

**County of Orange Social Services Agency
Family Self-Sufficiency & Adult Services Division**

Program/Area: CalWORKS/Eligibility
Title: Homeless Assistance
Number: 100-H2-B
Effective Date: 1/1/1996
Approved: Signature on file

Status: Approved
Revision Date: 7/1/2026

PURPOSE

This policy provides guidelines to Eligibility Workers (EW) for evaluating and issuing Temporary and/or Permanent Homeless Assistance for CalWORKs (CW) families. EWs include CalWORKs Eligibility Technicians (ET) and Intake/Continuing Employment Eligibility Specialists (EES).

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DEFINITIONS

Apparently Eligible CalWORKs Applicant: Information provided in the Initial Application for CalFresh, Cash Aid and/or Medi-Cal/Health Care Programs (SAWS1) and information otherwise available to the County, indicates that the applicant would be eligible to CalWORKs if the information was verified.

Assistance Unit (AU): A group of related persons living in the same home who have been determined eligible for CalWORKs and for whom cash aid has been authorized.

Eligibility Worker (EW): CalWORKs Eligibility Technician (ET) and Intake/Continuing Employment Eligibility Specialist (EES).

Homeless Assistance (HA): Assists CalWORKs families to meet the costs of securing temporary or permanent housing. The CalWORKs HA program serves apparently eligible CalWORKs applicants or eligible CalWORKs recipients who are homeless or at risk of homelessness. HA is generally available once every 12 months unless an exception applies.

Once Every 12-Month Period for HA Payments: HA benefits are limited to once every 12 months, exceptions apply. The 12-month period of HA benefits begins on the date the first payment of Temporary Homeless Assistance or Permanent Homeless Assistance is made.

Permanent Homeless Assistance (PHA): Provides the AU with funds to secure housing or prevent eviction.

Temporary Homeless Assistance (THA): Provides the AU with up to 16 days for temporary shelter costs if the AU has no place to stay while looking for a permanent place to live.

Total Monthly Household Income (TMHI): Income of the AU members and of any other persons whose income is currently used in calculating the AU's CalWORKs grant (including, but not limited to, sanctioned and penalized household members and persons who are excluded by law due to their undocumented non-citizen or drug/fleeing felon status) plus the CalWORKs cash grant issued for the month.

POLICY

Homeless Assistance (HA) provides CalWORKs families funds to secure temporary shelter or meet the costs of securing or maintaining permanent housing when a family is experiencing or at risk of homelessness. A CalWORKs family is evaluated for apparent eligibility based on the information provided in their CalWORKs application documents. THA and PHA benefits are limited to once every 12 months, exceptions apply. The 12-month period for HA payment begins on the day the first payment of either THA or PHA (whichever comes first) is issued and ends 12 months later. THA and PHA can be issued at separate times within the 12-month period.

A CalWORKs family is considered homeless when they meet any of the following:

- Lacks a fixed or regular nighttime residence; or
- Is staying in a shelter that provides temporary housing (even if there is no cost) (e.g. homeless shelter, emergency shelter, motel/hotel, church, family/friend's home, etc.); or
- Is residing in a public or private place not designed nor ordinarily used as a regular sleeping accommodation for human beings, such as a garage or car; or
- Receives a pay rent or quit (eviction) notice; or
- Has a need for housing in a shelter, publicly funded transitional housing, commercial establishment, or from a person with whom the family has executed a valid lease, sublease, or shared housing agreement.
- Receipt of any notice that could lead to an eviction, regardless of the circumstances cited in the notice.

There are three (3) types of HA:

- Temporary Homeless Assistance (THA): Provides the AU with up to 16 cumulative days for shelter costs if the AU has no place to stay while looking for a permanent place to live.

- Permanent Homeless Assistance (PHA): Provides the AU with funds to secure housing or prevent eviction.
- Expanded Temporary Homeless Assistance (ETHA): Provides temporary homeless assistance to a CW applicant for up to 32 days when the applicant is determined to be a domestic violence victim who is fleeing their abuser. The applicant is eligible to ETHA benefits regardless of their abuser's income or assets. Refer to Policy 100-H2-C Expanded Temporary Homeless Assistance for additional information.

Request for Homeless Assistance

A CalWORKs family may apply for THA and/or PHA in person or over the phone. A family applying for THA and/or PHA are required to complete the Statement of Facts for Homeless Assistance – CW 42, including the “Certification” section indicating that the family is experiencing homelessness. **Upon receipt of a completed CW 42 form, staff may not request or seek any additional documents to verify homelessness.** The CW 42 may be submitted in person by the CalWORKs family, or an EW may complete the CW 42 over the phone on the behalf of the CalWORKs family. Electronic/telephonic signatures on the CW 42 are acceptable. Follow the Electronic Signature Processing Guide and JA Worklists-Task Management for further instructions.

EWs must review the Medical Eligibility Data System (MEDS) to confirm any previous issuances of HA payments, and/or granted HA exceptions, using the Homeless Program Inquiry screen. The Homeless Program Inquiry screen in MEDS displays a detailed history of HA payments received in the State of California and must be reviewed prior to the approval of HA. EW are to determine if the CalWORKs family has received all their THA and/or PHA payments within a 12-month period. If the family has received all their THA and/or PHA payments for the 12-month period, EW are to evaluate for HA exceptions. HA payment codes listed in MEDS are as follows:

MEDS HA Payment Codes	
PHA	P
THA	T
THA: Natural, State or Federally Declared Disaster	TD
THA: Mental or Physical Illness	TM
THA: Fire or Uninhabitable	TU
THA: Domestic Violence, Physical or Sexual Abuse	TV

Any AU being evaluated for HA should concurrently be evaluated and referred to Housing Support Program (HSP) for housing support and services. Refer to Policy 100-H2-A Housing Support Program. Additionally, EW should utilize the WT 57 – CalWORKs Homeless Housing Services to inform the CalWORKs families of these available housing resources and make referrals to these services as needed.

Note: Pregnant people receiving a CalWORKs pregnancy special needs (PSN) payment must be referred to the CalWORKs Home Visiting Program (HVP) by submitting the Home Visiting Program Referral Form (F063-30-968) form.

Non-Needy Caretaker

A non-needy caretaker relative may receive THA or PHA benefits on behalf of an eligible CalWORKs AU. HA limitations and exception are applicable to non-needy caretaker relatives. For purposes of THA, the non-needy caretaker relative (non-AU) would not be included in the AU household size. Refer to Policy 100-B2 Treatment of Income from AU/Non-AU Family Members.

New Caretaker Relative

A new caretaker relative joining the AU may receive HA if the following requirements are met:

- The new caretaker was not living with the AU at the time of the original Homeless Assistance payment was issued; and
- The new caretaker has not previously received Temporary or Permanent Homeless Assistance, on behalf of or as part of another AU;
- The former caretaker relative who received the homeless assistance payment no longer lives in the home with the AU.

Example: Household consisting of an AU of a single mom and her two (2) children receives THA. Three (3) months later, mom is incarcerated, and grandmother retains care and control of the two (2) children. Five (5) months later, grandmother receives an eviction notice. In this example, the new AU is eligible to PHA despite becoming homeless during the same 12-month period. Provided all other eligibility requirements are met; the grandmother and her two (2) grandchildren can benefit from PHA to prevent eviction.

ONCE EVERY 12-MONTH PERIOD FOR HA PAYMENT

The Once Every 12-Month Period for HA Payment begins on the date the first payment of THA or PHA (whichever comes first) is issued and ends 12 months later. The THA benefits will not be considered exhausted until all 16 days have been issued within the 12-month period, or 12 months have passed since the first payment of THA or PHA is made. The CW family can receive THA and PHA within the same 12 month period if eligible.

Example 1:

An AU received THA on February 1, 2024. The 12-month period is from February 1, 2024 (when the first payment of HA was issued), through January 31, 2025. However, the AU remained homeless for two months following the issuance of THA. On April 1, 2024, the AU attained permanent housing, requested PHA security deposit and was approved for PHA. On February 1, 2025, the AU becomes eligible to THA and/or PHA again.

Example 2:

An AU received PHA to prevent eviction on May 1, 2024. The 12-month period is from May 1, 2024 to April 30, 2025. On July 1, 2024, the AU became homeless, requested THA, and was issued 16 days of THA. On September 1, 2024 the AU requests PHA again for move-in costs. Unless the AU meets an HA exception, the AU is not eligible for additional PHA and/or THA until May 1, 2025.

Example 3:

An AU received THA benefits from September 1, 2024 to September 16, 2024, exhausting all 16 days of THA benefits. The 12-month period is from September 1, 2024 (first day of issuance) to October 31, 2025 (12 months later). On January 1, 2025 the AU became homeless again and requested THA. Unless the AU meets an exception, the AU is not eligible for additional THA until September 1, 2025.

Example 4:

An AU received a three (3) day pay or quit notice on February 1, 2024. The AU then applied and received PHA in the form of rent arrearages. The 12-month period is February 1, 2024, to January 31, 2025. On September 16, 2024, the AU fell behind on rent again and received a three (3) day pay or quit notice. Unless the AU meets an exception, the AU is not eligible to PHA until February 1, 2025.

Example 5:

An AU applies for THA on December 1, 2024, and is issued three (3) days of THA for the first issuance, and then issued seven (7) days of THA for the second issuance. The AU resolves their homelessness during the second issuance. On November 29, 2025, the AU becomes homeless again and requests the remaining six (6) days of THA. The AU is eligible to receive THA benefits for November 29, 2025, to November 30, 2025, but is not eligible to receive the remaining (4) days of THA because the 12-month period ended on November 30, 2025. The Eligibility Worker must inform the AU they may re-apply for THA if they are still homeless on December 1, 2025, and a new 12-month period will start when they re-apply.

**TEMPORARY
HOMELESS
ASSISTANCE**

Temporary Homeless Assistance (THA) Eligibility Requirements

To receive THA, the AU must meet all the following criteria:

- Be an apparently eligible CalWORKs applicant, or eligible CalWORKs recipient that is homeless and seeking shelter; and
- Be seeking permanent shelter.

When determining an apparently eligible AU member, refer to Policy 100-B2 Treatment of Income from AU/Non-AU Family Members to determine AU members.

Note: The Notice And Agreement For Child, Spousal And Medical Support (CW 2.1 NA) must be signed for apparently eligible CalWORKs applicants requesting THA.

Applying for THA

A CalWORKs family may apply for THA in person or over the phone. A family applying for THA are required to complete the Statement of Facts for Homeless Assistance – CW 42, including the “Certification” section indicating that the family is experiencing homelessness. **Upon receipt of a completed CW 42 form, staff may not request or seek any additional documents to verify homelessness.** The CW 42 may be submitted in person by the CalWORKs family, or an EW may complete the CW 42 over the phone on the behalf of the CalWORKs family. Electronic/telephonic signatures on the CW 42 are acceptable. Follow the Electronic Signature Processing Guide and JA Worklists-Task Management for further instructions.

THA Processing Requirement

THA must be approved and issued, or denied, on the **same day** THA was requested. The appropriate Notice of Action (NOA) must also be issued on the same day THA was approved or denied.

THA Rate

The daily rate for THA is \$85 per day for a family of four (4) or fewer. An additional \$15 per day is added for each additional family member up to a maximum of \$145 daily (see table below).

Number of Days	AU of 1-4	AU of 5	AU of 6	AU of 7	AU of 8
7	\$595	700	805	910	1015
6	\$510	600	690	780	870
5	\$425	500	575	650	725
4	\$340	400	460	520	580
3	\$255	300	345	390	435
2	\$170	200	230	260	290
1	\$85	100	115	130	145

The rate applies only to CW eligible or apparently eligible AU members. Family members such as fleeing felons, ineligible non-citizens, sanctioned and/or timed-out individuals are excluded. Refer to Policy 100-B2 Treatment of Income from AU/Non-AU Family Members to determine AU and non-AU members.

THA Issuance Method

EW are to issue THA benefits for no more than seven (7) calendar days per issuance, and adjust payments as needed to allow for Social Services Agency (SSA) office closures, holidays, and weekends. Follow JA Homeless Assistance Process to issue THA benefits. If there is prior history of mismanagement of HA payments within this homelessness occurrence, follow the Mismanagement of HA Payments section below.

Initial Issuance:

Issue up to (7) calendar days to include payments for weekends and holidays, as appropriate.

Second Issuance:

Verify initial temporary shelter expense utilizing a valid hotel/motel invoice or receipt.

Issue up to seven (7) calendar days to include payments for weekends and holidays, as appropriate.

Third Issuance:

Verify second temporary shelter expense utilizing a valid hotel/motel invoice or receipt. Issue remaining balance of the 16-days of THA.

Example: An AU was approved for THA and received the Initial Issuance on May 21, 2021, for four (4) days; the Second Issuance was on May 25, 2021, for seven (7) days of THA due to the Holiday on May 31, 2021; the Third Issuance was on June 1, 2021, for the remaining (5) days.

THA Shared Housing Agreement

THA funds can be used when there is a temporary shared housing agreement between the AU and the roommate. The CalWORKs Homeless Assistance Shared Housing Agreement (F063-30-132C) be used to verify shared housing. A valid lease showing shared housing, or an affidavit can also be utilized to verify a shared housing agreement. The affidavit must specify the AU's share of the rent and the rent due frequency (e.g. weekly, bi-weekly, monthly).

Temporary Shelter Requirements

Temporary shelter must:

- Have a cost;
- Be paid to any person or establishment with whom the family has executed a valid lease, sublease, or shared housing agreement; and
- Not be the most recent residence in which the AU lived just prior to being determined homeless, except for unusual circumstances beyond the control of the AU.

Verify Temporary Shelter Expense

EW must verify the family has met the following before issuing remaining THA:

- The family is receiving aid or their application for aid is still pending
- The family has provided verification of the amount spent on temporary shelter, such as receipts.
 - When a family cannot provide verification, EW are highly encouraged to offer good cause or allow a sworn statement in lieu of receipts. In addition, good cause can be granted when an AU is

in a state of crisis or where some time has passed since the last THA benefits were issued, and the AU has not kept their receipts.

- Families receiving THA payments are required to complete a permanent housing search by contacting a minimum of one prospective landlord for each day's worth of temporary HA benefits received. An AU may contact prospective landlords in person, by telephone, or in writing. EW are to collect the Permanent Housing Search Document (CW 74) from the client before issuing subsequent THA benefits to determine that one contact per day was completed. Good cause can be granted when the client does not provide a completed CW 74. EW are highly encouraged to offer good cause.

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 through having one itself, 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 unfeasible.
- The AU became homeless due to a state or federally declared natural disaster.
- It is determined by the EW the AU has made a good faith but unsuccessful effort to secure permanent housing while receiving temporary shelter.

THA Notice of Action

Issue the appropriate Notice of Action (NOA) in CalSAWS on the same day of request to approve or deny THA application:

- M44-211A - Approve - Temporary Homeless Eligibility
- M44-211D - Deny - Homeless Ineligibility - Temporary Shelter and/or Permanent Housing.

PERMANENT HOMELESS ASSISTANCE

Permanent Homeless Assistance (PHA) Eligibility Requirements

To receive PHA, the AU must meet **all** the following criteria:

- Be CW eligible on the first of the month. If a Notice of Action (NOA) to discontinue CW at the end of the PHA application month has been issued, PHA can be issued through the end of the month;
- Be seeking permanent housing or assistance to prevent eviction;
- Meet the definition of homelessness;
- Found permanent housing where the monthly rent amount does not exceed 80% of the AU's Total Monthly Household Income (TMHI), refer to Policy 100-B2 Treatment of Income from AU/Non-AU Family Members to determine the AU's TMHI. If the AU shares housing or receives subsidized housing assistance, the AU's share of the rent should not exceed 80% of the AU's TMHI. Only the AU's share of the rent is evaluated.

There are two types of PHA:

- To help pay for the costs of securing a new permanent residence if the AU has no fixed or regular nighttime residence.
- To prevent eviction, when the AU is given any notice that could lead to an eviction, regardless of circumstances cited in the notice. PHA pays up to two (2) months of rent arrearages (back rent).

PHA is available once every 12 months, HA Exceptions apply. The 12-month period of HA benefits begins on the date the first payment of THA or PHA is made and ends 12 months later. PHA may be granted whether or not a payment for THA has been issued.

PHA Processing Requirement

PHA must be approved and issued, or denied, **within one working day** PHA was requested. The appropriate Notice of Action (NOA) must also be provided on the same day it is approved or denied.

PHA Shared Housing Agreement

PHA funds can be used to pay for the AU's share of the rent when there is a shared housing agreement. The CalWORKs Homeless Assistance (HA) Shared Housing Agreement/Housing Verification – F063-30-132C must be completed to verify long-term shared housing agreements when a landlord lease or sublease is not available.

Total Monthly Household Income (TMHI)

PHA pays for last month's rent and security deposits, or up to two (2) months of rent arrearages. The monthly rent amount cannot be more than 80 percent (80%) of Total Monthly Household Income (TMHI).

When determining the TMHI, use the current amount of income available to the CalWORKs family listed on the CW 42 at the time of application for homeless assistance. Count all earned and unearned income of all AU members and any other persons whose income is currently used in calculating the AU grant. Refer to Policy 100-B2 Treatment of Income from AU/Non-AU Family Members to determine TMHI for AU members.

When an AU has asked to add a new person to their AU mid- period, any income of that person is to be included in the TMHI to determine eligibility for and amount of Permanent HA payment, regardless of when the county will be increasing the AU size due to adding the new person.

If the AU has reported that an AU member has left the home mid- period, and that person's income will no longer be available to help the AU pay rent, that person's income will not be included as part of the AU's TMHI for Permanent HA.

If an SSI/SSP recipient living in the home contributes toward the monthly rent, the

family's total monthly rent amount to which the 80 percent standard is applied is to be reduced by the amount contributed by the SSI/SSP recipient. That portion of the security deposit payment, available for last month's rent will not exceed 80 percent of the AU's TMHI.

Move-in Costs/Security Deposit

Move-in costs must be verified prior to payment. Security deposits cannot exceed two months of an AU's rent, and each month of the AU's rent must not exceed 80% of the family's TMHI. For shared housing costs, the AU's portion of the monthly rent must not exceed 80% of the family's TMHI. The CalWORKs Homeless Assistance (HA) Shared Housing Agreement/Housing Verification – F063-30-132C must be completed.

Additionally, the payment must be a condition of securing housing and may include last month's rent and any legal payment, fee, deposit, or charge, including but not limited to pet deposits, credit checks, and application fees. If the EW suspects a landlord is charging fees inconsistent with state or federal laws, the county may refer the family to legal services for further support.

Examples of allowable move-in costs/security deposit include but not limited to: last month's rent, security deposit, cleaning deposit, credit check, utility deposit and any legal payment, fee, deposit, or charge that is required by the landlord as a condition of assuming occupancy.

Utility Deposits: There is no limit on the PHA used towards actual costs of utility deposits required for gas, electricity, and/or water. Utility deposits may be made in addition to the security payment when necessary to secure the residence.

Payments to Prevent Eviction/Homelessness

Payments to prevent homelessness are available to pay for arrearages (back rent). The following rules apply:

- Each month of rent arrearage payment cannot exceed 80% of the AU's TMHI.
- Payment of arrearages is available to pay up to two prior months of back rent.
- Payment can cover one month of arrearage and the current month's rent if required by the landlord to avoid eviction.
- Payments are for rent only unless utilities are included as part of the rent.
- Once rent for the current month is overdue, it is considered as an arrearage.

Required Verification after PHA Issued

Proof (e.g., receipt from landlord/copy of money order provided to landlord)) of amount paid toward arrearages must be provided within 30 calendar days of the PHA payment.

PHA Notice of Action

Issue the appropriate Notice of Action (NOA) in CalSAWS on the same day of request to approve or deny PHA application:

- M44-211A - Approve - Permanent Homeless Eligibility
- M44-211D - Deny - Homeless Ineligibility - Temporary Shelter and/or Permanent Housing

PHA Refunds

PHA payment refunds provided from the landlord to the AU will not be collected by SSA. Furthermore, refunds from the landlord provided directly to SSA will be returned to the AU and treated as a liquid resource. Follow processes as outlined in Policy 100-B15 Overpayments and Underpayments when refunding PHA funds.

HOMELESS ASSISTANCE EXCEPTIONS

There are exceptions to the Once Every 12-Month Period for HA Payments rule. The following exceptions are limited to 16 days of THA and one payment of PHA in any 12-month period. The State or Federally Declared Disaster Exception is available for an unlimited number of times.

Domestic Abuse Exception

CalWORKs families who are experiencing or at risk of experiencing homelessness due to domestic abuse may be eligible for CalWORKs HA, including THA and PHA. This exception is limited to once every 12 months.

When homelessness is the direct result of domestic abuse:

- CalWORKs recipients may receive an additional 16 cumulative days of THA, and
- an additional payment of PHA in addition to the regular once every 12-month allotments of permanent and temporary HA.

For the domestic abuse exception, the CW 42 is sufficient verification of domestic abuse. **Acceptance or participation in Domestic Abuse Services is not a requirement to receive the HA domestic abuse exception.**

Inform recipients who verify domestic abuse of the availability of Domestic Abuse Services. Refer to Policy 402 Domestic Abuse Services for additional information.

Note: The Domestic Abuse Exception is not the same as Expanded Temporary Homeless Assistance (ETHA). Refer to Policy 100-H2-C Expanded Temporary Homeless Assistance for additional information.

Physical or Mental Illness Exception

Homelessness resulting from a medically verified physical or mental illness, excluding alcoholism, drug addiction, or psychological stress is granted an exception. This exception is limited to once every 12 months. The physical or mental illness shall be verified by a third-party governmental or private health and human services agency. Medical verification sources include:

The treating physician, state-certified nurse, nurse practitioner, physician's assistant, therapist, psychologist, licensed counselor, and medical or clinical personnel with access to the patient's records who can verify the diagnoses.

Uninhabitability of the Residence Exception

Homelessness resulting from inability to inhabit former residence caused by sudden and unusual circumstances beyond the control of the family, including, but not limited to: Natural disaster, fire, or condemnation is granted an exception. This exception is limited to once every 12 months. The uninhabitability of the home exception shall be verified through a third-party governmental or private health and human services agency.

Verifications include: Written statements or copies of reports from police departments, fire departments, the American Red Cross, health department, or any other agencies authorized to verify inability to inhabit a former residence.

State or Federally Declared Disaster Exception

An AU is eligible for THA and PHA every time their homelessness is caused by a state or federally declared disaster, including but not limited to chemical, terrorist, or biological disasters. A family applying for HA as a result of any state or federally declared disaster shall provide a sworn statement that the family is experiencing homelessness as a direct and primary result of a state or federally declared disaster through the Statement of Facts for Homeless Assistance (CW 42) form. No additional verification is required. The AU does not need to provide proof of housing searches during this period of homelessness. All 16 days of THA may be issued at once under this exception.

Note: When a family receives HA based on a state or federally declared disaster, it does not count against their once-every-12-months limit on exceptions, but is limited to once per disaster.

ACTIVE CALWORKS CASE IN ANOTHER COUNTY

The county where the AU resides is responsible for the eligibility determination and issuance of the HA payment from the date of request. This is the county in which the AU is physically located and intends to reside. If a CW applicant leaves a county prior to approval of CW and applies for HA in a second county, the first county is responsible for approving the CW application and initiating an Inter-County Transfer (ICT). The second county is responsible for approving or denying HA and issuing the HA payment. Follow application registration process

for issuance of HA. A formal ICT is not required when the HA application is made in Orange County, and the applicant has a case pending in another county. EW shall coordinate ICT actions with the first county.

Refer to Policy - E11 Inter-County Transfer.

VENDOR/MONEY MANAGEMENT PAYMENTS

HA payments must be made to a housing provider in the following circumstances:

- The AU's written request;
- The HA payment was mismanaged;
- The AU fails to provide verification as required; and/or
- The AU is homeless as the result of failure to pay rent unless the failure to pay rent is due to:
 - A rent increase in excess of 80% of the TMHI for the AU,
 - The reasonable right of a tenant to withhold rent for cause, or
 - Domestic violence.

The vendor HA payments can be issued as a warrant which can be either:

- To the AU for delivery to the service provider; or
- Directly to the service provider

Refer to the Policy 100-B8 Money Management Payment Issuance for payment instructions.

FAMILY REUNIFICATION CASES

CalWORKs families receiving Family Reunification (FR) services are eligible to THA.

Example: A family receives CalWORKs, has their children placed into Foster Care, has a court-ordered FR plan, and subsequently becomes homeless during the initial stages of their Children and Family Services (CFS) case plan. If the county determines that housing is necessary for reunification to occur, the Eligibility Worker should offer THA benefits and collaborate with the Senior Social Worker (SSW) on file. For additional information regarding FR services, refer to Policy 403-A CalWORKs Family Reunification Services.

OVERPAYMENTS & MISMANAGEMENT OF HA PAYMENTS

Overpayments

An Overpayment (OP) will be established when an Assistance Unit (AU) received HA to which it was not eligible to. The OP may be all, or a portion of the HA issued. CalSAWS will automatically determine if an OP is required when there has been a data collection change, and the Eligibility Determination and Benefits Calculation (EDBC) has been re-run for the benefit month(s) to which the change applies. CalSAWS will require the Eligibility Worker to set up the Recovery Account before saving the EDBC. Refer to JA Recovery Accounts -Internal-Create for more information. When experiencing issues with creating an OP following the JA Recovery Accounts -Internal-Create, CalSAWS also allows for the creation of external recovery accounts which are created manually. Refer to JA Recovery Accounts – External - Create for details.

After creating a Homeless Assistance OP, EWs must:

- Complete the CalWORKs Notice of Overpayment (F063-35-800) Homeless Assistance located in Electronic Forms Management System (EFMS);
- Image the completed CalWORKs Notice of Overpayment- Homeless Assistance (F063-35-800) into Hyland Perceptive Experience (HPE);
- Mail a copy of the completed notice to the client; and
- Enter a CalSAWS Journal Entry detailing the reason for the HA OP.

Mismanagement of HA Payments

EW must make a vendor payment to a housing provider of temporary shelter, permanent housing or utilities for any future homeless assistance payments associated with the incident of homelessness when mismanagement of HA payments occurs.

Mismanagement of HA payments exists only when one or more of the following scenarios occurs, unless there is good cause:

- The CWD determines that the THA payment was not used for temporary shelter.
- The family fails to provide verification that the THA payment was spent on temporary shelter.
- More than 30 calendar days have passed since receipt of PHA and the family has not provided verification of the amount expended for permanent housing and/or that the payment was made to a person or establishment with whom the AU has a valid lease, sublease, or shared housing agreement
- The family provides verification which shows the HA payment was not paid to a person or establishment with whom the family has a valid lease, sublease, or shared housing agreement.
- The recipient's homelessness is the result of the failure to pay rent, other than for the following reasons:
 - A rent increase which results in the AU's rent or share of the rent being over 80 percent of the AU's TMHI, without 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 CWD shall resume issuing HA payments directly to the family, or however the family requests, when the 12-month period

Refer to Policy 100-B8 Money Management Payment Issuance for instructions.

REFERENCES

ACIN I-52-20; ACIN I-15-25; ACIN I-58-22; ACL 01-43; ACL 06-25; ACL 06-58; ACL 08-42; ACL 08-56; ACL 16-98; ACL 18-71; ACL 18-78; ACL 18-106; ACL 19-77; ACL 19-118; ACL 21-121; ACL 23-83; ACL 87-163; ACL 99-69; MPP 44-211.5; SB1065; SB1083

Policy 100-B2 Treatment of Income from AU/Non-AU Family Members Policy
100-B8 Money Management Payment Issuance
Policy 100-B15 Overpayments and Underpayments
Policy 100-E11 Inter-County Transfer
Policy 100-H2-A Housing Support Program
Policy 100-H2-C Expanded Temporary Homeless Assistance
Policy 402 Domestic Abuse Services
Policy 403-A CalWORKs Family Reunification Services

ATTACHMENTS

CalWORKs Homeless Assistance (HA) Shared Housing Agreement/Housing Verification (F063-30-132C)
CalWORKs Notice of Overpayment- Homeless Assistance (F063-35-800)
Electronic Signature Processing Guide
Home Visiting Program Referral Form (F063-30-968)
JA Homeless Assistance Process
JA Recovery Accounts - External Create
JA Recovery Accounts - Internal Create
JA Worklists - Task Management
Notice And Agreement For Child, Spousal And Medical Support (CW2.1 NA)
Permanent Housing Search Document (CW 74)
Statement of Facts for Homeless Assistance (CW 42)
WT 57 – CalWORKs Homeless Housing Services