

Date of Hearing: April 7, 2021

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Lisa Calderon, Chair

AB 413 (Ting) – As Amended March 17, 2021

SUBJECT: Foster youth: housing

SUMMARY: Appropriates \$8 million annually to the Department of Housing and Community Development (HCD) to administer the Transitional Housing Program (THP); appropriates \$5 million annually to HCD to continue the housing navigator program; establishes the THP-Plus Housing Supplement Program to supplement the rates paid to THP-Plus providers in up to 11 counties; and, expands training for social workers and probation officers to include an overview of available housing resources, as specified. Specifically, **this bill:**

- 1) Makes Legislative findings and declarations related to racial inequities in California’s foster care system, and that foster youth face a disproportionate risk of experiencing homelessness while in foster care, during their transition out of foster care, and in adulthood.
- 2) States Legislative intent to address racial inequities by enacting policies that prevent foster youth from experiencing negative life outcomes, including homelessness, that result directly from their experience in foster care.
- 3) Appropriates \$8 million annually from the General Fund to HCD to implement provisions of this bill related to administration of the THP.
- 4) Makes permanent the requirement that HCD allocate and distribute moneys appropriated for administering the THP by:
 - a) Deleting language that makes this requirement contingent upon an appropriation in the annual Budget Act;
 - b) Deleting the requirement that HCD provide funding to counties for allocation;
 - c) Deleting the requirement that certain provisions of current law related to THP administration be suspended on December 31, 2021;
 - d) Requiring HCD to allocate and distribute funds to counties, as specified, no later than October 1, 2022, and no later than October 1 of each year thereafter; and,
 - e) Deleting the requirement that, unless the Department of Finance (DOF) makes certain findings related to revenues and expenditures, implementation of certain provisions of current law related to administration of the THP be suspended, as specified.
- 5) Clarifies that the scope of THP include youth who are 18 to 24 years of age, inclusive.
- 6) Defines, as it relates to provisions of this bill related to administration of the THP and the housing navigator program, “homeless management information system” as the information system designated by a Continuum of Care (CoC) to comply with certain federal reporting requirements, and, further, declares that “homeless management information system” also includes the use of a comparable database by a victim services provider or legal services

- provider that is permitted by the United States Department of Housing and Urban Development (HUD), as specified.
- 7) Requires, to the extent permitted by federal law, if a child welfare agency accepts a distribution of over \$10,000 for purposes of administering the THP or the housing navigator program, the child welfare agency to ensure that data on the demographics and characteristics of homeless youth served by the program is entered into the relevant local homeless management information system.
 - 8) Requires, if a child welfare agency accepts any distribution of money for purposes of administering the THP or the housing navigator program, the child welfare agency to report the following data to HCD on an annual basis:
 - a) The number of homeless youth served;
 - b) The number of former foster care youth served;
 - c) The number of homeless youth who exited homelessness into temporary housing; and,
 - d) The number of homeless youth who exited homelessness into permanent housing.
 - 9) Appropriates \$5 million annually from the General Fund to HCD to continue the housing navigator program established by the 2019 Budget Act, as specified.
 - 10) Requires, beginning July 1, 2022, moneys appropriated to HCD for purposes of continuing the housing navigator program be allocated and distributed to county child welfare agencies to provide housing navigators to help young adults between 18 years of age and 21 years of age, inclusive, secure and maintain housing.
 - 11) Requires a county that receives an allocation and distribution of funds to continue the housing navigator program give priority to young adults in the foster care system.
 - 12) Requires HCD to consult with the California Department of Social Services (CDSS), DOF, and the County Welfare Directors Association of California (CWDA) to develop an allocation schedule to distribute funds allocated to counties to continue the housing navigator program, as specified.
 - 13) Requires HCD to allocate and distribute funds to counties for purposes of continuing the housing navigator program no later than October 1, 2022, and no later than October 1 of each year thereafter.
 - 14) Establishes the “THP-Plus Housing Supplement Program” and, further, requires, subject to an appropriation in the Budget Act, CDSS to allocate and distribute funds to counties to supplement the rates paid to THP-Plus providers in up to 11 counties, as specified by the provisions of this bill.
 - 15) Deems a county as eligible to receive THP-Plus Housing Supplement Program funding if the fair market rent, as defined by the provisions of this bill, for a two bedroom apartment in the county is one of the 11 most expensive in the state during the 2020-21 federal fiscal year.

- 16) Requires a county that elects to receive THP-Plus Housing Supplement Program funding to:
- a) Pay a monthly rate to THP-Plus providers that is no less than \$2,882 per youth per month or the rate paid per youth per month in the 2020-21 fiscal year, whichever is greater;
 - b) Maintain the bed capacity for the THP-Plus Program that the county contracted for in the 2021-21 fiscal year;
 - c) Maintain funding for the THP-Plus Protective Services Subaccount within the Support Services Account for the county's Local Revenue Fund 2011 at the previously listed amount; and,
 - d) Expend all funds the county is required to maintain, as specified by the provisions of this bill, prior to using funding provided by the THP-Plus Housing Supplement Program, as specified.
- 17) Requires a county that receives THP-Plus Housing Supplement Program funding to receive an amount that is the difference between the amount of funding the county is required to maintain, as specified by the provisions of this bill, and the amount required to maintain the bed capacity required by the county's contracts with THP-Plus providers, as specified.
- 18) Prohibits a county from receiving THP-Plus Housing Supplement Program funds if the amount of funding the county is required to maintain, as specified, is sufficient to maintain the bed capacity required by the county's contracts with THP-Plus providers, as specified.
- 19) Expands the scope of the training program provided to mandated child abuse reports and all members of the child welfare delivery system to include, for social workers and probation officers that serve nonminor dependents (NMDs), an overview of the housing resources available through the local coordinated entry system, homeless continuum of care, and county public agencies, including, but not limited to:
- a) Housing navigation, permanent affordable housing, THP-Plus, and housing choice vouchers; and,
 - b) How to access and receive a referral to existing housing resources; and the social worker's and probation officer's role in identifying unstable housing situations for youth and referring youth to housing assistance programs.
- 20) Makes technical and conforming changes.

EXISTING LAW:

- 1) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse and neglect or to have been abused or neglected, as specified. (Welfare and Institutions Code Section [WIC] 202)
- 2) States that the purpose of foster care law is to provide maximum safety and protection for children who are currently being physically, sexually, emotionally abused, neglected, or exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of harm. (WIC 300.2)

- 3) Provides for extended foster care funding for youth until age 21, as well as adopts other changes to conform to the federal Fostering Connections to Success Act. (WIC 241.1, 303, 366.3, 388, 391, 450, 11400, 11402, 11403)
- 4) Defines “nonminor dependent” as a current or former foster youth who is between 18 and 21 years old, in foster care under the responsibility of the county welfare department, county probation department, or Indian Tribe, and participating in a transitional independent living plan, as specified. (WIC 11400(v))
- 5) Enumerates the methods for paying a transitional housing placement provider that provides transitional housing services to an eligible foster youth, and, further, subjects those payments to certain conditions, as specified. (WIC 11403.3(a) and (b))
- 6) Requires CDSS to select and award a grant to a private nonprofit or public entity for the purpose of establishing a statewide multipurpose child welfare training program for purposes of developing and implementing statewide coordinated training programs designed specifically to meet the needs of county child protective services social workers assigned emergency response, family maintenance, family reunification, permanent placement, and adoption responsibilities. (WIC 16205 and WIC 16206(a))
- 7) Requires the child welfare training program to provide practice-relevant training for mandated child abuse reporters and all members of the child welfare delivery system that will address critical issues affecting the well-being of children, and, further requires the training to include: crisis intervention, investigative techniques, indicators of abuse and neglect, intervention strategies, case management, and use of community resources, among others, as specified. (WIC 16206(c))
- 8) Defines “transitional housing placement provider” as an organization licensed by CDSS, as specified, to provide supervised transitional housing services to foster children who are at least 16 years of age. (WIC 11400(r))
- 9) Defines “Transitional Housing Placement Program for nonminor dependents” as a program serving NMDs at least 18 years of age and not more than 21 years of age. (WIC 16522.1(a)(2))
- 10) Defines “Transitional Housing Program-Plus” as a provider certified by the applicable county, as specified, to provide transitional housing services for former foster youth who have exited the foster care system on or after their 18th birthday. (WIC 11400(s))
- 11) Requires HCD, subject to an appropriation in the annual Budget Act, to provide funding to counties for allocation to child welfare services agencies to help young adults who are 18 to 24 years of age secure and maintain housing, with priority given to young adults formerly in the state’s foster care or probation systems. (Health and Safety Code Section [HSC] 50807(a))
- 12) Requires HCD to consult with CDSS, DOF, and CWDA to develop an allocation schedule for purposes of distributing funds to counties. (HSC 50807(b))
- 13) Suspends the implementation of certain provisions of current law related to THP-Plus administration on December 31, 2021, unless DOF makes a finding related to revenues and expenditures, as specified. (HSC 50807(c)(1) and (2))

FISCAL EFFECT: Unknown

COMMENTS:

Child welfare services system (CWS): The goal of California’s CWS system is ultimately to protect children from abuse and neglect, and provide for their health, safety, and overall well-being. When a child is identified as being at risk of abuse or neglect, county juvenile courts hold legal jurisdiction and the CWS system appoints a social worker in order to ensure the needs of the child are met. Through the CWS system, multiple opportunities arise for the judicial system to evaluate, review, and determine the custody of the child, or determine the best out-of-home placement for the youth. Together, the judicial system and the child’s social worker ensure that the best possible services are provided to the child. As of October 1, 2020, there were 60,045 youth placed in California’s child welfare system.

Extended foster care: In 2010, AB 12 (Beall), Chapter 559, Statutes of 2010, extended foster care benefits for certain eligible youth until the age of 21. Prior to the expansion of foster care benefits, youth “aged out” of the CWS system at 18 years old and were required to navigate the challenges of young adulthood, including obtaining education, stable housing, and employment, without the support of the CWS system. In recognition of the difficulties faced by these youth, extended foster care provides eligible youth between the ages of 18 and 21, known as NMDs, with the services and supports they need to experience independent living in supervised living environments. Extended foster care also enables youth to obtain educational and employment training to better prepare them to transition to adulthood and self-sufficiency. In order to remain eligible for extended foster care, youth must meet certain age, work, and educational requirements.

Homelessness in California: In March 2021, HUD released its Annual Homeless Assessment Report (AHAR) to Congress, which found that, on a single night in January 2021, 28% (161,548 people) were experiencing homelessness in California; of those, 113,660 were unsheltered. The report demonstrates that between 2019 and 2020, California experienced a 6.8% increase in the number of homeless individuals in the state. A January 21, 2021, report by the Legislative Analysts’ Office (LAO) found that the high cost of housing in California is a significant contributor to the state’s homelessness rate, as rising housing costs have exceeded growth in wages, particularly for low-income households. The LAO report also found that over 1.5 million renters spend more than half of their income on housing, and that Californians were found to spend a larger share of their income on rent than households in the rest of the nation.

Youth homelessness: The AHAR also found that, nationwide, 34,210 people experienced homelessness on their own as an “unaccompanied youth,” which is defined as people in households without children, who are not a part of a family with children, or accompanied by their parent or guardian during their episode of homelessness and are between the ages of 18 and 24. California reported the largest numbers of homeless unaccompanied youth (12,172), accounting for over a third of all unaccompanied youth nationally. Additionally, 56% (9,510 people) of the homeless youth in California were unsheltered, meaning they are in living situations that include couch surfing, staying in shelters, and living under bridges, in abandoned buildings, and on the streets.

Youth experience homelessness for myriad reasons, but overwhelmingly, family conflict and breakdown, including abuse or neglect, alcohol or drug addition of a family member, pregnancy, and rejection over sexual orientation, are cited as root causes. Additionally, many youth in the child welfare, juvenile justice, and/or mental health systems become homeless when they transition out without the housing and employment opportunities that often accompany these systems.

State efforts to support youth experiencing homelessness: In recognition of the high rates of homelessness among its young people, California has worked to provide additional services and supports tailored to the specific needs of transition aged youth, including, among others:

Transitional Housing Placement Program for Nonminor Dependents (THP-NMD): THP-NMD provides a licensed placement for youth ages 18-21 who are participating in extended foster care. The program provides transitional housing and supportive housing to participating youth. In order to participate in THP-NMD, a youth must live in an approved placement, meet with their social worker or probation officer, and participate in review hearings every 6 months. Additionally, youth must: be completing high school or an equivalent program; be enrolled in college or a vocational education program at least half-time; be participating in a program or activity that is designed to remove barriers to employment; be employed at least 80 hours a month; or, be unable to do one of these activities due to a documented medical condition. A November 2020 report by the John Burton Advocates for Youth (JBAY) found that, as of April 1, 2020, there were 2,032 youth participating in THP-NMD.

Transitional Housing Program- Plus (THP-Plus): For former foster youth between the ages of 18 and 24, California provides the THP-Plus program, which provides youth with up to 24 months of supportive housing while receiving a wide range of supportive services, including job training, educational supports, and counseling. Participants are required to be actively pursuing the requirements of a Transitional Independent Living Plan (TILP), report any changes in the conditions outlined in the TILP, and, for some youth, be completing secondary education or be enrolled in a postsecondary institution. According to the November 2020 report by JBAY, as of June 30, 2020, 1,083 youth were participating in THP-Plus.

Homeless Emergency Aid Program (HEAP): The state's 2018-19 Budget Act included a one-time investment of \$500 million to address homelessness and required communities that received HEAP funds set aside 5% of the money received to address youth homelessness. HEAP funds were permitted to focus on three major categories: services; rental assistance or subsidies; and, capital improvements. A May 2019 report by JBAY found that, of the seven large cities and 25 CoCs that provided utilization information, 29% used a portion of their youth set-aside funds to fund a youth shelter, and 32% of CoCs and 14% of large cities used youth set-aside funds to fund transitional housing.

Homeless Housing, Assistance and Prevention (HHAP) Grant Program: In 2019, the state authorized one-time funding of \$650 million in 2019-20 and \$300 million in 2020-21 with a requirement that 8% (\$52 million and \$24 million, respectively) be dedicated to establish or expand services meeting the needs of homeless youth. Permitted use of the funds include: rental assistance, rapid rehousing, operating subsidies to supportive housing units, emergency shelters, and navigation shelters; incentives to landlords, such as security deposits; systems support to create regional partnerships and maintain a homeless services and housing delivery systems; and, hotel and motel conversions, among other uses. A February 2021 report by the California Homeless Coordinating and Financing Council demonstrated that, as of September 30, 2020, 87% of youth set-aside spending was on new navigation centers and emergency shelters, 10% was on permanent housing, and 3% was on outreach and coordination.

THP: In 2019, SB 80 (Committee on Budget and Fiscal Review), Chapter 27, Statutes of 2019, allocated \$8 million in grants to counties for child welfare services agencies to help young adults aged 18 to 25 years find and maintain housing. The THP program required that priority be given to

youth who were formerly in the foster care or probation systems. SB 80 required HCD consult with CDSS, DOF, and CWDA to develop an allocation schedule for purposes of distributing funds, and subjected the program to suspension of implementation on December 31, 2021, unless DOF made certain findings related to General Fund revenues and expenditures. Use of funds can include: identifying and assisting housing services; helping youth secure and maintain housing; improving coordination of services and linkages to community resources within the child welfare system and the homeless continuum of care; and, outreach and targeting to serve those with the most severe needs.

Housing navigator program: The Budget Act of 2019, AB 74 (Ting), Chapter 23, Statutes of 2019, established the housing navigator program and allocated \$5 million to help young adults between 18 and 21 years old secure and maintain housing, with priority given to NMDs in the foster care system. Funds allocated to counties may be used to provide housing navigation services directly or through a contract with other housing assistance programs in the county, and counties are encouraged to coordinate with the local CoC to facilitate communication and collaboration. Funds may be used to: assist young adults secure and maintain housing; provide housing case management, including essential services in emergency supports to foster youth; prevent young adults from becoming homeless; and, improve coordination of services and linkages to key resources across the community.

COVID-19 Pandemic: On March 4, 2020, in response to the global COVID-19 outbreak, Governor Newsom declared a statewide state of emergency. Across the state, throughout the nation, and around the world, the effects of COVID-19 on public health, as well as the economy, have been drastic. In addition to the over 500,000 lives lost to COVID-19 in the U.S., many individuals have also experienced unemployment, as well as food and housing insecurity resulting from reduced employment opportunities. COVID-19 has also deeply impacted California's population of older foster youth, who must meet certain age, work, and educational requirements in order to remain eligible for extended foster care. The November 2020 report from JBAY found that:

- Two in five youth in THP-NMD who graduated high school in spring 2020 did not enroll in postsecondary education in the fall due to COVID-19;
- Nearly four out of five (79%) youth in THP-NMD and three out of five (60%) of youth in THP-Plus who were employed at the onset of the COVID-19 outbreak experienced job loss or a reduction in hours;
- As of June 30, 2020, the employment rate of youth has dropped 18% in THP-NMD and 23% in THP-Plus when compared to rates on June 30, 2019; and,
- The proportion of youth in THP-NMD and THP-Plus who were receiving public benefits as of June 30, 2020 increased slightly from June 30, 2019.

Need for this bill: The number of individuals experiencing homelessness in California is among the highest in the country both generally, but also among transition age youth. The high cost of housing in the state, in addition the fact that housing costs have surpassed wage growth in the state, have created a housing crisis that has significant impacts on all Californians, but particularly on those who are low-income; the COVID-19 pandemic has further exacerbated the economic struggles of these individuals. Transition age youth, including current and former foster youth, are at a particular disadvantage when it comes to securing and retaining affordable housing as these youth often do not

have the life skills necessary to navigate the rental market, and do not often have the credit and employment history, or income required to rent housing units. The provisions of this bill seek to expand upon the previous efforts to address the needs of transition age youth experiencing homelessness and housing insecurity. Specifically, this bill appropriate \$8 million to HCD to administer the THP, appropriates \$5 million annually to HCD to continue the housing navigator program, establishes the THP-Plus Housing Supplement Program to supplement rates paid to THP-Plus providers in up to 11 counties, and expands training for social workers and probation officers to include an overview of available housing resources.

According to the author, “For thousands of youth who are out of foster care each year, the most immediate challenge is finding stable and secure housing. These young adults deserve help navigating the transition into independent living. Social workers and probation officers are simply not trained to help connect current and former foster youth with local housing resources, which limits their ability to help youth secure and maintain housing. By increasing the resources to prevent homelessness amongst foster youth, California can ameliorate its high homelessness rates. [This bill] can help prevent California’s foster care system from further contributing to the problem and enable a successful launch into adulthood after foster care.”

Double referral: This bill passed out of the Assembly Housing and Community Development Committee on March 15, 2021, with an 8-0 vote.

PRIOR AND RELATED LEGISLATION:

SB 80 (Committee on Budget and Fiscal Review), Chapter 23, Statutes of 2019, established the housing navigator program and allocated \$5 million to help young adults between 18 and 21 years of age secure and maintain housing, with priority given to youth in the foster care system.

AB 74 (Ting), Chapter 23, Statutes of 2019, allocated \$5 million to counties for the support of housing navigators to help young adults aged 18 years and up to 21 years secure and maintain housing, with priority given to young adults in the foster care system.

AB 995 (Ting) of 2019, as introduced, would have expanded eligibility for THPP to youth who exited foster care on or after their 16th birthday, would have required CDSS to, upon appropriation, annually allocate funding to counties for purposes of expanding their existing THPP, and would have required counties to enter into memorandum of understandings with local CoCs to foster collaboration and communications as a condition of receiving THPP expansion funds. AB 995 was amended on September 6, 2019, to pertain to hazardous waste.

AB 2880 (Ting) of 2020, would have established, subject to an appropriation in the annual budget act and beginning on January 1, 2021, a THP-NMD housing supplement. AB 2880 was referred to the Assembly Human Services Committee but the hearing was postponed by the committee.

REGISTERED SUPPORT / OPPOSITION:

Support

John Burton Advocates for Youth (Sponsor)
Abode Services
African American Wellness Center for Children & Families
Allies for Every Child

American Academy of Pediatrics, California
Aspiranet
Beyond Emancipation
Butte College Inspiring Scholars
California Catholic Conference
California Coalition for Youth
Casa of Los Angeles
Casa of Santa Cruz County
Children Now
County of San Diego
County Welfare Directors Association of California (CWDA)
David & Margaret Youth and Family Services
De Anza College
Doing Good Works
EA Family Services
Everychild Foundation
First Place for Youth
Fred Finch Youth and Family Services
Hathaway-Sycamores
Hillsides
Holly Place
Krista
National Association of Social Workers, California Chapter
National Center for Youth Law
Norco College
One Day, INC.
Pivotal
Public Counsel
Redwood Community Services
San Bernardino Valley College
Sanctuary of Hope
SEIU California
STAR Vista
Voices Youth Centers
Walden Family Services
Westcoast Children's Clinic

Opposition

None on file

Analysis Prepared by: Kelsy Castillo / HUM. S. / (916) 319-2089