
HOUSE BILL 2163

State of Washington

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By Representatives Ormsby, Holmquist, Miloscia, Williams, Flannigan, Chase, Dickerson, Sells, Ericks, Dunn, Wood, Green, Linville, Springer, Pettigrew, Kenney, O'Brien, Santos, Kagi, Fromhold and Schual-Berke

Read first time 02/21/2005. Referred to Committee on Housing.

1 AN ACT Relating to preventing and ending homelessness in the state
2 of Washington; amending RCW 36.22.178 and 36.18.010; adding new
3 sections to chapter 36.22 RCW; adding a new chapter to Title 43 RCW;
4 and providing an effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** Despite laudable efforts by all levels of
7 government, private individuals, nonprofit organizations, and
8 charitable foundations to end homelessness, the number of homeless
9 persons in Washington is unacceptably high. The state's homeless
10 population, furthermore, includes a large number of families with
11 children, youth, and employed persons. The legislature finds that the
12 fiscal and societal costs of homelessness are high for both the public
13 and private sectors, and that ending homelessness is both morally and
14 economically imperative.

15 The legislature finds that there are many causes of homelessness,
16 including a shortage of affordable housing; a shortage of family-wage
17 jobs which undermines housing affordability; a lack of an accessible
18 and affordable health care system available to all who suffer from

1 physical and mental illnesses and chemical and alcohol dependency;
2 domestic violence; and a lack of education and job skills necessary to
3 acquire adequate wage jobs in the economy of the twenty-first century.

4 The support and commitment of all sectors of the statewide
5 community is critical to the chances of success in ending homelessness
6 in Washington. While the provision of housing and housing-related
7 services to the homeless should be administered at the local level to
8 best address specific community needs, the legislature also recognizes
9 the need for the state to play a primary coordinating, supporting, and
10 monitoring role. In order to truly end homelessness, there must be a
11 clear assignment of responsibilities and a clear statement of
12 achievable and quantifiable goals. Systematic statewide data
13 collection on homelessness in Washington must be a critical component
14 of such a program enabling the state to work with local governments to
15 count, track, and report upon the number and geographic location of all
16 homeless persons.

17 The systematic collection and rigorous evaluation of homeless data,
18 a search for and implementation through adequate resource allocation of
19 best practices, and the systematic measurement of progress toward
20 interim goals and the ultimate goal of ending homelessness are all
21 necessary components of a statewide effort to end homelessness in
22 Washington by July 1, 2015.

23 NEW SECTION. **Sec. 2.** This chapter may be known and cited as the
24 ending homelessness act.

25 NEW SECTION. **Sec. 3.** The definitions in this section apply
26 throughout this chapter unless the context clearly requires otherwise.

27 (1) "Department" means the department of community, trade, and
28 economic development.

29 (2) "Director" means the director of the department of community,
30 trade, and economic development.

31 (3) "Homeless person" means an individual living without permanent
32 shelter, including an individual living outside, in an emergency
33 shelter, and in a temporary housing program which may include a
34 transitional and supportive housing program if habitation time limits
35 exist.

1 (4) "Washington homeless census" means an annual statewide census
2 conducted as a collaborative effort by towns, cities, counties,
3 community-based organizations, and state agencies, with the technical
4 support and coordination of the department, to count and collect data
5 on all homeless individuals in Washington. After the first census, the
6 department shall implement increasingly frequent counts to work towards
7 reaching the goal of continuously available current information on
8 homeless statistics.

9 (5) "Homeless housing account" means the state treasury account
10 receiving the state's portion of income from revenue from the sources
11 established by section 12 of this act.

12 (6) "Homeless housing grant program" means the vehicle by which
13 competitive grants are awarded by the department, utilizing moneys from
14 the homeless housing account, to local governments for programs
15 directly related to housing homeless individuals and families,
16 addressing the root causes of homelessness, preventing homelessness,
17 collecting data on homeless individuals, and other efforts directly
18 related to ending homelessness in Washington. State funds accessible
19 through the homeless housing grant program are to supplement the local
20 government's share of the revenue from the sources established by
21 section 12 of this act to support programs to end homelessness within
22 their boundaries.

23 (7) "Local government" means a county government in the state of
24 Washington. If a city government affirmatively elects to join this
25 effort by accepting the responsibility for ending homelessness within
26 its borders through the operation of a homeless housing program
27 separate from that of the county, it is included in the definition of
28 "local government." All local government efforts must be incorporated
29 into the state strategic plan.

30 (8) "Housing continuum" means the progression of individuals along
31 a housing-focused continuum with homelessness at one end and
32 homeownership at the other. Such a continuum could, for example, range
33 from homeless on the street, to homeless in a temporary shelter, to
34 participation in a transitional housing program, to residency in a
35 supportive housing environment, to acquisition and maintenance of a
36 subsidized apartment, to acquisition and maintenance of a nonsubsidized
37 apartment, and, for many, to homeownership.

1 (9) "Local homeless housing advisory council" means a voluntary
2 local committee created to advise a local government on the creation of
3 a local homeless housing strategic plan, participate in a program
4 evaluation within the service area, and report to the department on the
5 local area's progress toward meeting the goal of ending homelessness.

6 (10) "Long-term private or public housing" and "permanent shelter"
7 mean subsidized and unsubsidized rental or owner-occupied housing in
8 which there is no established time limit for habitation of less than
9 two years.

10 (11) "Housing wage" is the amount a person working full time has to
11 earn to afford the fair market rent on a two bedroom unit while paying
12 no more than thirty percent of their income in rent.

13 (12) "Interagency committee on homelessness" means a committee
14 appointed by the governor and consisting of, at least, the director of
15 the department; the secretary of the department of corrections; the
16 secretary of the department of social and health services; the director
17 of the department of veterans affairs; and the secretary of the
18 department of health.

19 (13) "Homeless population" means, at the time of the first
20 statewide homeless census, the number of persons living without housing
21 or in temporary shelters, and after that time it will mean the number
22 living without housing, including those who have refused a bona fide
23 offer of housing under the local homeless housing plan, or in temporary
24 shelter as of that later date plus the number who have successfully
25 secured and remain in transitional or permanent housing under the local
26 plan since the date of the first homeless census, or having secured
27 such housing, have moved out of the local area.

28 (14) "Performance measurement" means the process of comparing
29 specific measures of success against ultimate and interim goals.

30 NEW SECTION. **Sec. 4.** There is created within the department the
31 homeless housing program to develop and coordinate a statewide
32 strategic plan, and to create resources targeted to providing all
33 homeless individuals and families with decent permanent housing. The
34 department and all Washington county governments share the
35 responsibility for ending homelessness in the state of Washington
36 within ten years. The program will be developed and administered by

1 the department with advice and input from the affordable housing
2 advisory board established in RCW 43.185B.020 and the state homeless
3 advisory council.

4 NEW SECTION. **Sec. 5.** The department shall annually conduct a
5 Washington homeless census or count. The census will count all
6 homeless individuals living outdoors, in shelters, and in transitional
7 housing. The department will collaborate with existing local homeless
8 census projects where they exist. The department will work with local
9 governments and community organizations to implement census projects in
10 areas of the state not currently conducting an annual census count.

11 All homeless census projects must make every effort to collect
12 basic demographic information on each homeless individual, to include:

- 13 (1) Name;
- 14 (2) Gender;
- 15 (3) Birth date;
- 16 (4) Family status and next of kin notification information;
- 17 (5) Health and disability status;
- 18 (6) Veteran status;
- 19 (7) Current housing situation;
- 20 (8) Current location and contact information;
- 21 (9) Government subsidies currently being accessed;
- 22 (10) Substance abuse issues;
- 23 (11) Employment status;
- 24 (12) Annual income;
- 25 (13) Last address;
- 26 (14) Self-declared reason for homelessness;
- 27 (15) Education and training status;
- 28 (16) Race;
- 29 (17) Additional information as determined by the department by
30 rule; and
- 31 (18) Additional information of interest to the local community.

32 All personal information collected in the census is confidential,
33 and the department and each local government shall take all necessary
34 steps to protect the identity of each person counted.

35 The Washington homeless census must be conducted initially annually
36 on a schedule created by the department. The census will be
37 coordinated, when reasonably feasible, with already existing homeless

1 census projects including those funded in part by the United States
2 department of housing and urban development, under the McKinney-Vento
3 homeless assistance program.

4 After two years, the count must be conducted by appropriate
5 methodology every six months. After four years, the count must be
6 conducted every three months. After six years, the count must be
7 conducted once each month. After ten years the count must be conducted
8 on a daily basis.

9 The department shall create a uniform method, as part of its
10 homeless management information system, created under RCW 43.63A.655,
11 by which individual local government homeless census projects will
12 submit their data for statewide tabulation, analysis, and reporting,
13 and shall develop a methodology for determining the counts between full
14 census counts from available data. The department shall make the
15 annual statewide Washington homeless census data available to the
16 public each year. This data, and its analysis, will be included in the
17 department's annual updated homeless housing program strategic plan.
18 Local governments will utilize the data to update their local strategic
19 plans.

20 The department shall assist local governments in improving data
21 collection methods for their homeless census projects to progress
22 towards the ultimate goal of achieving the availability of continuous
23 information on the number, location, and characteristics of homeless
24 persons in Washington.

25 By the end of year four, the department shall implement an online
26 real-time information and referral system to enable a local government
27 to identify available housing for a homeless person. Data collected
28 through this system shall also provide the department with regular
29 counts of the number of homeless persons acquiring housing and the
30 number of persons turned away without successful housing placement. A
31 quarterly summary including such data shall be produced and shall
32 include a summary of the type and quality of the housing provided to
33 homeless individuals. This report shall be produced by the department
34 and shall be available to the public for review.

35 By the end of year four, the department shall implement an
36 organizational quality management system equivalent to the Malcolm
37 Baldrige national quality program.

1 By the end of year five, the department shall apply to the
2 Washington state quality award program, and shall apply every five
3 years thereafter.

4 NEW SECTION. **Sec. 6.** Six months after the first Washington
5 homeless census, the department shall prepare and present a ten-year
6 homeless housing program strategic plan which will outline statewide
7 goals and performance measures. This plan shall be prepared with
8 consultation from the interagency committee on homelessness and with
9 local governments and homeless housing providers. The plan will be
10 updated annually and will be annually reviewed and approved by the
11 governor. The department's updated plans will subsequently be released
12 each June. Local governments will base their local ten-year homeless
13 housing strategic plans upon the goals and program recommendations of
14 the state plan.

15 Mandatory homeless housing program performance measures are defined
16 within this section. Additional performance measures may be created by
17 the department. Mandatory performance measures must be reflected in
18 the department's homeless housing strategic plan as well as in local
19 strategic plans.

20 The department shall issue mandatory homeless housing program
21 performance measures that apply to both the department for statewide
22 outcomes and local governments for local outcomes. The performance
23 measures must consist of, but are not limited to, the following:

24 (1) By the end of year one a comprehensive census shall be
25 finalized and will report on all homeless individuals in the state of
26 Washington;

27 (2) By the end of year two, all individuals in the homeless
28 population will be offered housing in at least temporary housing, which
29 could include emergency shelters or other indoor facilities;

30 (3) By the end of year four, twenty-five percent of the local
31 homeless population will be housed in long-term private or public
32 housing;

33 (4) By the end of year six, fifty percent of the local homeless
34 population will be housed in long-term private or public housing;

35 (5) By the end of year eight, seventy-five percent of the local
36 homeless population will be housed in long-term private or public
37 housing; and

1 (6) By the end of year ten, and in each subsequent year, one
2 hundred percent of the local homeless population will be housed in
3 long-term private or public housing.

4 The department shall report annually to the governor and the
5 appropriate committees of the legislature an assessment of its
6 performance in addressing the statewide homeless problem, and the
7 performance of each participating local government in creating and
8 executing a local homeless housing plan which meets the requirements of
9 this chapter.

10 NEW SECTION. **Sec. 7.** Each local government must create a local
11 homeless housing advisory council consisting of representatives from
12 multiple stakeholder groups. Advisory council members could include
13 representatives from other governmental entities within the defined
14 area, nonprofit community or neighborhood-based organizations,
15 federally recognized Indian tribes in the state of Washington, local
16 housing authorities, representatives from the business community, work
17 force training entities, health care organizations, and regional or
18 statewide nonprofit housing assistance organizations. Councils must
19 also include a homeless or formerly homeless individual.

20 In lieu of creating a new local homeless housing advisory council,
21 a local government may designate an existing body which substantially
22 conforms to this section and which includes at least one homeless or
23 formerly homeless individual to serve as its homeless representative.

24 NEW SECTION. **Sec. 8.** Each local government shall prepare and
25 present a ten-year homeless housing plan for its jurisdictional area
26 which will be based upon the department's statewide ten-year plan.
27 This local plan shall be updated annually and submitted to the
28 department for approval. Local plans will be submitted to the
29 department for review and will be available to the public each year on
30 dates to be determined by the department. All local plans shall
31 include the mandatory homeless housing program performance measures as
32 provided in section 6 of this act and additional performance measures
33 created by the department. Plans may include specific local
34 performance measures determined by the local homeless housing advisory
35 councils, and shall include recommendations for any state legislation
36 needed to meet goals. To be accepted by the department, a local plan

1 must include measures reasonably calculated to achieve the housing
2 goals in section 6 of this act, including the ultimate goal of housing
3 for all persons in the local homeless population.

4 **Sec. 9.** RCW 36.22.178 and 2002 c 294 s 2 are each amended to read
5 as follows:

6 (1) Except as provided in subsection (2) of this section, a
7 surcharge of ~~((ten))~~ twelve dollars per instrument shall be charged by
8 the county auditor for each document recorded, which will be in
9 addition to any other charge authorized by law. The auditor may retain
10 up to five percent of these funds collected to administer the
11 collection of these funds. Of the remaining funds, forty percent of
12 the revenue generated through this surcharge will be transmitted
13 monthly to the state treasurer who will deposit the funds into the
14 Washington housing trust account. The office of community development
15 of the department of community, trade, and economic development will
16 develop guidelines for the use of these funds to support building
17 operation and maintenance costs of housing projects or units within
18 housing projects that are affordable to extremely low-income persons
19 with incomes at or below thirty percent of the area median income, and
20 that require a supplement to rent income to cover ongoing operating
21 expenses. ~~((Sixty percent of the revenue))~~ All of the remaining funds
22 generated by this surcharge will be retained by the county and be
23 deposited into a fund that must be used by the county and its cities
24 and towns for housing projects or units within housing projects that
25 are affordable to very low-income persons with incomes at or below
26 fifty percent of the area median income. The portion of the surcharge
27 retained by a county shall be allocated to very low-income housing
28 projects or units within such housing projects in the county and the
29 cities within a county according to an interlocal agreement between the
30 county and the cities within the county, consistent with countywide and
31 local housing needs and policies. The funds generated with this
32 surcharge shall not be used for construction of new housing if at
33 ~~((any))~~ the time funds are dedicated for this purpose the vacancy rate
34 for available low-income housing within the county rises above ten
35 percent, unless the new housing is constructed to provide housing to
36 identifiable populations of persons with disabilities, senior
37 citizens, homeless persons or families, seasonal farm workers, or

1 victims of domestic violence within the county or within a city or town
2 within the county, and it is determined through a public review process
3 that these housing needs are not being adequately served by the
4 existing private or public housing. The vacancy rate for each county
5 shall be developed using the state low-income vacancy rate standard
6 developed under subsection (3) of this section. Permissible uses of
7 these local funds are limited to and equal consideration shall be given
8 to:

9 (a) Acquisition, construction, or rehabilitation of housing
10 projects or units within housing projects that are affordable to very
11 low-income persons with incomes at or below fifty percent of the area
12 median income;

13 (b) Supporting building operation and maintenance costs of housing
14 projects or units within housing projects built with housing trust
15 funds, that are affordable to very low-income persons with incomes at
16 or below fifty percent of the area median income, and that require a
17 supplement to rent income to cover ongoing operating expenses;

18 (c) Supporting building operation and maintenance costs of housing
19 projects or units within housing projects eligible to receive, but not
20 built with, housing trust funds, that are affordable to very low-income
21 persons with incomes at or below thirty percent of the area median
22 income, and that require a supplement to rent income to cover ongoing
23 operating expenses;

24 (d) Rental assistance vouchers, payable to a landlord, including
25 rental assistance or vouchers for payment of first and last month's
26 rent and security and other deposits required of all other new tenants
27 by a landlord, for housing projects or units within housing projects
28 that are affordable to very low-income persons with incomes at or below
29 fifty percent of the area median income, to be administered (~~by a~~
30 ~~local public housing authority or other local organization that has an~~
31 ~~existing rental assistance voucher program,~~) consistent with the
32 United States department of housing and urban development's section 8
33 rental assistance voucher program standards regarding dwelling
34 inspections, lease terms, affordability, eligibility for receiving
35 rental assistance vouchers, and grounds for eviction and termination of
36 receipt of voucher funds, provided that of the whole amount retained of
37 the county's share of the revenue collected under this section not less
38 than twenty percent shall be devoted to rental assistance vouchers, and

1 further provided that of the amount devoted to rental assistance
2 vouchers not less than seventy percent shall be used for vouchers for
3 tenants of privately owned dwellings; and

4 ~~((d))~~ (e) Operating costs for emergency shelters and licensed
5 overnight youth shelters.

6 (2) The surcharge imposed in this section does not apply to
7 assignments or substitutions of previously recorded deeds of trust.

8 (3) The real estate research center at Washington State University
9 shall develop a vacancy rate standard for low-income housing in the
10 state as described in RCW 18.85.540(1)(i).

11 NEW SECTION. Sec. 10. A new section is added to chapter 36.22 RCW
12 to read as follows:

13 (1) In addition to the surcharge authorized in RCW 36.22.178, and
14 except as provided in subsection (2) of this section, an additional
15 surcharge of ten dollars shall be charged by the county auditor for
16 each document recorded, which will be in addition to any other charge
17 allowed by law. The funds collected pursuant to this section are to be
18 distributed and used as follows:

19 (a) The auditor shall remit sixty percent to the county to be used
20 by the county for administrative costs and programs which directly
21 accomplish the goals of the local government's strategic plan to end
22 homelessness, except that for each city in the county which elects as
23 authorized in section 14 of this act to operate its own homeless
24 housing program, the surcharge assessed under this section and paid in
25 connection with transactions in that city shall be transmitted
26 quarterly to the city treasurer for administrative and program costs
27 which directly accomplish the goals of the city's strategic plan to end
28 homelessness.

29 (b) The auditor shall remit forty percent to the department of
30 community, trade, and economic development, one-eighth of which may be
31 used by the department for administration of the program established in
32 section 4 of this act. The remaining seven-eighths is to be
33 distributed by the department of community, trade, and economic
34 development through the homeless housing grant program.

35 (2) The surcharge imposed in this section does not apply to
36 assignments or substitutions of previously recorded deeds of trust.

1 NEW SECTION. **Sec. 11.** A new section is added to chapter 36.22 RCW
2 to read as follows:

3 (1) In addition to the surcharges authorized in RCW 36.22.178 and
4 section 10 of this act, and except as provided in subsection (2) of
5 this section, an additional surcharge of five dollars may be authorized
6 by the legislative authority of the county and charged by the county
7 auditor for each document recorded, which will be in addition to any
8 other charge allowed by law. The funds collected pursuant to this
9 section are to be retained by the county, except that the funds
10 collected in connection with a transaction in a city which operates its
11 own homeless housing program under chapter 43.-- RCW (sections 1
12 through 8, 12, and 24 through 26 of this act) shall be transmitted
13 quarterly to that city, and the county or city shall use these funds
14 solely for the purposes authorized in section 10 of this act, provided
15 that of the whole amount of the revenues collected under this section
16 not less than twenty percent shall be devoted to rental assistance
17 vouchers, and further provided that of the amount devoted to rental
18 assistance vouchers not less than seventy percent shall be used for
19 vouchers for tenants of privately owned dwellings.

20 (2) The surcharge imposed in this section does not apply to
21 assignments or substitutions of previously recorded deeds of trust.

22 NEW SECTION. **Sec. 12.** The homeless housing account is created in
23 the custody of the state treasurer. The state's portion of the
24 surcharge established in section 10 of this act must be deposited in
25 the account. Expenditures from the account may be used only for the
26 homeless housing program as described in section 10(1)(b) of this act.
27 Only the director or the director's designee may authorize expenditures
28 from the account. The account is subject to allotment procedures under
29 chapter 43.88 RCW, but an appropriation is not required for
30 expenditures.

31 NEW SECTION. **Sec. 13.** (1) During each calendar year in which
32 moneys from the homeless housing account are available for use by the
33 department for the homeless housing grant program, the department shall
34 announce to all Washington counties, participating cities, and through
35 major media throughout the state, a grant application period of at
36 least ninety days' duration. This announcement will be made as often

1 as the director deems appropriate for proper utilization of resources.
2 The department shall then promptly grant as many applications as will
3 utilize available funds, less appropriate administrative costs of the
4 department as described in section 10 of this act. In awarding funds
5 under this chapter, the department shall strive for a geographic
6 distribution of the funds.

7 (2) The department will develop, with advice and input from the
8 affordable housing advisory board established in RCW 43.185B.020,
9 criteria to evaluate grant applications.

10 (3) The department may approve applications only if they are
11 consistent with the local and state homeless housing program strategic
12 plans and have been reviewed by the local homeless housing advisory
13 council. The department may give preference to applications based on
14 some or all of the following criteria:

15 (a) The total homeless population in the applicant local government
16 service area, as reported by the most recent annual Washington homeless
17 census;

18 (b) Current local expenditures to provide housing for the homeless
19 and to address the underlying causes of homelessness as described in
20 section 1 of this act;

21 (c) Local government and private contributions pledged to the
22 program in the form of matching funds, property, infrastructure
23 improvements, and other contributions; and the degree of leveraging of
24 other funds from local government or private sources for the program
25 for which funds are being requested, to include recipient contributions
26 to total project costs, including allied contributions from other
27 sources such as professional, craft and trade services, and lender
28 interest rate subsidies;

29 (d) Construction projects that demonstrate a strong probability of
30 serving homeless individuals or families for a period of at least
31 twenty-five years;

32 (e) Projects which demonstrate serving homeless populations with
33 the greatest needs, including projects that serve special needs
34 populations;

35 (f) The degree to which the applicant project represents a
36 collaboration between local governments, nonprofit community-based
37 organizations, local and state agencies, and the private sector;

1 (g) The experience and past performance of the local government in
2 operating similar programs;

3 (h) The prior performance of the local government in operating
4 programs funded by the homeless housing account;

5 (i) The operational capacity of the local government and its
6 subcontracting entity, if any, including fiscal capacity, staff
7 experience, and management structure;

8 (j) The existence of performance measures within the program's
9 evaluation plan to consist of the homeless housing program's mandatory
10 performance measures as defined in section 6 of this act, additional
11 mandatory homeless housing performance measures which may be defined by
12 the department, and specific local performance measures, if applicable;

13 (k) The ability to track and report on outcomes related to the
14 mandatory homeless housing program performance measures and other
15 defined local performance measures;

16 (l) The cooperation of the local government in the annual
17 Washington homeless census project;

18 (m) The commitment of the local government and any subcontracting
19 local governments, nonprofit organizations, and for-profit entities to
20 employ a diverse work force and pay the Washington housing wage;

21 (n) The extent, if any, that the local homeless population is
22 disproportionate to the revenues collected under this chapter, RCW
23 36.22.178, and sections 10 and 11 of this act;

24 (o) Other elements shown by the applicant to be directly related to
25 the goal and the department's state strategic plan; and

26 (p) After year three, an organization's performance as reported by
27 the affordable housing advisory board performance scorecard.

28 NEW SECTION. **Sec. 14.** Only a local government is eligible to
29 receive a homeless housing grant from the homeless housing account.
30 The legislature specifically assigns responsibility to individual
31 counties to end homelessness within their borders. All counties
32 receive revenue directly from sources established by RCW 36.22.178 and
33 sections 10 and 11 of this act to accomplish this goal. Counties are
34 also eligible to apply for the state's portion of funding from sources
35 established by this chapter through the homeless housing grant program.
36 Any city may specifically assert responsibility for ending homelessness
37 within its borders if it so chooses, by forwarding a resolution to the

1 board of county commissioners stating its intention and its commitment
2 to operate a separate homeless housing program. A city shall make the
3 determination regarding whether or not there is a need for the city to
4 assert control and assume responsibility for ending homelessness within
5 its boundaries on its own volition or upon the successful completion of
6 a petition by fifty citizens of the city. The city will then receive
7 the portion of the county funds attributable to document recordings
8 involving transactions within the city. A participating city may also
9 then apply separately and individually for homeless housing program
10 grants. A city choosing to operate a separate homeless housing program
11 is thereby accepting the responsibility for ending homelessness within
12 the city's boundaries and is responsible for complying with all of the
13 same reporting requirements as counties.

14 Local governments applying for homeless housing funds may
15 subcontract with any other local government, nonprofit community-based
16 organization, or private entity for the execution of programs
17 contributing to the overall goal of ending homelessness within a
18 defined service area. All subcontracts shall be consistent with the
19 local homeless housing plan adopted by the legislative authority of the
20 local government and filed with the department and shall have specific
21 performance terms. Two or more local governments may also work in
22 concert to develop and execute a joint homeless housing strategic plan,
23 or to contract with another entity to do so. While a local government
24 has the authority to subcontract with other entities, the local
25 government continues to maintain the ultimate responsibility for ending
26 homelessness within its borders.

27 NEW SECTION. **Sec. 15.** (1) The department will allocate grant
28 moneys from the homeless housing account to finance in whole or in part
29 programs and projects to assist homeless individuals and families gain
30 access to adequate housing, prevent at-risk individuals from becoming
31 homeless, address the root causes of homelessness, track and report on
32 homeless-related data, and facilitate the movement of homeless or
33 formerly homeless individuals along the housing continuum toward more
34 stable and independent housing.

35 (2) Activities eligible for assistance from the homeless housing
36 account include, but are not limited to:

1 (a) Shelters, transitional and related services for the homeless,
2 including emergency shelters, overnight youth shelters, transitional
3 housing, and supportive housing;

4 (b) Participation in a rental assistance subsidy or voucher program
5 created by a county or participating city or housing authority under
6 guidelines issued by the department;

7 (c) Emergency eviction prevention programs, including temporary
8 rental and mortgage payment subsidies to prevent homelessness;

9 (d) New construction, expansion, rehabilitation, or acquisition of
10 housing units specifically to be used to house homeless individuals and
11 families;

12 (e) Homeless supportive services directly related to assisting
13 families to acquire and retain stable housing;

14 (f) Rental deposit and security deposit assistance for individuals
15 and families moving into rental units;

16 (g) Outreach to homeless individuals and families;

17 (h) Homeless census data collection;

18 (i) Creation and ongoing management of voluntary local homeless
19 housing advisory councils;

20 (j) Administrative costs when such a grant will substantially
21 increase the recipient's access to housing funds other than those
22 available under this chapter; and

23 (k) Technical assistance, design, and finance services and
24 consultation.

25 NEW SECTION. **Sec. 16.** The department will develop a consistent
26 statewide data gathering instrument to monitor the performance of grant
27 recipients in order to determine compliance with the terms and
28 conditions set forth in the grant application or required by the
29 department. The data gathering instrument shall allow the governor,
30 legislature, and other citizens to monitor the progress of the state
31 and local governments in accomplishing the goals of this chapter. The
32 department shall encourage and assist local governments to collaborate
33 with other local entities and to use relevant information from other
34 agencies and entities. The department shall evaluate the information
35 gathered and disseminate its findings in periodic reports. The
36 affordable housing advisory board shall annually publish a scorecard or

1 summary evaluation of the performance of the department and each local
2 government toward meeting its goals under the local and statewide
3 plans, including an assessment of the following performance measures:

- 4 (1) The reduction in homelessness from the initial count;
- 5 (2) The reduction in persons turned away without a housing
6 placement;
- 7 (3) The transition time from homelessness to permanent housing;
- 8 (4) The reduction in the death rate amongst the homeless
9 population;
- 10 (5) The nightly cost per person housed at each level of the housing
11 continuum;
- 12 (6) The quality management system in place, provided that the local
13 government shall implement a quality management system similar to the
14 Baldrige criteria and apply to the Washington state quality award
15 program by the end of year five and every five years thereafter;
- 16 (7) The ability to successfully collect data and report
17 performance;
- 18 (8) The extent of collaboration and coordination between public
19 bodies, as well as community stakeholders;
- 20 (9) The level of community support and participation in the
21 program; and
- 22 (10) The quality and safety of housing provided.

23 NEW SECTION. **Sec. 17.** The department will provide technical
24 assistance to any participating local government that requests such
25 assistance. Technical assistance activities may include:

- 26 (1) Assisting local governments to identify appropriate parties to
27 participate on local homeless housing advisory councils;
- 28 (2) Assisting local governments to identify appropriate service
29 providers with which the local governments may subcontract for service
30 provision and development activities, when necessary;
- 31 (3) Assisting local governments to implement or expand homeless
32 census programs to meet homeless housing program requirements;
- 33 (4) Assisting in the identification of "best practices" from other
34 areas;
- 35 (5) Assisting in identifying additional funding sources for
36 specific projects; and
- 37 (6) Training local government and subcontractor staff.

1 NEW SECTION. **Sec. 18.** The department shall establish a uniform
2 process for participating local governments to report progress toward
3 meeting goals relative to the mandatory performance outcomes. At a
4 minimum, progress towards goals and goals achieved will be reported by
5 each local government in its annual updated homeless housing strategic
6 plan.

7 NEW SECTION. **Sec. 19.** The department shall advise local
8 governments and their subcontracting agents on the interpretation and
9 appropriate reporting of mandatory performance measures detailed in
10 this chapter, including rules regarding how a homeless person's refusal
11 to accept an offer of housing is to be recorded and reported.

12 NEW SECTION. **Sec. 20.** The department may issue rules regarding
13 the grant process and the substance of eligible programs and projects
14 consistent with this chapter. The department shall consider the
15 recommendations of the affordable housing advisory board, the state
16 homeless advisory council, local governments, and local homeless
17 housing advisory councils regarding how funds are used in their
18 geographic areas.

19 NEW SECTION. **Sec. 21.** The affordable housing advisory board
20 established in RCW 43.185B.020, the state homeless advisory council,
21 and the interagency committee on homelessness shall advise the director
22 on homeless housing needs in this state, operational aspects of the
23 grant program and revenue collection program established by this
24 chapter, and implementation of the policy and goals of this chapter.
25 The department shall develop quantifiable measures of the major state
26 program and institutional causes of homelessness.

27 NEW SECTION. **Sec. 22.** The department shall ensure that the
28 state's interest is protected upon the development, use, sale, or
29 change of use of projects constructed, acquired, or financed in whole
30 or in part through the homeless housing grant program. These policies
31 may include, but are not limited to: (1) Requiring a share of the
32 appreciation in the project in proportion to the state's contribution
33 to the project, or (2) requiring a lump sum repayment of the grant upon
34 the sale or change of use of the project.

1 **Sec. 23.** RCW 36.18.010 and 2002 c 294 s 3 are each amended to read
2 as follows:

3 County auditors or recording officers shall collect the following
4 fees for their official services:

5 For recording instruments, for the first page eight and one-half by
6 fourteen inches or less, five dollars; for each additional page eight
7 and one-half by fourteen inches or less, one dollar. The fee for
8 recording multiple transactions contained in one instrument will be
9 calculated for each transaction requiring separate indexing as required
10 under RCW 65.04.050 as follows: The fee for each title or transaction
11 is the same fee as the first page of any additional recorded document;
12 the fee for additional pages is the same fee as for any additional
13 pages for any recorded document; the fee for the additional pages may
14 be collected only once and may not be collected for each title or
15 transaction;

16 For preparing and certifying copies, for the first page eight and
17 one-half by fourteen inches or less, three dollars; for each additional
18 page eight and one-half by fourteen inches or less, one dollar;

19 For preparing noncertified copies, for each page eight and one-half
20 by fourteen inches or less, one dollar;

21 For administering an oath or taking an affidavit, with or without
22 seal, two dollars;

23 For issuing a marriage license, eight dollars, (this fee includes
24 taking necessary affidavits, filing returns, indexing, and transmittal
25 of a record of the marriage to the state registrar of vital statistics)
26 plus an additional five-dollar fee for use and support of the
27 prevention of child abuse and neglect activities to be transmitted
28 monthly to the state treasurer and deposited in the state general fund
29 plus an additional ten-dollar fee to be transmitted monthly to the
30 state treasurer and deposited in the state general fund. The
31 legislature intends to appropriate an amount at least equal to the
32 revenue generated by this fee for the purposes of the displaced
33 homemaker act, chapter 28B.04 RCW;

34 For searching records per hour, eight dollars;

35 For recording plats, fifty cents for each lot except cemetery plats
36 for which the charge shall be twenty-five cents per lot; also one
37 dollar for each acknowledgment, dedication, and description: PROVIDED,
38 That there shall be a minimum fee of twenty-five dollars per plat;

1 For recording of miscellaneous records not listed above, for the
2 first page eight and one-half by fourteen inches or less, five dollars;
3 for each additional page eight and one-half by fourteen inches or less,
4 one dollar;

5 For modernization and improvement of the recording and indexing
6 system, a surcharge as provided in RCW 36.22.170((~~-~~));

7 For recording an emergency nonstandard document as provided in RCW
8 65.04.047, fifty dollars, in addition to all other applicable recording
9 fees((~~-~~));

10 For recording instruments, a surcharge as provided in RCW
11 36.22.178;

12 For recording instruments, a surcharge as provided in section 10 of
13 this act; and

14 For recording instruments, a surcharge as provided in section 11 of
15 this act.

16 NEW SECTION. Sec. 24. If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

20 NEW SECTION. Sec. 25. If any part of this act is found to be in
21 conflict with federal requirements that are a prescribed condition to
22 the allocation of federal funds to the state, the conflicting part of
23 this act is inoperative solely to the extent of the conflict and with
24 respect to the agencies directly affected, and this finding does not
25 affect the operation of the remainder of this act in its application to
26 the agencies concerned. Rules adopted under this act must meet federal
27 requirements that are a necessary condition to the receipt of federal
28 funds by the state.

29 NEW SECTION. Sec. 26. This act takes effect August 1, 2005.

30 NEW SECTION. Sec. 27. Sections 1 through 8, 12 through 22, and 24
31 through 26 of this act constitute a new chapter in Title 43 RCW.

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