

This bill:

- 1) Declares a state policy that every individual in California has the right to safe, decent, and affordable housing.
- 2) Requires the state policy to consider all of the following components:
 - a) Preventing individuals from entering homelessness by providing assistance and services, as specified.
 - b) Providing a clean and safe environment where homeless individuals may reside until they can be placed in permanent housing, as specified.
 - c) Placing individuals in permanent housing, in accordance with the core components of Housing First and in compliance with the federal Americans with Disabilities Act (ADA).
- 3) Requires all relevant state agencies, as specified, as well as local jurisdictions, to do all of the following:
 - a) Consider the state policy established by this bill when revising, adopting, or establishing policies, regulations, and grant criteria.
 - b) Commit to preventing homelessness and getting individuals into housing by coordinating resources and practicing evidence-based housing interventions.
 - c) Revise existing programs and services to identify individuals experiencing homelessness or housing instability and connect them with housing resources at the state and local level.
 - d) Ensure state-funded institutions do not discharge individuals without a temporary or permanent housing option, and support whatever it takes to make homelessness rare, brief, and nonrecurring.
- 4) Requires all relevant state agencies and local jurisdictions to also ensure, when implementing policies, regulations, and grants, that individuals are treated with dignity and respect in order to minimize trauma for those on the verge of or experiencing homelessness, and recognize and address the fear and anxiety of individuals facing homelessness.
- 5) Requires all relevant state agencies and local jurisdictions to include specified metrics for the policies, regulations, and grant criteria that are revised, adopted, or established in accordance with this bill, to further state policy and guide future state decisions.
- 6) Provides that this bill shall become operative on January 1, 2026 and implementation shall be subject to budget appropriation.

COMMENTS

- 1) *Author's statement.* "California's housing and homelessness crisis continues to worsen year after year. AB 2405 would establish a right to housing for all, effective in 2026. AB 2405 would provide a framework outlining the best practices for combating homelessness, namely: 1) preventing individuals from losing their homes in the first place; 2) providing emergency accommodations with supportive services should someone lose their home; 3) quickly transitioning individuals to permanent housing; and 4) fostering a culture of dignity and respect throughout the process to minimize trauma. The pandemic that we are now in threatens the health and economic well-being of every person. Now more than ever we are aware of how many individuals and families are one paycheck away from being homeless. We cannot fully recover from this pandemic until every person is housed. Establishing this fundamental right to housing moves us from a purely voluntary effort to one that creates needed accountability. In the fifth largest economy in the world, it is shameful that more than 151,000 Californians are homeless. This is no longer a problem, it is a crisis, and we have not only a moral imperative to address homelessness, but a fiscal one as well."
- 2) *Homelessness in California.* According to the HUD 2019 Annual Homeless Assessment Report to Congress, in January 2019 California had 27% of the nation's homeless population (about 151,278 individuals). California also contains 53% of the nation's unsheltered homeless population (108,432), including people living in vehicles, abandoned buildings, parks, or on the street. Los Angeles contains the highest number of homeless people in the state, at 56,257, where 76% of those are unsheltered. People experiencing homelessness face a variety of challenges including food and income insecurity, as well as health problems; the homeless population faces a higher risk of exposure to communicable diseases such as COVID-19, influenza, strep throat, sexually transmitted diseases, Hepatitis C, HIV/AIDS, and tuberculosis, among others.
- 3) *The Homeless Financing and Coordinating Council (HCFC) and Housing First.* The HCFC was created in 2017 (SB 1380, Mitchell, Chapter 847, 2016) to oversee the implementation of "Housing First" policies, guidelines, and regulations to reduce the prevalence and duration of homelessness in California. Housing First is an evidence-based model that focuses on the idea that homeless individuals should be provided shelter and stability before underlying issues can be successfully addressed. Housing First utilizes a tenant screening process that promotes accepting applicants regardless of their sobriety, use of substances or participation in services. This approach contrasts to the "housing readiness"

model where people are required to address predetermined goals before obtaining housing. The federal government has shifted its focus to Housing First over the last decade, and housing programs under HUD utilize core components of this strategy. Since the implementation of the Housing First model, chronic homelessness in the U.S. experienced a 27% decrease between 2010 and 2016. Housing First was embraced by California in 2015 through SB 1380, which requires all state housing programs to adopt this model.

- 4) *Right to shelter.* The City of New York, the City of Portland and Multnomah County in Oregon, and the state of Massachusetts have adopted a right to shelter. A right to shelter is a legal mandate that requires local governments to provide emergency shelter to any individual experiencing homelessness. This approach has yielded decidedly mixed results. In New York City, the unsheltered population is 4,294 out of 91,897 homeless people. Although many people are technically sheltered in New York, they are living in temporary shelters or transitional housing – some for years – rather than permanent housing. The right to shelter approach is expensive, requiring that resources for affordable housing be directed toward maintaining emergency shelters rather than toward construction of supportive housing (housing for individuals who are chronically homeless) or affordable housing. New York City spends \$1.7 billion per year to maintain its shelter system - \$30,000 per individual, per year.

This bill, in contrast, would declare a right to housing. Unlike a right to shelter, a right to housing is provided across the continuum of need, rather than exclusively through the shelter system. California's housing supply is nearly four million units short on demand, and more than 80% of units are unaffordable or unavailable to extremely low income households. To be truly effective, a right to housing would need to provide the funding and resources necessary to increase the supply of affordable units. Given the state's current budget difficulties, this bill will not become operative until January 1, 2026 and is subject to budget appropriation.

- 5) *Recent amendments.* As passed by the Assembly, this bill focused exclusively on children and families. The most recent homeless point in time count found that a majority of individuals experiencing homelessness are single men. In addition, a growing share of the homeless population are seniors who are experiencing homelessness for the first time at the age of 50. Approximately 26% of the homeless population are chronically homeless, defined as a person with a disability who has lived without consistent shelter for a year or has been without shelter multiple times in the past year. In response to concerns that the state's response to homelessness should take into consideration the housing needs of all residents, rather than only children and families, the author

amended this bill on July 7, 2020 to expand it to all homeless individuals. This bill will be further amended on July 27, 2020 to remove various statistics from the intent section.

- 6) *Double referral.* Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session, all Senate Policy Committee are working under a compressed timeline. This timeline does not allow this bill to be referred and heard by more than one committee as a typical timeline would allow. In order to fully vet the contents of this measure for the benefit of Senators and the public, this analysis includes information from the Senate Human Services Committee.

RELATED LEGISLATION:

AB 1845 (Luz Rivas, 2020) — establishes the Office to End Homelessness, to be headed by the newly created Secretary on Housing Insecurity and Homelessness, to serve as the lead entity for ending homelessness in California. *This bill is pending in the Senate Human Services Committee.*

AB 2746 (Gabriel, 2020) — imposes a number of reporting requirements on recipients of state homeless funding. *This bill is pending in the Senate Human Services Committee.*

AB 3269 (Chiu, 2020) — establishes the Office of the Housing and Homelessness Inspector General to oversee state and local actions to address homelessness. *This bill is pending in the Senate Housing Committee.*

AB 22 (Burke, 2018) — would have established that it is the policy of the state that every child and family in California has a right to housing. *This bill was held on suspense in the Assembly Appropriations Committee.*

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

POSITIONS: (Communicated to the committee before noon on Friday, July 24, 2020.)

SUPPORT:

Agency on Aging/Area 4
Association of California Caregiver Resource Centers
CA In-home Supportive Services Consumer Alliance
California Academy of Child and Adolescent Psychiatry

California Association for Adult Day Care Centers
California Association of Public Authorities for IHSS
California Housing Partnership Corporation
California Teachers Association
CalPACE
City of Santa Monica
Consumer Attorneys of California
Disability Rights California
Justice in Aging
LeadingAge California
LifeSteps
Los Angeles Aging Advocacy Coalition
Senior Services Coalition of Alameda County
Seniors Council/Area Agency on Aging of Santa Cruz and San Benito Counties
Silicon Valley Independent Living Center
St. Barnabas Senior Services
Upward Bound House
Village Movement California

OPPOSITION:

None received.

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