

Amended 10/17/17

**NO PLACE LIKE HOME PROGRAM
2017 TECHNICAL ASSISTANCE GRANT GUIDELINES**

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Section 100. Purpose and Scope

- (a) The No Place Like Home (NPLH) Program was established by Part 3.9 of Division 5 of the Welfare and Institutions Code (commencing with Section 5849.1) enacted in 2016.
- (b) The purpose of the NPLH Program is to provide financing for acquisition, design, construction, rehabilitation and preservation costs, and to capitalize operating reserves for permanent supportive housing for individuals living with a serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness.
- (c) The purpose of these Technical Assistance Guidelines (Guidelines) is to implement and interpret the technical assistance component of the NPLH Program. Section 5849.10 authorizes the Department of Housing and Community Development (Department) to establish terms, conditions and procedures for awarding funds for technical and application preparation assistance to Counties.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Sections 5849.7, 5849.10, Welfare and Institutions Code.

Section 101. Definitions

All terms not defined below shall, unless their context suggests otherwise, be interpreted in accordance with the meaning of terms ascribed in Part 3.9 of Division 5 of the Welfare and Institutions Code (commencing with Welfare and Institutions Code Section 5849.1).

- (a) "Applicant" means a County.
- (b) "Chronically Homeless" has the same meaning as defined in 24 Code of Federal Regulations (CFR) 578.3, as that section read on May 1, 2016, as follows:
 - (1) A "homeless individual with a disability," as defined in section 401(9) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(9)), who:
 - (A) Lives in a place not meant for human habitation, a safe haven, or in an emergency shelter; and
 - (B) Has been homeless and living as described in paragraph (1) (A) of this definition continuously for at least 12 months or on at least 4 separate occasions in the last 3 years, as long as the combined occasions equal at least 12 months and each break in homelessness separating the occasions included at least 7 consecutive nights of not living as described in paragraph (1) (A). Stays in institutional care facilities for fewer than 90 days will not constitute as a break in homelessness, but rather such stays are included in the 12-month total, as long as the individual was living or residing in a place not meant for human habitation, a safe haven, or an emergency shelter immediately before entering the institutional care facility;

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- (2) An individual who has been residing in an institutional care facility, including a jail, substance abuse or mental health treatment facility, hospital, or other similar facility, for fewer than 90 days and met all of the criteria in paragraph (1) of this definition, before entering that facility; or
 - (3) A family with an adult head of household (or if there is no adult in the family, a minor head of household) who meets all of the criteria in paragraph (1) or (2) of this definition, including a family whose composition has fluctuated while the head of household has been homeless.
- (c) “County” or “Counties” includes, but is not limited to, a city and county, and a city receiving funds pursuant to Section 5701.5 of Welfare and Institutions Code.
- (d) “At-Risk of Chronic Homelessness” includes, but is not limited to, persons who are at high-risk of long-term or intermittent homelessness, including persons with mental illness exiting institutionalized settings, including, but not limited to, jail and mental health facilities who were homeless prior to admission, transition age youth experiencing homelessness or with significant barriers to housing stability, and others.
- (e) “Homeless” has the same meaning as defined in 24 CFR 578.3, as that section read on May 1, 2016, including, but not limited to:
- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (A) An individual or family with a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground,
 - (B) An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, State, or local government programs for low-income individuals), or
 - (C) An individual who is exiting an institution where he or she resided for 90 days or less, and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;
 - (2) An individual or family who will imminently lose their primary nighttime residence provided that:
 - (A) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance,
 - (B) No subsequent residence has been identified, and

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(C) The individual or family lacks the resources or support networks, such as family, friends, faith-based or other social networks, needed to obtain other permanent housing,

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(A) Are defined as homeless under Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), Section 637 of the Head Start Act (42 U.S.C. 9832), Section 41403 of the Violence Against Women Act of 1994 (U.S.C. 14043e-2), Section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), Section 17(b) of the Child Nutrition Act of 1966 (42 USC 1786 (b)), or Section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a),

(B) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance,

(C) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance, and

(D) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment, or

(4) Any individual or family who:

(A) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence,

(B) Has no other residence, and

(C) Lacks the resources or support networks, such as family, friends, and faith-based or other social networks, to obtain other permanent housing.

(f) "Continuum of Care" has the same meaning as defined in 24 CFR Section 578.3, that is, the group organized to carry out the responsibilities under 24 CFR Part 578, and that is composed of representatives of organizations, including nonprofit homeless providers, victim service providers, faith-based organizations,

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governments, businesses, advocates, public housing agencies, school districts, social service providers, mental health agencies, hospitals, universities, affordable housing developers, law enforcement, organizations that serve homeless and formerly homeless veterans, and homeless and formerly homeless persons to the extent these groups are represented within the geographic area and are available to participate.

- (g) “Coordinated Entry System” means a centralized or coordinated process developed pursuant to 24 CFR Section 578.7(a)(8), as that section read on May 1, 2016, designed to coordinate program participant intake assessment and provision of referrals. A centralized or coordinated assessment system covers the geographic area, is easily accessed by individuals and families seeking housing or services, is well advertised, and includes a comprehensive and standardized assessment tool.¹
- (h) “Department” means the Department of Housing and Community Development.
- (i) “County Homeless Plan” means a county plan to combat homelessness, which includes a description of homelessness countywide, any special challenges or barriers to serving the Target Population, county resources applied to address the issue, available community-based resources, an outline of partners and collaborations, and proposed solutions.
- (j) “Housing First” is an evidence-based model that uses housing as a tool, rather than a reward, for recovery, and centers on providing or connecting homeless people to permanent housing as quickly as possible. Housing First providers offer services as needed, and requested, on a voluntary basis and do not make housing contingent on participation in services or programs.
- (k) “Permanent Supportive Housing” has the same meaning as “supportive housing,” as defined in Section 50675.14 of the Health and Safety Code, except that permanent supportive housing shall include associated facilities if used to provide services to housing residents.
- (l) “Serious Mental Disorder” has the same definition as in Welfare and Institutions Code Section 5600.3 which provides, *in part*, that a serious mental disorder is “severe in degree and persistent in duration, which may cause behavioral functioning which interferes substantially with the primary activities of daily living, and which may result in an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period of time. Serious mental disorders include, but are not limited to, schizophrenia, bipolar disorder, post-traumatic stress disorder, as well as major affective disorders or other severely disabling mental disorders. This section shall not be construed to exclude persons with serious mental disorder and a diagnosis of substance abuse, developmental disability, or other physical or mental disorder.”²

¹ For more information, see [HUD’s Coordinated Entry Policy Brief](#).

² The full definition is contained in subdivision (b) of Section 5600.3 of the Welfare and Institutions Code.

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- (m) “Seriously Emotionally Disturbed Children or Adolescents” has the same definition as in Welfare and Institutions Code Section 5600.3(a)(1), which provides, *in part*, that Seriously Emotionally Disturbed Children or Adolescents means “minors under the age of 18 years who have a mental disorder as identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders, other than a primary substance use disorder or developmental disorder, which results in behavior inappropriate to the child's age according to expected developmental norms.”³
- (n) “Target Population” means individuals or households that include one or more individuals described in Welfare and Institutions Code Section 5600.3 (including, but not limited to “Seriously Emotionally Disturbed Children or Adolescents” and adults or older adults who have a “Serious Mental Disorder”) who are homeless, chronically homeless, or at risk of chronic homelessness.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Sections 5849.2, 5849.10, Welfare and Institutions Code.

Section 102. Technical Assistance Grant Amounts

- (a) Upon application by a County, the Department shall award funds in the form of a grant as follows:
- (1) \$150,000 to the County of Los Angeles and to large counties (population greater than 750,000),
 - (2) \$100,000 to medium counties (population between 200,000 to 750,000), and
 - (3) \$75,000 to small counties (population less than 200,000).

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Section 5849.10(c), 5849.6, Welfare and Institutions Code.

Section 103. Eligible Uses of Funds

- (a) Eligible uses of NPLH technical assistance grant funds include costs associated with the planning, design, application for, and implementation of, an NPLH project. Eligible uses include:
- (1) Assistance in applying for NPLH Program funds,
 - (2) Assistance in implementing NPLH Program activities, including the development of permanent supportive housing that uses Housing First principles for the Target Population,
 - (3) Assistance in coordinating funded activities with local homelessness systems, including Coordinated Entry Systems,

³ The full definition is contained in paragraph (1) of subdivision (a) of Section 5600.3 of the Welfare and Institutions Code.

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- (4) Assistance in collecting data, sharing data amongst multiple systems, evaluating program activities, sharing data among multiple systems, and implementing regulatory and homelessness systems, and
 - (5) Assistance in planning for delivering a range of supportive services to tenants.
- (b) A county may subcontract for eligible technical assistance activities or provide them directly. A county may also coordinate or collaborate in their use of technical assistance grant funds. The following activities are examples of how NPLH technical assistance grant funds may be used; to:
- (1) Promote evidence-based service delivery, including soliciting consumer feedback,
 - (2) Develop or implement community acceptance strategies,
 - (3) Hire staff or consultants to assist with:
 - (A) Identifying potential sites,
 - (B) Developing a process to identify potential developers, or development sponsors,
 - (C) Monitoring activities of developers or development sponsors to ensure adherence with NPLH Program requirements,
 - (D) Brokering relationships and coordinating activities between parties involved in providing housing and/or services to members of the Target Population, including but not limited to, the county, affordable housing developers and/or housing authorities, service providers, and local Coordinated Entry Systems, and
 - (E) Identifying and applying for additional resources for capital, supportive services, and operating costs.
 - (4) Coordinate and partner with other county and community providers (e.g., social services, healthcare, education, homeless providers) to increase understanding of the intersections and overlapping needs of these sectors' shared clientele,
 - (5) Coordinate and communicate with the Department, the Department of Health Care Services, and other State agencies to support learning, identification of additional training and other technical assistance needs, regional collaboration,
 - (6) Implement other capacity-building activities related to creating housing models suitable for the Target Population; and
 - (7) Develop or update a county homeless plan.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Sections 5849.10(b), Welfare and Institutions Code.

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Section 104. Expenditure Deadline

- (a) NPLH technical assistance grant funds not expended by September 30, 2020, shall be used to augment the Department's contracts (if any) for expert technical assistance and application preparation assistance to counties, as described in Section 105 below.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Section 5849.10(d), 5849.10(e), Welfare and Institutions Code.

Section 105. Disbursement of HCD Funds and Accrued Interest

Upon receiving a complete application and execution of a Standard Agreement with the Department, the entire grant amount will be fully disbursed to each grantee. Grantees are encouraged, but not required, to keep all TA funds in an interest-bearing account. Any interest that accrues on these accounts shall remain with the grantee and can only be expended for those eligible costs that have been approved in the TA Standard Agreement.

At the end of each grant term, all unexpended grant funds and accrued interest shall be returned to the Department.

Section 106. Department Provided Technical Assistance

- (a) After awarding NPLH technical assistance grant funds to counties, the Department may use any remaining funds and funds not expended by a county by September 30, 2020, for technical assistance and NPLH application assistance for Counties. Technical assistance provided by the Department may include (but is not limited to) activities such as:
- (1) Assisting counties to create or enhance developer capacity to build Permanent Supportive Housing for the Target Population,
 - (2) Assessing technical assistance and training needs of counties to build staff expertise and support county capacity to work effectively with housing developers and other supportive service providers,
 - (3) Providing cross-training opportunities between housing, behavioral health and other county provider agencies to enhance understanding and cooperation,
 - (4) Contracting with housing providers who offer training to behavioral health providers on:
 - (A) Fair housing law,
 - (B) Reasonable accommodation requirements,
 - (C) Housing admission, lease and violation policies, and

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- (D) Understanding of various housing models, practices, and trends being successfully implemented with behavioral health clients.
- (5) Funding programs that support the creation and operation of housing for the Target Population,
- (6) Contracting with behavioral health providers that offer training to assist housing staff with:
 - (A) Trauma informed care,
 - (B) Achieving a basic understanding of mental illness and substance use disorders,
 - (C) Identifying early signs of self-neglect, depression, anxiety or substance abuse among residents,
 - (D) Addressing and averting crisis situations,
 - (E) Creating a recovery-oriented environment,
 - (F) Approaching residents and guiding them to appropriate services, and
 - (G) Responding to mental health or substance use emergencies.
- (7) Understanding the unique procedures and protocols being pursued in their particular Counties,
- (8) Assisting in creating or strengthening Continuums of Care,
- (9) Providing training and capacity-building support to Counties, regions, or Continuums of Care on appropriate services promoting housing stability,
- (10) Assisting in creating a data warehouse that links Continuum of Care and Coordinated Entry System data, with the goal of providing the State more accurate data on the needs of homeless residents of California, and/or
- (11) Coordinating NPLH funding with other local, federal and state funding sources for capital, services, and operations to streamline the development and effective operation of Permanent Supportive Housing.

NOTE: Authority cited: Section 5849.5, 5849.10(e), Welfare and Institutions Code.
Reference cited: Sections 5849.10(d), 5849.10(e) Welfare and Institutions Code.

Section 107. Application Process

- (a) The Department shall issue a Notice of Funding Availability for NPLH technical assistance grant funds.
- (b) Applications shall be made on forms made available by the Department.

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- (c) The Application form must be accompanied by a resolution from the Applicant County approving the application and receipt of funds.
- (d) The Department shall evaluate applications for compliance with the threshold requirements listed in Section 107 below prior to awarding funds.
- (e) Prior to awarding funds, Applicants shall submit additional information, documents, instruments, and certifications as deemed necessary by the Department.
- (f) The Department will only accept individual applications from a county. Joint county applications will not be accepted.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Section 5849.10(c), Welfare and Institutions Code.

Section 108. Threshold Requirements

- (a) To be awarded NPLH technical assistance grant funds, Applicants must meet the following threshold requirements:
 - (1) Submittal of a completed and signed Department form application for NPLH technical assistance grant funds,
 - (2) Submittal of a resolution authorizing the Applicant to apply and accept NPLH technical assistance grant funds, and
 - (3) All proposed uses of the NPLH technical assistance grant funds must be eligible pursuant to Section 103.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Section 5849.10(c), Welfare and Institutions Code.

Section 109. Legal Documents

- (a) Upon the award of NPLH technical assistance grant funds, the Department shall enter into a Standard Agreement with the Applicant constituting commitment of funds. This contract shall require the parties to comply with the requirements and provisions of these Technical Assistance Guidelines as well as generally applicable contracting rules and requirements. The Standard Agreement shall encumber the NPLH technical assistance grant funds.
- (b) The Standard Agreement shall contain, but not be limited to, the following items:
 - (1) A description of the geographic area served,
 - (2) A description of the technical and application preparation assistance that is to be funded by the NPLH technical assistance grant,

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- (3) Provisions governing the amount, term and conditions of the NPLH technical assistance grant,
- (4) The process by which the Applicant must request payment,
- (5) Requirements for reporting program activities as described in Section 109 below,
- (6) Timeframes for the performance of eligible activities,
- (7) Remedies available to the Department in the event of a violation, breach or default of the Standard Agreement,
- (8) Special conditions (if any) imposed as part of the Department approval of the technical assistance grant,
- (9) Terms and conditions required by federal or State law, and
- (10) Other provisions necessary to ensure compliance with the requirements of the NPLH Program.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code. Reference cited: Section 5849.10, Welfare and Institutions Code.

Section 110. Reporting Requirements

- (a) During the term of the Standard Agreement and according to the annual deadline identified in the Standard Agreement, the Applicant shall submit an annual expenditure report regarding the use of NPLH technical assistance grant funds. This report shall contain a detailed report on the amount of funds used for what eligible purpose.
- (b) At any time during the term of the Standard Agreement, the Department may perform or cause to be performed a financial audit. At the Department's request, the Applicant shall provide, at its own expense, a financial audit prepared by a certified public accountant.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code: Reference cited: Section 5849.10, Welfare and Institutions Code.

Section 111. Defaults and Cancellations

- (a) In the event of a breach or violation by the Applicant of any of the provisions in the Standard Agreement, the Department may give written notice to the Applicant to cure the breach or violation within a period of not less than 15 days. If the breach or violation is not cured to the satisfaction of the Department within the specified time period, the Department, at its option, may declare a default under the Standard Agreement and may seek legal remedies for the default including the following:
 - (1) The Department may seek, in a court of competent jurisdiction, an order for specific performance of the defaulted obligation or the appointment of a receiver

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to complete the technical assistance in accordance with the NPLH Program requirements.

(2) Require the Applicant to return all grant funds that have been awarded and expended for ineligible uses. The returned funds shall be used for Department-provided technical assistance as outlined in Section 106.

(3) The Department may also seek such other remedies as may be available under the relevant agreement or any law.

(b) Funding commitments and Standard Agreements may be canceled if the Applicant does not expend the awarded technical assistance grant funds by September 30, 2020.

(1) Upon receipt of the notice of grant cancellation from the Department, the Applicant shall have the right to appeal to the Director of the Department.

NOTE: Authority cited: Section 5849.5, Welfare and Institutions Code: Reference cited: Section 5849.10, Welfare and Institutions Code.