



May 30, 2017

Lisa Bates, Deputy Director
State of California, Department of Housing and Community Development
Housing Policy Development
2020 West El Camino Avenue
Sacramento, CA 95833

Re: No Place Like Home (NPLH) Draft Program Guidelines

Dear Ms. Bates:

The California Coalition for Mental Health (CCMH) would like to offer the following comments and suggestions related to the No Place Like Home (NPLH) Draft Program Guidelines. CCMH members include family and consumer organizations, nonprofit service providers, professional associations, hospitals, and others who seek to improve the delivery of mental health care in California.

We appreciate the efforts of HCD staff to incorporate our previous comments on the earlier draft of the Program Guidelines, however, we believe certain clarifications and additions are needed to strengthen the program design. For ease of reference, our comments are arranged in chronological order by section and page number.

Section 101(g), Page 2: The definition of At-Risk of Chronic Homelessness needs clarification to ensure it applies to persons who have been institutionalized longer than 90 days. In addition, the definition needs to be modified in such a way that it includes individuals who were not homeless prior to being institutionalized. We have seen numerous suggestions from other organizations attempting to achieve these same goals, however, the large variety of approaches has left us questioning how best to achieve them through amendments. We leave to HCD staff to make the necessary modifications.

Section 202(n)(3), Page 18: We recommend expanding on Reasonable Accommodation to specify that tenants cannot be evicted for behaviors rooted in their disabilities, unless such behaviors are violent or threaten violence, which is the legal standard for excluding a person with disabilities from a program under the Americans with Disabilities Act. *See* 28 C.F.R. § 35.130(h); 28 C.F.R. § 35.139(a).

Section 203(c), Page 19: This second sentence of this subsection states, “Available mental health services shall be provided directly by the County.” Several county mental health plans contract with private mental health providers for these services. Language should be added/modified to reflect the current service arrangements in counties.

Section 203(d), Pages 19-20: We are pleased to see that applications that include supportive services will be scored favorably. Although the list in Section 203(d) is not exhaustive, we recommend including civil legal services, assistance with obtaining necessary documentation (e.g., identification, birth certificate), and assistance obtaining food and clothing as additional encouraged services. These services

Section 205(c)(1), Page 24: Individuals who will benefit from NPLH are likely to be among the most vulnerable Californians. Thus, it is unreasonable to require them to contribute 30 percent or more of their income to rent. For individuals who are extremely impoverished and rely on government benefits like General Assistance/General Relief, 30 percent of income is too much. Often these individuals struggle to afford rent and are evicted. It may also force some individuals to seek financial assistance through loans, which can end up causing more financial harm. For individuals with extremely low-income, the NPLH program should require no rental payments from the tenant. To encourage counties to provide robust rental assistance, HCD should give higher scores to applications that designate a high percentage of units as zero rent or rent equal to 10 percent of income or less.

Section 212, Page 30: We applaud the inclusion of strong tenant rights. We recommend adding that tenants cannot be asked to waive these rights to access housing or services.

Section 214(e)(5), Page 32: This subsection requires reporting of the mental health status of people living in NPLH-funded housing. It is unclear what is meant by “mental health status.” This could be interpreted to require sharing of protected health information, including diagnoses or clinical notes from on-site mental health providers. This section must be clarified to require only the minimal amount of information necessary for reporting and should never result in the sharing of detailed mental health information.

Additional Recommendation: The guidelines should require projects funded through NPLH to include strong anti-discrimination policies. This extends to protection against gender identity discrimination, particularly in circumstances where there are communal bathrooms and showers assigned to specific genders. Tenants should not face harassment or be seen to violate housing rules for using the bathroom/shower that aligns with their gender identity.

We thank you in advance for your consideration of these suggestions. Should you have any questions regarding the contents of this letter, please feel free to contact Chad Costello at ccostello@mhala.org

Regards,



Joseph Robinson, LCSW CADDC II
President, California Coalition for Mental Health