

2SHB 1359 - H AMD 242

By Representative Pettigrew

ADOPTED 03/10/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a
4 large, unmet need for affordable housing in the state of Washington.
5 The legislature declares that a decent, appropriate, and affordable
6 home in a healthy, safe environment for every household should be a
7 state goal. Furthermore, this goal includes increasing the percentage
8 of low-income households who are able to obtain and retain housing
9 without government subsidies or other public support.

10 (2) The legislature finds that there are many root causes of the
11 affordable housing shortage and declares that it is critical that such
12 causes be analyzed, effective solutions be developed, implemented,
13 monitored, and evaluated, and that these causal factors be eliminated.
14 The legislature also finds that there is a taxpayer and societal cost
15 associated with a lack of jobs that pay self-sufficiency standard wages
16 and a shortage of affordable housing, and that the state must identify
17 and quantify that cost.

18 (3) The legislature finds that the support and commitment of all
19 sectors of the statewide community is critical to accomplishing the
20 state's affordable housing for all goal. The legislature finds that
21 the provision of housing and housing-related services should be
22 administered at the local level. However, the state should play a
23 primary role in: Providing financial resources to achieve the goal at
24 all levels of government; researching, evaluating, benchmarking, and
25 implementing best practices; continually updating and evaluating
26 statewide housing data; developing a state plan that integrates the
27 strategies, goals, objectives, and performance measures of all other
28 state housing plans and programs; coordinating and supporting county
29 government plans and activities; and directing quality management

1 practices by monitoring both state and county government performance
2 towards achieving interim and ultimate goals.

3 (4) The legislature declares that the systematic and comprehensive
4 performance measurement and evaluation of progress toward interim goals
5 and the immediate state affordable housing goal of a decent,
6 appropriate, and affordable home in a healthy, safe environment for
7 every household in the state by 2020 is a necessary component of the
8 statewide effort to end the affordable housing crisis.

9 NEW SECTION. **Sec. 2.** This chapter may be known and cited as the
10 Washington affordable housing for all act.

11 NEW SECTION. **Sec. 3.** There is created within the department the
12 state affordable housing for all program, which shall be funded by the
13 affordable housing for all program surcharge provided for in RCW
14 36.22.178 (as recodified by this act) and all other sources directed to
15 the affordable housing for all program. The goal of the program is a
16 decent, appropriate, and affordable home in a healthy, safe environment
17 for every very low-income household in the state by 2020. A priority
18 must be placed upon achieving this goal for extremely low-income
19 households. This goal includes increasing the percentage of households
20 who access housing that is affordable for their income or wage level
21 without government assistance by increasing the number of previously
22 very low-income households who achieve self-sufficiency and economic
23 independence. The goal also includes implementing strategies to keep
24 the rising cost of housing below the relative rise in wages. The
25 department shall develop and administer the affordable housing for all
26 program. In the development and implementation of the program, the
27 department shall consider: The funding level, number of county staff
28 available to implement the program, and competency of each county to
29 meet the goals of the program; and establish program guidelines,
30 performance measures, and reporting requirements appropriate to the
31 existing capacity of the participating counties.

32 NEW SECTION. **Sec. 4.** Unless the context clearly requires
33 otherwise, the definitions in this section apply throughout this
34 chapter.

1 (1) "Affordable housing" means housing that has a sales price or
2 rental amount that is within the means of a household that may occupy
3 low, very low, and extremely low-income housing. The department shall
4 adopt policies for residential rental and homeownership housing,
5 occupied by extremely low, very low, and low-income households, that
6 specify the percentage of household income that may be spent on monthly
7 housing costs, including utilities other than telephone, to qualify as
8 affordable housing.

9 (2) "Department" means the department of community, trade, and
10 economic development.

11 (3) "Director" means the director of the department of community,
12 trade, and economic development.

13 (4) "First-time home buyer" means an individual or his or her
14 spouse who have not owned a home during the three-year period prior to
15 purchase of a home.

16 (5) "Nonprofit organization" means any public or private nonprofit
17 organization that: (a) Is organized under federal, state, or local
18 laws; (b) has no part of its net earnings inuring to the benefit of any
19 member, founder, contributor, or individual; and (c) has among its
20 purposes, significant activities related to the provision of decent
21 housing that is affordable to extremely low-income, very low-income,
22 low-income, or moderate-income households and special needs
23 populations.

24 (6) "Regulatory barriers to affordable housing" and "regulatory
25 barriers" mean any public policies, including those embodied in
26 statutes, ordinances, regulations, or administrative procedures or
27 processes, required to be identified by the state, cities, towns, or
28 counties in connection with strategies under section 105(b)(4) of the
29 Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec. 12701
30 et seq.).

31 (7) "Home security fund account" means the account in the custody
32 of the state treasurer receiving the state's portion of income from the
33 revenue of sources established by RCW 36.22.178 (as recodified by this
34 act) and 36.22.179, section 25 of this act, and all other sources
35 directed to the affordable housing for all program or homeless housing
36 and assistance program.

37 (8) "County affordable housing task force" means a county
38 committee, as described in section 7 of this act, created to prepare

1 and recommend to its county legislative authority a county affordable
2 housing for all plan, and also to recommend expenditures of the funds
3 from the affordable housing for all program surcharge in RCW 36.22.178
4 (as recodified by this act) and all other sources directed to the
5 county's affordable housing for all program.

6 (9) "Performance measurement" means the process of comparing
7 specific measures of success with ultimate and interim goals.

8 (10) "Performance evaluation" means the process of evaluating the
9 performance by established objective, measurable criteria according to
10 the achievement of outlined goals, measures, targets, standards, or
11 other outcomes using a ranked scorecard from highest to lowest
12 performance which employs a scale of one to one hundred, one hundred
13 being the optimal score.

14 (11) "Quality management program" means a nationally recognized
15 program using criteria similar or equivalent to the Baldrige criteria.
16 Beginning in 2009, all cities, towns, and counties receiving over five
17 hundred thousand dollars a year during the previous calendar year from
18 (a) state housing-related funding sources, including the housing trust
19 fund, (b) housing finance commission programs, (c) the affordable
20 housing for all program surcharge in RCW 36.22.178 (as recodified by
21 this act), (d) the homeless housing and assistance program surcharge in
22 RCW 36.22.179 (as recodified by this act), and (e) any other surcharge
23 charged under chapter 36.22 RCW to fund homelessness programs shall
24 apply to the full examination Washington state quality award program
25 once every three years beginning by January 1, 2010. The Washington
26 state housing finance commission must apply to the full examination
27 Washington state quality award program by December 31, 2009, and at
28 least once every three years thereafter.

29 (12) "Affordable housing for all program" means the program
30 authorized under this chapter, utilizing the funding from the
31 affordable housing for all program surcharge in RCW 36.22.178 (as
32 recodified by this act), and all other sources directed to the
33 affordable housing for all program, as administered by the department
34 at the state level and by each county at the local level.

35 (13) "State affordable housing for all plan" or "state plan" means
36 the plan developed by the department in collaboration with the
37 affordable housing advisory board with the goal of ensuring that every

1 very low-income household in Washington has a decent, appropriate, and
2 affordable home in a healthy, safe environment by 2020.

3 (14) "County affordable housing for all plan" or "county plan"
4 means the plan developed by each county with the goal of ensuring that
5 every very low-income household in the county has a decent,
6 appropriate, and affordable home in a healthy, safe environment by
7 2020.

8 (15) "Low-income household," for the purposes of the affordable
9 housing for all program, means a single person, family, or unrelated
10 persons living together whose adjusted income is less than eighty
11 percent of the median household income, adjusted for household size for
12 the county where the project is located.

13 (16) "Very low-income household" means a single person, family, or
14 unrelated persons living together whose adjusted income is less than
15 fifty percent of the median family income, adjusted for household size
16 for the county where the project is located.

17 (17) "Extremely low-income household" means a single person,
18 family, or unrelated persons living together whose adjusted income is
19 less than thirty percent of the median family income, adjusted for
20 household size for the county where the project is located.

21 (18) "County" means a county government in the state of Washington
22 or, except under RCW 36.22.178 (as recodified by this act), a city
23 government or collaborative of city governments within that county if
24 the county government declines to participate in the affordable housing
25 program.

26 (19) "Local government" means a county or city government in the
27 state of Washington or, except under RCW 36.22.178 (as recodified by
28 this act), a city government or collaborative of city governments
29 within that county if the county government declines to participate in
30 the affordable housing program.

31 (20) "Authority" or "housing authority" means any of the public
32 corporations created by RCW 35.82.030.

33 (21) "Good family-wage job" means a job that pays at or above one
34 of the two self-sufficiency income standards established under section
35 26 of this act which for an individual means enough income to support
36 one adult individual, and for a family means enough income to support
37 two adult individuals, one preschool-aged child, and one school-aged
38 child.

1 **Sec. 5.** RCW 43.185B.040 and 1993 c 478 s 12 are each amended to
2 read as follows:

3 (1) The department shall, in consultation with the affordable
4 housing advisory board created in RCW 43.185B.020 (as recodified by
5 this act), prepare and ~~((from time to time amend a five year))~~ annually
6 update a state affordable housing ((advisory)) for all plan. The state
7 plan must incorporate the strategies, objectives, goals, and
8 performance measures of all other housing-related state plans,
9 including the state homeless housing strategic plan required under RCW
10 43.185C.040 and all state housing programs. The state affordable
11 housing for all plan may be combined with the state homeless housing
12 strategic plan required under RCW 43.185C.040 or any other existing
13 state housing plan as long as the requirements of all of the plans to
14 be merged are met.

15 (2) The purpose of the state affordable housing for all plan is to:

16 (a) Document the need for affordable housing in the state and the
17 extent to which that need is being met through public and private
18 sector programs((τ));

19 (b) Outline the development of sound strategies and programs to
20 promote affordable housing;

21 (c) Establish, evaluate, and report upon interim goals and
22 timelines that are determined by the department and by which the state
23 and counties may be measured;

24 (d) Establish, evaluate, and report upon performance measures,
25 including the performance measures outlined in section 6 of this act,
26 for all state housing programs, as well as all housing programs
27 operated by or coordinated by city and county governments, including
28 local housing-related levy initiatives, housing-related tax exemption
29 programs, and federally funded programs operated or coordinated by the
30 state or local governments;

31 (e) Evaluate and report upon all counties' use of the affordable
32 housing for all program surcharge funds provided for in RCW 36.22.178
33 (as recodified by this act) and all other sources directed to the
34 counties' affordable housing for all programs;

35 (f) Report upon how housing trust fund awards within the previous
36 one-year period are consistent with the plan and have contributed to
37 the goal of the affordable housing for all program; and ((τθ))

1 (g) Facilitate state and county government planning to meet the
2 state affordable housing (~~((needs of the state, and to enable the~~
3 ~~development of sound strategies and programs for affordable housing))~~
4 for all goal.

5 (3) The information in the (~~((five-year))~~) annual state affordable
6 housing (~~((advisory))~~) for all plan must include:

7 (a) An assessment of the state's housing market trends;

8 (b) An assessment of the housing needs for all economic segments of
9 the state by wage level decile and special needs populations including:

10 (i) A report on the number and percentage of persons or households
11 statewide and in each county in each income level decile who are
12 currently living in housing that is not affordable given their wage
13 level;

14 (ii) A report on the number and percentage of additional affordable
15 rental housing units that are needed statewide and in each county to
16 house persons or households at each wage level decile;

17 (iii) A report of the number and percentage of persons or
18 households identified as having special needs statewide and in each
19 county who are not adequately and affordably housed;

20 (iv) An estimate of the number and percentage of additional housing
21 units needed statewide and in each county for each special needs
22 population category;

23 (c) An inventory of the supply and geographic distribution of
24 affordable housing rental units made available through public and
25 private sector programs;

26 (d) An inventory of the homeownership units under public or
27 nonprofit control through a trust or covenant limiting the economic
28 value of the unit made available through public and private sector
29 programs;

30 (e) An estimate of the number and percentage of homes available for
31 purchase statewide and in each county that are affordable to each wage
32 level decile;

33 (f) An estimate of the number and percentage affordable homes for
34 purchase needed for each wage level decile to achieve the state's
35 homeownership goal, as determined by the department and included in the
36 state affordable housing for all plan, unless established by the
37 legislature;

1 (g) A summary of the activities of all state housing programs, as
2 well as all housing programs operated by or coordinated by city and
3 county governments, including local housing-related levy initiatives,
4 housing-related tax exemption programs, and federally funded programs
5 operated or coordinated by the state or local governments;

6 (h) A status report on the degree of progress made by the public
7 and private sector toward meeting the housing needs of the state, each
8 county, and each city with a population greater than fifty thousand or
9 the city with the highest population in each county, where information
10 is available;

11 ~~((e))~~ (i) An identification of state and local regulatory
12 barriers to affordable housing and proposed regulatory and
13 administrative techniques designed to remove barriers to the
14 development and placement of affordable housing; ~~(and~~

15 ~~(f))~~ (j) An analysis, statewide and within each county and major
16 city, of the primary contributors to the cost of housing and an outline
17 of potential strategies to keep the increasing cost of housing below
18 the relative rise in wages;

19 (k) Specific recommendations, policies, or proposals for meeting
20 the affordable housing needs of the state;

21 (l) Identification of key root causal factors of the affordable
22 housing shortage and the inability of low-income households to obtain
23 and retain appropriate housing, and identification of possible
24 preventative strategies and related performance measures;

25 (m) A report on the growth in the population of persons in each
26 wage level decile statewide and for each county;

27 (n) A determination of the cost to the state of the affordable
28 housing shortage;

29 (o) A report of any differences in the rates of inflation between
30 median house prices, median rent for a two-bedroom apartment, and
31 median family income for persons or households in each wage level
32 decile;

33 (p) A summary of the recommendations of the affordable housing
34 advisory board report as required in RCW 43.185B.030;

35 (q) A response to all county legislative and policy recommendations
36 included in county affordable housing for all plans as well as proposed
37 strategies to address issues raised in the county plans; and

1 (r) A summary report of the department's evaluations of the
2 operations and accomplishments of other state departments and agencies
3 as they affect housing as required in RCW 43.63A.650 (as recodified by
4 this act).

5 ~~((2)(a))~~ (4) The ~~((five-year))~~ state affordable housing
6 ~~((advisory))~~ for all plan required under ~~((subsection (1) of))~~ this
7 section must be submitted to the appropriate committees of the
8 legislature on or before ~~((February 1, 1994))~~ December 31, 2008, and
9 subsequent updated plans must be submitted ~~((every five years))~~ by
10 December 31st each year thereafter.

11 ~~((b) Each February 1st, beginning February 1, 1995, the department~~
12 ~~shall submit an annual progress report, to the legislature, detailing~~
13 ~~the extent to which the state's affordable housing needs were met~~
14 ~~during the preceding year and recommendations for meeting those needs))~~

15 (5) To guide counties in preparation of county affordable housing
16 for all plans required under section 8 of this act, the department
17 shall issue, by December 31, 2007, guidelines for preparing county
18 plans consistent with this chapter. County plans must be substantially
19 consistent with the goals and program recommendations of the state
20 affordable housing for all plan and must include, at a minimum, the
21 same information analysis, on a local level, as described in subsection
22 (3) of this section and must include the performance measures outlined
23 in section 6 of this act.

24 (6) Based on changes to the general population and in the housing
25 market, the department may revise the performance measures and goals of
26 the state affordable housing for all plan and set goals for years
27 following December 31, 2020.

28 NEW SECTION. Sec. 6. (1) The department, in consultation with a
29 task force established by the department consisting of the chairs of
30 the appropriate committees of the legislature, representatives
31 appointed by the director from a minimum of five county affordable
32 housing for all task forces representing urban and rural areas as well
33 as communities east and west of the Cascade mountains, representatives
34 from private for-profit housing developers that have experience with
35 low-income housing, and representatives from statewide housing advocacy
36 organizations, shall create affordable housing for all program outcomes

1 and performance measures and goals addressing, at a minimum, the
2 success of the state and each county in the following areas:

3 (a) An overall measurement of the affordable housing needs met for
4 extremely low, low, and low-income households within each twelve-month
5 period;

6 (b) A measure of the change in the cost of housing relative to the
7 change in wages;

8 (c) A measure of the increase in affordable rental housing;

9 (d) A measure of the increase in self-sufficiency amongst
10 individuals and families;

11 (e) A measure of the increase in individuals' and family wages;

12 (f) A measure of community support for the state and county plans;

13 (g) A measure of county government financial support for the
14 program;

15 (h) A measure of the financial viability of the state and county
16 plans;

17 (i) A measure of the financial efficiency of the housing programs
18 funded by the county;

19 (j) A measure of the quality of the state and county plans; and

20 (k) A measure of the quality of the management of county
21 governments.

22 Measurement reporting must be subdivided by county, major city, and
23 political geography, and yearly targets for these results must be
24 included. Performance measures must be included in the department's
25 state affordable housing for all plan and all county affordable housing
26 for all plans and must be provided to the joint legislative audit and
27 review committee.

28 (2) Performance measures and yearly targets must be established by
29 December 31, 2007, and must be reviewed annually by the department
30 after soliciting feedback from all county affordable housing for all
31 task forces.

32 (3) The department may determine a timeline to implement and
33 measure each performance measure for the state and county plans, except
34 that the state and all counties participating in the affordable housing
35 for all program must implement and respond to all performance measures
36 by January 1, 2010, unless the department determines that a performance
37 measure is not applicable to a specific county based on parameters and
38 thresholds established by the department.

1 NEW SECTION. **Sec. 7.** Each county shall convene a county
2 affordable housing task force. The task force must be a committee,
3 made up of volunteers, created to prepare and recommend to the county
4 legislative authority a county affordable housing for all plan and also
5 to recommend appropriate expenditures of the affordable housing for all
6 program funds provided for in RCW 36.22.178 (as recodified by this act)
7 and any other sources directed to the county program. The county
8 affordable housing task force must include a representative of the
9 county, a representative from the city with the highest population in
10 the county, a representative from all other cities in the county with
11 a population greater than fifty thousand, a member representing
12 beneficiaries of affordable housing programs, other members as may be
13 required to maintain eligibility for federal funding related to housing
14 programs and services, and a representative from both a private
15 nonprofit organization and a private for-profit organization with
16 experience in very low-income housing. The task force may be the same
17 as the homeless housing task force created in RCW 43.185C.160 or the
18 same as another existing task force or other formal committee that
19 meets the requirements of this section.

20 NEW SECTION. **Sec. 8.** (1) Each county shall direct its affordable
21 housing task force to prepare and recommend to its county legislative
22 authority a county affordable housing for all plan for its
23 jurisdictional area. Each county shall adopt a county plan by June 30,
24 2008, and update the plan annually by June 30th thereafter. All plans
25 must be forwarded to the department by the date of adoption. County
26 affordable housing for all plans may be combined with the local
27 homeless housing plans required under RCW 43.185C.040 or any other
28 existing plan addressing housing within a county as long as the
29 requirements of all of the plans to be merged are met. For counties
30 required or choosing to plan under RCW 36.70A.040, county affordable
31 housing for all plans must be consistent with the housing elements of
32 comprehensive plans described in RCW 36.70A.070(2). County plans must
33 also be consistent with any existing local homeless housing plan
34 required in RCW 43.185C.050.

35 (2) County affordable housing for all plans must be primarily
36 focused on (a) ensuring that every very low-income household in the
37 county jurisdictional area has a decent, appropriate, and affordable

1 home in a healthy, safe environment by 2020 and (b) increasing the
2 percentage of very low-income households that access affordable housing
3 without government assistance. County plans must include information
4 and performance measurement data where available on all city and county
5 housing programs, including local housing-related levy initiatives,
6 housing-related tax exemption programs, and federally funded programs
7 operated or coordinated by the state or local governments. County
8 plans must be substantially consistent with the goals, performance
9 measures, and program recommendations of the state affordable housing
10 for all plan and must include, at a minimum, the same information,
11 analysis, and performance measures as described in RCW 43.185B.040 (as
12 recodified by this act) and section 6 of this act. In addition to
13 these performance measures, counties must report on a common
14 performance measure, to be determined by the department, measuring the
15 health and safety of tenants of affordable rental housing. All towns,
16 cities, and counties must report information related to this
17 performance measure to the county task force to the greatest extent
18 practicable using available funds. Counties shall report on
19 achievements according to stated performance measures to the department
20 annually by December 1st, beginning in 2008.

21 (3) In addition to fulfilling the requirements of subsections (1)
22 and (2) of this section, county affordable housing for all plans must
23 include:

24 (a) Timelines for the accomplishment of interim goals and targets,
25 and for the acquisition of projected financing that is appropriate for
26 outlined goals and targets;

27 (b) An identification of challenges to reaching the affordable
28 housing for all goal;

29 (c) A total estimated amount of funds needed to reach the local
30 affordable housing for all goal and an identification of potential
31 funding sources; and

32 (d) State legislative recommendations to enable the county to
33 achieve its affordable housing for all goals. Legislative
34 recommendations must be specific and, if necessary, include an
35 estimated amount of funding required and suggestions of an appropriate
36 funding source.

37 (4) Each year, the department shall:

1 (a) Summarize key information from county plans, including a
2 summary of local city and county housing program activities and a
3 summary of legislative recommendations;

4 (b) Conduct annual performance evaluations of county plans; and

5 (c) Conduct annual performance evaluations of all counties
6 according to their performance in achieving stated affordable housing
7 goals in their plans.

8 (5) The department shall present the summary of county affordable
9 housing for all plans and the results of performance evaluations to the
10 appropriate committees of the legislature annually on or before
11 December 31st.

12 NEW SECTION. **Sec. 9.** (1) Any county may decline to participate in
13 the affordable housing for all program authorized in this chapter by
14 forwarding to the department a resolution adopted by the county
15 legislative authority stating the intention not to participate. A copy
16 of the resolution must also be transmitted to the county auditor and
17 treasurer. Counties that decline to participate shall not be required
18 to establish an affordable housing task force or to create a county
19 affordable housing for all plan. Counties declining to participate in
20 the affordable housing for all program shall continue to collect and
21 utilize the affordable housing for all surcharge for the purposes
22 described in RCW 36.22.178; however, such counties shall not be
23 allocated any additional affordable housing for all program funding.
24 Counties may opt back into the affordable housing for all program
25 authorized by this chapter at a later date through a process and
26 timeline to be determined by the department.

27 (2) If a county declines to participate in the affordable housing
28 for all program authorized in this chapter, a city or formally
29 organized collaborative of cities within that county may forward a
30 resolution to the department stating its intention and willingness to
31 operate an affordable housing for all program within its jurisdictional
32 limits. The department must establish procedures to choose amongst
33 cities or collaboratives of cities in the event that more than one city
34 or collaborative of cities express an interest in participating in the
35 program. Participating cities or collaboratives of cities must fulfill
36 the same requirements as counties participating in the affordable
37 housing for all program.

1 NEW SECTION. **Sec. 10.** A county may subcontract with any other
2 county, city, town, housing authority, community action agency, or
3 other nonprofit organization for the execution of programs contributing
4 to the affordable housing for all goal. All subcontracts must be:
5 Consistent with the county affordable housing for all plan adopted by
6 the legislative authority of the county; time limited; and filed with
7 the department, and must have specific performance terms as specified
8 by the county. County governments must strongly encourage all
9 subcontractors under the affordable housing for all program to apply to
10 the full examination Washington state quality award program. This
11 authority to subcontract with other entities does not affect
12 participating counties' ultimate responsibility for meeting the
13 requirements of the affordable housing for all program.

14 **Sec. 11.** RCW 36.22.178 and 2005 c 484 s 18 are each amended to
15 read as follows:

16 The surcharge provided for in this section shall be named the
17 affordable housing for all program surcharge.

18 (1) Except as provided in subsection ((+2)) (3) of this section,
19 a surcharge of ten dollars per instrument shall be charged by the
20 county auditor for each document recorded, which will be in addition to
21 any other charge authorized by law. The county may retain up to five
22 percent of these funds collected solely for the collection,
23 administration, and local distribution of these funds. Of the
24 remaining funds, forty percent of the revenue generated through this
25 surcharge will be transmitted monthly to the state treasurer who will
26 deposit the funds into the ((Washington housing trust account)) home
27 security fund account created in section 12 of this act. The office of
28 community development of the department of community, trade, and
29 economic development will develop guidelines for the use of these funds
30 to support building operation and maintenance costs of housing projects
31 or units within housing projects that are affordable to extremely low-
32 income ((persons)) households with incomes at or below thirty percent
33 of the area median income, and that require a supplement to rent income
34 to cover ongoing operating expenses.

35 (2) All of the remaining funds generated by this surcharge will be
36 retained by the county and be deposited into a fund that must be used
37 by the county and its cities and towns for eligible housing ((projects

1 ~~or units within housing projects that are affordable to~~) activities as
2 described in this subsection that serve very low-income (~~persons~~)
3 households with incomes at or below fifty percent of the area median
4 income. The portion of the surcharge retained by a county shall be
5 allocated to eligible housing activities that serve extremely low and
6 very low-income (~~housing projects or units within such housing~~
7 ~~projects~~) households in the county and the cities within a county
8 according to an interlocal agreement between the county and the cities
9 within the county consistent with countywide and local housing needs
10 and policies. (~~The funds generated with this surcharge shall not be~~
11 ~~used for construction of new housing if at any time the vacancy rate~~
12 ~~for available low income housing within the county rises above ten~~
13 ~~percent. The vacancy rate for each county shall be developed using the~~
14 ~~state low income vacancy rate standard developed under subsection (3)~~
15 ~~of this section. Uses of~~) A priority must be given to eligible
16 housing activities that serve extremely low-income households with
17 incomes at or below thirty percent of the area median income. For
18 counties participating in the affordable housing for all program, all
19 eligible housing activities funded must be consistent with strategies
20 outlined in the county affordable housing for all plan. Eligible
21 housing activities to be funded by these (~~local~~) county funds are
22 limited to:

23 (a) Acquisition, construction, or rehabilitation of housing
24 projects or units within housing projects that are affordable to very
25 low-income (~~persons~~) households with incomes at or below fifty
26 percent of the area median income, including units for homeownership,
27 rental units, seasonal and permanent farm worker housing units, and
28 single room occupancy units;

29 (b) Supporting building operation and maintenance costs of housing
30 projects or units within housing projects eligible to receive housing
31 trust funds, that are affordable to very low-income (~~persons~~)
32 households with incomes at or below fifty percent of the area median
33 income, and that require a supplement to rent income to cover ongoing
34 operating expenses;

35 (c) Rental assistance vouchers for housing (~~projects or~~) units
36 (~~within housing projects~~) that are affordable to very low-income
37 (~~persons~~) households with incomes at or below fifty percent of the
38 area median income, to be administered by a local public housing

1 authority or other local organization that has an existing rental
2 assistance voucher program, consistent with or similar to the United
3 States department of housing and urban development's section 8 rental
4 assistance voucher program standards. The department shall develop
5 statewide guidelines for rental assistance programs by 2008, which must
6 include, at a minimum, guidelines and related performance measures to
7 ensure acceptable housing quality for voucher recipients, as well as
8 tenant protections consistent with federal section 8 rental assistance
9 voucher program standards; and

10 (d) Operating costs for emergency shelters and licensed overnight
11 youth shelters.

12 ~~((+2))~~ (3) The surcharge imposed in this section does not apply to
13 assignments or substitutions of previously recorded deeds of trust.

14 ~~((3) The real estate research center at Washington State~~
15 ~~University shall develop a vacancy rate standard for low income housing~~
16 ~~in the state as described in RCW 18.85.540(1)(i))~~

17 (4) All counties shall report at least annually upon receipts and
18 expenditures of the affordable housing for all program surcharge funds
19 created in this section to the department. The department may require
20 more frequent reports. The report must include the amount of funding
21 generated by the surcharge, the total amount of funding distributed to
22 date, the amount of funding allocated to each eligible housing
23 activity, a description of each eligible housing activity funded,
24 including information on the income or wage level and numbers of
25 extremely low and low-income households the eligible housing activity
26 is intended to serve, and the outcome or anticipated outcome of each
27 eligible housing activity. Counties participating in the affordable
28 housing for all program shall also report annually on performance
29 measures, including performance measures outlined in section 6 of this
30 act and others to be determined by the department, related to uses of
31 the affordable housing for all program surcharge funds.

32 NEW SECTION. Sec. 12. The home security fund account is created
33 in the custody of the state treasurer. The state's portion of the
34 surcharges established in RCW 36.22.178 and 36.22.179 (as recodified
35 by this act), and section 25 of this act shall be deposited in the
36 account, as well as all other sources directed to the affordable
37 housing for all program and the homeless housing and assistance

1 program. Expenditures from the account may only be used for the
2 affordable housing for all program and the homeless housing and
3 assistance program as described in this act. Only the director or the
4 director's designee may authorize expenditures from the account. The
5 account is subject to allotment procedures under chapter 43.88 RCW, but
6 an appropriation is not required for expenditures.

7 **Sec. 13.** RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are
8 each reenacted and amended to read as follows:

9 County auditors or recording officers shall collect the following
10 fees for their official services:

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

22 (2) For preparing and certifying copies, for the first page eight
23 and one-half by fourteen inches or less, three dollars; for each
24 additional page eight and one-half by fourteen inches or less, one
25 dollar;

26 (3) For preparing noncertified copies, for each page eight and one-
27 half by fourteen inches or less, one dollar;

28 (4) For administering an oath or taking an affidavit, with or
29 without seal, two dollars;

30 (5) For issuing a marriage license, eight dollars, (this fee
31 includes taking necessary affidavits, filing returns, indexing, and
32 transmittal of a record of the marriage to the state registrar of vital
33 statistics) plus an additional five-dollar fee for use and support of
34 the prevention of child abuse and neglect activities to be transmitted
35 monthly to the state treasurer and deposited in the state general fund
36 plus an additional ten-dollar fee to be transmitted monthly to the
37 state treasurer and deposited in the state general fund. The

1 legislature intends to appropriate an amount at least equal to the
2 revenue generated by this fee for the purposes of the displaced
3 homemaker act, chapter 28B.04 RCW;

4 (6) For searching records per hour, eight dollars;

5 (7) For recording plats, fifty cents for each lot except cemetery
6 plats for which the charge shall be twenty-five cents per lot; also one
7 dollar for each acknowledgment, dedication, and description: PROVIDED,
8 That there shall be a minimum fee of twenty-five dollars per plat;

9 (8) For recording of miscellaneous records not listed above, for
10 the first page eight and one-half by fourteen inches or less, five
11 dollars; for each additional page eight and one-half by fourteen inches
12 or less, one dollar;

13 (9) For modernization and improvement of the recording and indexing
14 system, a surcharge as provided in RCW 36.22.170;

15 (10) For recording an emergency nonstandard document as provided in
16 RCW 65.04.047, fifty dollars, in addition to all other applicable
17 recording fees;

18 (11) For recording instruments, a surcharge as provided in RCW
19 36.22.178 (as recodified by this act); and

20 (~~{(12)}~~) (12) For recording instruments, except for documents
21 recording a birth, marriage, divorce, or death or any documents
22 otherwise exempted from a recording fee under state law, a surcharge as
23 provided in RCW 36.22.179 (as recodified by this act).

24 NEW SECTION. **Sec. 14.** This chapter does not require either the
25 department or any local government to expend any funds to accomplish
26 the goals of this chapter other than the revenues authorized in this
27 act and other revenue that may be appropriated by the legislature for
28 these purposes. However, neither the department nor any local
29 government may use any funds authorized in this act to supplant or
30 reduce any existing expenditures of public money to address the
31 affordable housing shortage.

32 NEW SECTION. **Sec. 15.** The joint legislative audit and review
33 committee shall conduct a performance audit of the state affordable
34 housing for all program every four years. The audit must include an
35 analysis of the department's expenditures of funds from sources
36 established by RCW 36.22.178 (as recodified by this act) and all other

1 sources directed to the affordable housing for all program. The first
2 audit must be conducted on or before December 31, 2010. Each audit
3 must take no longer than six months or fifty thousand dollars to
4 complete.

5 NEW SECTION. **Sec. 16.** (1) The joint legislative audit and review
6 committee shall conduct an evaluation and comparison of the cost-
7 efficiency of rental housing voucher programs funded with state or
8 local moneys versus other low-income housing projects funded with state
9 or local moneys that are intended to assist low-income households to
10 obtain and retain affordable housing. The study must consider factors
11 including administrative costs, capital costs, and other operating
12 costs involved in the implementation and management of rental housing
13 voucher programs. The study must compare the number of households that
14 may be served, given a set amount of available funds, through rental
15 housing voucher programs funded with state or local moneys with other
16 housing projects funded with state or local moneys, including new
17 construction and rehabilitation of housing units. The department of
18 community, trade, and economic development, the Washington state
19 housing finance commission, housing authorities, community action
20 agencies, and local governments shall provide the joint legislative
21 audit and review committee with information necessary for the
22 evaluation study.

23 (2) The joint legislative audit and review committee shall solicit
24 input regarding the study from interested parties, including
25 representatives from the affordable housing advisory board, the
26 department of community, trade, and economic development, the
27 Washington state housing finance commission, representatives from the
28 private rental housing industry, housing authorities, community action
29 agencies, county and city governments, and nonprofit and for-profit
30 housing developers.

31 (3) The joint legislative audit and review committee shall present
32 the results of this study to the appropriate committees of the
33 legislature by December 31, 2008.

34 (4) This section expires December 31, 2008.

35 NEW SECTION. **Sec. 17.** (1) The department, the Washington state
36 housing finance commission, the affordable housing advisory board, and

1 all participating county governments, housing authorities, and other
2 nonprofit organizations receiving state funds, county affordable
3 housing for all surcharge funds, or financing through the housing
4 finance commission, shall, by December 31, 2007, and annually
5 thereafter, review current housing reporting requirements related to
6 housing programs and services and give recommendations to the
7 legislature to streamline and simplify all planning and reporting
8 requirements. The entities listed in this section shall also give
9 recommendations for additional legislative actions that could promote
10 the affordable housing for all goal.

11 (2) The department shall collaborate with the Washington state
12 housing finance commission and representatives from statewide
13 organizations representing counties, cities, housing authorities,
14 nonprofit groups involved in affordable housing, and other interested
15 parties, to create a strategy to streamline and, when possible,
16 consolidate state, city, town, and county reporting requirements to
17 address the inefficiencies associated with multiple reporting
18 requirements. The department shall present the strategy to the
19 appropriate committees of the legislature by December 31, 2007.

20 **Sec. 18.** RCW 43.63A.650 and 1999 c 267 s 3 are each amended to
21 read as follows:

22 (1) The department shall be the principal state department
23 responsible for coordinating federal and state resources and activities
24 in housing, except for programs administered by the Washington state
25 housing finance commission under chapter 43.180 RCW, and for evaluating
26 the operations and accomplishments of other state departments and
27 agencies as they affect housing. The department shall conduct annual
28 performance evaluations of all state department and agency services
29 provided to extremely low, very low, and low-income persons needing
30 housing assistance, as well as all other housing-related programs and
31 activities. The department shall provide copies of the evaluation
32 reports to the appropriate committees of the legislature and the
33 affordable housing advisory board by December 31st of each year.

34 (2) The department shall work with (~~local governments~~) cities,
35 towns, counties, tribal organizations, local housing authorities,
36 nonprofit community or neighborhood-based organizations, and regional

1 or statewide nonprofit housing assistance organizations, for the
2 purpose of coordinating federal and state resources with local
3 resources for housing.

4 (3) The department shall be the principal state department
5 responsible for providing shelter and housing services to homeless
6 families with children. The department shall have the principal
7 responsibility to coordinate, plan, and oversee the state's activities
8 for developing a coordinated and comprehensive plan to serve homeless
9 families with children. The plan shall be developed collaboratively
10 with the department of social and health services. The department
11 shall include community organizations involved in the delivery of
12 services to homeless families with children, and experts in the
13 development and ongoing evaluation of the plan. The department shall
14 follow professionally recognized standards and procedures. The plan
15 shall be implemented within amounts appropriated by the legislature for
16 that specific purpose in the operating and capital budgets. The
17 department shall submit the plan to the appropriate committees of the
18 senate and house of representatives no later than September 1, 1999,
19 and shall update the plan and submit it to the appropriate committees
20 of the legislature by January 1st of every odd-numbered year through
21 2007. The plan shall address at least the following: (a) The need for
22 prevention assistance; (b) the need for emergency shelter; (c) the need
23 for transitional assistance to aid families into permanent housing; (d)
24 the need for linking services with shelter or housing; and (e) the need
25 for ongoing monitoring of the efficiency and effectiveness of the
26 plan's design and implementation.

27 **Sec. 19.** RCW 43.185C.005 and 2005 c 484 s 1 are each amended to
28 read as follows:

29 Despite laudable efforts by all levels of government, private
30 individuals, nonprofit organizations, and charitable foundations to end
31 homelessness, the number of homeless persons in Washington is
32 unacceptably high. The state's homeless population, furthermore,
33 includes a large number of families with children, youth, and employed
34 persons. The legislature finds that the fiscal and societal costs of
35 homelessness are high for both the public and private sectors, and that
36 ending homelessness (~~should~~) must be a goal for state and local
37 government.

1 The legislature finds that there are many causes of homelessness,
2 including a shortage of affordable housing; a shortage of good family-
3 wage jobs which undermines housing affordability; a lack of an
4 accessible and affordable health care system available to all who
5 suffer from physical and mental illnesses and chemical and alcohol
6 dependency; domestic violence; ~~((and))~~ a lack of education and job
7 skills necessary to acquire adequate wage jobs in the economy of the
8 twenty-first century; inadequate availability of services for citizens
9 with mental illness and developmental disabilities living in the
10 community; and the difficulties faced by formerly institutionalized
11 persons in reintegrating to society and finding stable employment and
12 housing.

13 The support and commitment of all sectors of the statewide
14 community is critical to the chances of success in ending homelessness
15 in Washington. While the provision of housing and housing-related
16 services to the homeless should be administered at the local level to
17 best address specific community needs, the legislature also recognizes
18 the need for the state to play a primary coordinating, supporting,
19 ~~((and))~~ monitoring, and evaluating role. There must be a clear
20 assignment of responsibilities and a clear statement of achievable and
21 quantifiable goals. Systematic statewide data collection on
22 ~~((homelessness))~~ homeless individuals in Washington must be a critical
23 component of such a program enabling the state to work with local
24 governments not only to count all homeless people in the state, but to
25 record and manage information about homeless persons ((and)) in order
26 to assist them in finding housing and other supportive services that
27 can help them, when possible, achieve the highest degree of self-
28 sufficiency and economic independence that is appropriate given their
29 specific abilities and situations.

30 The systematic collection and rigorous evaluation of homeless data,
31 a nationwide search for and implementation through adequate resource
32 allocation of best practices, and the systematic measurement of
33 progress toward interim goals and the ultimate goal of ending
34 homelessness are all necessary components of a statewide effort to end
35 homelessness in Washington by July 1, 2015.

36 **Sec. 20.** RCW 43.185C.040 and 2005 c 484 s 7 are each amended to
37 read as follows:

1 (1) ~~((Six months after the first Washington homeless census,))~~ The
2 department shall, in consultation with the interagency council on
3 homelessness, the state advisory council on homelessness, and the
4 affordable housing advisory board, prepare and ~~((publish a ten-year
5 homeless housing))~~ annually update a state homeless housing strategic
6 plan which ~~((shall))~~ must outline statewide goals and performance
7 measures ~~((and shall be coordinated with the plan for homeless families
8 with children required under RCW 43.63A.650. To guide local
9 governments in preparation of their first local homeless housing plans
10 due December 31, 2005, the department shall issue by October 15, 2005,
11 temporary guidelines consistent with this chapter and including the
12 best available data on each community's homeless population)).~~ Local
13 governments' ~~((ten-year homeless housing))~~ homeless housing plans
14 ~~((shall not))~~ must include all of the performance measures included in
15 the state homeless housing strategic plan and must be substantially
16 ~~((inconsistent))~~ consistent with the goals and program recommendations
17 of ~~((the temporary guidelines and, when amended after 2005,))~~ the state
18 homeless housing strategic plan.

19 (2)(a) Program outcomes and performance measures and goals
20 ~~((shall))~~ must be created by the department ~~((and reflected))~~ in
21 consultation with the interagency council on homelessness and a task
22 force established by the department consisting of the committee chairs
23 of the appropriate committees of the legislature, representatives
24 appointed by the director from a minimum of five local ending
25 homelessness task forces representing both urban and rural areas and
26 communities east and west of the Cascade mountains, and a
27 representative from a statewide membership organization that advocates
28 for ending homelessness. The task force must also produce guidelines
29 for local governments regarding methods, techniques, and data suggested
30 to measure each performance measure. Performance measures, yearly
31 targets, and corresponding measurement guidelines must be established
32 by December 31, 2007, and must be reviewed annually by the department
33 and the interagency council on homelessness after soliciting feedback
34 from all local homeless housing task forces. Performance measures must
35 be included in the department's ~~((homeless housing))~~ state homeless
36 housing strategic plan ~~((as well as))~~ and all local homeless housing
37 plans.

1 (b) The department may determine a timeline for implementation and
2 measurement of each performance measure for the state and local
3 homeless housing plans, except that the state and all local governments
4 must implement and respond to all performance measures by December 31,
5 2009, unless the department finds that a performance measure is not
6 applicable to a specific local area according to parameters and
7 thresholds established by the department.

8 (c) Performance measures must be created, at a minimum, to gauge
9 the success of the state and each local government in the following
10 areas:

11 (i) The societal cost of homelessness;

12 (ii) The cost of ending homelessness in comparison with available
13 and committed resources;

14 (iii) The self-sufficiency of persons in Washington;

15 (iv) The achievement of an appropriate level of self-sufficiency
16 for homeless individuals;

17 (v) The quality and completeness of the Washington homeless client
18 management information system database;

19 (vi) The quality of the performance management systems of state
20 agencies, local governments, and local government subcontractors
21 executing programs, as authorized by RCW 43.185C.080(1), that
22 contribute to the overall goal of ending homelessness; and

23 (vii) The quality of local homeless housing plans.

24 Performance measurements are reported upon by city and county
25 geography, including demographics with yearly or more frequent targets.

26 (3) Interim goals against which state and local governments'
27 performance may be measured must also be described and reported upon in
28 the state homeless housing strategic plan, including:

29 ~~(a) ((By the end of year one, completion of the first census as~~
30 ~~described in RCW 43.185C.030;~~

31 ~~(b))~~ By the end of each subsequent year, goals common to all state
32 and local programs which are measurable and the achievement of which
33 would move that community toward housing its homeless population; and

34 ~~((e))~~ (b) By July 1, 2015, reduction of the homeless population
35 statewide and in each county by fifty percent.

36 ~~((3))~~ (4) The department shall develop a consistent statewide
37 data gathering instrument to monitor the performance of cities and

1 counties receiving homeless housing grants in order to determine
2 compliance with the terms and conditions set forth in the homeless
3 housing grant application or required by the department.

4 (5) The department shall, in consultation with the interagency
5 council on homelessness, the state advisory council on homelessness,
6 and the affordable housing advisory board, report annually to the
7 governor and the appropriate committees of the legislature (~~an~~
8 ~~assessment of~~) the fiscal and societal costs of the homeless crisis,
9 including identifying, to the extent practical, savings in state and
10 local program costs that could be obtained through the achievement of
11 stable housing for the clients served by those programs.

12 (6) The department shall also deliver a summary annual report,
13 including information about:

14 (a) All state programs addressing homeless housing and services;

15 (b) The state's performance in furthering the goals of the state
16 (~~ten-year~~) homeless housing strategic plan; and

17 (c) The performance of each participating local government in
18 creating and executing a local homeless housing plan (~~which~~) that
19 meets the requirements of this chapter. (~~The annual report may~~
20 include performance measures such as:

21 (~~a) The reduction in the number of homeless individuals and~~
22 ~~families from the initial count of homeless persons;~~

23 (~~b) The number of new units available and affordable for homeless~~
24 ~~families by housing type;~~

25 (~~c) The number of homeless individuals identified who are not~~
26 ~~offered suitable housing within thirty days of their request or~~
27 ~~identification as homeless;~~

28 (~~d) The number of households at risk of losing housing who maintain~~
29 ~~it due to a preventive intervention;~~

30 (~~e) The transition time from homelessness to permanent housing;~~

31 (~~f) The cost per person housed at each level of the housing~~
32 ~~continuum;~~

33 (~~g) The ability to successfully collect data and report~~
34 ~~performance;~~

35 (~~h) The extent of collaboration and coordination among public~~
36 ~~bodies, as well as community stakeholders, and the level of community~~
37 ~~support and participation;~~

38 (~~i) The quality and safety of housing provided; and~~

1 ~~(j) The effectiveness of outreach to homeless persons, and their~~
2 ~~satisfaction with the program.~~

3 ~~(4))~~ (7) The state homeless housing plan must also include a
4 response to each recommendation included in the local homeless housing
5 plans for policy changes to assist in ending homelessness and a summary
6 of the recommendations to the legislature to streamline and simplify
7 all housing planning and reporting requirements, as required in section
8 17 of this act.

9 (8) Based on the performance of local homeless housing programs in
10 meeting their interim goals, on general population changes and on
11 changes in the homeless population recorded in the ((annual)) census,
12 the department may revise the performance measures and goals of the
13 state homeless housing strategic plans, set goals for years following
14 the initial ten-year period, and recommend changes in local
15 governments' homeless housing plans.

16 **Sec. 21.** RCW 43.185C.050 and 2005 c 484 s 8 are each amended to
17 read as follows:

18 (1)(a)(i) Each local homeless housing task force shall prepare and
19 recommend to its local government legislative authority a ((ten-year))
20 local homeless housing plan for its jurisdictional area ((which shall
21 be not inconsistent)) that is consistent with the department's
22 ((statewide temporary guidelines, for the December 31, 2005, plan, and
23 thereafter the department's ten-year homeless housing)) state homeless
24 housing strategic plan and ((which shall be)) is aimed at eliminating
25 homelessness, with a minimum goal of reducing homelessness by fifty
26 percent by July 1, 2015. ((The local government may amend the proposed
27 local plan and shall adopt a plan by December 31, 2005. Performance in
28 meeting the goals of this local plan shall be assessed annually in
29 terms of the performance measures published by the department.)) Local
30 governments must update their local homeless housing plans annually on
31 a schedule to be determined by the department.

32 (ii) Local plans must include specific strategic objectives,
33 consistent with the state plan, and must include corresponding action
34 plans. Local plans must address identified strategies to meet the
35 needs of all homeless populations, including chronic homeless, short-
36 term homeless, families, individuals, and youth. Each local plan must

1 include the total estimated cost of accomplishing the goals of the plan
2 to reduce homelessness by fifty percent by July 1, 2015, and must
3 include an accounting of total committed funds for this purpose.

4 (b)(i) The department must conduct an annual performance evaluation
5 of each local plan by December 31st of each year beginning in 2007.
6 The department must also conduct an annual performance evaluation of
7 each local government's performance related to its local plan by
8 December 31st of each year beginning in 2007. A local government's
9 performance must be evaluated using, at a minimum, the performance
10 measures outlined in RCW 43.185C.040(2).

11 (ii) In addition to the performance measures mandated in RCW
12 43.185C.040(2), local plans may include specific local performance
13 measures adopted by the local government legislative authority((τ)) and
14 ((may)) must include recommendations for ((any)) state legislation
15 needed to meet the state or local plan goals. The recommendations must
16 be specific and must, if funding is required, include an estimated
17 amount of funding required and suggestions for an appropriate funding
18 source.

19 (2) Eligible activities under the local plans include:

20 (a) Rental and furnishing of dwelling units for the use of homeless
21 persons;

22 (b) Costs of developing affordable housing for homeless persons,
23 and services for formerly homeless individuals and families residing in
24 transitional housing or permanent housing and still at risk of
25 homelessness;

26 (c) Operating subsidies for transitional housing or permanent
27 housing serving formerly homeless families or individuals;

28 (d) Services to prevent homelessness, such as emergency eviction
29 prevention programs, including temporary rental subsidies to prevent
30 homelessness;

31 (e) Temporary services to assist persons leaving state institutions
32 and other state programs to prevent them from becoming or remaining
33 homeless;

34 (f) Outreach services for homeless individuals and families;

35 (g) Development and management of local homeless housing plans,
36 including homeless census data collection((÷)) and information,
37 identification of goals, performance measures, strategies, and costs,
38 and evaluation of progress towards established goals;

1 (h) Rental vouchers payable to landlords for persons who are
2 homeless or below thirty percent of the median income or in immediate
3 danger of becoming homeless; ~~((and))~~

4 (i) Implementing a quality management program and applying to the
5 full examination Washington state quality award program; and

6 (j) Other activities to reduce and prevent homelessness as
7 identified for funding in the local plan.

8 **Sec. 22.** RCW 43.185C.080 and 2005 c 484 s 12 are each amended to
9 read as follows:

10 ~~(1) ((Only a local government is eligible to receive a homeless~~
11 ~~housing grant from the homeless housing account. Any city may assert~~
12 ~~responsibility for homeless housing within its borders if it so~~
13 ~~chooses, by forwarding a resolution to the legislative authority of the~~
14 ~~county stating its intention and its commitment to operate a separate~~
15 ~~homeless housing program. The city shall then receive a percentage of~~
16 ~~the surcharge assessed under RCW 36.22.179 equal to the percentage of~~
17 ~~the city's local portion of the real estate excise tax collected by the~~
18 ~~county. A participating city may also then apply separately for~~
19 ~~homeless housing program grants. A city choosing to operate a separate~~
20 ~~homeless housing program shall be responsible for complying with all of~~
21 ~~the same requirements as counties and shall adopt a local homeless~~
22 ~~housing plan meeting the requirements of this chapter for county local~~
23 ~~plans. However, the city may by resolution of its legislative~~
24 ~~authority accept the county's homeless housing task force as its own~~
25 ~~and based on that task force's recommendations adopt a homeless housing~~
26 ~~plan specific to the city.~~

27 ~~(2))~~ Local governments ~~((applying for homeless housing funds))~~ may
28 subcontract with any other local government, housing authority,
29 community action agency, or other nonprofit organization for the
30 execution of programs contributing to the overall goal of ending
31 homelessness within a defined service area. All subcontracts ~~((shall))~~
32 must be consistent with the local homeless housing plan adopted by the
33 legislative authority of the local government, time limited, and filed
34 with the department, and ~~((shall))~~ must have specific performance
35 terms. Local governments must strongly encourage all subcontractors
36 under the homeless housing and assistance program to apply to the full
37 examination Washington state quality award program. While a local

1 government has the authority to subcontract with other entities, the
2 local government continues to maintain the ultimate responsibility for
3 the homeless housing program within its (~~borders~~) jurisdiction.

4 (~~(3)~~) (2) A county may decline to participate in the program
5 authorized in this chapter by forwarding to the department a resolution
6 adopted by the county legislative authority stating the intention not
7 to participate. A copy of the resolution (~~shall~~) must also be
8 transmitted to the county auditor and treasurer. If (~~such a~~) the
9 resolution is adopted, all of the funds otherwise due to the county
10 under RCW (~~43.185C.060 shall~~) 36.22.179 (as recodified by this act)
11 and section 25 of this act, minus funds due to any city that has chosen
12 to participate through the process established in subsection (3) of
13 this section, must be remitted monthly to the state treasurer for
14 deposit in the (~~homeless housing~~) home security fund account, without
15 any reduction by the county for collecting or administering the funds.
16 Upon receipt of the resolution, the department shall promptly begin to
17 identify and contract with one or more entities eligible under this
18 section to create and execute a local homeless housing plan for the
19 county meeting the requirements of this chapter. The department shall
20 expend all of the funds received from the county under this subsection
21 to carry out the purposes of this chapter (~~484, Laws of 2005~~) in the
22 county, (~~provided that~~) but the department may retain six percent of
23 these funds to offset the cost of managing the county's program.

24 (3) Any city may assert responsibility for homeless housing within
25 its borders, by forwarding a resolution to the legislative authority of
26 the county stating its intention and its commitment to operate a
27 separate homeless housing program. A city choosing to operate a
28 separate homeless housing program receives a percentage of the
29 surcharge assessed under RCW 36.22.179 (as recodified by this act) and
30 under section 25 of this act equal to the percentage of the city's
31 local portion of the real estate excise tax collected by the county.
32 A participating city may also then apply separately for homeless
33 housing grants. A city choosing to operate a separate homeless housing
34 program must comply with all of the same requirements as counties and
35 shall adopt a local homeless housing plan meeting the requirements of
36 this chapter for local homeless housing plans.

37 (4) A resolution by the county declining to participate in the
38 program (~~shall have~~) has no effect on the (~~ability~~) authority of

1 each city in the county to assert its right to manage its own program
2 under this chapter, and the county shall monthly transmit to the city
3 the funds due under (~~this chapter~~) RCW 36.22.179 (as recodified by
4 this act) and section 25 of this act.

5 **Sec. 23.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
6 read as follows:

7 (1) Each county shall create a homeless housing task force to
8 develop a (~~ten-year~~) homeless housing plan addressing short-term and
9 long-term services and housing (~~for homeless persons~~) to prevent and
10 reduce homelessness by fifty percent by 2015.

11 Membership on the task force may include representatives of the
12 counties, cities, towns, housing authorities, civic and faith
13 organizations, schools, community networks, human services providers,
14 law enforcement personnel, criminal justice personnel, including
15 prosecutors, probation officers, and jail administrators, substance
16 abuse treatment providers, mental health care providers, emergency
17 health care providers, businesses, at-large representatives of the
18 community, and a homeless or formerly homeless individual.

19 In lieu of creating a new task force, a local government may
20 designate an existing governmental or nonprofit body (~~which~~) that
21 substantially conforms to this section and (~~which~~) includes at least
22 one homeless or formerly homeless individual to serve as its homeless
23 representative. As an alternative to a separate plan, two or more
24 local governments may work in concert to develop and execute a joint
25 homeless housing plan, or to contract with another entity to do so
26 according to the requirements of this chapter. While a local
27 government has the authority to subcontract with other entities, the
28 local government continues to maintain the ultimate responsibility for
29 the homeless housing program within its borders.

30 (~~A county may decline to participate in the program authorized in~~
31 ~~this chapter by forwarding to the department a resolution adopted by~~
32 ~~the county legislative authority stating the intention not to~~
33 ~~participate. A copy of the resolution shall also be transmitted to the~~
34 ~~county auditor and treasurer. If a county declines to participate, the~~
35 ~~department shall create and execute a local homeless housing plan for~~
36 ~~the county meeting the requirements of this chapter.))~~

1 (2) In addition to developing a (~~ten-year~~) homeless housing plan,
2 each task force shall establish guidelines consistent with the
3 (~~statewide~~) state homeless housing strategic plan, as needed, for the
4 following:

- 5 (a) Emergency shelters;
- 6 (b) Short-term housing needs;
- 7 (c) Temporary encampments;
- 8 (d) Rental voucher programs;
- 9 (e) Supportive housing for chronically homeless persons; (~~and~~
10 (~~e~~) (f) Long-term housing; and
- 11 (g) Prevention services.

12 Guidelines must include, when appropriate, standards for health and
13 safety and notifying the public of proposed facilities to house the
14 homeless.

15 (3) Each county(~~, including counties exempted from creating a new~~
16 ~~task force under subsection (1) of this section,~~) shall report to the
17 department of community, trade, and economic development (~~such~~) any
18 information (~~as may be~~) needed to ensure compliance with this
19 chapter.

20 **Sec. 24.** RCW 36.22.179 and 2005 c 484 s 9 are each amended to read
21 as follows:

22 (1) In addition to the surcharge authorized in RCW 36.22.178 (as
23 recodified by this act), and except as provided in subsection (2) of
24 this section, an additional surcharge of ten dollars shall be charged
25 by the county auditor for each document recorded, which will be in
26 addition to any other charge allowed by law. The funds collected
27 pursuant to this section are to be distributed and used as follows:

28 (a) The auditor shall retain two percent for collection of the fee,
29 and of the remainder shall remit sixty percent to the county to be
30 deposited into a fund that must be used by the county and its cities
31 and towns to accomplish the purposes of chapter (~~484, Laws of 2005~~)
32 43.185C RCW, six percent of which may be used by the county for
33 administrative costs related to its homeless housing plan, and the
34 remainder for programs which directly accomplish the goals of the
35 county's local homeless housing plan, except that for each city in the
36 county which elects as authorized in RCW 43.185C.080 to operate its own
37 local homeless housing program, a percentage of the surcharge assessed

1 under this section equal to the percentage of the city's local portion
2 of the real estate excise tax collected by the county shall be
3 transmitted at least quarterly to the city treasurer, without any
4 deduction for county administrative costs, for use by the city for
5 program costs which directly contribute to the goals of the city's
6 local homeless housing plan; of the funds received by the city, it may
7 use six percent for administrative costs for its homeless housing
8 program.

9 (b) The auditor shall remit the remaining funds to the state
10 treasurer for deposit in the homeless housing home security fund
11 account. The department may use twelve and one-half percent of this
12 amount for administration of the program established in RCW
13 43.185C.020, including the costs of creating the statewide homeless
14 housing strategic plan, measuring performance, providing technical
15 assistance to local governments, and managing the homeless housing
16 grant program. The remaining eighty-seven and one-half percent is to
17 be (~~distributed by the department to local governments through the~~
18 ~~homeless housing grant program~~) used by the department to:

19 (i) Provide housing and shelter for homeless people including, but
20 not limited to: Grants to operate, repair, and staff shelters; grants
21 to operate transitional housing; partial payments for rental
22 assistance; consolidated emergency assistance; overnight youth
23 shelters; and emergency shelter assistance; and

24 (ii) Fund the homeless housing grant program.

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

27 NEW SECTION. Sec. 25. A new section is added to chapter 43.185C
28 RCW to read as follows:

29 (1) In addition to the surcharges authorized in RCW 36.22.178 and
30 36.22.179 (as recodified by this act), and except as provided in
31 subsection (2) of this section, the county auditor shall charge an
32 additional surcharge of eight dollars for each document recorded, which
33 is in addition to any other charge allowed by law. The funds collected
34 under this section are to be distributed and used as follows:

35 (a) The auditor shall remit ninety percent to the county to be
36 deposited into a fund that must be used by the county and its cities
37 and towns to accomplish the purposes of this chapter. Funds are to be

1 used for programs that directly accomplish the goals of the county's
2 local homeless housing plan, except that for each city in the county
3 that elects, as authorized in RCW 43.185C.080(3), to operate its own
4 homeless housing program, a percentage of the surcharge assessed under
5 this section equal to the percentage of the city's local portion of the
6 real estate excise tax collected by the county must be transmitted at
7 least quarterly to the city treasurer for use by the city for program
8 costs that directly contribute to the goals of the city's homeless
9 housing plan.

10 (b) The auditor shall remit the remaining funds to the state
11 treasurer for deposit in the home security fund account. The
12 department may use the funds for administering the program established
13 in RCW 43.185C.020, including the costs of creating and updating the
14 statewide homeless housing strategic plan, implementing and managing
15 the Washington homeless client management information system
16 established in RCW 43.185C.180, measuring performance, providing
17 technical assistance to local governments, and managing the homeless
18 housing grant program. Remaining funds may also be used to:

19 (i) Fund the creation of two self-sufficiency income standards
20 established under section 26 of this act;

21 (ii) Provide housing and shelter for homeless people including, but
22 not limited to: Grants to operate, repair, and staff shelters; grants
23 to operate transitional housing; partial payments for rental
24 assistance; consolidated emergency assistance; overnight youth
25 shelters; and emergency shelter assistance; and

26 (iii) Fund the homeless housing grant program.

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

29 NEW SECTION. **Sec. 26.** A new section is added to chapter 43.185C
30 RCW to read as follows:

31 The department shall contract with the employment security
32 department to annually establish two self-sufficiency income standards
33 based upon the cost of living, including housing costs, which include
34 mortgage or rent payments and utilities other than telephone, for each
35 county in the state. The self-sufficiency income standards must be
36 based upon the costs needed to support: (1) One adult individual; and
37 (2) two adult individuals and one preschool-aged child and one school-

1 aged child. These income standards will be translated into an
2 equivalent hourly wage rate assuming one full-year, full-time earner
3 for the self-sufficiency income standards for each county. The self-
4 sufficiency income standards must be presented to the legislature by
5 December 31, 2008. The employment security department must spend no
6 more than one hundred ten thousand dollars in creating the initial
7 self-sufficiency income standards and no more than fifty-five thousand
8 dollars annually to update the standards. The employment security
9 department shall deliver a report to the department and the appropriate
10 committees of the legislature that details the number and percentage of
11 individuals statewide and in each county who do not have a good family
12 wage job and, as a result, earn less than the self-sufficiency income
13 standards, as well as the number and percentage of individuals
14 statewide and in each county who have a good family wage job and, as a
15 result, earn an amount equivalent to or more than the self-sufficiency
16 income standards.

17 NEW SECTION. **Sec. 27.** A new section is added to chapter 43.185C
18 RCW to read as follows:

19 The joint legislative audit and review committee shall conduct a
20 performance audit of the homeless housing and assistance program every
21 four years. The first audit must be conducted by December 31, 2009.
22 Each audit must take no longer than six months or fifty thousand
23 dollars to complete.

24 **Sec. 28.** RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are
25 each reenacted and amended to read as follows:

26 County auditors or recording officers shall collect the following
27 fees for their official services:

28 (1) For recording instruments, for the first page eight and one-
29 half by fourteen inches or less, five dollars; for each additional page
30 eight and one-half by fourteen inches or less, one dollar. The fee for
31 recording multiple transactions contained in one instrument will be
32 calculated for each transaction requiring separate indexing as required
33 under RCW 65.04.050 as follows: The fee for each title or transaction
34 is the same fee as the first page of any additional recorded document;
35 the fee for additional pages is the same fee as for any additional

1 pages for any recorded document; the fee for the additional pages may
2 be collected only once and may not be collected for each title or
3 transaction;

4 (2) For preparing and certifying copies, for the first page eight
5 and one-half by fourteen inches or less, three dollars; for each
6 additional page eight and one-half by fourteen inches or less, one
7 dollar;

8 (3) For preparing noncertified copies, for each page eight and one-
9 half by fourteen inches or less, one dollar;

10 (4) For administering an oath or taking an affidavit, with or
11 without seal, two dollars;

12 (5) For issuing a marriage license, eight dollars, (this fee
13 includes taking necessary affidavits, filing returns, indexing, and
14 transmittal of a record of the marriage to the state registrar of vital
15 statistics) plus an additional five-dollar fee for use and support of
16 the prevention of child abuse and neglect activities to be transmitted
17 monthly to the state treasurer and deposited in the state general fund
18 plus an additional ten-dollar fee to be transmitted monthly to the
19 state treasurer and deposited in the state general fund. The
20 legislature intends to appropriate an amount at least equal to the
21 revenue generated by this fee for the purposes of the displaced
22 homemaker act, chapter 28B.04 RCW;

23 (6) For searching records per hour, eight dollars;

24 (7) For recording plats, fifty cents for each lot except cemetery
25 plats for which the charge shall be twenty-five cents per lot; also one
26 dollar for each acknowledgment, dedication, and description: PROVIDED,
27 That there shall be a minimum fee of twenty-five dollars per plat;

28 (8) For recording of miscellaneous records not listed above, for
29 the first page eight and one-half by fourteen inches or less, five
30 dollars; for each additional page eight and one-half by fourteen inches
31 or less, one dollar;

32 (9) For modernization and improvement of the recording and indexing
33 system, a surcharge as provided in RCW 36.22.170;

34 (10) For recording an emergency nonstandard document as provided in
35 RCW 65.04.047, fifty dollars, in addition to all other applicable
36 recording fees;

37 (11) For recording instruments, a surcharge as provided in RCW
38 36.22.178 as recodified by this act; (~~and~~

1 ~~{(12)}~~) (12) For recording instruments, except for documents
2 recording a birth, marriage, divorce, or death or any documents
3 otherwise exempted from a recording fee under state law, a surcharge as
4 provided in RCW 36.22.179 (as recodified by this act); and

5 (13) For recording instruments, except for documents recorded by
6 the department of revenue, the department of labor and industries, and
7 the employment security department and for documents recording a birth,
8 marriage, divorce, or death or any documents otherwise exempted from a
9 recording fee under state law, a surcharge as provided in section 25 of
10 this act.

11 **Sec. 29.** RCW 43.185C.150 and 2005 c 484 s 21 are each amended to
12 read as follows:

13 This chapter does not require either the department or any local
14 government to expend any funds to accomplish the goals of this chapter
15 other than the revenues authorized in (~~chapter 484, Laws of 2005~~) RCW
16 36.22.179 (as recodified by this act) and the revenues authorized in
17 section 25 of this act. However, neither the department nor any local
18 government may use any funds authorized in (~~chapter 484, Laws of~~
19 ~~2005~~) RCW 36.22.179 (as recodified by this act) or the revenues
20 authorized in section 25 of this act to supplant or reduce any existing
21 expenditures of public money for the reduction or prevention of
22 homelessness or services for homeless persons.

23 NEW SECTION. **Sec. 30.** RCW 36.22.179, 43.20A.790, and 43.63A.650
24 are each recodified as sections in chapter 43.185C RCW.

25 NEW SECTION. **Sec. 31.** RCW 36.22.178, 43.185B.020, and 43.185B.040
26 are each recodified as sections in chapter 43.--- RCW (created in
27 section 32 of this act).

28 NEW SECTION. **Sec. 32.** Sections 1 through 4, 6 through 10, 12, 14,
29 and 15 of this act constitute a new chapter in Title 43 RCW.

30 NEW SECTION. **Sec. 33.** If specific funding for the purposes of
31 sections 1 through 18 of this act, referencing this act by bill,
32 chapter, or section, number, is not provided by June 30, 2007, in the
33 omnibus appropriations act, this act is null and void."

1 Correct the title.

EFFECT: Adds a definition for a good family-wage job.

Replaces the affordable housing for all account and the homeless housing account with a single new home security fund account and directs all proceeds from the affordable housing for all surcharge and the homeless housing and assistance surcharges to be deposited into that account.

Amends the intent section of the homeless housing and assistance act to emphasize the importance of addressing issues related to formerly institutionalized persons and inserts language related to assisting persons reach an appropriate level of self-sufficiency.

Requires the department of community, trade, and economic development and local governments participating in the homeless housing and assistance program to update their homeless housing plans annually and requires the department of community, trade, and economic development to evaluate local plans and local programs.

Establishes a new \$8 document recording fee surcharge of which counties receive 90% and the state receives 10%. Exempts the department of revenue, the department of labor and industries and the employment and security department from the new surcharge.

Allows the department of community, trade, and economic development to fund programs to provide housing and shelter for homeless people through both the existing and the new homeless housing document recording fee surcharges.

Requires the employment and security department to establish self-sufficiency income standards based on the cost of living in each county.

Requires the joint legislative audit and review committee to evaluate the homeless housing and assistance program every four years.

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