

ESSB 5959 - H AMD TO APP COMM AMD (H-5901.1/08) **1536**
By Representative Miloscia

ADOPTED 03/07/2008

1 Beginning on page 1, line 3 of the amendment, strike everything
2 through page 3, line 23, and insert the following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a
4 large, unmet need for affordable housing and affordable housing
5 assistance in the state of Washington, causing many low-income
6 individuals and families to be at risk of homelessness. The
7 legislature declares that a decent, appropriate, and affordable home in
8 a healthy, safe environment for every household should be a state goal.
9 Furthermore, this goal includes increasing the percentage of low-income
10 households who are ultimately able to obtain and retain housing without
11 government subsidies or other public support.

12 (2) The legislature finds that the state should provide financial
13 resources as well as case management to help individuals and families
14 at risk of homelessness obtain and retain housing and work towards a
15 goal of self-sufficiency where possible.

16 (3) The legislature finds that there are many root causes of the
17 affordable housing shortage and declares that it is critical that such
18 causes be analyzed, effective solutions be developed, implemented,
19 monitored, and evaluated, and that these causal factors be eliminated.
20 The legislature also finds that there is a taxpayer and societal cost
21 associated with a lack of jobs that pay self-sufficiency standard wages
22 and a shortage of affordable housing, and that the state must identify
23 and quantify that cost.

24 (4) The legislature finds that the support and commitment of all
25 sectors of the statewide community is critical to accomplishing the
26 state's affordable housing for all goal. The legislature finds that
27 the provision of housing and housing-related services should be
28 administered both at the state level and at the local level. However,
29 the state should play a primary role in: Providing financial resources
30 to achieve the goal at all levels of government; researching,

1 evaluating, benchmarking, and implementing best practices; continually
2 updating and evaluating statewide housing data; developing a state plan
3 that integrates the strategies, goals, objectives, and performance
4 measures of all other state housing plans and programs; coordinating
5 and supporting county government plans and activities; and directing
6 quality management practices by monitoring both state and county
7 government performance towards achieving interim and ultimate goals.

8 (5) The legislature declares that the systematic and comprehensive
9 performance measurement and evaluation of progress toward interim goals
10 and the immediate state affordable housing goal of a decent,
11 appropriate, and affordable home in a healthy, safe environment for
12 every household in the state by 2020 is a necessary component of the
13 statewide effort to end the affordable housing crisis.

14 NEW SECTION. **Sec. 2.** This chapter may be known and cited as the
15 Washington affordable housing for all act.

16 NEW SECTION. **Sec. 3.** There is created within the department the
17 state affordable housing for all program. The goal of the program is
18 a decent, appropriate, and affordable home in a healthy, safe
19 environment for every household in the state by 2020. A priority must
20 be placed upon achieving this goal for extremely low-income households
21 as well as all households who are at risk of homelessness. This goal
22 includes: (1) Increasing the percentage of households who access
23 housing that is affordable for their income or wage level without
24 government assistance by increasing the number of previously very low-
25 income households who achieve self-sufficiency and economic
26 independence; (2) providing financial assistance, either from the state
27 or local resources to individuals and families at risk of homelessness,
28 coupled with supportive services to assist families to ultimately
29 achieve self-sufficiency whenever possible; and (3) implementing
30 strategies to keep the rising price of housing for all economic
31 segments to a rate less than that of the overall growth in wages for
32 each economic segment. The department shall develop and administer the
33 affordable housing for all program. Each county shall participate in
34 the affordable housing for all program except as provided in section 8
35 of this act; however, in the development and implementation of the
36 program scope and requirements at the county level, the department

1 shall consider: The funding level to counties, number of county staff
2 available to implement the program, and competency of each county to
3 meet the goals of the program; and establish program guidelines,
4 performance measures, and reporting requirements appropriate to the
5 existing capacity of the participating counties.

6 NEW SECTION. **Sec. 4.** Unless the context clearly requires
7 otherwise, the definitions in this section apply throughout this
8 chapter.

9 (1) "Affordable housing" means housing that has a sales price or
10 rental amount that is within the means of a household that may occupy
11 low, very low, and extremely low-income housing. The department shall
12 adopt policies for residential rental and homeownership housing,
13 occupied by extremely low, very low, and low-income households, that
14 specify the percentage of household income that may be spent on monthly
15 housing costs, including utilities other than telephone, to qualify as
16 affordable housing.

17 (2) "Affordable housing for all program" means the program
18 authorized under this chapter, as administered by the department at the
19 state level and by each county at the local level.

20 (3) "At risk of homelessness" means any low, very low, or extremely
21 low-income individual or family residing in housing that is not
22 affordable housing.

23 (4) "Authority" or "housing authority" means any of the public
24 corporations created in RCW 35.82.030.

25 (5) "County" means a county government in the state of Washington
26 or, except under RCW 36.22.178 (as recodified by this act), a city
27 government or collaborative of city governments within that county if
28 (a) the county government declines to participate in the affordable
29 housing program and (b) as described under section 8 of this act, a
30 city or collaborative of city governments elects to participate in the
31 program.

32 (6) "County affordable housing for all plan" or "county plan" means
33 the plan developed by each county with the goal of ensuring that every
34 household in the county has a decent, appropriate, and affordable home
35 in a healthy, safe environment by 2020.

36 (7) "County affordable housing task force" means a county
37 committee, as described in section 6 of this act, created to prepare

1 and recommend to its county legislative authority a county affordable
2 housing for all plan, and also to recommend expenditures of the funds
3 from the affordable housing for all program surcharge in RCW 36.22.178
4 (as recodified by this act) and all other sources directed to the
5 county's affordable housing for all program.

6 (8) "Department" means the department of community, trade, and
7 economic development.

8 (9) "Director" means the director of the department of community,
9 trade, and economic development.

10 (10) "Eligible organizations" means eligible organizations as
11 described in RCW 43.185.060.

12 (11) "Extremely low-income household" means a single person,
13 family, or unrelated persons living together whose adjusted income is
14 less than thirty percent of the median family income, adjusted for
15 household size for the county where the project is located.

16 (12) "First-time home buyer" means an individual or his or her
17 spouse who have not owned a home during the three-year period prior to
18 purchase of a home.

19 (13) "Local government" means a county or city government in the
20 state of Washington or, except under RCW 36.22.178 (as recodified by
21 this act), a city government or collaborative of city governments
22 within that county if (a) the county government declines to participate
23 in the affordable housing program and (b) as described under section 8
24 of this act, a city or collaborative of city governments elects to
25 participate in the program.

26 (14) "Low-income household," for the purposes of the affordable
27 housing for all program, means a single person, family, or unrelated
28 persons living together whose adjusted income is less than eighty
29 percent of the median household income, adjusted for household size for
30 the county where the project is located.

31 (15) "Nonprofit organization" means any public or private nonprofit
32 organization that: (a) Is organized under federal, state, or local
33 laws; (b) has no part of its net earnings inuring to the benefit of any
34 member, founder, contributor, or individual; and (c) has among its
35 purposes, significant activities related to the provision of decent
36 housing that is affordable to extremely low-income, very low-income,
37 low-income, or moderate-income households and special needs
38 populations.

1 (16) "Performance evaluation" means the process of evaluating the
2 performance by established objective, measurable criteria according to
3 the achievement of outlined goals, measures, targets, standards, or
4 other outcomes using a ranked scorecard from highest to lowest
5 performance which employs a scale of one to one hundred, one hundred
6 being the optimal score.

7 (17) "Performance measurement" means the process of comparing
8 specific measures of success with ultimate and interim goals.

9 (18) "Quality management program" means a nationally recognized
10 program using criteria similar or equivalent to the Baldrige criteria.
11 Beginning in 2010, all local governments receiving over five hundred
12 thousand dollars a year during the previous calendar year from: State
13 housing-related funding sources, including the Washington housing trust
14 fund; the ending homelessness program surcharges in RCW 36.22.179 and
15 36.22.1791 (as recodified by this act); and any surcharges in chapter
16 43.185C RCW and the surcharges in RCW 36.22.178 (as recodified by this
17 act), shall apply to the Washington state quality award program for an
18 independent assessment of its quality management, accountability, and
19 performance system, once every three years beginning by January 1,
20 2011.

21 (19) "Regulatory barriers to affordable housing" and "regulatory
22 barriers" mean any public policies, including those embodied in
23 statutes, ordinances, regulations, or administrative procedures or
24 processes, required to be identified by the state, cities, towns, or
25 counties in connection with strategies under section 105(b)(4) of the
26 Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec. 12701
27 et seq.).

28 (20) "State affordable housing for all plan" or "state plan" means
29 the plan developed by the department in collaboration with the
30 affordable housing advisory board with the goal of ensuring that every
31 household in Washington has a decent, appropriate, and affordable home
32 in a healthy, safe environment by 2020.

33 (21) "Very low-income household" means a single person, family, or
34 unrelated persons living together whose adjusted income is less than
35 fifty percent of the median family income, adjusted for household size
36 for the county where the project is located.

1 **Sec. 5.** RCW 43.185B.040 and 1993 c 478 s 12 are each amended to
2 read as follows:

3 (1) The department shall, in consultation with the affordable
4 housing advisory board created in RCW 43.185B.020 (as recodified by
5 this act), prepare and ~~((from time to time amend a five year))~~ annually
6 update a state affordable housing ((advisory)) for all plan with an
7 ultimate goal of achieving a decent, appropriate, and affordable home
8 in a healthy, safe environment for every household in the state by
9 2020. The state plan must also incorporate the strategies, objectives,
10 goals, and performance measures of all other housing-related state
11 plans, including the state homeless housing strategic plan required
12 under RCW 43.185C.040 and all state housing programs. The state
13 affordable housing for all plan may be combined with the state homeless
14 housing strategic plan required under RCW 43.185C.040 or any other
15 existing state housing plan as long as the requirements of all of the
16 plans to be merged are met.

17 (2) The purpose of the state affordable housing for all plan is to:

18 (a) Document the need for affordable housing in the state,
19 including the need amongst households at risk of homelessness, and the
20 extent to which that need is being met through public and private
21 sector programs~~((, to))~~;

22 (b) Outline the development of sound strategies and programs to
23 provide affordable housing to all households;

24 (c) Establish, evaluate, and report upon performance measures,
25 goals, and timelines that are determined by the department for the
26 affordable housing for all program and the state and local affordable
27 housing for all plans, as well as for all federal, state, and local
28 housing programs and plans operated or coordinated by the department,
29 including: (i) Federal block grant programs; (ii) the Washington
30 housing trust fund; and (iii) all local surcharge funds collected with
31 the purpose of addressing homelessness and affordable housing; and

32 (d) Facilitate state and county government planning to meet the
33 state affordable housing ((needs of the state, and to enable the
34 development of sound strategies and programs for affordable housing))
35 for all goal.

36 ~~((The information in the five year housing advisory plan must~~
37 ~~include:~~

38 ~~(a) An assessment of the state's housing market trends;~~

1 ~~(b) An assessment of the housing needs for all economic segments of~~
2 ~~the state and special needs populations;~~

3 ~~(c) An inventory of the supply and geographic distribution of~~
4 ~~affordable housing units made available through public and private~~
5 ~~sector programs;~~

6 ~~(d) A status report on the degree of progress made by the public~~
7 ~~and private sector toward meeting the housing needs of the state;~~

8 ~~(e) An identification of state and local regulatory barriers to~~
9 ~~affordable housing and proposed regulatory and administrative~~
10 ~~techniques designed to remove barriers to the development and placement~~
11 ~~of affordable housing; and~~

12 ~~(f) Specific recommendations, policies, or proposals for meeting~~
13 ~~the affordable housing needs of the state.~~

14 (2)) (3)(a) The department, in consultation with the affordable
15 housing advisory board, shall develop recommendations for affordable
16 housing for all program performance measures, short-term and long-term
17 goals, and timelines, as well as information to be collected, analyzed,
18 and reported upon in the state and local affordable housing for all
19 plans. One performance measure must address the program's
20 effectiveness in achieving the ultimate goal of a decent, appropriate,
21 and affordable home in a healthy, safe environment for every household
22 in the state by 2020. Another specific performance measure must be to
23 ensure that the rate of growth in the overall price of housing for each
24 economic segment is less than that of the overall growth in wages for
25 each economic segment. The department shall present its
26 recommendations for additional performance measures to the appropriate
27 committees of the legislature by December 31, 2008.

28 (b) Performance measures and other required plan components must be
29 reviewed annually by the department after soliciting feedback from the
30 affordable housing advisory board, appropriate committees of the
31 legislature, and all county affordable housing for all task forces.

32 (c) The department may determine a timeline to implement and
33 measure each performance measure for the state and county affordable
34 housing for all programs, except that the state and all counties
35 participating in the affordable housing for all program must implement
36 and respond to all performance measures by January 1, 2011, unless the
37 department determines that a performance measure is not applicable to

1 a specific county based on parameters and thresholds established by the
2 department.

3 (4) The ((five-year)) state affordable housing ((advisory)) for all
4 plan required under ((subsection (1) of)) this section must be
5 submitted to the appropriate committees of the legislature on or before
6 ((February 1, 1994)) January 15, 2010, and subsequent updated plans
7 must be submitted ((every five years)) by January 15th each year
8 thereafter.

9 ~~((b) Each February 1st, beginning February 1, 1995, the department~~
10 ~~shall submit an annual progress report, to the legislature, detailing~~
11 ~~the extent to which the state's affordable housing needs were met~~
12 ~~during the preceding year and recommendations for meeting those needs))~~

13 (5) To guide counties in preparation of county affordable housing
14 for all plans required under section 7 of this act, the department
15 shall issue, by December 31, 2009, guidelines for preparing county
16 plans consistent with this chapter. County plans must include, at a
17 minimum, the same information reporting and analysis on a local level
18 and the same performance measures as the state plan.

19 (6) Each year, beginning in 2010, the department shall:

20 (a) Summarize key information from county plans, including a
21 summary of local city and county housing program activities and a
22 summary of legislative recommendations;

23 (b) Conduct annual performance evaluations of county plans; and

24 (c) Conduct annual performance evaluations of all counties
25 according to their performance in achieving affordable housing goals
26 stated in their plans.

27 (7) The department shall include a summary of county affordable
28 housing for all plans and the results of performance evaluations in the
29 state affordable housing for all plan beginning in 2010.

30 (8) Based on changes to the general population and in the housing
31 market, the department may revise the performance measures and goals of
32 the state affordable housing for all plan and set goals for years
33 following December 31, 2020.

34 NEW SECTION. Sec. 6. Each county shall convene a county
35 affordable housing task force. The task force must be a committee,
36 made up of volunteers, created to prepare and recommend to the county
37 legislative authority a county affordable housing for all plan and also

1 to recommend appropriate expenditures of the affordable housing for all
2 program funds provided for in RCW 36.22.178 (as recodified by this act)
3 and any other sources directed to the county program. The county
4 affordable housing task force must include a representative of the
5 county, a representative from the city with the highest population in
6 the county, a representative from all other cities in the county with
7 a population greater than fifty thousand, a member representing
8 beneficiaries of affordable housing programs, other members as may be
9 required to maintain eligibility for federal funding related to housing
10 programs and services, and a representative from both a private
11 nonprofit organization and a private for-profit organization with
12 experience in very low-income housing. The task force may be the same
13 as the homeless housing task force created in RCW 43.185C.160 or the
14 same as another existing task force or other formal committee that
15 meets the requirements of this section.

16 NEW SECTION. **Sec. 7.** (1) Each county shall direct its affordable
17 housing task force to prepare and recommend to its county legislative
18 authority a county affordable housing for all plan for its
19 jurisdictional area. Each county shall adopt a county plan by June 30,
20 2010, and update the plan annually by June 30th thereafter. All plans
21 must be forwarded to the department by the date of adoption. County
22 affordable housing for all plans may be combined with the local
23 homeless housing plans required under RCW 43.185C.040, county
24 comprehensive plans required under RCW 36.70A.040, or any other
25 existing plan addressing housing within a county as long as the
26 requirements of all of the plans to be merged are met. For counties
27 required or choosing to plan under RCW 36.70A.040, county affordable
28 housing for all plans must be consistent with the housing elements of
29 comprehensive plans described in RCW 36.70A.070(2). County plans must
30 also be consistent with any existing local homeless housing plan
31 required in RCW 43.185C.050.

32 (2) County affordable housing for all plans must be primarily
33 focused on (a) ensuring that every household, including those
34 households at risk of homelessness, in the county jurisdictional area
35 has a decent, appropriate, and affordable home in a healthy, safe
36 environment by 2020 with a priority placed on achieving this goal for
37 low-income households and (b) increasing the percentage of households,

1 who receive assistance from the transitional housing operating and rent
2 program created in section 43 of this act, who ultimately are able to
3 access affordable housing without government assistance. County
4 affordable housing for all plans must include:

5 (i) At a minimum, the same information, analysis, and performance
6 measures as the state affordable housing for all plan, including
7 information and performance measurement data, where available, on state
8 supported housing programs and all city and county housing programs,
9 including local housing-related levy initiatives, housing-related tax
10 exemption programs, and federally funded programs operated or
11 coordinated by local governments;

12 (ii) Information on the uses of the affordable housing for all
13 surcharge as required in RCW 36.22.178(4) (as recodified by this act);

14 (iii) Information on the activities and accomplishments of the
15 transitional housing operating and rent program, as required in section
16 43 of this act;

17 (iv) Timelines for the accomplishment of interim goals and targets,
18 and for the acquisition of projected financing that is appropriate for
19 outlined goals and targets;

20 (v) An identification of challenges to reaching the affordable
21 housing for all goal;

22 (vi) A total estimated amount of funds needed to reach the local
23 affordable housing for all goal and an identification of potential
24 funding sources; and

25 (vii) State legislative recommendations to enable the county to
26 achieve its affordable housing for all goals. Legislative
27 recommendations must be specific and, if necessary, include an
28 estimated amount of funding required and suggestions of an appropriate
29 funding source.

30 NEW SECTION. **Sec. 8.** (1) Any county may decline to participate in
31 the affordable housing for all program authorized in this chapter by
32 forwarding to the department a resolution adopted by the county
33 legislative authority stating the intention not to participate. A copy
34 of the resolution must also be transmitted to the county auditor and
35 treasurer. Counties that decline to participate shall not be required
36 to establish an affordable housing task force or to create a county
37 affordable housing for all plan. Counties declining to participate in

1 the affordable housing for all program shall continue to be eligible to
2 receive funding through the transitional housing operating and rent
3 program created in section 43 of this act. Counties declining to
4 participate in the affordable housing for all program shall also
5 continue to collect and utilize the affordable housing for all
6 surcharge for the purposes described in RCW 36.22.178 (as recodified by
7 this act); however, such counties shall not be allocated any additional
8 affordable housing for all program funding that is specifically
9 provided for program planning and administrative purposes. Counties
10 may opt back into the affordable housing for all program authorized by
11 this chapter at a later date through a process and timeline to be
12 determined by the department.

13 (2) If a county declines to participate in the affordable housing
14 for all program authorized in this chapter, a city or formally
15 organized collaborative of cities within that county may forward a
16 resolution to the department stating its intention and willingness to
17 operate an affordable housing for all program within its jurisdictional
18 limits. The department must establish procedures to choose amongst
19 cities or collaboratives of cities in the event that more than one city
20 or collaborative of cities express an interest in participating in the
21 program. Participating cities or collaboratives of cities must fulfill
22 the same requirements as counties participating in the affordable
23 housing for all program.

24 NEW SECTION. **Sec. 9.** A county may subcontract with any other
25 county, city, town, housing authority, community action agency, or
26 other nonprofit organization for the execution of programs contributing
27 to the affordable housing for all goal. All subcontracts must be:
28 Consistent with the county affordable housing for all plan adopted by
29 the legislative authority of the county; time limited; and filed with
30 the department, and must have specific performance terms as specified
31 by the county. County governments must strongly encourage each
32 subcontractor under the affordable housing for all program to apply to
33 the Washington state quality award program for an independent
34 assessment of its quality management, accountability, and performance
35 system. This authority to subcontract with other entities does not
36 affect participating counties' ultimate responsibility for meeting the
37 requirements of the affordable housing for all program.

1 NEW SECTION. **Sec. 10.** The department shall contract with two
2 statewide organizations addressing affordable housing issues or
3 homeless issues, or both, to create comprehensive independent statewide
4 affordable housing for all plans consistent with the goals and
5 performance measures of the state and local affordable housing for all
6 plans as described in this chapter. Recipient organizations must
7 present their affordable housing for all plans to the department and
8 the appropriate committees of the legislature within one year following
9 the receipt of contract funds.

10 **Sec. 11.** RCW 36.22.178 and 2007 c 427 s 1 are each amended to read
11 as follows:

12 The surcharge provided for in this section shall be named the
13 affordable housing for all surcharge.

14 (1) Except as provided in subsection (3) of this section, a
15 surcharge of ten dollars per instrument shall be charged by the county
16 auditor for each document recorded, which will be in addition to any
17 other charge authorized by law. The county may retain up to five
18 percent of these funds collected solely for the collection,
19 administration, and local distribution of these funds. Of the
20 remaining funds, forty percent of the revenue generated through this
21 surcharge will be transmitted monthly to the state treasurer who will
22 deposit the funds into the affordable housing for all account created
23 in RCW 43.185C.190. The department of community, trade, and economic
24 development must use these funds to provide housing and shelter for
25 extremely low-income households, including but not limited to grants
26 for building operation and maintenance costs of housing projects or
27 units within housing projects that are affordable to extremely low-
28 income households with incomes at or below thirty percent of the area
29 median income, and that require a supplement to rent income to cover
30 ongoing operating expenses.

31 (2) All of the remaining funds generated by this surcharge will be
32 retained by the county and be deposited into a fund that must be used
33 by the county and its cities and towns for eligible housing activities
34 as described in this subsection that serve very low-income households
35 with incomes at or below fifty percent of the area median income. The
36 portion of the surcharge retained by a county shall be allocated to
37 eligible housing activities that serve extremely low and very low-

1 income households in the county and the cities within a county
2 according to an interlocal agreement between the county and the cities
3 within the county consistent with countywide and local housing needs
4 and policies. A priority must be given to eligible housing activities
5 that serve extremely low-income households with incomes at or below
6 thirty percent of the area median income. Eligible housing activities
7 to be funded by these county funds are limited to:

8 (a) Acquisition, construction, or rehabilitation of housing
9 projects or units within housing projects that are affordable to very
10 low-income households with incomes at or below fifty percent of the
11 area median income, including units for homeownership, rental units,
12 seasonal and permanent farm worker housing units, and single room
13 occupancy units;

14 (b) Supporting building operation and maintenance costs of housing
15 projects or units within housing projects eligible to receive housing
16 trust funds, that are affordable to very low-income households with
17 incomes at or below fifty percent of the area median income, and that
18 require a supplement to rent income to cover ongoing operating
19 expenses;

20 (c) Rental assistance vouchers for housing units that are
21 affordable to very low-income households with incomes at or below fifty
22 percent of the area median income, to be administered by a local public
23 housing authority or other local organization that has an existing
24 rental assistance voucher program, consistent with or similar to the
25 United States department of housing and urban development's section 8
26 rental assistance voucher program standards; and

27 (d) Operating costs for emergency shelters and licensed overnight
28 youth shelters.

29 (3) The surcharge imposed in this section does not apply to
30 assignments or substitutions of previously recorded deeds of trust.

31 (4) All counties shall report at least annually by May 1st upon
32 receipts and expenditures of the affordable housing for all surcharge
33 funds created in this section to the department. The department may
34 require more frequent reports. The report must include the amount of
35 funding generated by the surcharge, the total amount of funding
36 distributed to date, the amount of funding allocated to each eligible
37 housing activity, a description of each eligible housing activity
38 funded, including information on the income or wage level and numbers

1 of extremely low, very low, and low-income households the eligible
2 housing activity is intended to serve, and the outcome or anticipated
3 outcome of each eligible housing activity.

4 NEW SECTION. Sec. 12. This chapter does not require either the
5 department or any local government to expend any funds to accomplish
6 the goals of this chapter other than the revenues authorized in this
7 act and other revenue that may be appropriated by the legislature for
8 these purposes. However, neither the department nor any local
9 government may use any funds authorized in this act to supplant or
10 reduce any existing expenditures of public money to address the
11 affordable housing shortage.

12 **Sec. 13.** RCW 43.185A.100 and 2006 c 349 s 11 are each amended to
13 read as follows:

14 The department(~~(7)~~) shall collaborate with the housing finance
15 commission, the affordable housing advisory board, and all local
16 governments, housing authorities, and other (~~(nonprofits)~~) eligible
17 organizations receiving state housing funds, affordable housing for all
18 funds, home security funds, or financing through the housing finance
19 commission (~~(shall, by December 31, 2006, and annually thereafter,~~
20 ~~review current housing reporting requirements related to housing~~
21 ~~programs and services and give))~~ to include in the state affordable
22 housing for all plan, by December 31, 2009, recommendations, where
23 possible:

24 (1) To streamline and simplify all housing planning, application,
25 and reporting requirements (~~(to the department of community, trade, and~~
26 ~~economic development, which will compile and present the~~
27 ~~recommendations annually to the legislature. The entities listed in~~
28 ~~this section shall also give recommendations for additional))~~; and

29 (2) For legislative actions that could promote the affordable
30 housing for all goal and the state goal to end homelessness.

31 **Sec. 14.** RCW 43.185.070 and 2005 c 518 s 1802 and 2005 c 219 s 2
32 are each reenacted and amended to read as follows:

33 (1) During each calendar year in which funds from the housing trust
34 fund or other legislative appropriations are available for use by the
35 department for the housing assistance program, the department shall

1 announce to all known interested parties, and through major media
2 throughout the state, a grant and loan application period of at least
3 ninety days' duration. This announcement shall be made as often as the
4 director deems appropriate for proper utilization of resources. The
5 department shall then promptly grant as many applications as will
6 utilize available funds less appropriate administrative costs of the
7 department. Administrative costs paid out of the housing trust fund
8 may not exceed five percent of annual revenues available for
9 distribution to housing trust fund projects. In awarding funds under
10 this chapter, the department shall provide for a geographic
11 distribution on a statewide basis.

12 (2) The department shall give first priority to applications for
13 projects and activities which utilize existing privately owned housing
14 stock including privately owned housing stock purchased by nonprofit
15 public development authorities and public housing authorities as
16 created in chapter 35.82 RCW. As used in this subsection, privately
17 owned housing stock includes housing that is acquired by a federal
18 agency through a default on the mortgage by the private owner. Such
19 projects and activities shall be evaluated under subsection (3) of this
20 section. Second priority shall be given to activities and projects
21 which utilize existing publicly owned housing stock. All projects and
22 activities shall be evaluated by some or all of the criteria under
23 subsection (3) of this section, and similar projects and activities
24 shall be evaluated under the same criteria.

25 (3) The department shall give preference for applications based on
26 some or all of the criteria under this subsection, and similar projects
27 and activities shall be evaluated under the same criteria:

28 (a) The degree of leveraging of other funds that will occur;

29 (b) The degree of commitment from programs to provide necessary
30 habilitation and support services for projects focusing on special
31 needs populations;

32 (c) Recipient contributions to total project costs, including
33 allied contributions from other sources such as professional, craft and
34 trade services, and lender interest rate subsidies;

35 (d) Local government project contributions in the form of
36 infrastructure improvements, and others;

37 (e) Projects that encourage ownership, management, and other
38 project-related responsibility opportunities;

1 (f) Projects that demonstrate a strong probability of serving the
2 original target group or income level for a period of at least twenty-
3 five years;

4 (g) The applicant has the demonstrated ability, stability and
5 resources to implement the project;

6 (h) The applicant has committed to quality improvement and
7 submitted an application to the Washington state quality award program
8 for an independent assessment of its quality management,
9 accountability, and performance system within the previous three years;

10 (i) Projects which demonstrate serving the greatest need;

11 ~~((+i))~~ (j) Projects that provide housing for persons and families
12 with the lowest incomes;

13 ~~((+j))~~ (k) Projects that provide housing for persons at risk of
14 homelessness;

15 (l) Projects serving special needs populations which are under
16 statutory mandate to develop community housing;

17 ~~((+k))~~ (m) Project location and access to employment centers in
18 the region or area;

19 ~~((+l))~~ (n) Projects that provide employment and training
20 opportunities for disadvantaged youth under a youthbuild or youthbuild-
21 type program as defined in RCW 50.72.020; and

22 ~~((+m))~~ (o) Project location and access to available public
23 transportation services.

24 (4) The department shall only approve applications for projects for
25 ~~((mentally ill))~~ persons with mental illness that are consistent with
26 a regional support network six-year capital and operating plan.

27 NEW SECTION. Sec. 15. The office of the insurance commissioner,
28 in collaboration with the department of community, trade, and economic
29 development and, when necessary, in consultation with the office of
30 financial management and the office of the attorney general, must, by
31 December 1, 2008, present specific recommendations for strategies to
32 reduce construction liability and earthquake insurance costs for
33 affordable housing projects funded by the Washington housing trust fund
34 under chapters 43.185 and 43.185A RCW, with a specific emphasis on
35 identifying strategies to reduce construction liability insurance
36 costs, to the appropriate committees of the legislature.
37 Recommendations must include any changes to existing statutory or

1 regulatory language necessary for the state or for eligible
2 organizations with affordable housing projects funded by the housing
3 trust fund to pursue recommended strategies.

4 NEW SECTION. **Sec. 16.** A new section is added to chapter 43.185
5 RCW to read as follows:

6 Affordable housing developments receiving financing by the
7 Washington housing trust fund under this chapter and chapter 43.185A
8 RCW that were not acquired by eminent domain are exempt from the
9 requirements of and rules adopted for chapter 8.26 RCW. All projects
10 receiving financing from the housing trust fund must comply with any
11 relocation standards and requirements and real property acquisition
12 policies established by the department as a condition of housing trust
13 fund assistance.

14 NEW SECTION. **Sec. 17.** A new section is added to chapter 43.185
15 RCW to read as follows:

16 (1) The housing communities program is created within the
17 department to provide technical assistance and organizational capacity
18 building programs to private, community-based nonprofit organizations
19 that primarily serve communities of color or multilingual communities.
20 The housing communities program must provide organizational training
21 and technical assistance on housing development issues, including asset
22 management, resource acquisition, and other general housing development
23 topics, with the goal of assisting nonprofit organizations to add
24 affordable housing development into their organizational missions and
25 workplans, or expand their current affordable housing programs to
26 further meet the needs of their communities.

27 (2) The department shall contract with two or more experienced
28 housing nonprofit organizations that have the capacity to implement the
29 housing communities program throughout the state.

30 NEW SECTION. **Sec. 18.** A new section is added to chapter 43.185
31 RCW to read as follows:

32 (1) The housing infrastructure program is created in the department
33 to provide loans for public infrastructure that supports affordable
34 rental housing or affordable owner-occupied housing.

1 (2) The department is authorized to make direct loans to eligible
2 organizations for the cost of public works projects that support
3 affordable rental housing or affordable owner-occupied housing,
4 including the planning, construction, repair, reconstruction,
5 replacement, rehabilitation, or improvement of sidewalks, streets and
6 roads, bridges, power utilities, water systems, storm and sanitary
7 sewage systems, and solid waste facilities. The department may also
8 provide loans for the acquisition of real property when the acquisition
9 is directly related to the development of public works projects for
10 affordable rental or owner-occupied housing.

11 (3) Loan interest rates shall not exceed one-half of one percent
12 per annum. The department must provide reasonable terms and conditions
13 for repayment of loans, including partial forgiveness of loan principal
14 and interest payments.

15 (4) The department shall conduct a statewide request for public
16 works project applications and shall establish a competitive process
17 for loan awards. The department shall review and prioritize proposals
18 in consultation with the public works board, the community economic
19 revitalization board, and the transportation improvement board. The
20 following criteria must be used in the evaluation and ranking of public
21 works project applications:

22 (a) The public works projects must support affordable rental
23 housing or affordable owner-occupied housing; and

24 (b) The public works projects must demonstrate convincing evidence
25 that (i) additional residential or mixed-use development will occur in
26 an urban growth area designated under RCW 36.70A.110; (ii) the proposed
27 mixed-use residential development is within one-half mile of a public
28 transportation passenger terminal or major transit passenger stop; or
29 (iii) that either moderate or high-density housing developments, or
30 both, will be constructed.

31 (5) The definitions in this subsection apply throughout this
32 section unless the context clearly requires otherwise.

33 (a) "Affordable owner-occupied housing" means housing affordable to
34 and occupied by households with incomes not exceeding one hundred
35 fifteen percent of the median income for housing located outside of
36 high-cost areas or one hundred fifty percent of the median income for
37 housing located within high-cost areas.

1 (b) "Affordable rental housing" means rental housing units
2 affordable to and occupied by households with incomes not exceeding
3 eighty percent of the median income for housing located outside of
4 high-cost areas, or equal to the median income for housing located
5 within high-cost areas.

6 (c) "High-cost area" means a county where the third quarter median
7 house price for the previous year, as reported by the Washington center
8 for real estate research at Washington State University, is equal to or
9 greater than one hundred thirty percent of the statewide median house
10 price published during the same time period.

11 NEW SECTION. **Sec. 19.** A new section is added to chapter 43.185
12 RCW to read as follows:

13 The affordable housing infrastructure account is created in the
14 state treasury. All receipts from appropriations made to the account,
15 repayments of loans made under section 18 of this act, and other
16 sources identified by the legislature must be deposited into the
17 account. Moneys in the account may be spent only after appropriation.
18 Expenditures from the account may be used only for the purposes
19 identified in section 18 of this act.

20 **Sec. 20.** RCW 43.185C.005 and 2005 c 484 s 1 are each amended to
21 read as follows:

22 Despite laudable efforts by all levels of government, private
23 individuals, nonprofit organizations, and charitable foundations to end
24 homelessness, the number of homeless persons and persons at risk of
25 homelessness in Washington is unacceptably high. The state's homeless
26 population, furthermore, includes a large number of families with
27 children, youth, and employed persons. The legislature finds that the
28 fiscal and societal costs of homelessness are high for both the public
29 and private sectors, and that ending homelessness (~~(should)~~) must be a
30 goal for state and local government.

31 The legislature finds that there are many causes of homelessness,
32 including a shortage of affordable housing; a shortage of family-wage
33 jobs which undermines housing affordability; a lack of an accessible
34 and affordable health care system available to all who suffer from
35 physical and mental illnesses and chemical and alcohol dependency;
36 domestic violence; (~~and~~) a lack of education and job skills necessary

1 to acquire adequate wage jobs in the economy of the twenty-first
2 century; inadequate availability of services for citizens with mental
3 disorders, chemical dependency disorders, or developmental disabilities
4 living in the community; and the difficulties faced by formerly
5 institutionalized persons in reintegrating to society and finding
6 stable employment and housing.

7 The support and commitment of all sectors of the statewide
8 community is critical to the chances of success in ending homelessness
9 in Washington. While the provision of housing and housing-related
10 services to the homeless should be administered at the local level to
11 best address specific community needs, the legislature also recognizes
12 the need for the state to play a primary coordinating, supporting,
13 ~~((and))~~ monitoring, and evaluating role. There must be a clear
14 assignment of responsibilities and a clear statement of achievable and
15 quantifiable goals. Systematic statewide data collection on
16 ~~((homelessness))~~ homeless individuals in Washington must be a critical
17 component of such a program enabling the state to work with local
18 governments not only to count all homeless people in the state, but to
19 record and manage information about homeless persons ~~((and))~~ in order
20 to assist them in finding housing and other supportive services that
21 can help them, when possible, achieve the highest degree of self-
22 sufficiency and economic independence that is appropriate given their
23 specific abilities and situations.

24 The systematic collection and rigorous evaluation of homeless data,
25 a nationwide search for and implementation through adequate resource
26 allocation of best practices, and the systematic measurement of
27 progress toward interim goals and the ultimate goal of ending
28 homelessness are all necessary components of a statewide effort to end
29 homelessness in Washington by ~~((July 1, 2015))~~ December 31, 2018.

30 **Sec. 21.** RCW 43.185C.010 and 2007 c 427 s 3 are each amended to
31 read as follows:

32 The definitions in this section apply throughout this chapter
33 unless the context clearly requires otherwise.

34 (1) "Department" means the department of community, trade, and
35 economic development.

36 (2) "Director" means the director of the department of community,
37 trade, and economic development.

1 (3) "Homeless person" means an individual living outside or in a
2 building not meant for human habitation or which they have no legal
3 right to occupy, in an emergency shelter, or in a temporary housing
4 program which may include a transitional and supportive housing program
5 if habitation time limits exist. This definition includes substance
6 abusers, people with mental illness, and sex offenders who are
7 homeless.

8 (4) "Washington homeless census" or "census" means ~~((an annual))~~ a
9 statewide census conducted at least annually as a collaborative effort
10 by towns, cities, counties, community-based organizations, and state
11 agencies, with the technical support and coordination of the
12 department, to count and collect ~~((data on))~~ information about all
13 homeless individuals in Washington.

14 (5) "Home security fund account" means the state treasury account
15 receiving the state's portion of income from revenue from the sources
16 established by RCW 36.22.179 (as recodified by this act), RCW
17 36.22.1791 (as recodified by this act), and all other sources directed
18 to the homeless housing and assistance program.

19 (6) ~~((Homeless housing))~~ Ending homelessness grant program" means
20 the ~~((vehicle by))~~ program established in RCW 43.185C.070, 43.185C.080,
21 and 43.185C.090 under which competitive grants are awarded by the
22 department, utilizing moneys from the ~~((homeless housing))~~ home
23 security fund account, to local governments for programs directly
24 related to ~~((housing homeless individuals and families,))~~ addressing
25 the root causes of homelessness, preventing homelessness, and
26 collecting data and information on homeless individuals ~~((, and other~~
27 ~~efforts directly related to housing homeless persons))~~.

28 (7) "Local government" means a county government in the state of
29 Washington or a city government, if the legislative authority of the
30 city affirmatively elects to accept the responsibility for housing
31 homeless persons within its ~~((borders))~~ jurisdiction.

32 (8) "Housing continuum" means the progression of individuals along
33 a housing-focused continuum with homelessness at one end and
34 homeownership at the other.

35 (9) "Local ~~((homeless housing))~~ ending homelessness task force"
36 means a voluntary local committee created under RCW 43.185C.160 to
37 ~~((advise a local government on the creation of))~~ develop a local
38 ~~((homeless housing))~~ ending homelessness plan and participate in a

1 local (~~((homeless housing))~~) ending homelessness program. (~~((It must~~
2 ~~include a representative of the county, a representative of the largest~~
3 ~~city located within the county, at least one homeless or formerly~~
4 ~~homeless person, such other members as may be required to maintain~~
5 ~~eligibility for federal funding related to housing programs and~~
6 ~~services and if feasible, a representative of a private nonprofit~~
7 ~~organization with experience in low income housing.))~~)

8 (10) "Long-term private or public housing" means subsidized and
9 unsubsidized rental or owner-occupied housing in which there is no
10 established time limit for habitation of less than two years.

11 (11) "Interagency council on homelessness" means a committee
12 appointed by the governor and consisting of, at least, policy level
13 representatives of the following entities: (a) The department of
14 community, trade, and economic development; (b) the department of
15 corrections; (c) the department of social and health services; (d) the
16 department of veterans affairs; and (e) the department of health.

17 (12) "Performance measurement" means the process of comparing
18 specific measures of success against ultimate and interim goals.

19 (13) "Performance evaluation" means the process of evaluating
20 performance by established criteria according to the achievement of
21 outlined goals, measures, targets, standards, or other outcomes, using
22 a ranked scorecard from highest to lowest performance that employs a
23 scale of one to one hundred, one hundred being the optimal score.

24 (14) "Quality management program" means a nationally recognized
25 program using criteria similar or equivalent to the Baldrige criteria.
26 Beginning in 2010, all local governments receiving over five hundred
27 thousand dollars a year during the previous calendar year from: State
28 housing-related funding sources, including the Washington housing trust
29 fund; the ending homelessness program surcharges in RCW 36.22.179 and
30 36.22.1791 (as recodified by this act); and any surcharges in this
31 chapter and the surcharges in RCW 36.22.178 (as recodified by this
32 act), shall apply to the Washington state quality award program for an
33 independent assessment of its quality management, accountability, and
34 performance system, once every three years beginning by January 1,
35 2011.

36 (15) "Community action agency" means a nonprofit private or public
37 organization established under the economic opportunity act of 1964.

1 ~~((14))~~ (16) "Housing authority" means any of the public
2 corporations created by chapter 35.82 RCW.

3 ~~((15) "Homeless housing"))~~ (17) "Ending homelessness program" means
4 the program authorized under this chapter as administered by the
5 department at the state level and by the local government or its
6 designated subcontractor at the local level.

7 ~~((16) "Homeless housing"))~~ (18) "Local ending homelessness plan"
8 means the ~~((ten-year))~~ plan developed by the ~~((county or other))~~ local
9 government to address ~~((housing for homeless persons))~~ ending
10 homelessness.

11 ~~((17) "Homeless housing"))~~ (19) "State ending homelessness
12 strategic plan" means the ~~((ten-year))~~ plan developed by the
13 department, in consultation with the interagency council on
14 homelessness, the state advisory council on homelessness, and the
15 affordable housing advisory board, to end homelessness.

16 ~~((18))~~ (20) "Washington homeless client management information
17 system" means a database of information about homeless individuals in
18 the state used to coordinate resources to assist homeless clients to
19 obtain and retain housing and reach greater levels of self-sufficiency
20 or economic independence when appropriate, depending upon their
21 individual situations.

22 (21) "Good family wage job" means a job that pays at or above one
23 of the two self-sufficiency income standards established under section
24 36 of this act which for an individual means enough income to support
25 one adult individual, and for a family means enough income to support
26 two adult individuals, one preschool-aged child, and one school-aged
27 child.

28 (22) "Unsheltered homeless" means a homeless individual or homeless
29 individuals living outside or in a building not intended for human
30 habitation or in which the individual or individuals have no legal
31 right to occupy.

32 (23) "At risk of homelessness" means any low, very low, or
33 extremely low-income individual or family residing in housing that is
34 not affordable housing.

35 (24) "Transitional housing operating and rent program" means the
36 program created in section 43 of this act to assist homeless
37 individuals and families and individuals and families at risk of
38 homelessness to secure and retain safe, decent, and affordable housing.

1 **Sec. 22.** RCW 43.185C.020 and 2005 c 484 s 5 are each amended to
2 read as follows:

3 There is created within the department the ~~((homeless housing))~~
4 ending homelessness program to develop and ~~((coordinate))~~ implement a
5 statewide ending homelessness strategic plan ~~((aimed at housing~~
6 ~~homeless persons))~~, coordinate and monitor local government ending
7 homelessness plans and programs, and implement and manage an ending
8 homelessness grant program. The ending homelessness program has an
9 established short-term goal of reducing the homeless population
10 statewide and in each county by seventy percent by July 1, 2015, and an
11 ultimate goal of ending homelessness by December 31, 2018. The ending
12 homelessness program ~~((shall be))~~ is developed and administered by the
13 department with advice and input from the affordable housing advisory
14 board established in RCW 43.185B.020 (as recodified by this act).

15 **Sec. 23.** RCW 43.185C.040 and 2005 c 484 s 7 are each amended to
16 read as follows:

17 (1) ~~((Six months after the first Washington homeless census,))~~ The
18 department shall, in consultation with the interagency council on
19 homelessness, the state advisory council on homelessness, and the
20 affordable housing advisory board, prepare and ~~((publish a ten-year~~
21 ~~homeless housing))~~ annually update a state ending homelessness
22 strategic plan which ((shall)) must outline statewide goals and
23 performance measures ~~((and shall be coordinated with the plan for~~
24 ~~homeless families with children required under RCW 43.63A.650. To~~
25 ~~guide local governments in preparation of their first local homeless~~
26 ~~housing plans due December 31, 2005, the department shall issue by~~
27 ~~October 15, 2005, temporary guidelines consistent with this chapter and~~
28 ~~including the best available data on each community's homeless~~
29 ~~population))~~ to meet the needs of all homeless populations, including
30 chronic homeless, unsheltered homeless, short-term homeless, families,
31 individuals, and youth, as well as to meet the needs of individuals and
32 families at risk of homelessness. Local governments' ((ten-year
33 ~~homeless housing)) local ending homelessness plans ~~((shall not))~~ must
34 include all of the performance measures included in the state ending
35 homelessness strategic plan and must be substantially ~~((inconsistent))~~
36 consistent with the goals and program recommendations of ~~((the~~~~

1 ~~temporary guidelines and, when amended after 2005,~~) the state ending
2 homelessness strategic plan.

3 (2)(a) Program outcomes and performance measures and goals
4 (~~shall~~) must be created by the department (~~and reflected~~) in
5 consultation with the interagency council on homelessness and a task
6 force established by the department consisting of the committee chairs
7 of the appropriate committees of the legislature, representatives
8 appointed by the director from a minimum of five local ending
9 homelessness task forces representing both urban and rural areas and
10 communities east and west of the Cascade mountains, and a
11 representative from a statewide membership organization that advocates
12 for ending homelessness. All performance measures must have targets
13 and timelines. The task force must also produce guidelines for local
14 governments regarding methods, techniques, and data suggested to
15 measure each performance measure. Performance measures, yearly
16 targets, and corresponding measurement guidelines must be established
17 by December 31, 2008, and must be reviewed annually by the department
18 and the interagency council on homelessness after soliciting feedback
19 from all local ending homelessness task forces. Performance measures
20 must be included in the department's (~~homeless housing~~) state ending
21 homelessness strategic plan (~~as well as~~) and all local ending
22 homelessness plans.

23 (b) The department may determine a timeline for implementation and
24 measurement of each performance measure for the state and local ending
25 homelessness plans, except that the state and all local governments
26 must implement and respond to all performance measures by December 31,
27 2010, unless the department finds that a performance measure is not
28 applicable to a specific local area according to parameters and
29 thresholds established by the department.

30 (c) Performance measures must be created, at a minimum, to gauge
31 the success of the state and each local government in the following
32 areas:

33 (i) The cost of ending homelessness in comparison with available
34 and committed resources;

35 (ii) The total capital and service dollars required statewide and
36 by county to meet the two goals outlined in RCW 43.185C.020, the
37 assessment of which must include a determination of the current

1 shortfall of funds as well as recommendations to reduce the total
2 amount of funds determined to be needed to meet the goals;

3 (iii) The self-sufficiency of persons in Washington;

4 (iv) The achievement of an appropriate level of self-sufficiency
5 for homeless individuals;

6 (v) The quality and completeness of the Washington homeless client
7 management information system database;

8 (vi) The quality of the performance management systems of state
9 agencies, local governments, and local government subcontractors
10 executing programs, as authorized by RCW 43.185C.080(1), that
11 contribute to the overall goal of ending homelessness; and

12 (vii) The quality of local ending homelessness plans.

13 Performance measurements are reported upon by city and county
14 geography, including demographics with yearly or more frequent targets.

15 (3) Interim goals against which state and local governments'
16 performance may be measured must also be described and reported upon in
17 the state ending homelessness strategic plan, including:

18 (a) ((By the end of year one, completion of the first census as
19 described in RCW 43.185C.030;

20 (b)) By the end of each subsequent year, goals common to all state
21 and local programs which are measurable and the achievement of which
22 would move that community toward housing its homeless population; ((and

23 (e)) (b) By July 1, 2015, reduction of the homeless population
24 statewide and in each county by ((fifty)) seventy percent; and

25 (c) By December 31, 2018, the reduction of the homeless population
26 statewide and in each county by one hundred percent, representing the
27 end of homelessness in Washington.

28 ((+3)) (4) The department shall develop a consistent statewide
29 data gathering instrument to monitor the performance of cities and
30 counties receiving ending homelessness grants in order to determine
31 compliance with the terms and conditions set forth in the ending
32 homelessness grant application or required by the department.

33 (5) The department shall, in consultation with the interagency
34 council on homelessness, the state advisory council on homelessness,
35 and the affordable housing advisory board, report annually to the
36 governor and the appropriate committees of the legislature ((an
37 assessment of)) information about:

38 (a) All state programs addressing homeless housing and services;

1 (b) The state's performance in furthering the goals of the state
2 (~~ten-year homeless housing~~) ending homelessness strategic plan; and

3 (c) The performance of each participating local government in
4 creating and executing a local (~~homeless housing~~) ending homelessness
5 plan (~~which~~) that meets the requirements of this chapter. (~~The~~
6 ~~annual report may include performance measures such as:~~

7 ~~(a) The reduction in the number of homeless individuals and~~
8 ~~families from the initial count of homeless persons;~~

9 ~~(b) The number of new units available and affordable for homeless~~
10 ~~families by housing type;~~

11 ~~(c) The number of homeless individuals identified who are not~~
12 ~~offered suitable housing within thirty days of their request or~~
13 ~~identification as homeless;~~

14 ~~(d) The number of households at risk of losing housing who maintain~~
15 ~~it due to a preventive intervention;~~

16 ~~(e) The transition time from homelessness to permanent housing;~~

17 ~~(f) The cost per person housed at each level of the housing~~
18 ~~continuum;~~

19 ~~(g) The ability to successfully collect data and report~~
20 ~~performance;~~

21 ~~(h) The extent of collaboration and coordination among public~~
22 ~~bodies, as well as community stakeholders, and the level of community~~
23 ~~support and participation;~~

24 ~~(i) The quality and safety of housing provided; and~~

25 ~~(j) The effectiveness of outreach to homeless persons, and their~~
26 ~~satisfaction with the program.~~

27 ~~(4))~~ (6) The state plan must also include a response to each
28 recommendation included in the local plans for policy changes to assist
29 in ending homelessness and a summary of the recommendations to the
30 legislature to streamline and simplify all homeless planning and
31 reporting requirements.

32 (7) Based on the performance of local (~~homeless housing~~) ending
33 homelessness programs in meeting their interim goals, on general
34 population changes and on changes in the homeless population recorded
35 in the (~~annual~~) census, the department may revise the performance
36 measures and goals of the state (~~homeless housing strategic plan~~)
37 ending homelessness plans, set goals for years following the initial

1 ten-year period, and recommend changes in local governments' ending
2 homelessness plans.

3 **Sec. 24.** RCW 43.185C.050 and 2005 c 484 s 8 are each amended to
4 read as follows:

5 (1)(a)(i) Each local (~~((homeless housing))~~) ending homelessness task
6 force shall prepare and recommend to its local government legislative
7 authority a (~~((ten-year homeless housing))~~) local ending homelessness
8 plan for its jurisdictional area (~~((which shall be not inconsistent))~~)
9 that is consistent with the department's (~~((statewide temporary~~
10 ~~guidelines, for the December 31, 2005, plan, and thereafter the~~
11 ~~department's ten-year homeless housing))~~) state ending homelessness
12 strategic plan and (~~((which shall be))~~) is aimed at eliminating
13 homelessness, with a minimum goal of reducing homelessness by (~~((fifty))~~)
14 seventy percent by July 1, 2015, and an ultimate goal of ending
15 homelessness by December 31, 2018. (~~((The local government may amend~~
16 ~~the proposed local plan and shall adopt a plan by December 31, 2005.~~
17 ~~Performance in meeting the goals of this local plan shall be assessed~~
18 ~~annually in terms of the performance measures published by the~~
19 ~~department.))~~) Local governments must update their local ending
20 homelessness plan annually on a schedule to be determined by the
21 department.

22 (ii) Local plans must include specific strategic objectives and
23 performance measures, consistent with the state plan, and must include
24 corresponding action plans. Local plans must address identified
25 strategies to meet the needs of all homeless populations, including
26 chronic homeless, unsheltered homeless, short-term homeless, families,
27 individuals, and youth, as well as to meet the needs of individuals and
28 families at risk of homelessness. Local plans must specifically
29 identify efforts to meet the needs of homeless students. Each local
30 plan must include the total estimated cost of accomplishing the goals
31 of the plan to reduce homelessness by seventy percent by July 1, 2015,
32 and an ultimate goal of ending homelessness by December 31, 2018, and
33 must include an accounting of total committed funds for this purpose.

34 (b)(i) The department must conduct an annual performance evaluation
35 of each local plan by December 31st of each year beginning in 2008.
36 The department must also conduct an annual performance evaluation of
37 each local government's performance related to its local plan by

1 December 31st of each year beginning in 2008. A local government's
2 performance must be evaluated using, at a minimum, the performance
3 measures outlined in RCW 43.185C.040(2).

4 (ii) In addition to the performance measures mandated in RCW
5 43.185C.040(2), local plans may include specific local performance
6 measures adopted by the local government legislative authority((~~τ~~)) and
7 ((~~may~~)) must include recommendations for ((~~any~~)) state legislation
8 needed to meet the state or local plan goals. The recommendations must
9 be specific and must, if funding is required, include an estimated
10 amount of funding required and suggestions for an appropriate funding
11 source.

12 (2) Eligible activities under the local plans include:

13 (a) Rental and furnishing of dwelling units for the use of homeless
14 persons;

15 (b) Costs of developing affordable housing for homeless persons,
16 and services for formerly homeless individuals and families residing in
17 transitional housing or permanent housing and still at risk of
18 homelessness;

19 (c) Operating subsidies for transitional housing or permanent
20 housing serving formerly homeless families or individuals;

21 (d) Services to prevent homelessness, such as emergency eviction
22 prevention programs, including temporary rental subsidies to prevent
23 homelessness;

24 (e) Temporary services to assist persons leaving state institutions
25 and other state programs to prevent them from becoming or remaining
26 homeless;

27 (f) Outreach services for homeless individuals and families;

28 (g) Development and management of local ((~~homeless~~)) ending
29 homelessness plans, including homeless census data collection((~~+~~)) and
30 information, identification of goals, performance measures, strategies,
31 and costs, and evaluation of progress towards established goals;

32 (h) Rental vouchers payable to landlords for persons who are
33 homeless or below thirty percent of the median income or in immediate
34 danger of becoming homeless; ((~~and~~))

35 (i) Implementing a quality management program and applying to the
36 Washington state quality award program for an independent assessment of
37 quality management, accountability, and performance systems or applying
38 to the full examination Washington state quality award program; and

1 (j) Other activities to reduce and prevent homelessness as
2 identified for funding in the local plan.

3 **Sec. 25.** RCW 43.185C.070 and 2005 c 484 s 11 are each amended to
4 read as follows:

5 (1) During each calendar year in which moneys from the ((homeless
6 housing)) home security fund account are available for use by the
7 department for the ((homeless housing)) ending homelessness grant
8 program, the department shall announce to all Washington counties,
9 participating cities, and through major media throughout the state, a
10 grant application period of at least ninety days' duration. Grants may
11 be awarded for programs directly related to addressing the root causes
12 of homelessness, preventing homelessness, and collecting data and
13 information on homeless individuals. Only a local government
14 participating in the ending homelessness program is eligible to receive
15 an ending homelessness grant. This announcement will be made as often
16 as the director deems appropriate for proper utilization of resources.
17 The department shall then promptly grant as many applications as will
18 utilize available funds, less appropriate administrative costs of the
19 department as described in RCW 36.22.179 (as recodified by this act).

20 (2) The department ((will)) shall develop, ((with advice and input
21 from the affordable housing advisory board established in RCW
22 43.185B.020)) in consultation with the interagency council on
23 homelessness, criteria to evaluate grant applications.

24 (3) The department may approve only those applications ((only if
25 they)) that are consistent with the local and state ((homeless housing
26 program strategie)) ending homelessness plans. The department may give
27 preference to applications based on some or all of the following
28 criteria:

29 (a) The total homeless population in the applicant local government
30 service area, as reported by the most recent ((annual)) Washington
31 homeless census;

32 (b) Current local expenditures to provide housing for the homeless
33 and to address the underlying causes of homelessness as described in
34 RCW 43.185C.005;

35 (c) Local government and private contributions pledged to the
36 program in the form of matching funds, property, infrastructure
37 improvements, and other contributions; and the degree of leveraging of

1 other funds from local government or private sources for the program
2 for which funds are being requested, to include recipient contributions
3 to total project costs, including allied contributions from other
4 sources such as professional, craft, and trade services, and lender
5 interest rate subsidies;

6 ~~((Construction projects or rehabilitation that will serve
7 homeless individuals or families for a period of at least twenty five
8 years;~~

9 ~~(e) Projects which demonstrate serving homeless populations with
10 the greatest needs, including projects that serve special needs
11 populations;~~

12 ~~((f)) The degree to which the applicant project represents a
13 collaboration between local governments, nonprofit community-based
14 organizations, local and state agencies, and the private sector(
15 especially through its integration with the coordinated and
16 comprehensive plan for homeless families with children required under
17 RCW 43.63A.650));~~

18 ~~((g)) (e) The cooperation of the local government in the
19 ((annual)) Washington homeless census ((project));~~

20 ~~((h)) (f) The number of homeless censuses or other homeless
21 counts conducted by the local government beyond the annual census
22 requirement;~~

23 ~~(g) The commitment of the local government and any subcontracting
24 local governments, nonprofit organizations, and for-profit entities to
25 employ a diverse work force and pay wages at or above the self-
26 sufficiency standard;~~

27 ~~(h) The commitment of the local government to apply to the
28 Washington state quality award program for an independent assessment of
29 its quality management, accountability, and performance system or apply
30 to the full examination Washington state quality award program;~~

31 ~~(i) The extent that a local government's subcontractors commit to
32 apply to the Washington state quality award program for an independent
33 assessment of their quality management, accountability, and performance
34 systems or apply to the full examination Washington state quality award
35 program;~~

36 ~~(j) The extent, if any, that the local homeless population is
37 disproportionate to the revenues collected under this chapter and RCW
38 36.22.178 and 36.22.179 (as recodified by this act); and~~

1 (~~(+j)~~) (k) Other elements shown by the applicant to be directly
2 related to the goal and the department's state ending homelessness
3 strategic plan.

4 **Sec. 26.** RCW 43.185C.080 and 2005 c 484 s 12 are each amended to
5 read as follows:

6 (1) (~~Only a local government is eligible to receive a homeless~~
7 ~~housing grant from the homeless housing account. Any city may assert~~
8 ~~responsibility for homeless housing within its borders if it so~~
9 ~~chooses, by forwarding a resolution to the legislative authority of the~~
10 ~~county stating its intention and its commitment to operate a separate~~
11 ~~homeless housing program. The city shall then receive a percentage of~~
12 ~~the surcharge assessed under RCW 36.22.179 equal to the percentage of~~
13 ~~the city's local portion of the real estate excise tax collected by the~~
14 ~~county. A participating city may also then apply separately for~~
15 ~~homeless housing program grants. A city choosing to operate a separate~~
16 ~~homeless housing program shall be responsible for complying with all of~~
17 ~~the same requirements as counties and shall adopt a local homeless~~
18 ~~housing plan meeting the requirements of this chapter for county local~~
19 ~~plans. However, the city may by resolution of its legislative~~
20 ~~authority accept the county's homeless housing task force as its own~~
21 ~~and based on that task force's recommendations adopt a homeless housing~~
22 ~~plan specific to the city.~~

23 (~~2~~) Local governments (~~(applying for homeless housing funds)~~) may
24 subcontract with any other local government, housing authority,
25 community action agency, or other nonprofit organization for the
26 execution of programs contributing to the overall goal of ending
27 homelessness within a defined service area. All subcontracts (~~(shall)~~)
28 must be consistent with the local (~~(homeless housing)~~) ending
29 homelessness plan adopted by the legislative authority of the local
30 government, time limited, and filed with the department, and (~~(shall)~~)
31 must have specific performance terms. Local governments must strongly
32 encourage all subcontractors under the ending homelessness program to
33 apply to the Washington state quality award program for an independent
34 assessment of their quality management, accountability, and performance
35 systems or apply to the full examination Washington state quality award
36 program. While a local government has the authority to subcontract

1 with other entities, the local government continues to maintain the
2 ultimate responsibility for the ~~((homeless—housing))~~ ending
3 homelessness program within its ~~((borders))~~ jurisdiction.

4 ~~((+3))~~ (2) A county may decline to participate in the program
5 authorized in this chapter by forwarding to the department a resolution
6 adopted by the county legislative authority stating the intention not
7 to participate. A copy of the resolution ~~((shall))~~ must also be
8 transmitted to the county auditor and treasurer. If ~~((such—a))~~ the
9 resolution is adopted, all of the funds otherwise due to the county
10 under RCW ~~((43.185C.060—shall))~~ 36.22.179 and 36.22.1791 (as recodified
11 by this act), minus funds due to any city that has chosen to
12 participate through the process established in subsection (3) of this
13 section, must be remitted monthly to the state treasurer for deposit in
14 the ~~((homeless—housing))~~ home security fund account, without any
15 reduction by the county for collecting or administering the funds.
16 Upon receipt of the resolution, the department shall promptly begin to
17 identify and contract with one or more entities eligible under this
18 section to create and execute a local ~~((homeless—housing))~~ ending
19 homelessness plan for the county meeting the requirements of this
20 chapter. The department shall expend all of the funds received from
21 the county under this subsection to carry out the purposes of this
22 chapter ~~((484, Laws of 2005))~~ in the county, ~~((provided that))~~ but the
23 department may retain six percent of these funds to offset the cost of
24 managing the county's program.

25 (3) Any city may assert responsibility for homeless housing within
26 its borders, by forwarding a resolution to the legislative authority of
27 the county stating its intention and its commitment to operate a
28 separate ending homelessness program. A city choosing to operate a
29 separate ending homelessness program receives a percentage of the
30 surcharges assessed under RCW 36.22.179 and 36.22.1791 (as recodified
31 by this act) equal to the percentage of the city's local portion of the
32 real estate excise tax collected by the county. A participating city
33 may also then apply separately for ending homelessness grants. A city
34 choosing to operate a separate ending homelessness program must comply
35 with all of the same requirements as counties and shall adopt a local
36 ending homelessness plan meeting the requirements of this chapter for
37 local ending homelessness plans.

1 (4) A resolution by the county declining to participate in the
2 program (~~((shall have))~~) has no effect on the (~~((ability))~~) authority of
3 each city in the county to assert its right to manage its own program
4 under this chapter, and the county shall monthly transmit to the city
5 the funds due under (~~((this chapter))~~) RCW 36.22.179 and 36.22.1791 (as
6 recodified by this act).

7 **Sec. 27.** RCW 43.185C.090 and 2005 c 484 s 13 are each amended to
8 read as follows:

9 The department shall allocate ending homelessness grant moneys from
10 the (~~((homeless housing))~~) home security fund account to finance in whole
11 or in part programs and projects in approved local (~~((homeless housing))~~)
12 ending homelessness plans (~~((to assist homeless individuals and families~~
13 ~~gain access to adequate housing, prevent at risk individuals from~~
14 ~~becoming homeless, address the root causes of homelessness, track and~~
15 ~~report on homeless related data, and facilitate the movement of~~
16 ~~homeless or formerly homeless individuals along the housing continuum~~
17 ~~toward more stable and independent housing))~~) for programs directly
18 related to addressing the root causes of homelessness, preventing
19 homelessness, and collecting data and information on homeless
20 individuals. The department may issue criteria or guidelines to guide
21 local governments in the application process.

22 **Sec. 28.** RCW 43.185C.100 and 2005 c 484 s 14 are each amended to
23 read as follows:

24 The department shall provide technical assistance to any
25 participating local government that requests such assistance.
26 Technical assistance activities may include:

27 (1) Assisting local governments to identify appropriate parties to
28 participate on local (~~((homeless housing))~~) ending homelessness task
29 forces;

30 (2) Assisting local governments to identify appropriate service
31 providers with which the local governments may subcontract for service
32 provision and development activities, when necessary;

33 (3) Assisting local governments to implement or expand homeless
34 census programs to meet (~~((homeless housing))~~) ending homelessness
35 program requirements;

1 (4) Assisting local governments in the local implementation and
2 updating of the homeless client management information system as
3 required in RCW 43.185C.180;

4 (5) Assisting local governments to apply to the Washington state
5 quality award program for an independent assessment of their quality
6 management, accountability, and performance systems or apply to the
7 full examination Washington state quality award program;

8 (6) Assisting local governments to strongly encourage all
9 subcontractors to apply to the Washington state quality award program
10 for an independent assessment of their quality management,
11 accountability, and performance systems or apply to the full
12 examination Washington state quality award program;

13 (7) Assisting local governments to create quality ending
14 homelessness plans;

15 (8) Assisting in the identification of "best practices" from other
16 areas;

17 ~~((+5))~~ (9) Assisting in identifying additional funding sources for
18 specific projects; and

19 ~~((+6))~~ (10) Training local government and subcontractor staff,
20 including quality management training.

21 **Sec. 29.** RCW 43.185C.130 and 2005 c 484 s 17 are each amended to
22 read as follows:

23 The department shall ensure that the state's interest is protected
24 upon the development, use, sale, or change of use of projects
25 constructed, acquired, or financed in whole or in part through the
26 ~~((homeless housing))~~ ending homelessness grant program. These policies
27 may include, but are not limited to: (1) Requiring a share of the
28 appreciation in the project in proportion to the state's contribution
29 to the project, or (2) requiring a lump sum repayment of the grant upon
30 the sale or change of use of the project.

31 **Sec. 30.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
32 read as follows:

33 (1) Each county shall create ~~((a homeless housing))~~ an ending
34 homelessness task force to develop a ~~((ten year homeless housing))~~
35 ending homelessness plan addressing short-term and long-term services

1 and housing ((for homeless persons)) to prevent and reduce homelessness
2 by seventy percent by July 1, 2015, and to achieve the ultimate goal of
3 ending homelessness by December 31, 2018.

4 Membership on the task force may include representatives of the
5 counties, cities, towns, housing authorities, civic and faith
6 organizations, schools, community networks, human services providers,
7 law enforcement personnel, criminal justice personnel, including
8 prosecutors, probation officers, and jail administrators, substance
9 abuse treatment providers, mental health care providers, emergency
10 health care providers, businesses, at-large representatives of the
11 community, and a homeless or formerly homeless individual.

12 In lieu of creating a new task force, a local government may
13 designate an existing governmental or nonprofit body ((which)) that
14 substantially conforms to this section and ((which)) includes at least
15 one homeless or formerly homeless individual to serve as its homeless
16 representative. As an alternative to a separate plan, two or more
17 local governments may work in concert to develop and execute a joint
18 ((homeless housing)) local ending homelessness plan, or to contract
19 with another entity to do so according to the requirements of this
20 chapter. While a local government has the authority to subcontract
21 with other entities, the local government continues to maintain the
22 ultimate responsibility for the ((homeless housing)) ending
23 homelessness program within its borders.

24 ((A county may decline to participate in the program authorized in
25 this chapter by forwarding to the department a resolution adopted by
26 the county legislative authority stating the intention not to
27 participate. A copy of the resolution shall also be transmitted to the
28 county auditor and treasurer. If a county declines to participate, the
29 department shall create and execute a local homeless housing plan for
30 the county meeting the requirements of this chapter.))

31 (2) In addition to developing a ((ten year homeless housing)) local
32 ending homelessness plan, each task force shall establish guidelines
33 consistent with the statewide ((homeless housing)) ending homelessness
34 strategic plan, as needed, for the following:

- 35 (a) Emergency shelters;
- 36 (b) Short-term housing needs;
- 37 (c) Temporary encampments;
- 38 (d) Rental voucher programs;

- 1 (e) Timely housing opportunities for unsheltered homeless;
2 (f) Supportive housing for chronically homeless persons; ((and
3 (e))) (g) Long-term housing; and
4 (h) Prevention services.

5 Guidelines must include, when appropriate, standards for health and
6 safety and notifying the public of proposed facilities to house the
7 homeless.

8 (3) Each county(~~(, including counties exempted from creating a new~~
9 ~~task force under subsection (1) of this section,~~) shall report to the
10 department of community, trade, and economic development (~~(such))~~ any
11 information (~~(as may be))~~ needed to ensure compliance with this
12 chapter.

13 **Sec. 31.** RCW 43.185C.900 and 2005 c 484 s 2 are each amended to
14 read as follows:

15 This chapter may be known and cited as the ending homelessness
16 (~~(housing and assistance))~~ act.

17 **Sec. 32.** RCW 36.22.179 and 2007 c 427 s 4 are each amended to read
18 as follows:

19 (1) In addition to the surcharge authorized in RCW 36.22.178 (as
20 recodified by this act), and except as provided in subsection (2) of
21 this section, an additional surcharge of ten dollars shall be charged
22 by the county auditor for each document recorded, which will be in
23 addition to any other charge allowed by law. The funds collected
24 pursuant to this section are to be distributed and used as follows:

25 (a) The auditor shall retain two percent for collection of the fee,
26 and of the remainder shall remit sixty percent to the county to be
27 deposited into a fund that must be used by the county and its cities
28 and towns to accomplish the purposes of this chapter, six percent of
29 which may be used by the county for administrative costs related to its
30 (~~(homeless housing))~~ ending homelessness plan, and the remainder for
31 programs which directly accomplish the goals of the county's local
32 (~~(homeless housing))~~ ending homelessness plan, except that for each
33 city in the county which elects as authorized in RCW 43.185C.080 to
34 operate its own local (~~(homeless housing))~~ ending homelessness program,
35 a percentage of the surcharge assessed under this section equal to the
36 percentage of the city's local portion of the real estate excise tax

1 collected by the county shall be transmitted at least quarterly to the
2 city treasurer, without any deduction for county administrative costs,
3 for use by the city for program costs which directly contribute to the
4 goals of the city's local ((homeless housing)) ending homelessness
5 plan; of the funds received by the city, it may use six percent for
6 administrative costs for its ((homeless housing)) ending homelessness
7 program.

8 (b) The auditor shall remit the remaining funds to the state
9 treasurer for deposit in the home security fund account. The
10 department may use twelve and one-half percent of this amount for
11 administration of the program established in RCW 43.185C.020, including
12 the costs of creating the statewide ((homeless housing)) ending
13 homelessness strategic plan, measuring performance, providing technical
14 assistance to local governments, and managing the ((homeless housing))
15 ending homelessness grant program. The remaining eighty-seven and one-
16 half percent is to be used by the department to:

17 (i) Provide housing and shelter for homeless people including, but
18 not limited to: Grants to operate, repair, and staff shelters; grants
19 to operate transitional housing; partial payments for rental
20 assistance; consolidated emergency assistance; overnight youth
21 shelters; and emergency shelter assistance; and

22 (ii) Fund the ((homeless housing)) ending homelessness grant
23 program.

24 (2) The surcharge imposed in this section does not apply to
25 assignments or substitutions of previously recorded deeds of trust.

26 **Sec. 33.** RCW 36.22.1791 and 2007 c 427 s 5 are each amended to
27 read as follows:

28 (1) In addition to the surcharges authorized in RCW 36.22.178 and
29 36.22.179 (as recodified by this act), and except as provided in
30 subsection (2) of this section, the county auditor shall charge an
31 additional surcharge of eight dollars for each document recorded, which
32 is in addition to any other charge allowed by law. The funds collected
33 under this section are to be distributed and used as follows:

34 (a) The auditor shall remit ninety percent to the county to be
35 deposited into a fund six percent of which may be used by the county
36 for administrative costs related to its ((homeless housing)) ending
37 homelessness plan, and the remainder for programs that directly

1 accomplish the goals of the county's local (~~homeless housing~~) ending
2 homelessness plan, except that for each city in the county that elects,
3 as authorized in RCW 43.185C.080, to operate its own (~~homeless~~
4 ~~housing~~) ending homelessness program, a percentage of the surcharge
5 assessed under this section equal to the percentage of the city's local
6 portion of the real estate excise tax collected by the county must be
7 transmitted at least quarterly to the city treasurer for use by the
8 city for program costs that directly contribute to the goals of the
9 city's (~~homeless housing~~) ending homelessness plan.

10 (b) The auditor shall remit the remaining funds to the state
11 treasurer for deposit in the home security fund account. The
12 department may use the funds for administering the program established
13 in RCW 43.185C.020, including the costs of creating and updating the
14 statewide (~~homeless housing~~) ending homelessness strategic plan,
15 measuring performance, providing technical assistance to local
16 governments, and managing the (~~homeless housing~~) ending homelessness
17 grant program. Remaining funds may also be used to:

18 (i) Provide housing and shelter for homeless people including, but
19 not limited to: Grants to operate, repair, and staff shelters; grants
20 to operate transitional housing; partial payments for rental
21 assistance; consolidated emergency assistance; overnight youth
22 shelters; and emergency shelter assistance; and

23 (ii) Fund the (~~homeless housing~~) ending homelessness grant
24 program.

25 (2) The surcharge imposed in this section does not apply to
26 assignments or substitutions of previously recorded deeds of trust.

27 **Sec. 34.** RCW 43.185C.170 and 2006 c 349 s 7 are each amended to
28 read as follows:

29 (1) The interagency council on homelessness, as defined in RCW
30 43.185C.010, shall (~~be convened not later than~~) convene by August 31,
31 2006, and shall meet at least two times each year and report to the
32 appropriate committees of the legislature annually by December 31st on
33 its activities.

34 (2) The interagency council on homelessness shall work to create
35 greater levels of interagency coordination and to coordinate state
36 agency efforts with the efforts of state and local entities addressing
37 homelessness.

1 (3) The interagency council on homelessness must respond to all
2 state and local legislative and policy recommendations included in the
3 state and local ending homelessness plans. The interagency council
4 must annually present its strategy for addressing the issues raised to
5 the appropriate committees of the legislature and must also include a
6 report on the actions taken to date that address these issues.

7 (4) The interagency council shall seek to:

8 (a) Align homeless-related housing and supportive service policies
9 among state agencies;

10 (b) Identify ways in which providing housing with appropriate
11 services can contribute to cost savings for state agencies;

12 (c) Identify policies and actions that may contribute to
13 homelessness or interfere with its reduction;

14 (d) Review and improve strategies for discharge from state
15 institutions that contribute to homelessness;

16 (e) Recommend policies to either improve practices or align
17 resources, or both, including those policies requested by the
18 affordable housing advisory board or through state and local housing
19 plans; and

20 (f) Ensure that the housing status of people served by state
21 programs is collected in consistent formats available for analysis.

22 **Sec. 35.** RCW 43.185C.180 and 2006 c 349 s 8 are each amended to
23 read as follows:

24 (1) In order to improve services for the homeless, the department,
25 within amounts appropriated by the legislature for this specific
26 purpose, shall implement the Washington homeless client management
27 information system for the ongoing collection and updates of
28 information about all homeless individuals in the state.

29 (2) Information about homeless individuals for the Washington
30 homeless client management information system shall come from the
31 Washington homeless census (~~and~~), from state agencies, and from
32 community organizations providing services to homeless individuals and
33 families. Personally identifying information about homeless
34 individuals for the Washington homeless client management system may
35 only be collected after having obtained informed, reasonably time
36 limited written consent from the homeless individual to whom the
37 information relates. Data collection (~~shall~~) must be done in a

1 manner consistent with federally informed consent guidelines regarding
2 human research which, at a minimum, require that individuals be
3 informed about the expected duration of their participation, an
4 explanation of whom to contact for answers to pertinent questions about
5 the data collection and their rights regarding their personal
6 identifying information, an explanation regarding whom to contact in
7 the event of injury to the individual related to the homeless client
8 survey, a description of any reasonably foreseeable risks to the
9 homeless individual, and a statement describing the extent to which
10 confidentiality of records identifying the individual will be
11 maintained.

12 (3) The Washington homeless client management information system
13 shall serve as an online information and referral system to enable
14 local governments and providers to connect homeless persons in the
15 database with available housing and other support services. Local
16 governments shall develop a capacity for continuous case management,
17 including independent living plans, when appropriate, to assist
18 homeless persons.

19 (4) The information in the Washington homeless client management
20 information system will also provide the department with the
21 information to consolidate and analyze data about the extent and nature
22 of homelessness in Washington state, giving emphasis to information
23 about the extent and nature of homelessness in Washington state among
24 families with children.

25 (5) The system may be merged with other data gathering and
26 reporting systems and shall:

27 (a) Protect the right of privacy of individuals;

28 (b) Provide for consultation and collaboration with all relevant
29 state agencies, including the department of social and health services,
30 experts, and community organizations involved in the delivery of
31 services to homeless persons; and

32 (c) Include related information held or gathered by other state
33 agencies.

34 (6) Within amounts appropriated by the legislature, for this
35 specific purpose, the department shall evaluate the information
36 gathered and disseminate the analysis and the evaluation broadly, using
37 appropriate computer networks as well as written reports.

1 (7) The Washington homeless client management information system
2 (~~shall~~) must be implemented by December 31, 2009, and updated with
3 new homeless client information at least (~~annually~~) twice each year.

4 NEW SECTION. Sec. 36. A new section is added to chapter 43.185C
5 RCW to read as follows:

6 The department shall contract with the employment security
7 department to annually establish two self-sufficiency income standards
8 based upon the cost of living, including housing costs, which include
9 mortgage or rent payments and utilities other than telephone, for each
10 county in the state. The self-sufficiency income standards must be
11 based upon the costs needed to support: (1) One adult individual; and
12 (2) two adult individuals and one preschool-aged child and one school-
13 aged child. These income standards will be translated into an
14 equivalent hourly wage rate assuming one full-year, full-time earner
15 for the self-sufficiency income standards for each county. The self-
16 sufficiency income standards must be presented to the legislature by
17 December 31, 2009. The employment security department must spend no
18 more than one hundred ten thousand dollars in creating the initial
19 self-sufficiency income standards and no more than fifty-five thousand
20 dollars annually to update the standards. The employment security
21 department shall deliver a report to the department and the appropriate
22 committees of the legislature that details the number and percentage of
23 individuals statewide and in each county who do not have a good family
24 wage job and, as a result, earn less than the self-sufficiency income
25 standards, as well as the number and percentage of individuals
26 statewide and in each county who have a good family wage job and, as a
27 result, earn an amount equivalent to or more than the self-sufficiency
28 income standards.

29 **Sec. 37.** RCW 43.185B.030 and 1993 c 478 s 6 are each amended to
30 read as follows:

31 The affordable housing advisory board shall:
32 (1) Analyze those solutions and programs that could begin to
33 address the state's need for housing that is affordable for all
34 economic segments of the state, and special needs populations,
35 including but not limited to programs or proposals which provide for:

1 (a) Financing for the acquisition, rehabilitation, preservation, or
2 construction of housing;

3 (b) Use of publicly owned land and buildings as sites for
4 affordable housing;

5 (c) Coordination of state initiatives with federal initiatives and
6 financing programs that are referenced in the Cranston-Gonzalez
7 national affordable housing act (42 U.S.C. Sec. 12701 et seq.), as
8 amended, and development of an approved housing strategy as required in
9 the Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec.
10 12701 et seq.), as amended;

11 (d) Identification and removal, where appropriate and not
12 detrimental to the public health and safety, or environment, of state
13 and local regulatory barriers to the development and placement of
14 affordable housing;

15 (e) Stimulating public and private sector cooperation in the
16 development of affordable housing; and

17 (f) Development of solutions and programs affecting housing,
18 including the equitable geographic distribution of housing for all
19 economic segments, as the advisory board deems necessary;

20 (2) Consider both homeownership and rental housing as viable
21 options for the provision of housing. The advisory board shall give
22 consideration to various types of residential construction and
23 innovative housing options, including but not limited to manufactured
24 housing;

25 (3) Review, evaluate, and make recommendations regarding existing
26 and proposed housing programs and initiatives including but not limited
27 to tax policies, land use policies, and financing programs. The
28 advisory board shall provide recommendations to the director, along
29 with the department's response in the annual housing report to the
30 legislature required in RCW 43.185B.040 (as recodified by this act);
31 and

32 (4) Prepare and submit to the director and to the legislature, by
33 each December 1st, beginning December 1, 1993, a report (~~(detailing~~
34 ~~its~~) that (a) details the board's findings and (b) discusses the
35 measurable relationship between jobs paying less than the self-
36 sufficiency standard, established under section 36 of this act, and
37 housing affordability, and make specific program, legislative, and

1 funding recommendations and any other recommendations it deems
2 appropriate.

3 NEW SECTION. **Sec. 38.** A new section is added to chapter 43.185C
4 RCW to read as follows:

5 The joint legislative audit and review committee shall conduct two
6 performance audits of the ending homelessness program. The first audit
7 must be conducted by December 31, 2010. The second audit must be
8 conducted by December 31, 2014. Each audit must take no longer than
9 six months or one hundred thousand dollars to complete.

10 **Sec. 39.** RCW 43.20A.790 and 1999 c 267 s 2 are each amended to
11 read as follows:

12 (1) The department of social and health services shall collaborate
13 with the department (~~of community, trade, and economic development~~)
14 in the development of (~~the~~) a coordinated and comprehensive plan for
15 homeless families with children (~~required under RCW 43.63A.650, which~~
16 ~~designates the department of community, trade, and economic development~~
17 ~~as the state agency with primary responsibility for providing shelter~~
18 ~~and housing services to homeless families with children. In fulfilling~~
19 ~~its responsibilities to collaborate with the department of community,~~
20 ~~trade, and economic development pursuant to RCW 43.63A.650,)) that must
21 be integrated into the state ending homelessness strategic plan created
22 in RCW 43.185C.040. The department of social and health services shall
23 develop, administer, supervise, and monitor its portion of the plan(~~-~~
24 ~~The department's portion of the plan shall)), which must contain at
25 least the following elements:~~~~

- 26 (a) Coordination or linkage of services with shelter and housing;
27 (b) Accommodation and addressing the needs of homeless families in
28 the design and administration of department programs;
29 (c) Participation of the department's local offices in the
30 identification, assistance, and referral of homeless families; and
31 (d) Ongoing monitoring of the efficiency and effectiveness of the
32 plan's design and implementation.

33 (2) The department shall include community organizations involved
34 in the delivery of services to homeless families with children, and
35 experts in the development and ongoing evaluation of the plan.

1 (~~(3) The duties under this section shall be implemented within~~
2 ~~amounts appropriated for that specific purpose by the legislature in~~
3 ~~the operating and capital budgets.~~)

4 **Sec. 40.** RCW 36.18.010 and 2007 c 523 s 2 are each amended to read
5 as follows:

6 County auditors or recording officers shall collect the following
7 fees for their official services:

8 (1) For recording instruments, for the first page eight and one-
9 half by fourteen inches or less, five dollars; for each additional page
10 eight and one-half by fourteen inches or less, one dollar. The fee for
11 recording multiple transactions contained in one instrument will be
12 calculated for each transaction requiring separate indexing as required
13 under RCW 65.04.050 as follows: The fee for each title or transaction
14 is the same fee as the first page of any additional recorded document;
15 the fee for additional pages is the same fee as for any additional
16 pages for any recorded document; the fee for the additional pages may
17 be collected only once and may not be collected for each title or
18 transaction;

19 (2) For preparing and certifying copies, for the first page eight
20 and one-half by fourteen inches or less, three dollars; for each
21 additional page eight and one-half by fourteen inches or less, one
22 dollar;

23 (3) For preparing noncertified copies, for each page eight and one-
24 half by fourteen inches or less, one dollar;

25 (4) For administering an oath or taking an affidavit, with or
26 without seal, two dollars;

27 (5) For issuing a marriage license, eight dollars, (this fee
28 includes taking necessary affidavits, filing returns, indexing, and
29 transmittal of a record of the marriage to the state registrar of vital
30 statistics) plus an additional five-dollar fee for use and support of
31 the prevention of child abuse and neglect activities to be transmitted
32 monthly to the state treasurer and deposited in the state general fund
33 plus an additional ten-dollar fee to be transmitted monthly to the
34 state treasurer and deposited in the state general fund. The
35 legislature intends to appropriate an amount at least equal to the
36 revenue generated by this fee for the purposes of the displaced
37 homemaker act, chapter 28B.04 RCW;

- 1 (6) For searching records per hour, eight dollars;
- 2 (7) For recording plats, fifty cents for each lot except cemetery
3 plats for which the charge shall be twenty-five cents per lot; also one
4 dollar for each acknowledgment, dedication, and description: PROVIDED,
5 That there shall be a minimum fee of twenty-five dollars per plat;
- 6 (8) For recording of miscellaneous records not listed above, for
7 the first page eight and one-half by fourteen inches or less, five
8 dollars; for each additional page eight and one-half by fourteen inches
9 or less, one dollar;
- 10 (9) For modernization and improvement of the recording and indexing
11 system, a surcharge as provided in RCW 36.22.170;
- 12 (10) For recording an emergency nonstandard document as provided in
13 RCW 65.04.047, fifty dollars, in addition to all other applicable
14 recording fees;
- 15 (11) For recording instruments, a two-dollar surcharge to be
16 deposited into the Washington state heritage center account created in
17 RCW 43.07.129;
- 18 (12) For recording instruments, a surcharge as provided in RCW
19 36.22.178 (as recodified by this act); ~~((and))~~
- 20 (13) For recording instruments, except for documents recording a
21 birth, marriage, divorce, or death or any documents otherwise exempted
22 from a recording fee under state law, a surcharge as provided in RCW
23 36.22.179 (as recodified by this act); and
- 24 (14) For recording instruments, except for documents recording a
25 birth, marriage, divorce, or death or any documents otherwise exempted
26 from a recording fee under state law, a surcharge as provided in RCW
27 36.22.1791 (as recodified by this act).

28 **Sec. 41.** RCW 43.185C.150 and 2005 c 484 s 21 are each amended to
29 read as follows:

30 This chapter does not require either the department or any local
31 government to expend any funds to accomplish the goals of this chapter
32 other than the revenues authorized in chapter 484, Laws of 2005 and the
33 revenues authorized in RCW 36.22.1791 (as recodified by this act).
34 However, neither the department nor any local government may use any
35 funds authorized in chapter 484, Laws of 2005 or the revenues
36 authorized in RCW 36.22.1791 (as recodified by this act) to supplant or

1 reduce any existing expenditures of public money for the reduction or
2 prevention of homelessness or services for homeless persons.

3 NEW SECTION. **Sec. 42.** The department of community, trade, and
4 economic development shall contract with the Washington institute for
5 public policy to conduct a study to determine the most effective,
6 accurate, and comprehensive way for counties and the state of
7 Washington to measure and evaluate the societal cost of homelessness.
8 The department shall not spend more than one hundred thousand dollars
9 on the study, and the results of the study must be presented to the
10 appropriate committees of the legislature by June 30, 2009.

11 NEW SECTION. **Sec. 43.** (1) The transitional housing operating and
12 rent program is created in the department to assist individuals and
13 families who are homeless or who are at risk of becoming homeless to
14 secure and retain safe, decent, and affordable housing. The department
15 shall provide grants to eligible organizations, as described in RCW
16 43.185.060, to provide assistance to program participants. The
17 eligible organizations must use grant moneys for:

18 (a) Rental assistance, which includes security or utility deposits,
19 first and last month's rent assistance, and eligible moving expenses to
20 be determined by the department;

21 (b) Case management services designed to assist program
22 participants to secure and retain immediate housing and to transition
23 into permanent housing and greater levels of self-sufficiency;

24 (c) Operating expenses of transitional housing facilities that
25 serve homeless families with children; and

26 (d) Administrative costs of the eligible organization, which must
27 not exceed limits prescribed by the department.

28 (2) Eligible to receive assistance through the transitional housing
29 operating and rent program are:

30 (a) Families with children who are homeless or who are at risk of
31 becoming homeless and who have household incomes at or below fifty
32 percent of the median household income for their county;

33 (b) Families with children who are homeless or who are at risk of
34 becoming homeless and who are receiving services under chapter 13.34
35 RCW;

1 (c) Individuals or families without children who are homeless or at
2 risk of becoming homeless and who have household incomes at or below
3 thirty percent of the median household income for their county;

4 (d) Individuals or families who are homeless or who are at risk of
5 becoming homeless and who have a household with an adult member who has
6 a mental health or chemical dependency disorder; and

7 (e) Individuals or families who are homeless or who are at risk of
8 becoming homeless and who have a household with an adult member who is
9 an offender released from confinement within the past eighteen months.

10 (3) All program participants must be willing to create and actively
11 participate in a housing stability plan for achieving permanent housing
12 and greater levels of self-sufficiency.

13 (4) Data on all program participants must be entered into and
14 tracked through the Washington homeless client management information
15 system as described in RCW 43.185C.180. For eligible organizations
16 serving victims of domestic violence or sexual assault, compliance with
17 this subsection must be accomplished in accordance with 42 U.S.C. Sec.
18 11383 (a)(8).

19 (5) Beginning in 2011, each eligible organization receiving over
20 five hundred thousand dollars during the previous calendar year from
21 the transitional housing operating and rent program and from sources
22 including: (a) State housing-related funding sources; (b) the
23 affordable housing for all surcharge in RCW 36.22.178 (as recodified by
24 this act); (c) the home security fund surcharges in RCW 36.22.179 and
25 36.22.1791 (as recodified by this act); and (d) any other surcharge
26 imposed under chapter 36.22 or 43.185C RCW to fund homelessness
27 programs or other housing programs, shall apply to the Washington state
28 quality award program for an independent assessment of its quality
29 management, accountability, and performance system, once every three
30 years.

31 (6) The department may develop rules, requirements, procedures, and
32 guidelines as necessary to implement and operate the transitional
33 housing operating and rent program.

34 (7) The department shall produce an annual transitional housing
35 operating and rent program report that must be included in the
36 department's affordable housing for all plan as described in RCW
37 43.185B.040 (as recodified by this act). The report must include

1 performance measures to be determined by the department that address,
2 at a minimum, the following issue areas:

3 (a) The success of the program in helping program participants
4 transition into permanent affordable housing and increase their levels
5 of self-sufficiency;

6 (b) The financial performance of the program related to efficient
7 program administration by the department and program operation by
8 selected eligible organizations, including an analysis of the costs per
9 program participant served;

10 (c) The quality, completeness, and timeliness of the information on
11 program participants provided to the Washington homeless client
12 management information system database; and

13 (d) The satisfaction of program participants in the assistance
14 provided through the program.

15 NEW SECTION. **Sec. 44.** The transitional housing operating and rent
16 account is created in the custody of the state treasurer. All receipts
17 from sources directed to the transitional housing operating and rent
18 program must be deposited into the account. Expenditures from the
19 account may be used solely for the purpose of the transitional housing
20 operating and rent program as described in section 43 of this act.
21 Only the director of the department or the director's designee may
22 authorize expenditures from the account. The account is subject to
23 allotment procedures under chapter 43.88 RCW, but an appropriation is
24 not required for expenditures.

25 NEW SECTION. **Sec. 45.** RCW 59.18.600 (Rental to offenders--
26 Limitation on liability) and 2007 c 483 s 602 are each repealed.

27 NEW SECTION. **Sec. 46.** RCW 36.22.179, 36.22.1791, 43.20A.790, and
28 43.63A.650 are each recodified as sections in chapter 43.185C RCW.

29 NEW SECTION. **Sec. 47.** RCW 36.22.178, 43.185A.100, 43.185B.020,
30 and 43.185B.040 are each recodified as sections in chapter 43.--- RCW
31 (created in section 48 of this act).

32 NEW SECTION. **Sec. 48.** Sections 1 through 4, 6 through 10, 12, 43,
33 and 44 of this act constitute a new chapter in Title 43 RCW.

1 NEW SECTION. **Sec. 49.** The code reviser shall alphabetize and
2 renumber the definitions in RCW 43.185C.010.

3 NEW SECTION. **Sec. 50.** If specific funding for the purposes of
4 sections 1 through 13, 43, and 44 of this act, referencing sections 1
5 through 13, 43, and 44 of this act by bill or chapter number and
6 section number, is not provided by June 30, 2008, in the omnibus
7 appropriations act, sections 1 through 13, 43, and 44 of this act are
8 null and void."

9 Correct the title.

EFFECT: Requires CTED to create, annually update, and implement an affordable housing for all plan to accomplish the goal of a decent, appropriate, and affordable home in a healthy, safe environment for all households. Requires counties to also create and implement similar plans; however, counties may opt out. Requires local governments and eligible organizations receiving over \$500,000 from certain housing-related funding sources to apply for an assessment of their quality management systems. Requires counties to report on their use of the affordable housing for all surcharge to CTED. Requires CTED, the Housing Finance Commission, and other eligible organizations to make recommendations to streamline and simplify housing planning, application, and reporting requirements. Requires CTED to include in its list of priority criteria for Housing Trust Fund funding a consideration for applicants who have applied for an assessment by the Washington State Quality Award program. Includes a null and void clause. Requires CTED to contract with two statewide affordable housing or homeless organizations to create independent affordable housing for all plans consistent with state and local plans.

Projects funded by the Housing Trust Fund (HTF) are exempt from relocation assistance requirements contained in the eminent domain statutes, unless the project was acquired by eminent domain. The Office of the Insurance Commissioner must report to the legislature recommendations for strategies to reduce construction liability and earthquake insurance costs for affordable housing projects funded by the HTF. The Housing Communities Program is created within CTED to provide technical assistance to help nonprofit organizations serving communities of color/multilingual communities develop and expand housing programs. The Housing Infrastructure Program, along with a corresponding appropriated account, is created within CTED to provide loans for public infrastructure that supports affordable housing.

The name of the Homeless Housing and Assistance Act is changed to the Ending Homelessness Act and the goal is changed from a reduction of homelessness of 50 percent by 2015 to a reduction of 70 percent by 2015 and 100 percent by 2018. CTED is required to annually update the state homelessness plan and to report on specific performance measure areas.

CTED is also required to evaluate county homelessness plans and county homelessness programs. The homeless census must be conducted at least annually. The Homeless Grant Assistance Program is limited to supporting programs addressing the root causes of homelessness, homeless prevention, and data collection. The Washington State Institute for Public Policy will be contracted by CTED to evaluate the societal cost of homelessness.

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