

# TEXT OF PROPOSED INITIATIVE ORDINANCE

## PROPOSITION N

Note: Additions are single-underline italics.  
Deletions are ~~strike-through italics~~.

Be it ordained by the People of the City and County of San Francisco: This ordinance shall be known as The Care Not Cash Initiative

**Statement of Purpose:** The goal of the Care Not Cash Initiative is to provide all homeless San Franciscans without dependents, who qualify for aid through the County Assistance Programs, food, shelter/housing and health services replacing the majority of existing cash grants with these guaranteed services. This change will allow the City of San Francisco to increase mental health treatment services, expand alcohol and substance abuse programs and create more affordable housing. The initiative will bring San Francisco in line with almost every other major California County, thereby eliminating the incentive for homeless individuals who want cash rather than services to congregate here. The Care Not Cash Initiative will help reduce deaths from drug overdoses by eliminating most cash payments to homeless individuals and replacing them with guaranteed services.

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 20.57 to read as follows:

**SEC. 20.57. COMPUTATION AND PAYMENT OF AID GRANTS; AMOUNTS PAYABLE.**

(a) For each eligible individual or for each eligible family of two or more persons who qualify for aid under the General Assistance Program, the maximum monthly amount of aid to which such recipients are entitled is listed below.

MAXIMUM GENERAL ASSISTANCE GRANT AMOUNT

Single Individual	<del>\$270</del>	<u>\$320</u>
Number of Eligible Persons in Same Family		
2 Persons	<del>\$504</del>	<u>\$574</u>
3 Persons	<del>\$565</del>	<u>\$647</u>
4 Persons	<del>\$623</del>	<u>\$771</u>
5 Persons	<del>\$767</del>	<u>\$877</u>
6 Persons	<del>\$864</del>	<u>\$984</u>
7 Persons	<del>\$946</del>	<u>\$1,081</u>
8 Persons	<del>\$1,030</del>	<u>\$1,179</u>
9 Persons	<del>\$1,113</del>	<u>\$1,273</u>
10 Persons	<del>\$1,196</del>	<u>\$1,367</u>

In the case of more than 10 persons in a family budget unit, an additional \$14 each month shall be paid for each additional person in the family budget unit. For the purpose of this Section, a family is defined as an eligible applicant/recipient and his or her spouse or "domestic partner," as defined under Section 62.2 of the San Francisco Administrative Code, and/or any of the applicant/recipient's children who are under age 18, living with, and applying for General Assistance with,

such applicant/recipient, provided that such child(ren) was (were) never eligible for TANF/CalWORKs. For family budget units in which members receive cash payments from more than one federal, State or County assistance program, except for SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate share of the aid payment for a family budget unit of the same size within each program ~~to~~ for which each member is eligible.

Any individual or family receiving aid pursuant to this subsection shall continue to receive the maximum monthly grant for which they were eligible prior to any reduction in the maximum monthly grant structure enacted by the Board of Supervisors, until that eligible individual or family has applied for and been denied, or has refused to apply for, assistance under the PAES, CALM, or SSIP Programs.

(b) With respect to all applicants, initial aid payments shall be conditional upon completion of the Department orientation program. In addition, with respect to each employable recipient, continuing aid shall be conditioned, at the option of the Department, upon either completion of 20 verifiable job applications per month and/or participation in a Department-approved job counseling, vocational rehabilitation, drug or alcohol treatment or work assignment program. Verifiable job applications or job searches within the meaning of this Section, Section 20.58(c), and Section 20.58.2(b)(5) of this Article, shall include, but not be limited to: (1) sending applications, resumes and cover letters to apply for available positions for which the recipient meets the minimum qualifications, with copies of these documents and the telephone number of the prospective employer provided to the Department of Human Services so they can be verified; and (2) participation by a union member in union hiring hall programs that make use of telephone job searches for currently available positions.

In addition, with respect to each unemployable recipient, continuing aid shall be conditioned upon application for, and pursuit of, SSI/SSP benefits, if eligible, and participation in a Department-approved rehabilitation program. Aid may be withheld, reduced, or discontinued for failure to meet these requirements.

(c) The Maximum General Assistance Grant may include Municipal Railway tokens ~~as an in-kind grant~~, in which event the cost of the Municipal Railway tokens to the Department of Human Services shall not be deducted from the Maximum General Assistance Grant Amounts listed above to arrive at the Maximum Cash General Assistance Grant Amount which may be

issued by means of ~~warrants~~, in-kind assistance, vouchers, checks, two-party checks or electronic benefit transfers. The Municipal Railway tokens shall be for the sole use of the recipient.

(d) The Maximum General Assistance Grant Amounts listed in Section 20.57 (a) of this ordinance shall be increased by any annual percentage cost of living increase to the Maximum Aid Payment, and according to the same schedule, if such an increase is implemented by the State of California in the TANF/CalWORKs program.

(e) The maximum monthly amount of aid for which an applicant is eligible shall be the Maximum General Assistance Grant Amount prorated as of the eligibility determination date, ~~less~~ minus any nonexempt assets and/or nonexempt personal property available to the applicant during that calendar month, and minus the value of any prorated in-kind housing, utilities and/or meals available or provided to the applicant. Rent, retroactive to the first of the month in which eligibility was determined, may be authorized to prevent eviction from existing housing. Applicants who anticipate receiving first-time income from other sources during the month of their application for General Assistance, shall receive the prorated maximum monthly grant amount for which they are eligible until the verified date of anticipated receipt of such other income.

(f) The maximum monthly amount of aid for which a recipient is eligible shall be the Maximum General Assistance Grant Amount, or the amount determined pursuant to Subsection (b) ~~less~~ minus any cash received from sources other than General Assistance which is or will be available to the recipient during the month for which aid is paid unless otherwise exempt, ~~and less~~ minus the fair market value of any nonexempt personal property which is or will be available to the recipient during the month for which aid is paid, and minus the value of any in-kind housing, utilities and/or meals available or provided to the recipient.

(g) No grant shall be issued for less than \$5.

(h) To promote the transition of General Assistance recipients to gainful employment, the Executive Director of the Department of Human Services may establish an Earned Income and Asset Disregard Program for the recipients who are employed. The Earned Income and Asset Disregard Program shall provide for disregarding a certain amount of gross income which a recipient earns as wages and savings derived therefrom when deter-

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mining a recipient's General Assistance Program eligibility and grant amount. The total amount of gross income disregarded shall not exceed the sum of the following amounts: (1) all of the first \$200 of recipient gross wage earnings; (2) two-thirds of the next \$150 of recipient gross wage earnings; (3) one-half of the next \$150 of recipient gross wage earnings; (4) one-third of the next \$150 of recipient gross wage earnings; and (5) one-fifth of the next \$150 of recipient gross wage earnings. All recipient gross wage earnings above \$800 shall be offset on a dollar-for-dollar basis against the grant amount to which a recipient would otherwise be entitled. In addition, for recipients participating in this program up to \$2,000 of recipient savings derived from the recipient's gross wage earnings shall be disregarded during the recipient's participation in this program and for up to three months thereafter. Also, if as a result of retrospective budgeting a recipient's total currently available financial resources in a month including his or her adjusted General Assistance grant, wages, and savings are less than the maximum General Assistance grant amount, the recipient shall be eligible for a grant supplement in the form of a rental expense voucher for unpaid rent in that month and up to \$50 in cash so that the recipient's currently available financial resources may total up to the maximum General Assistance grant amount. This grant supplement is available a maximum of three times per year for program participants and is not available to recipients who quit a job without good cause.

Recipient gross wage earnings are defined for purposes of this Section as any income received by the recipient as payment for a recipient's labor. This Section supersedes the provisions of Subsection 20.55.2(r), Section 20.56.6, Subsections 20.56.10 (a) and (b), Subsections 20.57 (e) and (f), and Subsections 20.59.10 (d), (e) and (f) when determining recipient eligibility and when calculating the maximum monthly amount of aid for program participants. All other recipient income and assets shall continue to be offset on a dollar-for-dollar basis when calculating the grant amount to which a recipient is otherwise eligible. For recipients participating in this program, General Assistance eligibility shall be determined on a monthly basis and a recipient's grant amount shall be adjusted for gross wage earnings on the basis of retrospective budgeting in the month following the recipient's receipt of wage income. Verified expenses which exceed the total sum of a participant's grant, wages, and savings in any given month create a rebuttable presumption of ineligibility for aid.

(i) The automatic adjustment provisions of

Subsection (d) are hereby suspended for fiscal year 1997-98. Adjustments for subsequent fiscal years made pursuant to this Section shall not include any adjustments for any fiscal year in which the cost of living was suspended.

Section 2. The San Francisco Administrative Code is hereby amended by amending Section 20.59.3 to read as follows:

### Sec. 20.59.3 AID PAYMENTS; IN-KIND AID

Assistance in the form of in-kind benefits, in-kind orders, ~~vouchers~~ or emergency ~~checks issued at the General Assistance office~~ shall be used ~~for:~~

- (a) ~~Emergency assistance~~ As aid payments.
- (b) For applicants and recipients who declare themselves to be homeless. Applicants and recipients are required to provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of rent-free housing. Self-declared homeless applicants and recipients shall receive in-kind benefits for housing, utilities, and meals. If in-kind benefits are not available, such applicants and recipients shall receive the cash assistance equivalent to the income-in-kind value of housing, utilities, and/or meals, whichever is not available, if otherwise eligible for these amounts, in the form of an emergency check. Failure to comply with the rules of a housing program that results in ejection from that housing program will be considered failure to satisfy the requirements for continuing eligibility for aid and will result in discontinuance from the General Assistance Program, subject to the notice and hearing provisions of this Article. ~~Other short-term cases.~~
- (c+) For Eligible persons awaiting transportation arrangements, provided that aid shall not exceed one week.
- (d2) For Eligible homeless persons awaiting admission into a hospital or institution.
- (e2) Cases in which a disability rating of seven days or less has been given by the General Hospital and the individual does not appear to be eligible for further aid at the termination of the disability period.
- (ee) For Persons who have demonstrated inability to handle cash payments for necessities of life.

Section 3. The San Francisco Administrative Code is hereby amended by amending Section 20.57.1 to read as follows:

### SEC. 20.57.1. HOUSING.

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

(b) There shall be no reduction in the amount of General Assistance for to which an applicant or recipient is eligible entitled because he or she shares housing with others who are not members of the applicant's family as defined in Section 20.57(a). All applicants and recipients shall be required to present a verifiable rent receipt. If the applicant or recipient is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's or recipient's place of residence and monthly share of housing costs.

(c) ~~Rent-free housing shall not be considered an alternative means of support. Where~~ When an applicant or recipient obtains rent-free housing, such housing shall be valued according to the Value of Income-in-Kind Values Chart set forth in Title 22 of the California Code of Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The value of the rent-free housing, which is presumed to include utilities, as determined under the Income-in-Kind Chart, shall be deducted from the maximum monthly grant amount. If the applicant or recipient receives rent-free housing, but pays for utilities, the applicant or recipient must present a verifiable bill for utilities at that address, and a verifiable receipt for payment of any portion of that utility bill.

(d+) Verified payments made directly to a housing provider on behalf of an applicant or recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing received in exchange for work, shall be assigned an in-kind value as specified by the Income-in-Kind Chart, and that value shall be deducted from the maximum monthly grant ~~to~~ for which that applicant or recipient is eligible.

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

(fe) Nothing in this Section shall be construed as requiring an otherwise eligible applicant or recipient to accept housing in a facility which is either the subject of a pending nuisance abatement proceeding before a duly authorized agency or department of the City and County or before a court of competent jurisdiction, or which

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theretofore has been found to be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a duly authorized agency or department of the City and County or by a court of competent jurisdiction and which nuisance has not been abated.

Section 4. The San Francisco Administrative Code is hereby amended by adding Section 20.57.6A. to read as follows:

**Sec. 20.57.6A. Special Allowances; Income-in-kind Value Exceeds Monthly Maximum Grant.** *A special allowance of up to \$59.00 per month shall be made available, in the form of an emergency check, to any recipient when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient exceeds the maximum monthly grant for which that recipient is eligible. If such income-in-kind value does not exceed the maximum monthly grant for which that recipient is eligible, but allows for less than \$59.00 cash per month, that recipient shall receive an amount, in the form of an emergency check, that when added to the maximum monthly grant for which that recipient is eligible equals \$59.00 cash per month. This section shall not affect the collection of overpayments due to fraud, negligent failure to report facts, or administrative error as set forth in this Article.*

Section 5. The San Francisco Administrative Code is hereby amended by adding Section 20.60.12 to read as follows:

**Sec. 20.60.12. Funding.** *A baseline appropriation for housing and related services provided as in-kind aid shall be established using the City and County of San Francisco FY 2002-2003 Annual Appropriation Ordinance and any supplemental appropriations for the amount of cash aid payments to applicants and recipients who declare themselves to be homeless. In subsequent fiscal years, this baseline amount shall be appropriated to the Department of Human Services to fund housing and related services for homeless adults without dependents. This funding may be used to support, but shall not be limited to, some or all of the following: hotel master lease programs, permanent supportive housing, improvements of conditions in existing shelters, expansion of shelter capacity, mental health and substance abuse treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee services, case management and meals for the homeless population through direct services and/or contracts.*

Section 6. The San Francisco Administrative Code is hereby amended by adding Section 20.60.13 to read as follows:

**Sec. 20.60.13 Evaluation.** *The provision of in-kind aid is to be evaluated by the Office of*

*the Controller of the City and County of San Francisco every three years for program effectiveness and cost efficiency.*

Section 7. The San Francisco Administrative Code is hereby amended by adding Section 20.60.14 to read as follows:

**Sec. 20.60.14 Operative Date of Amendments.** *The provisions of this amendment, Sections 20.59.3(b); 20.57.1(a),(b),(c),(e); 20.57.6A; 20.60.12; and 20.60.13 shall become operative on or before July 1, 2003.*

Section 8. The San Francisco Administrative Code is hereby amended by amending Section 20.76, to read as follows:

**SEC. 20.76. PAES STIPENDS.**

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

**MAXIMUM PAES STIPEND AMOUNT**

	<del>\$345</del>	\$395
Single Individual		
Number of Eligible Persons in Same Family		
2 Persons	<del>\$567</del>	\$649
3 Persons	<del>\$703</del>	\$804
4 Persons	<del>\$834</del>	\$955
5 Persons	<del>\$952</del>	\$1,089
6 Persons	<del>\$1,070</del>	\$1,223
7 Persons	<del>\$1,175</del>	\$1,343
8 Persons	<del>\$1,281</del>	\$1,464
9 Persons	<del>\$1,388</del>	\$1,586
10 Persons	<del>\$1,508</del>	\$1,723

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

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

- (c) The maximum monthly PAES stipend for which a participant is eligible shall be the maximum PAES stipend ~~less~~ minus any nonexempt cash received from sources other than PAES which is available to the participant during the month for which the stipend is paid, ~~and less~~ minus the fair market value of any nonexempt personal property which is, or will be, available to the participant during the month for which the stipend is paid, and minus the value of any in-kind housing, utilities and/or meals available or provided to the participant.
- (d) No PAES stipend shall be issued for less than \$5.00.
- (e) PAES assistance and stipends may be provided in the form of vouchers, checks, two-party checks, checks, electronic benefit transfers, in-kind benefits, and/or through third party contracts.
- (f) PAES stipends may be made payable only to the participant or, upon the participant's written authorization, to the participant and a designated co-payee, or to a representative payee.
- (g) PAES stipends may be mailed directly to the participant or to the designated representative payee. PAES stipends may be made by electronic benefits transfer. PAES stipends may be picked up at a location designated by the Department. PAES stipends shall not be mailed to a post office box, a mail receiving service, or to an address outside the City and County of San Francisco, except upon specific authorization of the Executive Director.
- (h) The Maximum PAES Stipend Amounts listed in Section 20.76(a) of this Article shall be increased by any annual percentage cost of living increase to the Maximum Aid Payment, and according to the same schedule, if such an increase is implemented by the State of California in the TANF/CalWORKs program.
- (i) Participants may be provided with assistance, as specified in Subsection (e) above, to help pay, in full or in part, ancillary work-related expenses.
- (j) Applicants and recipients are required to provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of rent-free housing. Self-declared homeless applicants and recipients shall receive in-kind benefits for housing, utilities and meals. If in-kind benefits are not available, such applicants and recipients shall receive the income-in-kind value of housing, utilities, and/or meals, whichever is not available, in the form of an emergency check, if otherwise eligible for these amounts. Failure to comply with the rules of a housing program that results in ejection from that

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housing program will be considered failure to satisfy the requirements for continuing eligibility for aid and will result in discontinuance from PAES, subject to the notice and hearing provisions of this Article.

(k) A special allowance of up to \$59.00 per month shall be made available, in the form of an emergency check, to any recipient when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient exceeds the maximum monthly stipend for which that recipient is eligible. If such income-in-kind value does not exceed the maximum monthly stipend for which that recipient is eligible, but allows for less than \$59.00 cash per month, that recipient shall receive an amount, in the form of an emergency check, when added to the maximum monthly stipend for which that recipient is eligible that equals \$59.00 cash per month. This section shall not affect the collection of overpayments due to fraud, negligent failure to report facts or administrative error as set forth in this Article.

Section 9. The San Francisco Administrative Code is hereby amended by amending Section 20.76.3, to read as follows:

**SEC. 20.76.3. HOUSING**

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

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

(c) When ~~where~~ an applicant/ participant obtains rent-free housing, such housing shall be valued according to ~~value of~~ Income-in-Kind ~~Values~~ Chart set forth under Title 22 of the California Code of Regulations, Section 50511 (the Income-in-Kind Chart"), rather than at fair market value. The value of the rent-free housing, which is presumed to include utilities, as determined under the Income-in-Kind Chart, shall be deducted from the maximum monthly stipend amount. If the applicant or recipient receives rent-free housing, but pays for utilities, the applicant or recipient must present a verifiable

bill for utilities at that address, and a verifiable receipt for payment of any portion of that utility bill. In addition, all applicants/participants shall be required to present a verifiable rent receipt. If the applicant/participant is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's/participant's place of residence and share of housing costs.

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

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

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

Section 10. The San Francisco Administrative Code is hereby amended by adding Section 20.94, to read as follows:

**Sec. 20.94. Funding.** A baseline appropriation for housing and related services provided as in-kind aid shall be established using the City and County of San Francisco FY 2002-2003 Annual Appropriation Ordinance and any supplemental appropriations for the amount of cash aid payments to applicants and recipients who declare themselves to be homeless. In subsequent fiscal years, this baseline amount shall be appropriated to the Department of Human Services to fund housing and related services for homeless adults without dependents. This funding may be used to support, but shall not be limited to, some or all of the following: hotel master lease programs, permanent supportive

housing, improvements of conditions in existing shelters, expansion of shelter capacity, mental health and substance abuse treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee services, case management and meals for the homeless population through direct services and/or contracts.

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

**Sec. 20.95. Evaluation.** The provision of in-kind aid is to be evaluated by the Office of the Controller of the City and County of San Francisco every three years for program effectiveness and cost efficiency.

Section 12. The San Francisco Administrative Code is hereby amended by adding Section 20.96 to read as follows:

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

Section 13. The San Francisco Administrative Code is hereby amended by amending Section 20.106, to read as follows:

**SEC. 20.106. CALM PAYMENTS.**

(a) For each eligible individual or for each eligible family budget unit of two or more persons who qualify for assistance under the CALM Program, the maximum monthly payment amount which recipients shall receive is listed below.

MAXIMUM CALM PAYMENT AMOUNT		
Single Individual	<del>\$345</del>	\$395
Number of Eligible Persons in Same Family		
2 Persons	<del>\$567</del>	\$649
3 Persons	<del>\$703</del>	\$804
4 Persons	<del>\$834</del>	\$955
5 Persons	<del>\$952</del>	\$1,089
6 Persons	<del>\$1,070</del>	\$1,223
7 Persons	<del>\$1,175</del>	\$1,343
8 Persons	<del>\$1,282</del>	\$1,464
9 Persons	<del>\$1,388</del>	\$1,586
10 Persons	<del>\$1,508</del>	\$1,723

In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall be paid for each additional person in the family budget unit. For family budget units in which members receive cash payments from more than one federal, State or County assistance program, except for SSI/SSP, the total aid payment shall consist of the sum of each individual's proportionate share of the aid payment for a family budget unit of the

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- same size within each program ~~for~~ which each member is eligible.
- (b) The maximum monthly CALM payment for which an applicant is eligible shall be the maximum monthly CALM payment prorated as ~~of~~ the eligibility determination date, minus any nonexempt cash available to the applicant during that calendar month, ~~and~~ minus the fair market value of any nonexempt personal property available to the applicant during that calendar month, ~~and minus the value of any prorated in-kind housing, utilities and/or meals available or provided to the applicant.~~ A rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized to prevent eviction from existing housing.
- (c) The maximum monthly CALM payment for which a recipient is eligible shall be the maximum CALM payment ~~less~~ minus any nonexempt cash received from sources other than CALM which is available to the recipient during the month for which assistance is paid, ~~and less~~ minus the fair market value of any nonexempt personal property which is, or will be, available to the recipient during the month for which assistance is paid, ~~and minus the value of any in-kind housing, utilities and/or meals available or provided to the applicant.~~
- (d) No CALM payment shall be issued for less than \$5.00.
- (e) CALM may be provided in the form of vouchers, checks, two-party checks, checks, electronic benefit transfers, in-kind benefits, and/or through third party contracts.
- (f) CALM payments may be made payable only to the recipient or, upon the recipient's written authorization, to the recipient and a designated co-payee, or to a representative payee.
- (g) CALM payments may be mailed directly to the recipient or to the designated representative payee. CALM payments may be made by electronic benefit transfer. CALM payments may be picked up at a location designated by the Department. CALM payments shall not be mailed to a post office box, a mail receiving service, or to an address outside the City and County of San Francisco, except upon specific authorization of the Executive Director.
- (h) The Maximum CALM Payment Amounts listed in Section 20.106(a) of this Article shall be increased by any annual percentage cost of living increase to the Maximum Aid Payment, and according to the same schedule, if such an increase is implemented by the State of California in the TANF/CalWORKs program.
- (i) Applicants and recipients are required to provide a verifiable rent receipt, or verifiable documentation of shared housing, or

verifiable documentation of rent-free housing. Self-declared homeless applicants and recipients shall receive in-kind benefits for housing, which includes utilities and meals. If in-kind benefits are not available, such applicants and recipients shall receive the income-in-kind value of housing, utilities, and/or meals, whichever is not available, in the form of an emergency check if otherwise eligible for these amounts. Failure to comply with the rules of a housing program that results in ejection from that housing program will be considered failure to satisfy the requirements for continuing eligibility for aid and will result in discontinuance from CALM, subject to the notice and hearing provisions of this Article

- (j) A special allowance of up to \$59.00 per month shall be made available, in the form of an emergency check, to any recipient when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient exceeds the maximum monthly payment for which that recipient is eligible. If such income-in-kind value does not exceed the maximum monthly payment for which that recipient is eligible, but allows for less than \$59.00 cash per month, that recipient shall receive an amount, in the form of an emergency check, when added to the maximum monthly payment for which that recipient is eligible that equals \$59.00 cash per month. This section shall not affect the collection of overpayments due to fraud, negligent failure to report facts or administrative error as set forth in this Article.

Section 14. The San Francisco Administrative Code is hereby amended by amending Section 20.106.2, to read as follows:

### SEC. 20.106.2. HOUSING.

- (a) "Housing" shall include, but not be limited to, single occupancy residential hotels, master lease rooms, transitional housing, supportive housing programs, residential treatment facilities, shelter.
- (b) There shall be no reduction in the CALM payment for which an applicant/recipient is eligible ~~receives~~ because she/he shares housing with others who are not members of the applicant's family budget unit as defined under this Article. All applicants/recipients shall be required to present a verifiable rent receipt. If the applicant/recipient is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's/recipient's place of residence and monthly share of housing costs.
- (c) When ~~where~~ an applicant obtains rent-free housing, such housing shall be valued according to Income-in-Kind Values Chart set forth under Title 22 of the California

Code of Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The value of the rent-free housing, which is presumed to include utilities, as determined under the Income-in-Kind Chart, shall be deducted from the maximum monthly payment amount. ~~In addition, all applicants/recipients shall be required to present a verifiable rent receipt. If the applicant/recipient is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's/recipient's place of residence and share of monthly housing costs. If the applicant or recipient receives rent-free housing, but pays for utilities, the applicant or recipient must present a verifiable bill for utilities at that address, and a verifiable receipt for payment of any portion of that utility bill.~~

- (d) ~~Verified payments made directly to a housing provider on behalf of an applicant or recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing received in exchange for work, shall be assigned an in-kind value as specified by the Income-in-Kind Chart and that value shall be deducted from the maximum monthly payment for which that applicant or recipient is eligible.~~
- (e) Housing and/or meals provided to applicants and recipients who are unable to provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of rent-free housing shall be valued as in-kind housing, utilities and/or meals as specified by the Income-In-kind Chart, and that value shall be deducted from the maximum monthly grant for which that applicant or recipient is eligible.

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

Section 15. The San Francisco Administrative Code is hereby amended by adding Section 20.125, to read as follows:

(Continued on next page)

**LEGAL TEXT OF PROPOSITION N (CONTINUED)**

**Sec. 20.125. Funding.** *A baseline appropriation for housing and related services provided as in-kind aid shall be established using the City and County of San Francisco FY 2002-2003 Annual Appropriation Ordinance and any supplemental appropriations for the amount of cash aid payments to applicants and recipients who declare themselves to be homeless. In subsequent fiscal years, this baseline amount shall be appropriated to the Department of Human Services to fund housing and related services for homeless adults without A baseline budget for the CALM Program shall be established using the City and County of San Francisco FY 2002-2003 final appropriation. In subsequent fiscal years, this baseline amount shall be appropriated to the Department of Human Services to fund housing and related services for homeless adults without dependents. This funding may be used to support, but shall not be limited to, some or all of the following: hotel master lease programs, permanent supportive housing, improvements of conditions in existing shelters, expansion of shelter capacity, mental health and substance abuse treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee services, case management, and meals for the homeless population through direct services and/or contracts.*

Section 16. The San Francisco Administrative Code is hereby amended by adding Section 20.126 to read as follows:

**Sec. 20.126. Evaluation.** *The provision of in-kind aid is to be evaluated by the Office of the Controller of the City and County of San Francisco every three years for program effectiveness and cost efficiency.*

Section 17. The San Francisco Administrative Code is hereby amended by adding Section 20.127 to read as follows:

**Sec. 20.127. Operative Date of Amendments.** *The provisions of this amendment, Sections 20.106(b).(c).(i).(j); 20.106.2(a).(b).(c).(e); 20.125; and 20.126 shall become operative on or before July 1, 2003.*

Section 18. The San Francisco Administrative Code is hereby amended by amending Section 20.206, to read as follows:

**SEC. 20.206. SSIP PAYMENTS.**

- (a) For each eligible individual or for each eligible family budget unit of two or more persons who qualify for assistance under the SSIP Program, the maximum monthly payment amount which recipients shall receive is listed below.

**MAXIMUM SSIP PAYMENT AMOUNT**

Single Individual	<del>\$345</del>	\$395
Number of Eligible Persons in Same Family		

2 Persons	<del>\$567</del>	\$649
3 Persons	<del>\$703</del>	\$804
4 Persons	<del>\$834</del>	\$955
5 Persons	<del>\$952</del>	\$1,089
6 Persons	<del>\$1,070</del>	\$1,223
7 Persons	<del>\$1,175</del>	\$1,343
8 Persons	<del>\$1,282</del>	\$1,464
9 Persons	<del>\$1,388</del>	\$1,586
10 Persons	<del>\$1,508</del>	\$1,723

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

- (b) The maximum monthly SSIP payment for which an applicant is eligible shall be the maximum monthly SSIP payment prorated as of the eligibility determination date, minus any nonexempt cash available to the applicant during that calendar month, ~~and~~ minus the fair market value of any nonexempt personal property available to the applicant during that calendar month, ~~and minus the value of any prorated in-kind housing, utilities and/or meals available or provided to the applicant.~~ A rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized to prevent eviction from existing housing.
- (c) The maximum monthly SSIP payment for which a recipient is eligible shall be the maximum SSIP payment ~~less~~ minus any nonexempt cash received from sources other than SSIP which is available to the recipient during the month for which the SSIP payment is paid, ~~and less~~ minus the fair market value of any nonexempt personal property which is, or will be, available to the recipient during the month for which the SSIP payment is paid, ~~and minus the value of any in-kind housing, utilities and/or meals available or provided to the recipient.~~
- (d) No SSIP payment shall be issued for less than \$5.00.
- (e) SSIP may be provided in the form of vouchers, checks, two-party checks, checks, electronic benefit transfers, in-kind benefits, and/or through third party contracts.
- (f) SSIP payments may be made payable only to the recipient or, upon the recipient's written authorization, to the recipient and a designated co-payee, or to a representative payee.
- (g) SSIP payments may be mailed directly to the recipient or to the designated representative payee. SSIP payments may be made

by electronic benefit transfer. SSIP payments may be picked up at a location designated by the Department. SSIP payments shall not be mailed to a post office box, a mail receiving service, or to an address outside the City and County of San Francisco, except upon specific authorization of the Executive Director.

- (h) The Maximum SSIP Payment Amounts listed in Section 20.206(a) of this Article shall be increased by any annual percentage cost of living increase to the Maximum Aid Payment, and according to the same schedule, if such an increase is implemented by the State of California in the TANF/CalWORKs Program.
  - (i) *Applicants and recipients are required to provide a verifiable rent receipt, or verifiable documentation of shared housing or verifiable documentation of rent-free housing. Self-declared homeless applicants and recipients shall receive in-kind benefits for housing, utilities and meals. If in-kind benefits are not available, such applicants and recipients shall receive the income-in-kind value of housing, utilities, and/or meals; whichever is not available, in the form of an emergency check if otherwise eligible for these amounts. Failure to comply with the rules of a housing program that results in ejection from that housing program will be considered failure to satisfy the requirements for continuing eligibility for aid and will result in discontinuance from SSIP, subject to the notice and hearing provisions of this Article.*
  - (j) *A special allowance of up to \$59.00 per month shall be made available, in the form of an emergency check, to any recipient when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient exceeds the maximum monthly payment for which that recipient is eligible. If such income-in-kind value does not exceed the maximum monthly payment for which that recipient is eligible, but allows for less than \$59.00 cash per month, that recipient shall receive an amount, in the form of an emergency check, when added to the maximum monthly payment for which that recipient is eligible that equals \$59.00 cash per month. This section shall not affect the collection of overpayments due to fraud, negligent failure to report facts or administrative error as set forth in this Article.*

Section 19. The San Francisco Administrative Code is hereby amended by amending Section 20.206.3, to read as follows:

**SEC. 20.206.3. HOUSING.**

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION N (CONTINUED)

- (a) "Housing" shall include, but not be limited to, single occupancy residential hotels, master lease rooms, transitional housing, supportive housing programs, residential treatment facilities, shelter.
- (b) There shall be no reduction in the SSIP payment for which an applicant or recipient is eligible ~~receives~~ because she/he shares housing with others who are not members of the applicant's/recipient's family budget unit. All applicants/recipients shall be required to present a verifiable rent receipt. If the applicant/recipient is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's/recipient's place of residence and share of monthly housing costs.
- (c) ~~When—Where~~ an applicant/recipient obtains rent-free housing, such housing shall be valued according to the Value of Income-in-Kind Values Chart set forth under Title 22 of the California Code of Regulations, Section 50511 (the "Income-in-Kind Chart"), rather than at fair market value. The value of the rent-free housing, which is presumed to include utilities, as determined under the Income-in-Kind Chart, shall be deducted from the maximum monthly payment amount. ~~In addition, all applicants/recipients shall be required to present a verifiable rent receipt. If the applicant/recipient is not the owner or prime lessee of the premises, a verifiable rent receipt signed by the owner or prime lessee may provide evidence of the applicant's/recipient's place of residence and share of monthly housing costs. If the applicant or recipient receives rent-free housing, but pays for utilities, the applicant or recipient must present a verifiable bill for utilities at that address, and a verifiable receipt for payment of any portion of that utility bill.~~
- (d) Verified payments made directly to a housing provider on behalf of an applicant or recipient for the entire amount of the rent and/or utilities, or rent-free housing, or housing received in exchange for work, shall be assigned an in-kind value as specified by the Income-in-Kind Chart and that value shall be deducted from the maximum monthly payment ~~to~~ for which that applicant or recipient is eligible.
- (e) Housing and/or meals provided to applicants and recipients who are unable to provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of rent-free housing shall be valued as in-kind housing, utilities and/or meals as specified by the Income-In-kind Chart, and that value shall be deducted from the maximum monthly stipend for which that applicant or recipient is eligible.
- (f) Nothing in this Section shall be construed

as requiring an otherwise eligible applicant or recipient to accept housing in a facility which is either the subject of a pending nuisance abatement proceeding before a duly authorized agency or department of the City and County or before a court of competent jurisdiction, or which theretofore has been found to be a public nuisance pursuant to any provision of any San Francisco Municipal Code by a duly authorized agency or department of the City and County or by a court of competent jurisdiction and which nuisance has not been abated.

Section 20. The San Francisco Administrative Code is hereby amended by adding Section 20.226, to read as follows:

**Sec. 20.226. Funding.** A baseline appropriation for housing and related services provided as in-kind aid shall be established using the City and County of San Francisco FY 2002-2003 Annual Appropriation Ordinance and any supplemental appropriations for the amount of cash aid payments to applicants and recipients who declare themselves to be homeless. In subsequent fiscal years, this baseline amount shall be appropriated to the Department of Human Services to fund housing and related services for homeless adults without dependents. This funding may be used to support, but shall not be limited to, some or all of the following: hotel master lease programs, permanent supportive housing, improvements of conditions in existing shelters, expansion of shelter capacity, mental health and substance abuse treatment, outreach, a fund for rental deposits, SSI advocacy programs, rep-payee services, case management, and meals for the homeless population through direct services and/or contracts.

Section 21. The San Francisco Administrative Code is hereby amended by adding Section 20.227 to read as follows:

**Sec. 20.227. Evaluation.** The provision of in-kind aid is to be evaluated by the Office of the Controller of the City and County of San Francisco every three years for program effectiveness and cost efficiency.

Section 22. The San Francisco Administrative Code is hereby amended by adding Section 20.228 to read as follows:

**Sec. 20.228. Operative Date of Amendment.** The provisions of this amendment, Sections 20.206(b),(c),(i),(j), 20.206.3(a),(b),(c),(e); 20.226; and 20.227 shall become operative on or before July 1, 2003.

Section 23 If any section, subsection, provision or part of this initiative ordinance, or its application to any person or circumstances, is held to be unconstitutional or invalid, the

remainder of this ordinance, and the application of such provision to other persons or circumstances, shall not be affected.