

# SENATE BILL REPORT

## ESSB 5959

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As Amended by House, March 13, 2008

**Title:** An act relating to providing assistance to homeless individuals and families.

**Brief Description:** Providing assistance to homeless individuals and families.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Kilmer, Shin, Sheldon, Kohl-Welles, Delvin and McAuliffe).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/15/07, 2/21/07 [DP-WM].

Ways & Means: 1/16/08 [DPS].

Passed Senate: 1/18/08, 48-0.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Staff:** Shani Bauer (786-7468)

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 5959 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Carrell, Fairley, Hatfield, Hobbs, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

**Staff:** Richard Ramsey (786-7412)

**Background:** Transitional Housing Operating and Rent (THOR) program provides funding to non-profits, local government, and housing authorities to provide housing and services to homeless families with children. The program has operated within the Department of Community, Trade and Economic Development (CTED) since 1999, however, the program is not currently in statute.

The program is the result of a Washington State Supreme Court decision mandating that CTED and the Department of Social and Health Services (DSHS) create a Homeless Families with Children Plan and provide services to assist homeless children and their families. In 1999, the

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Legislature included a budget proviso of \$5,000,000 for the 1999 -2001 biennium to fund the THOR program as well as several other initiatives to help homeless families with children. The THOR funding has remained consistent at \$5,000,000 a biennium since 1999.

Only families with children and with a family income at or below 50 percent of the area median income are eligible to receive THOR services. Services include rental assistance up to 24 months, security or utility deposits and case management services.

In 2006, 1,358 families received THOR services and 471 exited the program. Of those exiting, 74 percent achieved permanent housing, 49 percent of which was unsubsidized. It is estimated that the THOR program is meeting approximately 19 percent of the need of families with children for transitional housing assistance and services. CTED currently reports on the THOR program as part of the State's Homeless Housing Strategic Plan.

The Washington State Quality Award (WSQA) program is a nonprofit organization that evaluates performance standards for organizations who apply for review. After an intensive screening process, the WSQA provides feedback to those organizations in how to improve quality performance and recognizes those that have achieved performance excellence.

**Summary of Engrossed Substitute Bill:** The THOR program is created within CTED. The purpose of the program is to assist homeless individuals and families secure and retain safe, decent and affordable housing. CTED will provide grants to eligible organizations to operate the program and is authorized to develop requirements, procedures and guidelines for the program as needed.

Grantee organizations may use the funds to provide:

- rental assistance, including security deposits and moving expenses;
- case management services designed to help the client move toward self-sufficiency;
- operating expense subsidies for transitional housing facilities that serve homeless families with children; and
- administrative costs of the grantee organizations.

Eligible to participate in the THOR Program are:

- families with children who have household incomes at or below 50 percent of the area median income who are homeless or at risk of becoming homeless;
- individuals or families without children who have incomes at or below 30 percent of the area median income who are homeless or at risk of becoming homeless;
- individuals of families who are homeless or who are at risk of becoming homeless and who have a household with an adult member who has a mental health or chemical dependency disorder; and
- individuals or families who are homeless or who are at risk of becoming homeless and who have a household with an adult member who is an offender released from confinement within the past 18 months.

The THOR account is created as a non-appropriated account.

Data on all program participants must be entered and tracked through the Homeless Management Information System. Grantee organizations are encouraged to have a quality management system and apply to the Washington State Quality Award program to evaluate

that system. CTED must produce an annual THOR report addressing specific performance measures to be included in the State Homeless Housing Strategic Plan.

The statute providing for landlord immunity from civil liability for the criminal conduct of the landlord's tenants is repealed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original (Human Services & Corrections):**

PRO: Increasing the eligibility and funding for the THOR program is the number one legislative priority for the Washington Coalition for the Homeless. Additional resources for rental assistance and case management services are needed. This is a statewide, noncompetitive program where funds are made available to all counties wanting to participate. The vehicle is currently in place in order to expand availability. Counties have stated that they can use up to three or four times the current funding to provide services. It is estimated that 3,000 individuals and families could receive services as a result of this bill. The bill also expands eligibility so that a person doesn't have to lose his or her current housing before obtaining assistance.

Income eligibility criteria should be added to the categories of individuals or families who have mental health and chemical dependency issues or who have a member who is an offender. It is also recommended that the Department of Corrections have primary programmatic responsibility for offenders who need housing.

In a recent count of the homeless, 24,000 people were counted. Fifty-three percent of those are individuals and 28 percent of those are chronically homeless. The waitlist for county housing assistance in Thurston County alone is 4,500 with an expected wait time of four to five years. The THOR program has been tremendously successful. Of the 471 families who have exited the program, 74 percent of those have achieved permanent housing. Federal housing requirements should be tied to THOR funding. Currently, landlords are allowed to use federal housing requirements or CTED standards. Landlord groups believe that the current standards are sufficient and further regulation would reduce participation.

**Persons Testifying (Human Services & Corrections):** PRO: Corrine Knudsen, Washington State Coalition for the Homeless; Bill Block, Committee to End Homelessness (King County); Kathy Wahto, Serenity House of Clallam County; Greg Provenzano, Columbia Legal Services; Loren Freeman, Freeman and Associates; Will Graham, Department of Community, Trade, and Economic Development; Terry Kohl, Washington Apartment Association; Terri Holvedt, Rental Housing Association of Puget Sound.

**Staff Summary of Public Testimony (Ways & Means):** PRO: Currently THOR is a very effective program for homeless children. If eligibility is expanded, it will also benefit individuals who are homeless or at risk of becoming homeless. As a care giver, I can see what a powerful tool THOR is to help homeless families with children.

**Persons Testifying (Ways & Means):** PRO: Mia Navarro Wells, Washington State Coalition for the Homeless; Ruth Gutierrez, Housing Authority of Thurston County.

**House Amendment(s):** Adds families who are involved with child welfare services to the list of persons eligible for THOR services. Clarifies that domestic violence and sexual assault victim service providers must comply with federal data tracking requirements. Requires that organizations receiving THOR funding, and which received over \$500,000 during the previous year from state and local housing related funding sources apply to the Washington State Quality Award program every three years. Requires CTED to define what self-sufficiency means in order to measure the performance of the THOR program.