

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



June 4, 1996

ALL COUNTY LETTER NO. 96- 30

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) ONCE-IN-A-
LIFETIME HOMELESS ASSISTANCE

REFERENCE: ACL 91-58; ACL 95-62; ASSEMBLY BILL (AB) 908, CHAPTER 307,
STATUTES OF 1995 and MPP 44-211.5

The purpose of the letter is to transmit the attached series of questions and answers pertaining to the once-in-a-lifetime homeless assistance regulations which became effective January 1, 1996. It contains responses to the most commonly asked questions received from the counties since implementation. These questions and answers were developed in conjunction with the county representatives serving on the Eligibility and Grant Technical Review Team, a subcommittee of the County Welfare Directors Association.

If you have any additional questions regarding the new homeless assistance regulations, please contact: Varaniece Hall at (916) 653-6161, CALNET 453-6161 or Anna Chambers at (916) 654-1077, CALNET 464-1077.

Sincerely,

A handwritten signature in cursive script that reads "Bruce Wagstaff".

BRUCE WAGSTAFF
Deputy Director
Welfare Programs Division

Attachments

**ONCE-IN-A-LIFETIME HOMELESS ASSISTANCE
QUESTIONS AND ANSWERS**

GENERAL

1. ***Must Aid to Families with Dependent Children (AFDC) eligibility be established before an assistance unit (AU) can receive a permanent housing payment?***

Yes. The term "recipient" in Section 44-211.53(c) was deleted in error and will be re-adopted in the final regulations. Applicants must have their eligibility for AFDC authorized prior to receiving a permanent housing payment.

2. ***Are separate CA 42s required to apply for a temporary shelter payment and a permanent housing payment?***

Yes. Since a significant time period may elapse between a request for temporary shelter and permanent housing payments, two CA 42s are required to determine if there has been any change in the applicant/recipient's homelessness. The completion of the two CA 42s will also assist the counties in determining, if under an exception, the homelessness was continuous and caused by the same circumstances.

3. ***Must the applicant's eligibility and homelessness be verified when each CA 42 is completed?***

Yes, unless the application for temporary shelter and permanent housing payments are made simultaneously. Because a significant time period may pass between the AU's request for temporary shelter or a permanent housing payment, it is necessary to verify that the applicant/recipient still meets immediate need and AFDC requirements.

4. ***Since caretaker relatives of foster care children (see ACL 94-91) are now eligible to receive AFDC as an AU of one when the only eligible child in the home is receiving foster care, is the caretaker relative eligible to receive homeless assistance (HA) for an AU of one?***

Yes. The presence of the foster care child is taken into consideration for purposes of establishing eligibility for AFDC and homeless assistance. As an AFDC recipient, the caretaker relative of the foster care child is eligible for all AFDC benefits, including homeless assistance.

5. ***If both parents reside in the home at the time homeless assistance are authorized and one parent becomes a needy caretaker of a different AU, can that parent receive HA for the new AU?***

No. If a parent (caretaker relative) has received homeless assistance, as part of or on behalf of another AU, then that caretaker and the new AU are not eligible for further homeless assistance, unless the caretaker meets the criteria in Section 44-211.514 (a) through (c), for new caretaker relatives, or the payment is made due to an exception.

6. ***Are sanctioned or undocumented parents who reside with the AU when homeless assistance is authorized considered to have received Once-in-a-Lifetime Homeless Assistance benefit?***

Yes. Excluded parents of children in the AU, who are living with and would otherwise be mandatorily included in the AU, are considered part of the AU for purposes of receipt of the Once-in-a-Lifetime Homeless Assistance benefit.

7. ***Can an unaided, non-parent relative, who is not the caretaker but is living in the household with the AU when homeless assistance is authorized, receive homeless assistance when, at a later date, he/she becomes the caretaker for that AU and applies for the Once-in-a-Lifetime Homeless Assistance benefit?***

No. Any adult residing with an AU at the time homeless assistance was authorized is not eligible for additional HA unless an exception or the criteria in Section 44-211.514 (a) through (c), for new caretaker relatives, are met. An AU, for purposes of receiving the Once-in-a-Lifetime Homeless Assistance benefit, consists of any eligible child still in the AU on whose behalf HA was issued.

Example: The parent of the mother in the AU, i.e. the grandmother, resides with the AU at the time when the AU becomes homeless and receives temporary and permanent housing 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 homeless assistance was received, she is not eligible for further HA benefits for the AU unless the AU meets an exception.

8. ***If an AU, which has not received homeless assistance in the past, receives the temporary shelter and permanent housing payments because of an exception, e.g. domestic violence, and for no other reason, has the AU exhausted its Once-in-a-Lifetime Homeless Assistance benefit?***

Yes. An AU that has received temporary shelter and permanent housing payments, regardless of the reason, has exhausted its Once-in-a-Lifetime Homeless Assistance benefit.

9. ***If records show that the AU has received only permanent housing payments any time in the past, i.e. prior to January 1, 1996, does this constitute the Once-in-a-Lifetime Homeless Assistance benefit?***

Prior to January 1, 1996, an AU could receive temporary shelter and/or permanent housing payments once in a two year period for an episode of homelessness. The issuance of a permanent housing payment ended the episode of homelessness.

Because the Once-in-a-Lifetime Homeless Assistance regulations apply to any homeless assistance issued since February 1, 1988, an AU must receive both the temporary shelter and permanent housing payments before being considered to have received the Once-in-a-Lifetime Homeless Assistance benefit.

Since an AU must receive both the temporary and permanent assistance payments in order to have received the Once-in-a-Lifetime Homeless Assistance benefit, if the records show that the AU only received permanent housing payments the AU must receive the temporary shelter payment to complete the Once-in-a-Lifetime Homeless Assistance benefit. Conversely if the AU only received temporary shelter payments, the permanent housing payment must be granted to complete the Once-in-a-Lifetime Homeless Assistance benefit.

- 10 *An AU, which has received both temporary shelter and permanent housing payments in the past, requests homeless assistance on December 26, 1995, starts receiving temporary shelter payments prior to the new regulations and completes receiving these payments on January 11, 1996. Is the AU eligible for permanent housing payments under the new Once-in-a-Lifetime Homeless Assistance regulations or only eligible for additional homeless assistance under an exception?*

Those AUs that applied and were found eligible for payment due to a new incident of homelessness before the effective date of the new HA regulations are being allowed to receive both the temporary shelter and the permanent housing payments for this incident. These AUs will have received their Once-in-a-Lifetime Homeless Assistance benefit.

- 11 *Is the reference to Section 44-211.514 regarding new caretaker relatives cited in Section 44-211.513(b)(1) correct?*

The reference to Section 44-211.514 in Section 44-211.513 section is incorrect. The correct reference is to the emergency transfer of deposits in Section 44-211.535. This correction will be made in the final regulations.

HA EXCEPTIONS

- 12 *Can an applicant for homeless assistance under an exception receive three days of temporary shelter payments pending verification of the exception?*

Yes. An applicant for homeless assistance who is apparently eligible can receive three days of temporary shelter benefits. Homeless assistance payments issued under an exception are authorized in the same manner as payments made under the Once-in-a-Lifetime Homeless Assistance benefit. However, after the AU receives the payment for the initial three days of temporary shelter, payments for temporary shelter or the remainder of the 16 consecutive day period is based on the AU submitting verification of the exception, as well as the housing search verification.

13. ***If an AU received the Once-in-a-Lifetime Homeless Assistance benefit which was subsequently determined to be an overpayment, can the AU then apply under an exception for additional homeless assistance benefits?***

Under current policy all or part of the Once-in-a-Lifetime Homeless Assistance benefit, which is determined to be an overpayment, 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. If, however, the AU has already received homeless assistance under an exception, then all or part of the homeless assistance issued under the exception becomes the Once-in-a-Lifetime Homeless Assistance benefit.

14. ***If an AU requests HA based on an exception, receives only part of the benefit, e.g. payments for temporary shelter and returns later, within the 24-month exception period, to request a permanent housing payment because of a different exception, does the second exception require verification?***

If the AU has been continuously homeless since the original payment was authorized and the second payment is based on the same specific circumstances as the original request, verification of the exception is not required. The above AU is not eligible for the second exception payment since the request is not based on the same specific circumstances.

Example #1: An AU receives temporary shelter payments in January, 1996, for a verified exception of domestic violence. After receiving the temporary shelter payments, the AU returned to the former residence. In March, 1996 the AU requests the permanent housing payment, with the CA 42 showing uninhabitability as the reason for homelessness. Since the AU had not been continuously homeless and the exception is different from that under which the temporary shelter payment was issued, the county determines the AU is not eligible for the permanent housing payment.

Example #2: In January, 1996, an AU is issued temporary shelter payments because of uninhabitability. The residence was condemned. The AU then becomes homeless in February, 1996, because of a fire, which is declared a state natural disaster. In April, 1996, the AU is again homeless because of uninhabitability. However, since the AU was not continuously homeless after the temporary shelter payment was issued

in January, 1996, and the current homelessness is not caused by the same specific circumstances, the county determines the AU is not eligible for the permanent housing payment.

15. ***If an AU receives Once-in-a-Lifetime Homeless Assistance benefit in February of 1996 and returns before the end of the month to apply for HA under an exception, does the AU have to wait 24 months after Once-in-a-Lifetime Homeless Assistance benefit is issued before getting a payment under an exception?***

No. After issuance of Once-in-a-Lifetime Homeless Assistance benefit, there is no required 24-month waiting period before the AU may receive homeless assistance

under any exception. The above AU could be found eligible for both the Once-in-a-Lifetime Homeless Assistance benefit and homeless assistance under an exception in the same month. However, after receiving homeless assistance under one of the 24-month exceptions, the AU must wait 24 months from the date the first HA payment is authorized under an exception before receiving HA again under another 24-month exception. There is no time limitation on the issuance of homeless assistance because of a state or federally declared natural disaster.

INFORMING REQUIREMENTS

16. *Are the counties required to provide the Once-in-a-Lifetime Homeless Assistance benefit Informing Notice (Temp 2104) to AFDC applicants at Intake?*

Counties are required to inform applicants for homeless assistance that the Once-in-a-Lifetime Homeless Assistance benefit is limited to once in a lifetime with exceptions. If an applicant is applying for AFDC and homeless assistance and the county is not using the new CA 42 (11/95), then the Temp 2104 can be used to comply with the informing requirement.

OVERPAYMENTS

17. *When determining an overpayment for collection, does the sequence in which the Once-in-a-Lifetime Homeless Assistance benefit was issued affect the way in which the overpayment is determined and collected? For example, does an exception payment become an overpayment because the AU had not "technically" received the Once-in-a-Lifetime Homeless Assistance benefit?*

No. The rule regarding receiving the Once-in-a-Lifetime Homeless Assistance benefit before being issued HA under an exception, and the sequence in which these payments are made, does not affect how an overpayment is determined and collected. Current policy regarding overpayments is unchanged.