of homelessness) caused by the same specific circumstances until their payment is exhausted. However AUs may receive TS, PH, or both at the end of the 12-month period without having to meet an exception criteria.

Example:

On 2/1/17 an AU applies for HA. They receive TS benefits for the full 16-consecutive calendar day period 2/1/17 to 2/16/17. On 4/1/17 the recipient completes the CW 42 requesting PH benefits as she’s found permanent housing. The EW determines that the AU qualifies for the PH benefits because the AU has been continuously homeless since 2/17/17. The AU’s instance of homelessness continues to be based on the original circumstances for which they received TS benefits; and the new housing amount is not more than 80% of TMHI. The AU’s 12-month period is from 2/1/17 (the day the first payment is issued) through 1/31/18. If otherwise eligible, on 2/1/18, the AU may receive HA again (TS, PH, or both).

Example:

An AU receives TS on 5/1/17, but never secures PH during the 12-month period. On 5/1/18, a new 12-month period begins and the AU is still experiencing the same instance of homelessness. The AU is eligible to receive TS and/or PH again without meeting an exception.

TS is available for up to 16-consecutive-calendar days in a 12-month period. Once this 16-day period ends, these benefits are exhausted, even if the AU has not received payment for all 16 days.

Example:

An AU becomes homeless on 12/16/17. The 16-consecutive-calendar-day period is 12/16/17 to 12/31/17. On 12/20/17 the recipient returns for the second payment and reports that starting 12/21/17 they will be staying temporarily with relatives who are not in the business of renting. The AU is not eligible for the subsequent payment. On 12/27/17 the recipient reports that the relatives home is no longer available. Since the 16-consecutive-day period has not expired the AU may receive TS for the remaining 5 days, 12/27/17 to 12/31/17.

PH is available to an AU regardless of whether they have received TS. To receive PH following receipt of the TS payment the AU must have remained continuously homeless due to the same specific circumstances for which the TS payment was issued. When an AU receives their PH or PHA payment,
the incident of homelessness has ended. Once the instance of homelessness is resolved, the AU is not eligible to HA until the next 12-month period, unless an exception is met.

**Note:**

An AU is only eligible to receive TS following the issuance of PH if the AU is still in need of TS before occupying PH.

**Example:**

An AU becomes homeless on 3/1/17. They contact the EW on 3/3/17 and report that they have located permanent housing. They need help with the security deposit and the last month’s rent. The recipient completes the CW 42 applying for PH benefits. The EW determines that the AU meets all the requirements for HA and issues the PH payment. The AU has exhausted their benefits for the 12 month period even though they have not received TS benefits. Unless the AU meets an exception, the AU is not eligible for TS or PH until 3/1/18.

In a situation where the client moves in with a family member, the incidence of homelessness ends if the client moved in with the family member because it was meant to be permanent housing for the client. If the client moved in with the family member because a permanent place to stay could not be secured, and it was not intended to be a permanent move, the client continues to be eligible for the permanent HA payment.

Excluded parents of children in the AU (e.g., sanctioned parents or undocumented parents) who are living with their children when HA is authorized and would otherwise be mandatorily included in the AU are considered part of the AU for purposes of receipt of the 12-month period HA benefit.

### 36.1.5 Definition

An AU is considered homeless when the AU:

- Lacks a fixed and regular nighttime residence, or
- Has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, or
- Is residing in a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, such as a hallway, bus station, lobby, or car.
- Receives a notice to pay rent or quit.
Note:
Once the AU meets the definition of “homeless”, the cause of the homelessness is irrelevant as a condition of eligibility to HA. If the homelessness is due to one of the exceptions, the cause for it must be verified.

36.1.6 Need for Housing

In order for an AU to be considered homeless that AU must have a need for housing:

- In a commercial establishment,
- In a shelter,
- In a publicly-funded transitional housing, or
- From a person in the business of renting properties who has a history of renting properties.

Example:
An AU is homeless, but states that they are only looking for a place to rent with friends, who do not have a history of renting. This AU would not meet the necessary HA criteria.

Example:
Mrs. Smith and her child are evicted due to nonpayment of rent or destruction of property. Provided the AU has not received HA benefits in the last 12 months, there may be eligibility to HA since this AU is homeless effective the date of the eviction notice.

Example:
Recipient is ineligible for CalWORKs for March. However, the discontinuance NOA cannot be sent timely. The 3/1/17 warrant will be an overpayment. HA was requested on 3/2/17. HA cannot be issued once ineligibility in CalWORKs has been determined.

Example:
Mrs. Brown states that the home she is living in has an electrical problem, so she doesn't want to live there. This AU is NOT eligible for HA since HA is not available as a means to upgrade a person's living accommodations.
Example:
Mrs. Green and one of her three children arrive in Santa Clara County for medical treatment. The AU has a home in San Joaquin County. This AU is not eligible for HA because they are not homeless, but temporarily absent from their home.

36.1.7 Apparent Eligibility

Apparent eligibility for CalWORKs exists when information provided on the Statement of Facts and information otherwise available to the EW indicates that there would be eligibility for CalWORKs if the information were verified.

To determine apparent eligibility for CalWORKs, the EW shall review all of the following documents:

- A completed “Statement of Facts — Homeless Assistance” (CW 42), and
- A completed “Application for Cash Aid, Food Stamps, and/or Medical Assistance” (SAWS 1), and
- A completed “Statement of Facts — Cash Aid, Food Stamps and Medi-Cal/State-Run County Medical Services Program (CMSP)” (SAWS 2), and/or
- A completed “Application For CalFresh, Cash Aid, And/Or Medi-Cal/Health Care Programs” (SAWS 2 PLUS).

Note:
The SAWS 2 PLUS may be reviewed in lieu of the SAWS 1 and SAWS 2 if available. A client is not required to complete the SAWS 2 PLUS if there is a completed SAWS 1 and SAWS 2 on file.

If the applicant is a minor parent, the income of the senior parent must be explored and documented. A “Senior Parent(s)/Legal Guardian(s) Statement of Facts” (CW 23) is not required until CalWORKs eligibility is cleared.

The apparently eligible AU must meet the CalWORKs technical conditions of eligibility as specified in CalWORKs Handbook. [Refer to “Immediate Need [EAS 40-129],” page 6-1.]

- Information from any source may be considered.
- Only Temporary Shelter may be issued on an apparently eligible case.

36.1.8 NOT Apparently Eligible

The following persons cannot be considered apparently CalWORKs eligible.
36. Homeless Assistance

- Alien applicants who do not provide verification of their eligible alien status.
- Sponsored non-citizens who do not provide the income and resources of the sponsor.
- A woman with no eligible children who does not provide pregnancy verification.
- A person who is sanctioned for any reason.

Do not grant HA for these individuals until CalWORKs eligibility is cleared.

Note:
The above criteria are the same criteria as for Immediate Need payment. [Refer to “Immediate Need [EAS 40-129],” page 6-1].

Reminder:
In the above situations, only the specific individuals would be ineligible for HA until CalWORKs eligibility is cleared for them. The rest of the AU may be eligible for HA, if otherwise eligible or apparently eligible for CalWORKs.

36.1.9 Shelter at No Cost

Homeless Assistance (HA) cannot be issued to an AU if the EW establishes that the AU has shelter at no cost, even if the AU meets the homeless criteria above. The application and denial must be recorded in the CalWIN System and HA denial NOA must be issued.

TS cannot be issued for an AU who is staying free-of-charge in any private or public area, such as a church or bus station. However, if the family should locate permanent housing for which they will incur a cost, eligibility for PH must be determined.

Example:
The AU is staying at ABC Homeless Shelter. This shelter does not charge their guests: therefore, this AU is not eligible for TS while staying at ABC. This HA request must be denied. The AU could reapply if they leave the ABC Shelter and move to a facility that charges a fee or they locate permanent housing for which they will incur a cost.

Example:
The AU is staying in a camp ground at the County Fairgrounds. They must pay $7.50 per night. This AU may be eligible for TS if all other requirements are met.
Example:

The AU is living in their car and moving from parking lot to parking lot. Since they are not incurring a cost to stay in the parking lots, there is no eligibility for TS. If they were to stay in their car in a camp ground, the EW would then need to evaluate the other criteria to determine if the family is eligible for HA.

36.2 Temporary Shelter [EAS 44-211.52]

36.2.1 Rule

Temporary Shelter (TS) payments are available once every 12 months, unless the applicant/recipient meets the criteria to qualify for an exception. Temporary Shelter may be available for a period not to exceed 16 consecutive calendar days.

To receive a TS payment the AU MUST:

- Provide verification of the family’s homelessness, and
- Provide evidence of a search for permanent housing, and
- Be eligible or APPARENTLY eligible for CalWORKs.

Exception:

An AU may receive the TS payment after the PH payment has been issued if the permanent housing will not be available until a future date provided that the TS 16-consecutive-day limit has not expired.

Example:

The AU applied for HA on 8/12/17. The AU was issued TS for 8/12/17 through 8/18/17. Their period of 16 consecutive days is from 8/12/17 through 8/27/17. On 8/19/17 the AU returns to request the second TS payment and to request the Permanent Housing payment. The AU located an apartment that will be available on 9/1/17. They must pay their deposits now or the landlord will not hold the apartment for them. This AU could receive up to seven days of TS (for 8/19/17 through 8/25/17) and their permanent housing payment. On 8/26/17 they could receive the remainder of their TS for 8/26/17 and 8/27/17. If otherwise eligible, on 8/12/18, the AU may receive HA again (TS, PH, or both).

If the AU living in a free shelter wishes to live elsewhere while seeking permanent housing and the new shelter/housing will require payment, the EW must grant temporary HA as long as the family is
otherwise eligible for HA. However, if they wish to continue staying at the free shelter, the family is not eligible to temporary HA because they are not incurring any costs.

36.2.2 EW Informing Requirements

Before issuing the first TS payment, the EW must inform the applicant/recipient of all of the following:

• Homeless Assistance is available once every 12 months starting from the day the first payment is issued, unless the recipient has a verifiable exception.

• The family’s homelessness must be verified within three working days.

• Verification of incurred shelter costs from an appropriate provider will be required before the second and subsequent TS payments are made.

• Failure to provide verification of incurred shelter costs from an appropriate provider will result in a presumption of mismanagement of CalWORKs funds.

• The family is required to actively seek permanent housing from an appropriate source.

• Evidence of a search for permanent housing is required before the second and subsequent payments for TS can be issued.

• Permanent Housing is paid only if the rent amount meets 80% of the Maximum Aid Payment (MAP), without special needs.

36.2.3 Time Frames

The initial payment for TS must be issued or denied within the same working day in which the AU requests Homeless Assistance. If payment cannot be made on the date of request for HA AND the applicant/recipient has no place to spend the night the EW must let the appropriate supervisor know about the situation and have them assist in arranging for shelter. Use the “United Way” Directory available in each District Office, if arrangements must be made for interim shelter.

The initial TS payment must be issued no later than the close of business on the first working day following the request when shelter has been arranged for in the interim by appropriate staff.

The initial TS payment must be issued to an otherwise eligible AU, on the last working day before a weekend or holiday when it is established that the AU will lack shelter on the weekend or holiday, unless the appropriate District Office staff arranged for interim shelter for the weekend/holiday.

36.2.4 Temporary Shelter Procedures

The following procedures may be used to explore eligibility for Temporary Shelter (TS):
<table>
<thead>
<tr>
<th>STEP</th>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>EW</td>
<td>• Interview the applicant/recipient.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Determines if the applicant/recipient is potentially eligible.</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>IF</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>The AU is eligible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Issues check for Temporary Shelter</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The AU is not eligible</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Refers the applicant/recipient to the Intake Supervisor of the Day or follows District Office procedures.</td>
</tr>
<tr>
<td>2.</td>
<td>SUPERVISOR</td>
<td>• Reviews with the applicant/recipient their living situation.</td>
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<tr>
<td></td>
<td></td>
<td>• Discusses possible options with the client.</td>
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<tr>
<td></td>
<td></td>
<td>• Gives the applicant/recipient list of emergency housing and food providers (found on-line in the CalWORKs Resource Guide) to meet their needs until Temporary Shelter, etc. or CalWORKs eligibility can be determined and paid.</td>
</tr>
</tbody>
</table>

### 36.2.5 Eligible Days

The AU determined to be homeless may be eligible for up to 16 consecutive days of TS assistance, regardless of the schedule for issuance of payment.

- The 16 consecutive day period begins on the first day for which a TS payment is provided to the AU and once this period ends, the TS benefits are exhausted, even if the AU has not received all 16 days of TS payments.

- The AU must request all TS assistance before the end of the 16 consecutive day limit.

- The AU must provide verification of shelter expenditures and evidence of a search for permanent housing to receive reimbursement for TS assistance for expenses incurred within the 16 day period.

Once the AU receives its first TS payment, it is then potentially eligible to receive the balance of the 16 consecutive days of TS payment.

**Example:**

An AU applied for HA, did not have verification of their homelessness and received the initial TS payment for the days of 8/1 - 8/5. (The workdays are Thursday, 8/1; Friday, 8/2; and Monday, 8/5.) The AU is potentially eligible for TS for 8/1 - 8/16. The AU did not return to request TS again until 8/9.

For the AU to receive TS for 8/6 - 8/8 the AU must provide both verification of shelter expenses incurred for 8/1 - 8/8 AND evidence of a search for permanent housing for the five days TS was issued. If the AU cannot provide verification of the shelter expenses, then the applicant/recipient
must be placed on a “restricted payment”. If the applicant/recipient cannot provide verification of
the five contacts for permanent housing, the TS would be denied and the applicant/recipient
would lose eligibility for those days until the appropriate number of contacts had been made.

Reminder:
The 16 consecutive day period would not change once the first TS payment has been issued. If
the AU is not issued TS because they failed to meet the housing search requirement, and
subsequently they meet the requirement, the AU must continue to receive TS as otherwise
eligible. No payment must be issued for those days during which noncooperation existed.

36.2.6 Verification of Homelessness

The EW must verify the family's homelessness within the first three working days. Prior to the EW
contacting the landlord of their last residence, the applicant/recipient is required to sign a release of
information form.

If the EW is unable to verify that the AU is homeless, the applicant/recipient must sign a written
statement under penalty of perjury. The written statement must include ALL of the following information:

- The location where the AU is currently staying,
- The name, address and telephone number of the previous landlord, and
- A statement of liability for providing false information, which includes the following wording:

  “I declare under penalty of perjury under the laws of the United States of
  America and the State of California that the information contained in this
  statement of facts is true, correct and complete.”

EWs can use the “General Affidavit”, (SCD 101) if the required liability statement and other required
information is written on the SCD 101. The SCD 101 must be signed by the applicant/recipient, and
signed and dated by the EW.

36.2.7 Failure to Provide

When the applicant/recipient returns for subsequent TS payments and does not have the required
verification, the EW must use the following chart to determine the appropriate action:

<table>
<thead>
<tr>
<th>IF the applicant/recipient...</th>
<th>THEN the EW must...</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pays the TS to a provider who does not meet the definition of a commercial establishment,</td>
<td>Make all subsequent payments as restricted payments.</td>
</tr>
</tbody>
</table>
36.2.8 FRED Referral

The Intake EW must make an Early Fraud Prevention and Detection (FRED) referral to request assistance in the verification of homelessness upon issuance of the initial TS payment when:

- A fraud allegation has been received, or
- Knowledge of the case provides reason to suspect that fraud exists or has been attempted, or
- There are reasonable grounds to suspect that fraud, perjury, or embezzlement have occurred.

[Refer to “General Information,” page 37-1, for instructions on making a FRED referral.] The investigator assigned to the case will complete their investigation within the first three working days of the referral. Therefore, the second TS payment should only be issued once it is determined that the applicant/recipient meets all the conditions of HA eligibility.

36.2.9 TS Payment Amount

The amount of the nonrecurring special need payment for TS is calculated on a daily basis as follows:

- An AU with four or fewer members receives $65.
- An AU receives $15 for the fifth and each additional member of an AU.

The total amount available to an AU with eight or more members cannot exceed a maximum of $125.

36.2.10 Initial Payment

Unless homelessness or the exception has been verified, the initial TS payment is for up to three (3) working days plus any nonworking days that are bracketed by the working days. This includes the day of payment, weekend days and holiday(s). The payment must cover the period from issuance to the next workday, unless the appropriate District Office staff arranged for interim shelter.

If homelessness or the exception has been verified, the initial TS payment may be issued for up to seven (7) calendar days.
36.2.11 Documentation

Each HA payment may be documented on the Case Comments window for future purpose.

36.2.12 Second and Subsequent Payments

After homelessness or the exception has been verified, benefits must be issued on a weekly basis for up to seven calendar days for a maximum total of 16 consecutive calendar days. The extension of benefits beyond the initial payment must be based upon all of the following:

- The AU's continuing need for TS benefits.
- Evidence of the search for permanent housing while receiving temporary benefits.

When the recipient returns to request the second and subsequent TS payments, the EW must photocopy the receipts for shelter.

- If the former TS payment was sufficient to cover the period of payment, and the receipts verify that shelter was paid for each day of the payment period, and the applicant/recipient met the permanent housing search requirement, issue subsequent payment per the applicant's/recipient's request (direct, vendor).

- If the former TS payment was less than sufficient to cover the period of payment but the AU has receipts to verify that they spent all of the TS on shelter, issue subsequent payment per the applicant's/recipient's request.

There is a presumption of mismanagement of CalWORKs funds by the AU when the TS payment was sufficient to cover shelter costs and the applicant/recipient:

- Fails or refuses to furnish verification of shelter costs, or
- Can only produce receipts for part of the payment period.

**Example:**

Mrs. Ford was issued 3 days of TS on 9/13. She returns to request a second TS payment on 9/16. She has a receipt from a motel for 2 days at $75 per day ($150). She states she could not find another place to stay with only $45. Mrs. Ford is eligible to have her second TS payment issued per her request.
Example:

Mr. Johnson was issued his first 3 days of TS on 9/7. He returns on 9/10 with a receipt from a motel for 2 days at $50 per night. He states he doesn't know what he did with the rest of the $195. The second and subsequent TS payments MUST BE VENDORED to the shelter provider. The vendor payment must be for the cost of the shelter. Any remaining balance must be issued to the applicant/recipient.

36.2.13 Evidence of Search for Permanent Housing

The AU must provide evidence of a search for permanent housing while receiving TS. The EW must issue a “Housing Search Document”, (CW 74) to the AU to document the search for housing.

- Prior to receiving the second or subsequent TS payment, the AU must make a minimum of one contact with prospective landlords for each day the AU received TS unless the AU has good cause for not searching for permanent housing.

- The AU does not have to make one contact each day, but must make one contact for each day. The contact may be made in person, by telephone, or in writing.

The EW only needs to verify the information on the CW 74, if it appears to be questionable. An “Authorization to Release Information” (SC 1029) must be completed, prior to any contacts to verify the information.

If the AU is not issued TS because they failed to meet the housing search requirement, and subsequently they meet the requirement, the AU must continue to receive TS as otherwise eligible. No payment must be issued for those days during which noncooperation existed.

Example:

The AU received TS for 7 days. The AU must make 7 contacts with prospective landlords prior to receiving any subsequent TS payment. The AU may make 3 contacts on one day and 4 on another, or any combination to total 7 contacts with prospective landlords.

Example:

The AU applies for HA on 8/1 and is determined HA eligible. The 16 consecutive day period for TS is 8/1 - 8/16. The AU received TS on 8/1 for 8/1 through 8/7. They return on 8/8 for their second TS payment. However, the AU only made 3 of the required 7 contacts. The EW would deny the TS request for the second payment and give the applicant/recipient a TS denial NOA. The AU returns on 8/10 and has 4 more contacts on the CW 74. The EW can issue for up to 7 more days of TS for 8/10 through 8/16. The AU would not receive TS for 8/8 and 8/9, due to noncooperation. The original TS period would not change.
In this example, if the AU returned on 8/14, instead of 8/10, and provided proof of the additional 4 contacts, the EW would issue the balance of the TS for 8/14 through 8/16.

In this same example, if the applicant/recipient returned on 8/8, later in the day after being denied TS, with evidence of 4 more contacts, the EW could than issue a second TS payment for 8/8 through 8/14.

36.2.14 Good Cause for Not Searching

Good cause for not searching for permanent housing includes, but is not limited to the following situations:

- The AU does not have access to a telephone, either by having one themself, or through a friend, shelter or accessible public place, and the AU also has no transportation and is living in a rural setting that makes public transportation not feasible.
- The AU located permanent housing but it is not yet available.

Example:

The AU received the initial seven days of TS. When they returned, they brought in the CW 74 indicating that they had made 7 contacts. As a result of this, they had located permanent housing which will not be available to them for 14 days. The EW would issue the PH, if the recipient was otherwise eligible, and the family would also be eligible for the remainder of the TS period, and would not need to search for other permanent housing.

36.2.15 Overpayment

The HA paid must be considered an overpayment when:

- The AU is paid HA in excess of the amount to which that AU is entitled. This would occur when the AU was paid for too many days of HA or when an HA payment was made in error.
- A determination is made that the recipient was never homeless. This would occur in conjunction with an SIU determination that the recipient was not homeless and did not tell the EW the truth when applying for HA.

Note:

An overpayment is not to be declared when the AU pays a provider who is not a commercial establishment, shelter, publicly funded transitional housing or a person in the business of renting properties. The EW must issue any remaining HA as a restricted payment.
Example:
The AU receives three days of TS in the amount of $195. On the fourth day, the AU returns to the EW for continued benefits. The AU provides a receipt that shows payment was made for two nights at the Penguin Motel in the amount of $150. The AU provides a receipt that shows on the third night the AU stayed with a friend who is not in the business of renting and paid them $45. The EW determines that the third night the AU failed to pay an appropriate provider and establishes that a mismanagement of funds exists and makes any subsequent payments as restricted payments.

Example:
The AU receives three nights of TS in the amount of $195. The AU returns on the fourth day to request further benefits. The AU provides a receipt showing that they stayed in a shelter for three nights at a cost of $60. The AU has met the requirement of staying in a commercial establishment and there is no restricted payment requirement.

Example:
The applicant/recipient applies for HA and is determined eligible. The EW issues payments for 19 days rather than 16 days. The EW must declare the three days to be an administrative overpayment and take appropriate action.

Example:
The applicant/recipient applies for HA and is determined eligible. Payments are issued for Temporary Shelter. It is later determined that the applicant/recipient was never homeless. The EW must declare the HA payments made an overpayment and take appropriate action.

36.3 Permanent Homeless Assistance [EAS 44-211.53]

36.3.1 Rules

A Permanent Housing (PH) payment is available once every 12-months to assist an AU that is homeless in obtaining permanent housing or to prevent an instance of homelessness. PH is available to pay for the reasonable costs of security deposits, when the deposits are a condition of securing a permanent residence, and may include the actual costs of utility deposits.
Permanent Homeless Arrearages (PHA) payments:

Effective January 1, 2017 the Permanent Homeless Assistance is available once every 12-months to help eligible AUs with payment of up to two months of back rent to prevent eviction. Each month of the rent arrears must not exceed 80 percent of the total monthly household income (TMHI).

Example:

An AU whose monthly rent is $750 applies for Permanent Homeless Arrearage (PHA) to pay two months of back rent payments totaling $1,500. The AU’s TMHI is $1,000 and 80% of the TMHI is $800. This AU is eligible to receive the PHA as the amount of back rent for each month ($750) does not exceed the 80 percent of the TMHI ($800).

Example:

An AU receives a three day pay or quit notice. On 2/15/17, the AU applies for and receives PH in the form of rent arrearages. On 10/16/17, 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 TS or PH until 2/15/18.

Example:

An AU whose monthly rent is $900 applies for PHA to pay two months of back rent payments totaling $1,800. The AU’s TMHI is $1,000 and 80% of the TMHI is $800. This AU is not eligible for PHA as their monthly rent ($900) exceeds the TMHI ($800).

In order for an AU to be eligible for Permanent Homeless Arrearage (PHA) payments, payment of the back rent must be a reasonable condition of preventing eviction. A family who applies for arrear payments due to receipt of a notice to pay rent or quit, must demonstrate that the eviction is the result of a verified financial hardship that resulted from extraordinary circumstances beyond their control, and not due to other lease or rental violations. The family must be experiencing a financial crisis that could result in homelessness if preventative assistance is not provided.

Example:

Financial hardship include, but are not limited to, losing jobs, delay on UIB payments, or unexpected medical bills. The AU must provide verification of the hardship.

Before PH or PHA payment is available:

- A CW 42 must be completed.
- CalWORKs eligibility must be cleared.
• Evidence that permanent housing is available must be obtained.

• The rent amount for the permanent housing or monthly back rent cannot be more than 80% of the AU's TMHI, without special needs.

**Note:**

A determination must be made that the AU has a continuous period of homelessness caused by the same specific circumstance.

**Example:**

In a situation where the client reports on the “Statement of Facts for Homeless Assistance” (CW 42) that they have a new job, but will not receive their first check until the future month, since the worker knows how much the client will be paid and when they will receive their paychecks, the income from the new job is counted in the Total Monthly Household Income (TMHI) for determining eligibility for and the amount of permanent HA. In order to consider income that should be included in the TMHI, the Eligibility Worker (EW) must follow general requirements for “reasonably anticipated income.” If the client has already started a new job and he/she knows how much he/she will be paid and when he/she will get their first check, this income can be considered “reasonably anticipated.” and must be included in he TMHI for the family. However, if the client only anticipates getting a job, but hasn’t started working yet, or if he/she has gotten the job, but doesn’t know how much they will be paid or when, that income must not be included as part of the family’s TMHI. The EW must determine how much income is actually going to be available to the family so that the worker can determine whether the family is securing a home they can afford.

### 36.3.2 Return to Former Residence

Permanent housing assistance is NOT available to assist recipients to return to their most recent former residence, unless there are unusual circumstances beyond the recipients control.

• The most recent former residence is defined as the house or same unit in a duplex or apartment complex in which the recipient lived just prior to being determined homeless.

• The EW must carefully document the case record if this should occur and deny the request for permanent housing.

**Example:**

A family left a residence in San Jose in order to take advantage of a job offer in Fresno. When they arrived in Fresno, they found that the job was no longer available, so they returned to the San Jose area, and were homeless. Their former residence became available and was less
expensive than anything else they could locate, so they requested permanent housing to move into their former residence. This would be granted due to the unusual circumstances which prompted their return to the San Jose area.

36.3.3 Shared Housing

If it is determined that the AU intends to share housing costs, the AU's share cannot exceed 80% of its TMHI. Shared housing includes, but is not limited to:

- Two or more AUs residing together.
- SSI/SSP recipients residing with the CalWORKs recipient(s).
- An AU residing with an unaided person(s), providing that the AU's share does not exceed 80% of TMHI.

If the AU is unable to provide verification of their amount of rent, the EW shall assume that they will be responsible for a prorated share. If the client provides the EW with a statement that their share will be a specified amount, this will be accepted as long as the other persons have the ability to meet their share of the expenses.

36.3.4 PH Payment Time Frames

The EW has one working day from the time the AU provides the following information to issue or deny a payment for PH assistance:

- Information necessary for the EW to establish eligibility for CalWORKs.
- A completed CW 42.
- Evidence of the availability of permanent housing and the amount of rent, which does not exceed 80% of the AU's TMHI. Acceptable evidence may include, but is not limited to:
  - A copy of the rental agreement;
  - An EW follow-up telephone call to the landlord, with the written consent of the AU;
  - A signed statement from the AU attesting to the availability and rent amount of the housing, when both the EW and the AU are unable to get any confirmation.

Note:

Written confirmation from the landlord is required as follow-up to the telephone call or the statement signed by the AU.
36.3.5 Security Deposits

An amount not to exceed two months of an AU's rent is available to pay for the reasonable costs of security deposits when the deposits are a condition of securing a permanent residence.

- 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. This would include any fees necessary, such as credit check fees, if required by the landlord.

- That portion of the security deposit payment, available for last month's rent shall not exceed 80% of the AU's TMHI, without special needs, for an AU of that size.

- If the AU intends to share housing, the AU's share of the total housing cannot exceed 80% of the AU's TMHI, without special needs.

36.3.6 Utility Deposits

The payment for permanent housing costs may include the actual costs of utility deposits, in addition to the amount allowed for security deposits.

- The payment shall cover deposits (turn-on-fees) required for gas, electricity and/or water. Do not include deposits for telephone.

- The payment shall NOT include the costs of overdue utility bills.

- If the AU shares housing, and the utilities are included in the housing cost but not identifiable, the total housing cost cannot exceed 80% of TMHI.

Note:

Some utility companies do not bill their clients until after the utilities have been hooked up. The EW can issue the utilities deposit at a date later than the date for the security deposit payment.

36.3.7 Restricted Payments

HA payments will be restricted and issued to the vendor when the EW determines that mismanagement has occurred. The client must be given an adequate notice of action, advising that their payment will be issued to the vendor including the reason for this action.

The “restricted” payment must be computer generated and mailed to the provider. Do not give the vendor payment to the recipient to handcarry.
36.3.8 Mismanagement of Funds

If the AU is to receive more than one PH payment, the EW shall request verification of the initial amount of PH expended. The failure or inability of the AU to provide verification of the payment of shelter expenses constitutes a presumption of mismanagement of funds by the AU.

When it has been established that there has been a mismanagement of funds, all further HA payments must be issued using the “restricted payment” process.

Example:

Mr. Jones received 80% of TMHI x 2 for his security deposit and last month’s rent. He returns for payment of utility deposits. He must verify that the first payment was spent for housing deposits, or the utility deposits must be made as a “restricted payment”; payable to the vendor, computer generated and mailed.

Example:

Mrs. Jones has located permanent housing; however, due to her credit standing she must rent the apartment using her sister’s name. All requirements are met and she applies for PH. The EW must secure an SCD 101 2, completed by the client with the entire story written up and signed under penalty of perjury.

Example:

Mrs. Topic has been staying at E & G Motel and has been receiving TS. The motel manager has now determined that Mrs. Topic and the family can stay there permanently. If all the requirements are satisfactorily met, the family may receive PH.

Example:

Mrs. Brown and her son are homeless and have received their 16 days of Temporary Shelter. 80% of her TMHI is $392. She finds a place which rents for $450 per month. Her father is willing to pay $75 a month towards her rent directly to the landlord, and he notifies the EW of this, in writing. Mrs. Brown’s rent is now $375 a month and she meets the criteria for Permanent Housing.

Example:

Mr. and Mrs. Menu and their two children are homeless. Mr. Menu receives SSI and the remainder of the family is on CalWORKs. 80% of TMHI for the AU is $485. They find a place to rent for $750 monthly. It is assumed that Mr. Menu is responsible for his prorated share, $187.50 ($750 – 4), and the remainder of the family is responsible for their prorated share
$562.50 ($750 – 4 = $187.50 X 3 = $562.60). If there is no information to the contrary the EW must deny the AU's request for PH as their share of the rent is in excess of 80% of TMHI. Mr. Menu provides a note that he will be responsible for $300 a month rent and that the AU will be responsible for $450. Since he has income to meet this, it is determined that the AU is now within 80% of TMHI and eligibility for PH exists for the AU.

Example:

Mrs. Kit is an undocumented alien and has no income to meet her needs. She receives CalWORKs for her two children. 80% of TMHI is $392. She locates an apartment for $500, but since she has no income, it is not feasible to determine that she is able to pay her prorated share of the rent. The EW must deny the Permanent Housing request as the total amount of rent for the AU is in excess of 80% of TMHI. If Mrs. Kit finds a job and receives income of at least $108 monthly, she could pay her portion of the rent. The AU's share would then be $392 and there would be eligibility for PH.

36.3.9 PH Through Housing Authority

When a client locates permanent housing through the Housing Authority, or through another subsidized agency, the PH payment is based upon 80% of TMHI.

Example:

An AU of 3 located housing through the Housing Authority. The monthly rent will be $173. The landlord is charging $500 for security deposit and $25 for the credit check. Since 80% of TMHI for this AU is $485, the EW would be able to issue up to $970 in PH for this AU. In this situation, the client is eligible for $525 in PH.

36.3.10 Security Deposit Refund

If due to an emergency, an AU must move within the 24-month time limit specified, the AU shall be allowed to transfer deposits to meet the security deposits for the new residence.

- An emergency cannot result from an intentional act on the AU's part.
- If the EW determines that the transfer was within the 24-month time limit, and not an emergency, refunded deposits shall be treated as liquid resources.

In counting the 12-month period, homelessness begins on the date when the first homeless assistance payment was issued.
36.3.11 Overpayments

If the AU is paid PH in excess of the amount to which they are entitled, it will be declared an overpayment. The EW must take appropriate action to:

- Record the overpayment,
- Notify the AU, and
- Begin adjustment as soon as possible.

Example:

The EW processes a request for PH and issues $900 to the client for her deposits. The EW Supervisor reviews the case and it is determined that the maximum allowable to this client was $784. The EW must declare an administrative overpayment of $116 ($900 – $784 = $116) and take appropriate action.

36.4 Exceptions [EAS 44-211.513]

36.4.1 Rule

An eligible AU may receive HA once every 12 months for one incident of continuous homelessness that is caused by the same specific circumstances. The 12-month period begins on the day the first payment of either TS or PH is issued and ends 12 months later. Once the instance of homelessness is resolved, the AU is not eligible for any further HA payments until the next 12-month period, unless an exception is met.

36.4.2 Exceptions

HA based on an exception is available once, at any point, during the established 12-month period. The issuance of an HA payment based on an exception does not restart the established 12-month period. The following are exceptions to the once every 12-months HA rule:

- Homelessness as the direct result of a state or federally declared natural disaster, or
- Domestic violence by a spouse, partner or roommate, or
- A medically verified physical or mental illness, excluding alcoholism, drug addiction or psychological stress, or
• Uninhabitability of the former residence caused by sudden or unusual circumstances beyond the client's control, including but not limited to, fire, natural catastrophe, or condemnation.

The recipient must provide verification of the reason for the exception, before the homeless payment is issued. Also, there is no required waiting period between the established 12-month period and when an AU may receive HA under a exception.

[Refer to “Homeless Assistance,” page 42-18] for detailed information on domestic violence and homeless assistance.

Example:

On March 1, 2017 an AU begins receiving temporary HA. The AU locates permanent housing in the same month and receives a benefit for PH in 3/2017. On September 1, 2017, the AU becomes homeless again because their residence condemned and determined to be uninhabitability. Upon the receipt of verification, additional HA benefits are issued AU based the exception. The AU's 12-month period continues to be 3/1/17 through 2/28/18. The Au would be potentially eligible for HA again starting on 3/1/18.

Note:

An AU that applies for HA under an exception criteria can receive up to three days of TS benefits pending verification of the exception. However, after the AU receives payment for the initial three days, any payments for the remaining 16-consecutive day period of TS is based on the AU submitting verification of the exception as well as the “Permanent Housing Search Document” (CW 74).

36.4.3 State or Federal Disaster

Whenever the client's homelessness is a direct result of a state or federally declared disaster, the client may be determined eligible for either, or both, TS and PH. All eligibility factors for TS and/or PH must be met, before payment is issued. The client must provide verification of their homelessness and the reason must be as a direct result of the disaster.

Example:

A recipient applies for TS, stating that their apartment is uninhabitable due to damage caused by an earthquake. The EW receives verification that the earthquake occurred and that the client's previous residence was uninhabitiable due to earthquake damage. All other TS eligibility factors are met and the EW issues the TS payments as appropriate.
Example:

A recipient applies for PH, stating that they have had to relocate because a flood occurred. Upon checking, the EW determines that the county of previous residence was not included in the federal or state declaration of natural disaster. The application for PH under the state or federal disaster exception is denied, a HA denial NOA is issued and the denial is recorded Online. The EW must explore potential eligibility for HA based on uninhabitability of residence.

36.4.4 Verifications For Exceptions

The HA exceptions require verification by a third party governmental or private health and human services agency. Examples of verification for the exceptions include the following:

<table>
<thead>
<tr>
<th>EXCEPTION</th>
<th>VERIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Violence</td>
<td>Copies of records or reports from police departments, medical facilities, Adult and Child Protective Services, Family Service Bureau, or Crisis Counseling Service Agencies. Statements from battered women shelters, signed by an administrator, counselor, or designated staff member.</td>
</tr>
<tr>
<td>Physical or Mental Illness Excluding Drug Addiction, Alcoholism, or Psychological Stress</td>
<td>Medical verification from the appropriate treating physician, state certified nurse, nurse practitioner, physician’s assistant, therapist, psychologist, licensed counselor, medical or clinical personnel with access to the patient’s records who can verify the diagnosis.</td>
</tr>
<tr>
<td>Uninhabitability of Residence</td>
<td>Written statements or copies of reports from police departments, fire departments, the Red Cross, health department or any other agencies authorized to verify the uninhabitability of the former residence.</td>
</tr>
</tbody>
</table>

Example:

An AU applies for Homeless Assistance under the exception of mental illness. The AU had been homeless for some time and had no interim contact with any governmental or human services agency which could verify that homelessness was caused by the mental condition. The AU was able to provide proof of the mental condition from a psychologist and a written statement from the former landlord stating that the AU was evicted because of disruptive behavior towards the other tenants. Based upon the verification provided by the AU, the EW determines that the AU is eligible for Homeless Assistance due to the mental illness exception.

36.4.5 Incident of Homelessness

An AU that receives TS based on an exception and requests PH within the 12-month exception period may be eligible if the AU has been continuously homeless due to the same specific circumstances. This is defined as the same incident of homelessness.
36.5 Application [EAS 44-211.5]

36.5.1 Rule

Any indication that a family is homeless must be treated as a request for HA. The applicant/recipient must complete the “Homeless Assistance Statement of Facts” (CW 42) to gather information regarding eligibility for HA.

Usually the client will call their EW and state: “I’m having a housing problem.” The EW must question the client to determine how they came into this situation; for example, “Tell me what your situation is...” or “How did you come into this situation?” If the response by the client indicates that the AU meets the homeless criteria, the client must be advised to come into the office and complete the CW 42. If the client refuses to come into the office and complete the CW 42, there is no application. The EW must carefully document on the Case Comments window should this occur.

36.5.2 Action

Upon indication that a family is homeless, the EW must take the following steps:

<table>
<thead>
<tr>
<th>STEP</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Have the client complete the CW 42 and thoroughly review with the client the information listed at the top of the form.</td>
</tr>
<tr>
<td>2.</td>
<td>Assess the family’s immediate housing needs.</td>
</tr>
<tr>
<td>3.</td>
<td>Determine if the family meets the definition of homeless and whether the AU has received HA once within the last 12 months or if they are applying as an exception.</td>
</tr>
<tr>
<td>4.</td>
<td>Determine if the AU is eligible or apparently eligible for CalWORKs.</td>
</tr>
<tr>
<td>5.</td>
<td>Advise the client of the requirement to actively seek from appropriate sources and provide evidence of the search for permanent housing.</td>
</tr>
<tr>
<td>7.</td>
<td>Pay TS for up to seven calendar days if homelessness is verified and there is eligibility, or for up to three working days if the verification of homelessness or of the exception are pending.</td>
</tr>
<tr>
<td>8.</td>
<td>Issue the appropriate HA NOA, if HA eligible, or</td>
</tr>
<tr>
<td>9.</td>
<td>Deny the HA request, issuing a HA denial NOA and recording the HA denial in case comments.</td>
</tr>
</tbody>
</table>
Example:

Mrs. Jones calls her EW on 8/5 to see if the EW can assist her with a housing problem. The EW inquires as to the type of problem. Mrs. Jones states “I have been staying with my sister for the last two months. Her landlord found out and told her I had to move by 8/6 or he would evict her. I already gave my sister my share of the August rent. She used it to pay her rent. I need help in finding a place for me and my baby to stay until I can decide what to do.” The EW must determine if Mrs. Jones is eligible for a HA or meets an exception, if she is seeking permanent housing and if she meets the homeless definition.

36.5.3 Homeless Assistance Payment Indicator (HAPI)

The Homeless Assistance Payment Indicator (HAPI) is accessed through IEVS. HAPI was designed to help prevent duplicate HA payments. All 58 counties are required to enter identifying data on all adults who receive HA.

The following chart must be used to insure that HAPI is accessed and used prior to and after the HA determination is made.

<table>
<thead>
<tr>
<th>STAGE</th>
<th>WHO</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Eligibility Worker (EW) or Designated Clerk</td>
<td>Query the Collect Case Question screen and the Homeless Assistance Payment Indicator (HAPI), “Known to Welfare” screen via IEVS for each adult in the AU. The findings are noted on the SC 41 by the clerk, or a copy of the screen obtained for the case record.</td>
</tr>
<tr>
<td>2.</td>
<td>EW</td>
<td>Determine if the client has an established 12-month period or meets the criteria for an exception and if the applicant is potentially HA eligible, when HAPI indicates that the applicant has received HA previously.</td>
</tr>
<tr>
<td>3.</td>
<td>Designated Clerk</td>
<td>Enter the HA payment information on the HAPI “Add” screen, when the initial HA payment is issued. Enter each adult in the AU into HAPI.</td>
</tr>
<tr>
<td>4.</td>
<td>EW</td>
<td>Complete the Collect Homeless Detail windows to enter HA payment information into the HAPI data base.</td>
</tr>
<tr>
<td>5.</td>
<td>EW</td>
<td>Document on the Maintain Case Comments window. Print the “HAPI” screen. IDM the “HAPI” screen with the other HA documents. Check MEDS to ensure that the HAPI code took. If this was not successful, follow established procedures to have HAPI entered clerically by the MTO using the SC 1296.</td>
</tr>
</tbody>
</table>

36.5.4 Entering HAPI

The data entered on the Collect Homeless Detail window and the Collect Permanent/Temporary Homeless Detail windows send the appropriate Add transaction to the MEDS network.
**36.6 Payment Information [EAS 44-211.5]**

### 36.6.1 Rules

An otherwise eligible AU that has received an HA payment at any time on behalf of an eligible child, is not eligible for future HA payments during the established 12-month period, except under the following conditions:

- There is a new caretaker relative who was not living with the AU at the time the payment was issued, AND
- The new caretaker has not received temporary and permanent homeless assistance within a 12-month period on behalf of or as part of another AU, AND
- The former caretaker relative is no longer living in the home with the AU.

Any adult living with an AU at the time HA is authorized who later becomes the caretaker for that AU is not eligible for additional HA during the 12-month period, unless the AU qualifies under an exception.

**Example:**

The parent of the mother in the AU (i.e. the grandmother of the child) resides with the AU at the time when the AU becomes homeless and receives TS and PH payments. After locating and moving into permanent housing, the mother leaves the home and the grandmother becomes caretaker relative; the AU once again becomes homeless. Since the grandmother lived with the AU at the time HA was received, she is not eligible for further HA benefits until the 12-month period has exhausted unless the AU qualifies under one of the exceptions.

**Example:**

Both parents are in the home and receive HA. The mother leaves the home and becomes the needy caretaker relative in another AU/case for her two nephews. She cannot receive HA again until the 12-month period has exhausted, unless the HA payment is made based upon an exception.

### 36.6.2 Intercounty Transfer [40-187.31; 44-211.515]

In Intercounty Transfer (ICT) cases, the county of residence is responsible for the processing of the HA payment. The determination of the county of residence is different for TS and PH.

The determination of the county of residence is based on:
• Where the client actually resides for TS.
• Where the housing is located and the client intends to live for PH.

Example:

An AU consisting of a child and the child’s caretaker relative moves from County A, a Region 1 county, to County B, a Region 2 county. The AU requests transfer and County A initiates an ICT. During the transfer period, the AU requests a HA payment. Since the request is for a TS payment, the request goes to the county where the AU is physically present. If the request were for PH, County B would determine eligibility for and make the PH payment based on the County B MAP amount.

36.6.3 Eligible Providers

Part of the criteria to receive HA is that the provider of the housing must be one of the following:

• A commercial establishment, or
• A shelter, or
• A publicly funded transitional housing place, or
• A person in the business of renting properties, who has a history of renting properties.

Note:
The provider must be the legal owner or the legal owner's representative.

36.6.4 Verification

If an EW believes that the “history of renting” is questionable, then it may be verified. The client may be asked to get a signed and dated statement from the provider stating their rental history.

36.6.5 No Eligible Provider

If the AU fails to pay a provider as defined above, issue any further payments as restricted (vendor) payments. [Refer to “Eligible Providers,” page 36-29]

36.6.6 Client’s Choice of Payee

The AU has a choice of receiving payments directly or having a vendor payment, unless the EW determines mismanagement of funds.
If the client REQUESTS A VENDOR PAYMENT for a non-contract shelter provider, the EW must obtain an “Authorization to Release Information” (SC 1029), from the applicant/recipient and contact the provider to get agreement to the mail process.

36.6.7 Restricted Payment Rule

RESTRICTED PAYMENTS to both contract and non-contract shelter providers MUST BE COMPUTER GENERATED AND MAILED. Restricted payments are those issued when the EW determines that mismanagement has occurred. [Refer to “Mismanagement of Funds,” page 36-31.] There are exceptions to this rule. These are listed below as “Hand Issue TS Vendor Payments” and “Hand Issue PH Vendor Payments”. If the EW uses one of these exceptions, it must be thoroughly documented on the Case Comments window.

36.6.8 Hand Issue TS Vendor Payments

TS vendor payments may be hand carried by the client for delivery to the HA provider under the following situation:

- The client has found an eligible provider who has temporary housing available, and
- The eligible provider will not let the client move into their facility (motel/hotel/homeless shelter/camp grounds/fair grounds) until they receive the HA payment, and
- The EW cannot meet the requirement to issue the initial TS payment within the same work day.

36.6.9 Hand Issue PH Vendor Payment

PH vendor payments may be hand carried by the client for delivery to the HA provider under the following situation:

- The client has found an eligible provider for permanent housing, and
- The eligible provider will not hold the house, apartment, or room for the client unless the security deposit is received.

36.6.10 Procedure to Hand Issue HA Payments

When it is necessary to allow the client to hand carry the HA payment to the eligible provider, District Office Check Cashing Card procedures must be followed.

- Issue the HA payment in the name of the eligible provider and the client. When the warrant is issued in this manner it will require the signatures of both the provider and the client to cash the warrant. For Example: Motel 6 and Mary Smith.
• Put the hand typed warrant in an envelope addressed to the eligible provider.

• Seal the envelope and stamp the seal with the District Office address stamp.

• Instruct the client to deliver the envelope to the provider, unopened.

**Note:**

If the client manages to get someone other than the provider to cash the restricted payment, even though it is issued in the provider's name and the client's name, all further restricted payments must be mailed.

36.6.11 Mismanagement of Funds

Mismanagement of funds exists when:

• The RECIPIENT'S homelessness is the result of failure to pay rent, other than for the following:

  • A rent increase which results in the AU's rent, or share of the rent, being over 80 percent of the TMHI, without the special needs for an AU of that size.

  • Reasonable exercise of a tenant's right to withhold rent for cause.

  • Domestic violence by a spouse, partner, or roommate.

• The EW determines that the HA payment was not used for shelter.

• The client fails to provide verification that the TS payment was spent on shelter and/or the PH was spent appropriately.

• The AU provides verification which shows that the HA payment was not paid to an appropriate provider.

Mismanagement does not exist if the client spent all the HA payment for shelter or if the client paid for temporary shelter for each night of the payment period.

36.6.12 Money Management

Failure or inability to provide verification of payment of shelter expenses constitutes a presumption of mismanagement of funds by the AU. All subsequent HA payments must be issued as “restricted payments”. The EW is required to assist the recipient in developing a greater ability to manage funds.
36.6.13 Restricted Payments

HA payments will be restricted and made payable to the provider when the EW determines that mismanagement has occurred. The client must be given an adequate (not timely) HA Notice of Action, advising that their payment will be issued to the provider, including the reason for this action.

Vendor payments due to the presumption of mismanagement of CalWORKs must be computer generated and mailed to the provider. Vendor payments due to the presumption of mismanagement SHALL NOT be given to the client to hand carry. [Refer to “Mismanagement of Funds,” page 36-31] for exceptions to this.

Once it is determined that restricted payments are to be issued, the remainder of a client’s Homeless Assistance payments for that incident of homelessness will be issued in this manner. If the AU received their TS as a restricted payment, any PH must also be issued as a restricted payment.

36.7 Overpayments

If either the TS or PH benefit is determined to be an overpayment, then that TS or PH payment is considered not to have been made. The AU can, therefore, reapply for that part of the benefit which was determined to be an overpayment.

Example:

An AU received both TS and PH payments in 2/1/2017 which completed their 12-month period Homeless Assistance benefit (HA 12-month benefit period 2/1/17 to 2/1/18). In 5/1/2017 the AU applied for and received HA under one of the exceptions. It is later discovered that in 8/2017 the AU exceeded the resource limit so the 5/1/2017 benefit is declared an overpayment.

36.8 Case Management Concerns

36.8.1 Transfer of HA Cases Between Offices

Once a CalWORKs AU has been determined homeless, the following requirements must be met before the case is transferred to another District Office:

- The 16 day period for Temporary Shelter (TS) has elapsed, and
- The client has not requested HA for Permanent Housing (PH) and the current housing situation appears stable. The client may still be looking for an independent living situation, but is unable to find anything within the specified price range (80% of TMHI).
Note:

In this situation, “stable” is defined as the client has lived at a residence for two months and intends to remain there or the client has requested HA for Permanent Housing (PH). The case comments window must indicate that the request has been approved and the payments made, or that the request was denied.

Example:

A client has received her 16 days of TS and has not been able to locate permanent housing. She did find one apartment, but the monthly rent was in excess of 80% of TMHI and the EW denied that request. She is staying with a friend, who agrees to let her remain there until she locates other appropriate housing. She has resided with her friend for 3 months. This case may be transferred to the appropriate District Office based upon her current residence.

36.8.2 Transfer of HA Cases Within an Office

Each District Office has established procedures which apply to the transfer of Homeless Assistance cases within the office, between Intake and Continuing. These procedures are to be followed.

36.8.3 SSPM's Decision

Any exceptions to the above rules must be decided on a case by case basis by the SSPMs of the District Office involved. This also applies to cases where there are extenuating circumstances and the client insists that the case record be transferred to another District Office.

36.9 Contract Shelter Providers

36.9.1 Contract Shelter Providers

Contract monies paid to the “homeless” shelter providers are separate from CalWORKs or HA funds. Santa Clara County has a contract with many homeless shelter providers and they can be found from the Resources & Referrals section in the link below:

http://intranet.ssa.co.santa-clara.ca.us/county/

36.9.2 Shelter Referral

Contract shelter providers refer homeless families to SSA to apply for CalWORKs and HA. The shelter providers request each CalWORKs applicant/recipient to sign an agreement to have his/her HA
payment(s) made payable by vendor directly to the shelter. Vendor payments made payable to contract shelter providers must be computer generated and MAILED and must NOT be given to the applicant/recipient to hand carry.

36.9.3 HA Payments For Clients In A Shelter

Even though shelter providers ask their clients to sign an agreement to have their HA payment made payable to the shelter, the client has the right to have the HA payment made payable to himself, unless there is the presumption of mismanagement of CalWORKs.

If the applicant/recipient requests that the HA payment be made payable to themself, the EW must explain to the applicant/recipient that refusing to make the shelter provider payee may create a problem with the contract shelter provider. Make sure that the applicant/recipient knows that it will be necessary to verify the amount of the shelter costs paid before a second or subsequent HA payment can be issued.

If the applicant/recipient agrees to make the shelter provider payee of their HA payment, the amount of the vendor payment made payable to the shelter must be the cost of the shelter or the maximum amount available in the Homeless Assistance Program, whichever is less. If the vendor payment is less than the maximum amount available under the Homeless Assistance Program, the balance will be made payable to the applicant/recipient.

36.10 DFCS/DEBS Common Cases

36.10.1 Family Reunification

CalWORKs assistance units (AUs) receiving Family Reunification (FR) services through the Department of Family & Children’s services (DFCS) may be eligible for temporary homeless assistance, if it is determined that this benefit is necessary for reunification and the family is otherwise eligible (i.e. the family meets the eligibility criteria for homeless assistance).

In a CalWORKs FR case, the family’s CalWORKs case remains open if:

- they are on CalWORKs when their children are removed from the home and placed in out-of-home care to an order of the juvenile court;
- the parents are ordered to participate in family reunification services; and
- the county determines the services are necessary for family reunification.

Reminder:
The eligible child(ren) are considered temporarily absent from the home and the CalWORKs case remains open.
DFCS staff making the determination for the need of homeless assistance will coordinate with the Eligibility Worker (EW) when the need for homeless assistance has been identified. EWs will use the existing business process to determine an AUs eligibility to temporary homeless assistance when processing a request for a FR assistance unit.

**Informing Requirements**

EWs must provide the following information to CalWORKs FR AUs before issuing the first TS payment:

- Rules,
- Informing Requirements,
- Time Frames,
- Eligible Days, and
- Requirement to search and provide evidence of search for permanent housing.

Additionally, CalWORKs FR AUs must be informed of the penalties should the AU fail to provide verification.

[Refer to “Temporary Shelter [EAS 44-211.52],” page 36-8 for additional information.]

**Permanent Homeless Assistance**

While receiving family reunification services, the CalWORKs AUs is not eligible for permanent homeless assistance. The AU may be evaluated for permanent homeless assistance once the children have been returned home and are added back into the CalWORKs AU.