

File No. 240384

Committee Item No. _____

Board Item No. 40

COMMITTEE/BOARD OF SUPERVISORS

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Date: _____

Board of Supervisors Meeting

Date: April 23, 2024

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Prepared by: Arthur Khoo

Date: April 18, 2024

Prepared by: _____

Date: _____

1 [Supporting California State Assembly Bill No. 2479 (Haney) - An Act to Amend the Housing
2 First Act of 2016]

3 **Resolution supporting California State Assembly Bill No. 2479, an act to amend and**
4 **add sober living facilities to the Housing First Act of 2016, authored by Assembly**
5 **Member Matt Haney, to enable state investment in drug free recovery.**

6
7 WHEREAS, Senate Bill 1380, also known as the Housing First Act, was passed by
8 California Legislature in 2016 to require all housing programs to adopt policies centered
9 around the goal of removing barriers to providing housing for anyone experiencing
10 homelessness, connecting unhoused individuals to a safe and permanent place to live; and

11 WHEREAS, There are thousands of people experiencing homelessness that desire to
12 live in drug free recovery living arrangements yet are unable to access abstinence-based
13 housing because it is inaccessible, limited, and unsupported by state investment; and

14 WHEREAS, The lack of accessible sober living facilities forces people to live in housing
15 that isn't suited to support individuals attempting to stay on the path to recovery, exacerbating
16 substance abuse, mental health issues, and return to homelessness; and

17 WHEREAS, Drug free recovery housing supports individuals' sobriety journeys as
18 those in recovery are at higher risk of relapsing, overdosing, or returning to homelessness
19 when surrounded by substances in their homes; and

20 WHEREAS, The potency, prevalence, and price of Fentanyl increases the risk of
21 relapse and has contributed to making Fentanyl responsible for the overwhelming number of
22 overdose fatalities in San Francisco in 2023; and

23 WHEREAS, If enacted, Assembly Bill 2479 would ensure that an individual relapsing
24 would not be a cause for eviction but instead would provide these individuals with relapse

25

1 recovery assistance through detoxification programs and intensive peer-to-peer support so
2 that they can resume their recovery from addiction; and

3 WHEREAS, If enacted, Assembly Bill 2479 would allow participants to be placed in
4 alternate housing programs practicing harm-reduction principles should they be disruptive to
5 the surrounding recovery community's sobriety or are no longer interested in a recovery-
6 model housing program; and

7 WHEREAS, Tenants have the ability to apply to reenter the drug free housing program
8 if they demonstrate a renewed commitment to living in a community focused around recovery
9 principles with an abstinence focus; and

10 WHEREAS, Assembly Bill No. 2479 promotes long-term housing stability by aligning
11 with participants' prioritization of sustained recovery and sobriety from substance use, thus
12 aiming to reduce returns to homelessness caused by relapse; and

13 WHEREAS, Assembly Bill No. 2479 is consistent with the core components of the
14 Housing First Act, enabling state investment in drug free housing programs that enhance
15 recovery from addiction and ensuring that any unhousing individuals, including those
16 embracing sobriety, do not face barriers to achieving housing; now therefore, be it

17 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
18 hereby endorses Assembly Bill No. 2479; and be it

19 FURTHER RESOLVED, That the Clerk of the Board is hereby directed to transmit
20 copies of this Resolution to Governor Gavin Newsom, President pro Tempore Mike McGuire,
21 Speaker of the State Assembly Robert Rivas, State Senator Scott Wiener, Assembly Member
22 Matt Haney, Assembly Member Phil Ting, as a demonstration of the Board's support for
23 Assembly Bill No. 2479 and its commitment to recognizing drug free recovery housing is
24 consistent with Housing First Policy and allows these residential programs to receive state
25 support in California.

AMENDED IN ASSEMBLY MARCH 19, 2024

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 2479

Introduced by Assembly Member Haney

February 13, 2024

~~An act relating to housing.~~ *An act to amend Section 8255 of the Welfare and Institutions Code, relating to housing.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2479, as amended, Haney. ~~Housing.~~ *Housing First: core components.*

Existing law requires agencies and departments administering state programs related to homelessness to adopt guidelines and regulations to incorporate core components of Housing First, as defined. Under existing law, Housing First includes time-limited rental or services assistance, so long as the housing and service provider assists the recipient, among other things, in accessing permanent housing. Existing law defines "state programs" for this purpose as any program a California state agency or department funds, implements, or administers for the purpose of providing housing or housing-based services to people experiencing homelessness or at risk of homelessness, except as provided. Under existing law, the core components of Housing First include, among others, services that are informed by a harm-reduction philosophy that recognizes drug and alcohol use and addiction as a part of tenants' lives, where tenants are engaged in nonjudgmental communication regarding drug and alcohol use, and where tenants are offered education regarding how to avoid risky behaviors and engage in safer practices, as well as connected to evidence-based treatment if the tenant so chooses.

This bill would clarify, pursuant to that core component, that state departments and agencies may allow programs to fund recovery housing, as defined, if the state program uses at least 75% of funds for housing or housing-based services using a harm-reduction model and the recovery housing complies with specified requirements. The bill would require the housing related to time-limited rental or services assistance to meet the core components of Housing First.

~~Existing law, the Planning and Zoning Law, requires each city, county, and city and county to prepare and adopt a general plan that contains certain mandatory elements, including a housing element.~~

~~This bill would state that it is the intent of the Legislature to enact legislation relating to housing.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 8255 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 8255. For purposes of this chapter:
- 4 (a) “Council” means the California Interagency Council on
- 5 Homelessness, formerly known as the Homeless Coordinating and
- 6 Financing Council established pursuant to Section 8257.
- 7 (b) “Core components of Housing First” means all of the
- 8 following:
- 9 (1) Tenant screening and selection practices that promote
- 10 accepting applicants regardless of their sobriety or use of
- 11 substances, completion of treatment, or participation in services.
- 12 (2) Applicants are not rejected on the basis of poor credit or
- 13 financial history, poor or lack of rental history, criminal convictions
- 14 unrelated to tenancy, or behaviors that indicate a lack of “housing
- 15 readiness.”
- 16 (3) Acceptance of referrals directly from shelters, street outreach,
- 17 drop-in centers, and other parts of crisis response systems
- 18 frequented by vulnerable people experiencing homelessness.
- 19 (4) Supportive services that emphasize engagement and problem
- 20 solving over therapeutic goals and service plans that are highly
- 21 tenant-driven without predetermined goals.
- 22 (5) Participation in services or program compliance is not a
- 23 condition of permanent housing tenancy.

1 (6) Tenants have a lease and all the rights and responsibilities
2 of tenancy, as outlined in California’s Civil, Health and Safety,
3 and Government codes.

4 (7) The use of alcohol or drugs in and of itself, without other
5 lease violations, is not a reason for eviction.

6 (8) In communities with coordinated assessment and entry
7 systems, incentives for funding promote tenant selection plans for
8 supportive housing that prioritize eligible tenants based on criteria
9 other than “first-come-first-serve,” including, but not limited to,
10 the duration or chronicity of homelessness, vulnerability to early
11 mortality, or high utilization of crisis services. Prioritization may
12 include triage tools, developed through local data, to identify
13 high-cost, high-need homeless residents.

14 (9) Case managers and service coordinators who are trained in
15 and actively employ evidence-based practices for client
16 engagement, including, but not limited to, motivational
17 interviewing and client-centered counseling.

18 (10) Services are informed by a harm-reduction philosophy that
19 recognizes drug and alcohol use and addiction as a part of tenants’
20 lives, where tenants are engaged in nonjudgmental communication
21 regarding drug and alcohol use, and where tenants are offered
22 education regarding how to avoid risky behaviors and engage in
23 safer practices, as well as connected to evidence-based treatment
24 if the tenant so chooses. *State departments and agencies may allow*
25 *programs to fund recovery housing if the state program uses at*
26 *least 75 percent of funds for housing or housing-based services*
27 *using a harm-reduction model, and that the recovery housing*
28 *complies with all of the following:*

29 (A) *The individual or family is offered options and chooses*
30 *recovery housing over housing offering a harm-reduction*
31 *approach.*

32 (B) *The recovery housing otherwise complies with all other*
33 *components of Housing First in this section.*

34 (C) *Participation in a program is self-initiated.*

35 (D) *Core outcomes emphasize long-term housing stability and*
36 *minimize returns to homelessness.*

37 (E) *Policies and operations ensure individual rights of privacy,*
38 *dignity, and respect, and freedom from coercion and restraint, as*
39 *well as continuous, uninterrupted access to the housing.*

1 (F) Holistic services and peer-based recovery supports are
2 available to all program participants along with services that align
3 with participants' choice and prioritization of personal goals of
4 sustained recovery and abstinence from substance use.

5 (G) The housing abides by local and state landlord-tenant laws
6 governing grounds for eviction.

7 (H) Relapse is not a cause for eviction from housing and,
8 instead, tenants receive relapse support. Eviction from recovery
9 housing should only occur when a tenant's behavior substantially
10 disrupts or impacts the welfare of the recovery community in which
11 the tenant resides. A tenant may apply to reenter the housing
12 program if expressing a renewed commitment to living in a housing
13 setting targeted to people in recovery with an abstinence focus. If
14 a tenant is no longer interested in living in a recovery-housing
15 model or the tenant is at risk of eviction, the housing program
16 provides assistance in accessing housing operated with
17 harm-reduction principles that is also permanent housing.

18 (11) The project and specific apartment may include special
19 physical features that accommodate disabilities, reduce harm, and
20 promote health and community and independence among tenants.

21 (c) "Homeless" has the same definition as that term is defined
22 in Section 91.5 of Title 24 of the Code of Federal Regulations.

23 (d) (1) "Housing First" means the evidence-based model that
24 uses housing as a tool, rather than a reward, for recovery and that
25 centers on providing or connecting homeless people to permanent
26 housing as quickly as possible. Housing First providers offer
27 services as needed and requested on a voluntary basis and that do
28 not make housing contingent on participation in services.

29 (2) (A) "Housing First" includes time-limited rental or services
30 assistance, so long as the housing and service provider assists the
31 recipient in accessing permanent housing and in securing longer
32 term rental assistance, income assistance, or ~~employment.~~
33 *employment, and the housing otherwise meets the core components*
34 *identified in this section.*

35 (B) For time-limited, supportive services programs serving
36 homeless youth, programs should use a positive youth development
37 model and be culturally competent to serve unaccompanied youth
38 under 25 years of age. Providers should work with the youth to
39 engage in family reunification efforts, where appropriate and when
40 in the best interest of the youth. In the event of an eviction,

1 programs shall make every effort, which shall be documented, to
2 link tenants to other stable, safe, decent housing options. Exit to
3 homelessness should be extremely rare, and only after a tenant
4 refuses assistance with housing search, location, and move-in
5 assistance.

6 (e) *“Recovery housing” means a housing model using substance*
7 *use-specific services, peer support, and physical design features*
8 *supporting individuals and families on a path to recovery from*
9 *addiction that emphasizes abstinence.*

10 (e)

11 (f) “State programs” means any programs a California state
12 agency or department funds, implements, or administers for the
13 purpose of providing housing or housing-based services to people
14 experiencing homelessness or at risk of homelessness, with the
15 exception of federally funded programs with requirements
16 inconsistent with this chapter.

17 ~~SECTION 1. It is the intent of the Legislature to enact~~
18 ~~legislation relating to housing.~~

From: [Logan, Sam \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#); [Carrillo, Lila \(BOS\)](#)
Cc: [Stefani, Catherine \(BOS\)](#)
Subject: Reso Supporting AB 2479
Date: Tuesday, April 16, 2024 3:34:29 PM
Attachments: [Bill Text - AB 2479.pdf](#)
[Introduction Form - Resolution Supporting AB 2479 \(Assm. Haney\).pdf](#)
[AB 2479 Support Resolution Draft.doc](#)

Hello,

Please see attached for the introduction documents for a resolution in support of California State Assembly Bill No. 2479 (Assm. Haney). Attached is a word document of the resolution text and a PDF document of the state legislation's text.

Including [@Carrillo, Lila \(BOS\)](#) from Sup. Safai's office to confirm their co-sponsorship.

The California State Association of Counties and the League of California Cities have not taken a position on the bill. I am confirming that this matter is routine and not contentious in nature.

Please let me know if there are any questions about this resolution introduction.

Best,

Sam Logan | Legislative Aide
Office of Supervisor Catherine Stefani
San Francisco Board of Supervisors, District 2
City Hall, Room 273
(415) 554-7752
www.sfbos.org/Stefani
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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Stefani, Safai

Subject:

Supporting AB 2479

The text is listed:

Resolution supporting California Assembly Bill No. 2479 authored by Assembly Member Haney that would enable state investment in sober living facilities by adding this type of housing to the criteria of those receiving funds through the Housing First Act of 2016.

Signature of Sponsoring Supervisor: /s/ Catherine Stefani

For Clerk's Use Only