

Chapter 365-120 WAC

STATE FUNDING OF LOCAL EMERGENCY SHELTER AND TRANSITIONAL HOUSING, OPERATING AND RENT PROGRAMS

WAC

365-120-010	Authority.
365-120-020	Purpose.
365-120-030	Definitions.
365-120-040	Contractor funding allocation and distribution.
365-120-050	Funding application process.
365-120-060	Eligibility for all applicants.
365-120-070	Eligibility for emergency shelter assistance.
365-120-080	Eligibility for operating assistance for transitional housing.
365-120-090	Eligibility for rental assistance.

WAC 365-120-010 Authority. These rules are adopted under the authority of RCW 43.185C.210(6), which provides that the department may develop rules, requirements, procedures, and guidelines as necessary to implement and operate the transitional housing operating and rent program. RCW 43.63A.650 provides that the department shall be the principal state department responsible for providing shelter and housing services to homeless families with children.

[Statutory Authority: RCW 43.185C.210(6) and 43.63A.650, 10-03-031, § 365-120-010, filed 1/12/10, effective 2/12/10. Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-010, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 43.63A.060, 87-19-112 (Order 87-12), § 365-120-010, filed 9/18/87; 86-03-008 (Order 85-19), § 365-120-010, filed 1/6/86.]

WAC 365-120-020 Purpose. The purpose of this chapter is to set forth the conditions and procedures under which state funding will be made available to assist local emergency shelter assistance or transitional housing, operating and rent programs.

[Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-020, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 43.63A.060, 86-03-008 (Order 85-19), § 365-120-020, filed 1/6/86.]

WAC 365-120-030 Definitions. (1) "Applicant" means a public or private nonprofit organization or agency, including local government entities, or a combination thereof, which applies for state emergency shelter or transitional housing program funds.

(2) "Congregate care facility" means a licensed boarding home or a licensed private establishment which has entered into a congregate care contract with the department of social and health services.

(3) "Contractor" means an applicant who has been awarded state funds under the emergency shelter or transitional housing, operating and rent program and which has entered into a contract with the department to provide emergency shelter or transitional housing services.

(4) "Crisis residential center" means an agency operated under contract with the department of social and health services to provide temporary protective care to children in a

semi-secure residential facility in the performance of duties specified and in a manner provided in RCW 13.32A.010 through 13.32A.200 and 74.13.032 through 74.13.036.

(5) "Current or continuous provider" means an agency or organization that currently provides or has provided emergency shelter assistance for some period during the most recent fiscal year.

(6) "Department" means the department of commerce.

(7) "Detoxification center" means a public or private agency or program of an agency that is operated for the purpose of providing residential detoxification services for those suffering from acute alcoholism.

(8) "Director" means the director of the department of commerce.

(9) "Emergency shelter assistance program" means the statewide administrative activities carried out within the department of commerce to allocate, award, and monitor state funds appropriated to assist local emergency shelter and homelessness prevention programs.

(10) "Emergency shelter program" means a program within a local agency or organization that provides emergency shelter assistance.

(11) "Families with children" means pregnant women or one or more adults with dependent children under eighteen, including pregnant and parenting teens.

(12) "Group care facility" means an agency maintained and operated for the care of a group of children on a twenty-four-hour basis.

(13) "Homeless" means persons, including families, who, on one particular day or night, do not have a decent and safe shelter or sufficient funds to purchase a place to stay.

(14) "Homelessness prevention" means the following activities or programs designed to prevent the incidence of homelessness:

(a) Subsidies to help defray rent or mortgage arrearages for individuals or families faced with eviction or foreclosure.

(b) Security and damage deposits to enable a homeless individual or family to move into their own housing.

(c) Initial rent costs to enable a homeless individual or family to move into his or her own housing.

(d) Case management to assist individuals and families to remain in their housing or to look for permanent housing.

(e) Landlord-tenant mediation, conciliation or other forms of dispute resolution or negotiation which will keep people in housing or help people with housing barriers to obtain a lease.

(15) "Housing stability plan" means a set of goals and course of action set by the assisted family or individual and housing support staff, to aid the family or individual in tran-

sitioning to stable housing and the highest attainable level of self-sufficiency.

(16) "Participating agency" means a local public or private nonprofit organization, which enters into a subcontract with a lead agency contractor to provide emergency shelter assistance.

(17) "Religious service" means any sectarian or non-denominational service, rite, or meeting that involves worship of a higher being.

(18) "Rental assistance" means no less than ninety-one days and no more than twenty-four months of assistance to help homeless families with children and other populations described in RCW 43.185C.210(1) pay the cost of rent and utilities for amounts that are consistent with local practices.

(19) "Safe home" means a private home where short-term emergency shelter is provided primarily to victims of domestic violence.

(20) "Short-term" means one to ninety days.

(21) "Transitional housing" means housing provided for no less than ninety-one days and no more than twenty-four months.

(22) "Transitional housing, operating and rent program" or "transitional housing program" means the statewide administrative activities carried out within the department to allocate, award and monitor state funds appropriated to local communities to provide operating assistance for transitional housing units and partial rental assistance to homeless families with children and other populations described in RCW 43.185C.210(1).

(23) "Voucher system" means a method of purchasing emergency shelter assistance by the night using a notification coupon.

[Statutory Authority: RCW 43.185C.210(6) and 43.63A.650. 10-03-031, § 365-120-030, filed 1/12/10, effective 2/12/10. Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-030, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 43.63A.060. 87-19-112 (Order 87-12), § 365-120-030, filed 9/18/87; 86-20-011 (Order 86-15), § 365-120-030, filed 9/22/86; 86-03-008 (Order 85-19), § 365-120-030, filed 1/6/86.]

WAC 365-120-040 Contractor funding allocation and distribution. Funds will be distributed statewide to successful applicants according to department formulas. The department will give priority in the awarding of allocations under the emergency shelter assistance program to applicants who serve families and children in need of shelter.

The department will pay for services provided under the state emergency shelter and transitional housing programs after the contractor submits a monthly report of expenditures incurred and a request for reimbursement, and any other reports or information required by department guidelines. Reports and requests for reimbursement may be submitted on a less frequent basis if approved by the department.

[Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-040, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 43.63A.060. 87-19-112 (Order 87-12), § 365-120-040, filed 9/18/87; 86-20-011 (Order 86-15), § 365-120-040, filed 9/22/86; 86-03-008 (Order 85-19), § 365-120-040, filed 1/6/86.]

WAC 365-120-050 Funding application process. (1) The department will notify potential applicants that in order to be considered for state emergency shelter assistance and

transitional housing, operating and rent grants, applications must be submitted to the department.

(2) Department funds may not be substituted for other existing funding sources.

(3) The department shall notify successful applicants and shall provide to each of them a contract for signature. This contract must be signed by an official with authority to bind the applicant and must be returned to the department prior to the award of any funds under this program.

[Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-050, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 43.63A.060. 87-19-112 (Order 87-12), § 365-120-050, filed 9/18/87; 86-20-011 (Order 86-15), § 365-120-050, filed 9/22/86; 86-03-008 (Order 85-19), § 365-120-050, filed 1/6/86.]

WAC 365-120-060 Eligibility for all applicants. (1) The applicant must not require participation in a religious service as a condition of receiving emergency shelter.

(2) The applicant must practice nondiscrimination in providing services and employment.

[Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-060, filed 2/8/00, effective 3/10/00. Statutory Authority: RCW 43.63A.060. 87-19-112 (Order 87-12), § 365-120-060, filed 9/18/87; 86-20-011 (Order 86-15), § 365-120-060, filed 9/22/86; 86-03-008 (Order 85-19), § 365-120-060, filed 1/6/86.]

WAC 365-120-070 Eligibility for emergency shelter assistance. (1) The applicant must have been a provider of emergency shelter for one year prior to the beginning date of the contract year or serve an area or population of demonstrated unmet need determined by a consortium of service providers in a county.

(2) The applicant must not require residency in the designated service area as a requirement for a homeless person to receive services.

(3) The applicant must not deny shelter to a homeless person or family because of inability to pay.

(4) The applicant must provide homelessness prevention assistance or short-term emergency shelter assistance directly through a shelter facility, a voucher system, or a safe home.

(5) The applicant for lead agency contractor must be authorized by the participating agencies within each county for which funds are applied.

(6) The applicant for lead agency contractor may or may not actually provide emergency shelter or homelessness prevention assistance.

(7) Group care facilities, crisis residential centers, congregate care facilities, and detoxification centers are not eligible to receive emergency shelter assistance funding.

[Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-070, filed 2/8/00, effective 3/10/00.]

WAC 365-120-080 Eligibility for operating assistance for transitional housing. (1) Projects must provide transitional housing in a structure designed for the targeted population of homeless families with children whose incomes are at or below fifty percent of the area median income.

(2) Operating subsidies shall not exceed fifty percent of the project's core operating budget for the year.

(3) Rents shall not exceed thirty percent of the income of the targeted population.

[Statutory Authority: RCW 43.185C.210(6) and 43.63A.650. 10-03-031, § 365-120-080, filed 1/12/10, effective 2/12/10. Statutory Authority: Chapter 43.63A RCW, RCW 43.63A.650, 1999 c 267. 02-05-012, § 365-120-080, filed 2/8/02, effective 3/11/02; 00-05-020, § 365-120-080, filed 2/8/00, effective 3/10/00.]

WAC 365-120-090 Eligibility for rental assistance.

(1) Programs must provide rental assistance to populations described in RCW 43.185C.210(1).

(2) Assistance must be provided for no less than ninety-one days and no more than twenty-four months to help pay the cost of rent and utilities.

(3) Households must sign a written agreement to participate in a housing stability plan.

(4) Rent subsidies must be appropriate to the incomes of the families or individuals.

(5) Local program administrators must have written program policies and procedures describing tenant selection, assistance denial or termination, housing safety standards, and a minimum tenant rent payment.

[Statutory Authority: RCW 43.185C.210(6) and 43.63A.650. 10-03-031, § 365-120-090, filed 1/12/10, effective 2/12/10. Statutory Authority: Chapter 43.63A RCW, RCW [43.]63A.650, and 1999 c 267. 00-05-020, § 365-120-090, filed 2/8/00, effective 3/10/00.]