

1 [PAES—In kind Assistance.]

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3 **Ordinance amending Administrative Code Sec. 20.76 to reflect the current stipend**
 4 **amount and to provide in-kind shelter and meals to homeless applicants and**
 5 **recipients; amending Administrative Code Sec. 20.76.3 to value shelter and meals to**
 6 **homeless recipients as in-kind assistance; adding Administrative Code Sec. 20.94 to**
 7 **establish a baseline PAES budget; adding Administrative Code Sec. 20.95 to provide**
 8 **for an independent evaluation; adding Administrative Code Sec. 20.96 to provide that**
 9 **these amendments will sunset in two years; and adding Administrative Code Sec. 20.97**
 10 **to establish an operative date for these amendments of on or before January 1, 2003.**

11 Note: Additions are *single-underline italics Times New Roman*;
 12 deletions are *strikethrough italics Times New Roman*.
 13 Board amendment additions are double underlined.
 Board amendment deletions are ~~strikethrough normal~~.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The San Francisco Administrative Code is hereby amended by amending
16 Section 20.76, to read as follows:

17 **SEC. 20.76. PAES STIPENDS.**

18 (a) For each eligible individual or for each eligible family budget unit of two or
 19 more persons who qualify for stipends under this Article, the maximum monthly stipend
 20 amount which participants shall receive is listed below.

21 MAXIMUM PAES STIPEND AMOUNT

22	Single Individual	\$345	<u>\$395</u>
23	Number of Eligible Persons in Same Family		
24	2 Persons	\$567	<u>\$649</u>
25	3 Persons	\$703	<u>\$804</u>

1	4 Persons	\$834	<u>\$955</u>
2	5 Persons	\$952	<u>\$1089</u>
3	6 Persons	\$1,070	<u>\$1,223</u>
4	7 Persons	\$1,175	<u>\$1,343</u>
5	8 Persons	\$1,281	<u>\$1,464</u>
6	9 Persons	\$1,388	<u>\$1,586</u>
7	10 Persons	\$1,508	<u>\$1,723</u>

8 In the case of more than 10 persons in a family budget unit, an additional \$25
9 each month shall be paid for each additional person in the family budget unit. For Family
10 Budget Units in which members receive cash payments from more than one federal, State or
11 County assistance program, except for SSI/SSP, the total aid payment shall consist of the
12 sum of each individual's proportionate share of the aid payment for a family budget unit of the
13 same size within each program to which each member is eligible.

14 (b) The maximum monthly PAES stipend for which an applicant is eligible
15 shall be the maximum monthly PAES stipend prorated as *of* the eligibility determination date,
16 minus any nonexempt cash available to the applicant during that calendar month, *and* minus
17 the fair market value of any nonexempt personal property available to the applicant during that
18 calendar month, *and minus the value of any in-kind housing, utilities and/or meals available or*
19 *provided to the applicant.* A rent payment, retroactive to the first of the month in which eligibility
20 is determined, may be authorized to prevent eviction from existing housing.

21 (c) The maximum monthly PAES stipend for which a participant is eligible
22 shall be the maximum PAES stipend less any nonexempt cash received from sources other
23 than PAES which is available to the participant during the month for which the stipend is paid,
24 *and* less the fair market value of any nonexempt personal property which is, or will be,
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1 available to the participant during the month for which the stipend is paid. and minus the value of
2 any in-kind housing, utilities and/or meals available or provided to the participant.

3 (d) No PAES stipend shall be issued for less than \$5.00.

4 (e) PAES assistance and stipends may be provided in the form of vouchers,
5 checks, two-party checks, warrants, electronic benefit transfers, in-kind benefits, and/or
6 through third party contracts.

7 (f) PAES stipends may be made payable only to the participant or, upon the
8 participant's written authorization, to the participant and a designated co-payee, or to a
9 representative payee.

10 (g) PAES stipends may be mailed directly to the participant or to the
11 designated representative payee. PAES stipends may be made by electronic benefits
12 transfer. PAES stipends may be picked up at a location designated by the Department. PAES
13 stipends shall not be mailed to a post office box, a mail receiving service, or to an address
14 outside the City and County of San Francisco, except upon specific authorization of the
15 Executive Director.

16 (h) The Maximum PAES Stipend Amounts listed in Section 20.76(a) of this
17 Article shall be increased by any annual percentage cost of living increase to the Maximum
18 Aid Payment, and according to the same schedule, if such an increase is implemented by the
19 State of California in the TANF/CalWORKs program.

20 (i) Participants may be provided with assistance, as specified in Subsection
21 (e) above, to help pay, in full or in part, ancillary work-related expenses.

22 (j) Self-declared homeless applicants and recipients shall receive in-kind benefits or
23 vouchers for shelter, which include utilities and meals. If in-kind benefits and/or vouchers are not
24 available, such applicants and recipients shall receive the income-in-kind value of shelter, utilities,
25 and/or meals, whichever is not available, in the form of an emergency warrant. Applicants and

1 recipients are required to provide a verifiable rent receipt, or verifiable documentation of shared
2 housing, or verifiable documentation of rent-free housing.

3 (k) A special allowance of up to \$50.00 per month shall be made available, in the
4 form of an emergency warrant, to any recipient when the income-in-kind value of housing, and/or
5 utilities, and/or meals provided to that recipient exceeds the maximum monthly stipend for which that
6 recipient is eligible. If such income-in-kind value does not exceed the maximum monthly stipend for
7 which that recipient is eligible, but allows for less than \$50.00 cash per month, that recipient shall
8 receive an amount, in the form of an emergency warrant, when added to the maximum monthly stipend
9 for which that recipient is eligible that equals \$50.00 cash per month.

10 Section 2. The San Francisco Administrative Code is hereby amended by amending
11 Section 20.76.3, to read as follows:

12 **SEC. 20.76.3. HOUSING.**

13 (a) "Housing" shall include, but not be limited to, shelter, single occupancy
14 residential hotels, master lease rooms, transitional housing, supportive housing programs, residential
15 treatment facilities.

16 (b) There shall be no reduction in the PAES stipend *for which* an
17 applicant/participant *is eligible receives* because s/he shares housing with others who are not
18 members of the applicant's/participant's family budget unit as defined under this Article. *All*
19 applicants/participants shall be required to present a verifiable rent receipt. *If the*
20 applicant/participant is not the owner or prime lessee of the premises, a verifiable rent receipt signed
21 by the owner or prime lessee may provide evidence of the applicant's/ participant's place of residence
22 and share of housing costs.

23 (c) ~~When~~ *Where* an applicant/ participant obtains rent-free housing, such housing
24 shall be valued according to Value of Income-in-Kind Chart set forth under Title 22 of the
25 California Code of Regulations, Section 50511 (the Income-in-Kind Chart"), rather than at fair

1 market value. The value of the rent-free housing, which is presumed to include utilities, as
2 determined under the Income-in-Kind Chart, shall be deducted from the maximum monthly
3 stipend amount. If the applicant or recipient receives rent-free housing, but pays for utilities, the
4 applicant or recipient must present a verifiable bill for utilities at that address, and a verifiable receipt
5 for payment of any portion of that utility bill. In addition, all applicants/participants shall be required
6 to present a verifiable rent receipt. If the applicant/participant is not the owner or prime lessee of the
7 premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the
8 applicant's/ participant's place of residence and share of housing costs.

9 (db) Verified payments made directly to a housing provider on behalf of an
10 applicant/participant for the entire amount of the rent and/or utilities, or rent-free housing, or
11 housing received in exchange for work, shall be assigned an in-kind value as specified by the
12 Income-in-Kind Chart and that value shall be deducted from the maximum monthly stipend to
13 which that applicant/participant is eligible.

14 (e) Shelter and/or meals provided to applicants and recipients who are unable to
15 provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable
16 documentation of rent-free housing shall be valued as in-kind housing, utilities and/or meals as
17 specified by the Income-In-kind Chart, and that value shall be deducted from the maximum monthly
18 stipend for which that applicant or recipient is eligible.

19 (fe) Nothing in this Section shall be construed as requiring an otherwise
20 eligible applicant/participant to accept housing in a facility which is either the subject of a
21 pending nuisance abatement proceeding before a duly authorized agency or department of
22 the City and County or before a court of competent jurisdiction, or which theretofore has been
23 found to be a public nuisance pursuant to any provision of any San Francisco Municipal Code
24 by a duly authorized agency or department of the City and County or by a court of competent
25 jurisdiction and which nuisance has not been abated.

1 Section 3. The San Francisco Administrative Code is hereby amended by adding
2 Section 20.94, to read as follows:

3 Sec. 20.94. Funding. A baseline budget for the PAES Program shall be established using the
4 City and County of San Francisco FY 2002-2003 final appropriation. In subsequent fiscal years, this
5 baseline amount shall be appropriated to the Department of Human Services to fund housing and
6 related services for homeless adults without dependents. This funding may be used to support, but shall
7 not be limited to, some or all of the following: improvements of conditions in existing shelters,
8 expansion of shelter capacity, mental health and substance abuse treatment, permanent supportive
9 housing, outreach, hotel master lease programs and meals for the homeless population through direct
10 services and/or contracts.

11 Section 4. The San Francisco Administrative Code is hereby amended by adding
12 Section 20.95 to read as follows:

13 Sec. 20.95. Evaluation. The PAES Program is to be evaluated by an agency not affiliated with
14 the City and County of San Francisco every two years for program effectiveness and cost efficiency.

15 Section 5. The San Francisco Administrative Code is hereby amended by adding
16 Section 20.96 to read as follows:

17 Sec. 20.96. Sunset Clause. The provisions of this amendment, Sections 20.76(b),(c),(j),(k),
18 20.76.3(a),(b),(c),(e); 20.94; 20.95; 20.96; and 20.97; shall sunset 2 years after the effective date of
19 this ordinance.

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1 Section 6. The San Francisco Administrative Code is hereby amended by adding
2 Section 20.97 to read as follows:

3 Sec. 20.97. Operative Date of Amendments. The provisions of this amendment, Sections 20.76
4 (b),(c),(j),(k), 20.76.3(a),(b),(c),(e); 20.94; 20.95; and 20.96 shall become operative on or before
5 January 1, 2003.

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7 APPROVED AS TO FORM:

8 DENNIS J. HERRERA, City Attorney

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10 By:

Virginia Dario Elizondo
Deputy City Attorney

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