
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1359

State of Washington

60th Legislature

2007 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Miloscia, Chase, Hasegawa, Pettigrew, Springer, Ormsby, Roberts, Darneille, Goodman and Santos)

READ FIRST TIME 03/05/07.

1 AN ACT Relating to providing affordable housing for all; amending
2 RCW 43.185B.040, 36.22.178, 43.63A.650, 43.185C.005, 43.185C.040,
3 43.185C.050, 43.185C.080, 43.185C.160, 36.22.179, and 43.185C.150;
4 reenacting and amending RCW 36.18.010 and 36.18.010; adding new
5 sections to chapter 43.185C RCW; adding a new chapter to Title 43 RCW;
6 creating new sections; recodifying RCW 36.22.179, 43.20A.790,
7 43.63A.650, 36.22.178, 43.185B.020, and 43.185B.040; and providing an
8 expiration date.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

10 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a
11 large, unmet need for affordable housing in the state of Washington.
12 The legislature declares that a decent, appropriate, and affordable
13 home in a healthy, safe environment for every household should be a
14 state goal. Furthermore, this goal includes increasing the percentage
15 of low-income households who are able to obtain and retain housing
16 without government subsidies or other public support.

17 (2) The legislature finds that there are many root causes of the
18 affordable housing shortage and declares that it is critical that such
19 causes be analyzed, effective solutions be developed, implemented,

1 monitored, and evaluated, and that these causal factors be eliminated.
2 The legislature also finds that there is a taxpayer and societal cost
3 associated with a lack of jobs that pay self-sufficiency standard wages
4 and a shortage of affordable housing, and that the state must identify
5 and quantify that cost.

6 (3) The legislature finds that the support and commitment of all
7 sectors of the statewide community is critical to accomplishing the
8 state's affordable housing for all goal. The legislature finds that
9 the provision of housing and housing-related services should be
10 administered at the local level. However, the state should play a
11 primary role in: Providing financial resources to achieve the goal at
12 all levels of government; researching, evaluating, benchmarking, and
13 implementing best practices; continually updating and evaluating
14 statewide housing data; developing a state plan that integrates the
15 strategies, goals, objectives, and performance measures of all other
16 state housing plans and programs; coordinating and supporting county
17 government plans and activities; and directing quality management
18 practices by monitoring both state and county government performance
19 towards achieving interim and ultimate goals.

20 (4) The legislature declares that the systematic and comprehensive
21 performance measurement and evaluation of progress toward interim goals
22 and the immediate state affordable housing goal of a decent,
23 appropriate, and affordable home in a healthy, safe environment for
24 every household in the state by 2020 is a necessary component of the
25 statewide effort to end the affordable housing crisis.

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

28 NEW SECTION. **Sec. 3.** There is created within the department the
29 state affordable housing for all program, which shall be funded by the
30 affordable housing for all program surcharge provided for in RCW
31 36.22.178 (as recodified by this act) and all other sources directed to
32 the affordable housing for all program. The goal of the program is a
33 decent, appropriate, and affordable home in a healthy, safe environment
34 for every very low-income household in the state by 2020. A priority
35 must be placed upon achieving this goal for extremely low-income
36 households. This goal includes increasing the percentage of households

1 who access housing that is affordable for their income or wage level
2 without government assistance by increasing the number of previously
3 very low-income households who achieve self-sufficiency and economic
4 independence. The goal also includes implementing strategies to keep
5 the rising cost of housing below the relative rise in wages. The
6 department shall develop and administer the affordable housing for all
7 program. In the development and implementation of the program, the
8 department shall consider: The funding level, number of county staff
9 available to implement the program, and competency of each county to
10 meet the goals of the program; and establish program guidelines,
11 performance measures, and reporting requirements appropriate to the
12 existing capacity of the participating counties.

13 NEW SECTION. **Sec. 4.** Unless the context clearly requires
14 otherwise, the definitions in this section apply throughout this
15 chapter.

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

24 (2) "Department" means the department of community, trade, and
25 economic development.

26 (3) "Director" means the director of the department of community,
27 trade, and economic development.

28 (4) "First-time home buyer" means an individual or his or her
29 spouse who have not owned a home during the three-year period prior to
30 purchase of a home.

31 (5) "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,

1 low-income, or moderate-income households and special needs
2 populations.

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

10 (7) "Home security fund account" means the account in the custody
11 of the state treasurer receiving the state's portion of income from the
12 revenue of sources established by RCW 36.22.178 (as recodified by this
13 act) and 36.22.179, section 25 of this act, and all other sources
14 directed to the affordable housing for all program or homeless housing
15 and assistance program.

16 (8) "County affordable housing task force" means a county
17 committee, as described in section 7 of this act, created to prepare
18 and recommend to its county legislative authority a county affordable
19 housing for all plan, and also to recommend expenditures of the funds
20 from the affordable housing for all program surcharge in RCW 36.22.178
21 (as recodified by this act) and all other sources directed to the
22 county's affordable housing for all program.

23 (9) "Performance measurement" means the process of comparing
24 specific measures of success with ultimate and interim goals.

25 (10) "Performance evaluation" means the process of evaluating the
26 performance by established objective, measurable criteria according to
27 the achievement of outlined goals, measures, targets, standards, or
28 other outcomes using a ranked scorecard from highest to lowest
29 performance which employs a scale of one to one hundred, one hundred
30 being the optimal score.

31 (11) "Quality management program" means a nationally recognized
32 program using criteria similar or equivalent to the Baldrige criteria.
33 Beginning in 2009, all cities, towns, and counties receiving over five
34 hundred thousand dollars a year during the previous calendar year from
35 (a) state housing-related funding sources, including the housing trust
36 fund, (b) housing finance commission programs, (c) the affordable
37 housing for all program surcharge in RCW 36.22.178 (as recodified by
38 this act), (d) the homeless housing and assistance program surcharge in

1 RCW 36.22.179 (as recodified by this act), and (e) any other surcharge
2 charged under chapter 36.22 RCW to fund homelessness programs shall
3 apply to the full examination Washington state quality award program
4 once every three years beginning by January 1, 2010. The Washington
5 state housing finance commission must apply to the full examination
6 Washington state quality award program by December 31, 2009, and at
7 least once every three years thereafter.

8 (12) "Affordable housing for all program" means the program
9 authorized under this chapter, utilizing the funding from the
10 affordable housing for all program surcharge in RCW 36.22.178 (as
11 recodified by this act), and all other sources directed to the
12 affordable housing for all program, as administered by the department
13 at the state level and by each county at the local level.

14 (13) "State affordable housing for all plan" or "state plan" means
15 the plan developed by the department in collaboration with the
16 affordable housing advisory board with the goal of ensuring that every
17 very low-income household in Washington has a decent, appropriate, and
18 affordable home in a healthy, safe environment by 2020.

19 (14) "County affordable housing for all plan" or "county plan"
20 means the plan developed by each county with the goal of ensuring that
21 every very low-income household in the county has a decent,
22 appropriate, and affordable home in a healthy, safe environment by
23 2020.

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

29 (16) "Very low-income household" means a single person, family, or
30 unrelated persons living together whose adjusted income is less than
31 fifty percent of the median family income, adjusted for household size
32 for the county where the project is located.

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

37 (18) "County" means a county government in the state of Washington
38 or, except under RCW 36.22.178 (as recodified by this act), a city

1 government or collaborative of city governments within that county if
2 the county government declines to participate in the affordable housing
3 program.

4 (19) "Local government" means a county or city government in the
5 state of Washington or, except under RCW 36.22.178 (as recodified by
6 this act), a city government or collaborative of city governments
7 within that county if the county government declines to participate in
8 the affordable housing program.

9 (20) "Authority" or "housing authority" means any of the public
10 corporations created by RCW 35.82.030.

11 (21) "Good family-wage job" means a job that pays at or above one
12 of the two self-sufficiency income standards established under section
13 26 of this act which for an individual means enough income to support
14 one adult individual, and for a family means enough income to support
15 two adult individuals, one preschool-aged child, and one school-aged
16 child.

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

19 (1) The department shall, in consultation with the affordable
20 housing advisory board created in RCW 43.185B.020 (as recodified by
21 this act), prepare and ~~((from time to time amend a five year))~~ annually
22 update a state affordable housing ((advisory)) for all plan. The state
23 plan must incorporate the strategies, objectives, goals, and
24 performance measures of all other housing-related state plans,
25 including the state homeless housing strategic plan required under RCW
26 43.185C.040 and all state housing programs. The state affordable
27 housing for all plan may be combined with the state homeless housing
28 strategic plan required under RCW 43.185C.040 or any other existing
29 state housing plan as long as the requirements of all of the plans to
30 be merged are met.

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

32 (a) Document the need for affordable housing in the state and the
33 extent to which that need is being met through public and private
34 sector programs((τ));

35 (b) Outline the development of sound strategies and programs to
36 promote affordable housing;

1 (c) Establish, evaluate, and report upon interim goals and
2 timelines that are determined by the department and by which the state
3 and counties may be measured;

4 (d) Establish, evaluate, and report upon performance measures,
5 including the performance measures outlined in section 6 of this act,
6 for all state housing programs, as well as all housing programs
7 operated by or coordinated by city and county governments, including
8 local housing-related levy initiatives, housing-related tax exemption
9 programs, and federally funded programs operated or coordinated by the
10 state or local governments;

11 (e) Evaluate and report upon all counties' use of the affordable
12 housing for all program surcharge funds provided for in RCW 36.22.178
13 (as recodified by this act) and all other sources directed to the
14 counties' affordable housing for all programs;

15 (f) Report upon how housing trust fund awards within the previous
16 one-year period are consistent with the plan and have contributed to
17 the goal of the affordable housing for all program; and ((to))

18 (g) Facilitate state and county government planning to meet the
19 state affordable housing ((needs of the state, and to enable the
20 development of sound strategies and programs for affordable housing))
21 for all goal.

22 (3) The information in the ((five-year)) annual state affordable
23 housing ((advisory)) for all plan must include:

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

25 (b) An assessment of the housing needs for all economic segments of
26 the state by wage level decile and special needs populations including:

27 (i) A report on the number and percentage of persons or households
28 statewide and in each county in each income level decile who are
29 currently living in housing that is not affordable given their wage
30 level;

31 (ii) A report on the number and percentage of additional affordable
32 rental housing units that are needed statewide and in each county to
33 house persons or households at each wage level decile;

34 (iii) A report of the number and percentage of persons or
35 households identified as having special needs statewide and in each
36 county who are not adequately and affordably housed;

37 (iv) An estimate of the number and percentage of additional housing

1 units needed statewide and in each county for each special needs
2 population category;

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

6 (d) An inventory of the homeownership units under public or
7 nonprofit control through a trust or covenant limiting the economic
8 value of the unit made available through public and private sector
9 programs;

10 (e) An estimate of the number and percentage of homes available for
11 purchase statewide and in each county that are affordable to each wage
12 level decile;

13 (f) An estimate of the number and percentage affordable homes for
14 purchase needed for each wage level decile to achieve the state's
15 homeownership goal, as determined by the department and included in the
16 state affordable housing for all plan, unless established by the
17 legislature;

18 (g) A summary of the activities of all state housing programs, as
19 well as all housing programs operated by or coordinated by city and
20 county governments, including local housing-related levy initiatives,
21 housing-related tax exemption programs, and federally funded programs
22 operated or coordinated by the state or local governments;

23 (h) A status report on the degree of progress made by the public
24 and private sector toward meeting the housing needs of the state, each
25 county, and each city with a population greater than fifty thousand or
26 the city with the highest population in each county, where information
27 is available;

28 ~~((e))~~ (i) An identification of state and local regulatory
29 barriers to affordable housing and proposed regulatory and
30 administrative techniques designed to remove barriers to the
31 development and placement of affordable housing; ~~((and~~

32 ~~(f))~~ (j) An analysis, statewide and within each county and major
33 city, of the primary contributors to the cost of housing and an outline
34 of potential strategies to keep the increasing cost of housing below
35 the relative rise in wages;

36 (k) Specific recommendations, policies, or proposals for meeting
37 the affordable housing needs of the state;

1 (l) Identification of key root causal factors of the affordable
2 housing shortage and the inability of low-income households to obtain
3 and retain appropriate housing, and identification of possible
4 preventative strategies and related performance measures;

5 (m) A report on the growth in the population of persons in each
6 wage level decile statewide and for each county;

7 (n) A determination of the cost to the state of the affordable
8 housing shortage;

9 (o) A report of any differences in the rates of inflation between
10 median house prices, median rent for a two-bedroom apartment, and
11 median family income for persons or households in each wage level
12 decile;

13 (p) A summary of the recommendations of the affordable housing
14 advisory board report as required in RCW 43.185B.030;

15 (q) A response to all county legislative and policy recommendations
16 included in county affordable housing for all plans as well as proposed
17 strategies to address issues raised in the county plans; and

18 (r) A summary report of the department's evaluations of the
19 operations and accomplishments of other state departments and agencies
20 as they affect housing as required in RCW 43.63A.650 (as recodified by
21 this act).

22 ~~((2)(a))~~ (4) The ~~((five-year))~~ state affordable housing
23 ~~((advisory))~~ for all plan required under ~~((subsection (1) of))~~ this
24 section must be submitted to the appropriate committees of the
25 legislature on or before ~~((February 1, 1994))~~ December 31, 2008, and
26 subsequent updated plans must be submitted ~~((every five years))~~ by
27 December 31st each year thereafter.

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

32 (5) To guide counties in preparation of county affordable housing
33 for all plans required under section 8 of this act, the department
34 shall issue, by December 31, 2007, guidelines for preparing county
35 plans consistent with this chapter. County plans must be substantially
36 consistent with the goals and program recommendations of the state
37 affordable housing for all plan and must include, at a minimum, the

1 same information analysis, on a local level, as described in subsection
2 (3) of this section and must include the performance measures outlined
3 in section 6 of this act.

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

8 NEW SECTION. Sec. 6. (1) The department, in consultation with a
9 task force established by the department consisting of the chairs of
10 the appropriate committees of the legislature, representatives
11 appointed by the director from a minimum of five county affordable
12 housing for all task forces representing urban and rural areas as well
13 as communities east and west of the Cascade mountains, representatives
14 from private for-profit housing developers that have experience with
15 low-income housing, and representatives from statewide housing advocacy
16 organizations, shall create affordable housing for all program outcomes
17 and performance measures and goals addressing, at a minimum, the
18 success of the state and each county in the following areas:

19 (a) An overall measurement of the affordable housing needs met for
20 extremely low, low, and low-income households within each twelve-month
21 period;

22 (b) A measure of the change in the cost of housing relative to the
23 change in wages;

24 (c) A measure of the increase in affordable rental housing;

25 (d) A measure of the increase in self-sufficiency amongst
26 individuals and families;

27 (e) A measure of the increase in individuals' and family wages;

28 (f) A measure of community support for the state and county plans;

29 (g) A measure of county government financial support for the
30 program;

31 (h) A measure of the financial viability of the state and county
32 plans;

33 (i) A measure of the financial efficiency of the housing programs
34 funded by the county;

35 (j) A measure of the quality of the state and county plans; and

36 (k) A measure of the quality of the management of county
37 governments.

1 Measurement reporting must be subdivided by county, major city, and
2 political geography, and yearly targets for these results must be
3 included. Performance measures must be included in the department's
4 state affordable housing for all plan and all county affordable housing
5 for all plans and must be provided to the joint legislative audit and
6 review committee.

7 (2) Performance measures and yearly targets must be established by
8 December 31, 2007, and must be reviewed annually by the department
9 after soliciting feedback from all county affordable housing for all
10 task forces.

11 (3) The department may determine a timeline to implement and
12 measure each performance measure for the state and county plans, except
13 that the state and all counties participating in the affordable housing
14 for all program must implement and respond to all performance measures
15 by January 1, 2010, unless the department determines that a performance
16 measure is not applicable to a specific county based on parameters and
17 thresholds established by the department.

18 NEW SECTION. **Sec. 7.** Each county shall convene a county
19 affordable housing task force. The task force must be a committee,
20 made up of volunteers, created to prepare and recommend to the county
21 legislative authority a county affordable housing for all plan and also
22 to recommend appropriate expenditures of the affordable housing for all
23 program funds provided for in RCW 36.22.178 (as recodified by this act)
24 and any other sources directed to the county program. The county
25 affordable housing task force must include a representative of the
26 county, a representative from the city with the highest population in
27 the county, a representative from all other cities in the county with
28 a population greater than fifty thousand, a member representing
29 beneficiaries of affordable housing programs, other members as may be
30 required to maintain eligibility for federal funding related to housing
31 programs and services, and a representative from both a private
32 nonprofit organization and a private for-profit organization with
33 experience in very low-income housing. The task force may be the same
34 as the homeless housing task force created in RCW 43.185C.160 or the
35 same as another existing task force or other formal committee that
36 meets the requirements of this section.

1 NEW SECTION. **Sec. 8.** (1) Each county shall direct its affordable
2 housing task force to prepare and recommend to its county legislative
3 authority a county affordable housing for all plan for its
4 jurisdictional area. Each county shall adopt a county plan by June 30,
5 2008, and update the plan annually by June 30th thereafter. All plans
6 must be forwarded to the department by the date of adoption. County
7 affordable housing for all plans may be combined with the local
8 homeless housing plans required under RCW 43.185C.040 or any other
9 existing plan addressing housing within a county as long as the
10 requirements of all of the plans to be merged are met. For counties
11 required or choosing to plan under RCW 36.70A.040, county affordable
12 housing for all plans must be consistent with the housing elements of
13 comprehensive plans described in RCW 36.70A.070(2). County plans must
14 also be consistent with any existing local homeless housing plan
15 required in RCW 43.185C.050.

16 (2) County affordable housing for all plans must be primarily
17 focused on (a) ensuring that every very low-income household in the
18 county jurisdictional area has a decent, appropriate, and affordable
19 home in a healthy, safe environment by 2020 and (b) increasing the
20 percentage of very low-income households that access affordable housing
21 without government assistance. County plans must include information
22 and performance measurement data where available on all city and county
23 housing programs, including local housing-related levy initiatives,
24 housing-related tax exemption programs, and federally funded programs
25 operated or coordinated by the state or local governments. County
26 plans must be substantially consistent with the goals, performance
27 measures, and program recommendations of the state affordable housing
28 for all plan and must include, at a minimum, the same information,
29 analysis, and performance measures as described in RCW 43.185B.040 (as
30 recodified by this act) and section 6 of this act. In addition to
31 these performance measures, counties must report on a common
32 performance measure, to be determined by the department, measuring the
33 health and safety of tenants of affordable rental housing. All towns,
34 cities, and counties must report information related to this
35 performance measure to the county task force to the greatest extent
36 practicable using available funds. Counties shall report on
37 achievements according to stated performance measures to the department
38 annually by December 1st, beginning in 2008.

1 (3) In addition to fulfilling the requirements of subsections (1)
2 and (2) of this section, county affordable housing for all plans must
3 include:

4 (a) Timelines for the accomplishment of interim goals and targets,
5 and for the acquisition of projected financing that is appropriate for
6 outlined goals and targets;

7 (b) An identification of challenges to reaching the affordable
8 housing for all goal;

9 (c) A total estimated amount of funds needed to reach the local
10 affordable housing for all goal and an identification of potential
11 funding sources; and

12 (d) State legislative recommendations to enable the county to
13 achieve its affordable housing for all goals. Legislative
14 recommendations must be specific and, if necessary, include an
15 estimated amount of funding required and suggestions of an appropriate
16 funding source.

17 (4) Each year, the department shall:

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

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

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

25 (5) The department shall present the summary of county affordable
26 housing for all plans and the results of performance evaluations to the
27 appropriate committees of the legislature annually on or before
28 December 31st.

29 NEW SECTION. **Sec. 9.** (1) Any county may decline to participate in
30 the affordable housing for all program authorized in this chapter by
31 forwarding to the department a resolution adopted by the county
32 legislative authority stating the intention not to participate. A copy
33 of the resolution must also be transmitted to the county auditor and
34 treasurer. Counties that decline to participate shall not be required
35 to establish an affordable housing task force or to create a county
36 affordable housing for all plan. Counties declining to participate in
37 the affordable housing for all program shall continue to collect and

1 utilize the affordable housing for all surcharge for the purposes
2 described in RCW 36.22.178; however, such counties shall not be
3 allocated any additional affordable housing for all program funding.
4 Counties may opt back into the affordable housing for all program
5 authorized by this chapter at a later date through a process and
6 timeline to be determined by the department.

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

18 NEW SECTION. **Sec. 10.** A county may subcontract with any other
19 county, city, town, housing authority, community action agency, or
20 other nonprofit organization for the execution of programs contributing
21 to the affordable housing for all goal. All subcontracts must be:
22 Consistent with the county affordable housing for all plan adopted by
23 the legislative authority of the county; time limited; and filed with
24 the department, and must have specific performance terms as specified
25 by the county. County governments must strongly encourage all
26 subcontractors under the affordable housing for all program to apply to
27 the full examination Washington state quality award program. This
28 authority to subcontract with other entities does not affect
29 participating counties' ultimate responsibility for meeting the
30 requirements of the affordable housing for all program.

31 **Sec. 11.** RCW 36.22.178 and 2005 c 484 s 18 are each amended to
32 read as follows:

33 The surcharge provided for in this section shall be named the
34 affordable housing for all program surcharge.

35 (1) Except as provided in subsection (~~((2))~~) (3) of this section,
36 a surcharge of ten dollars per instrument shall be charged by the

1 county auditor for each document recorded, which will be in addition to
2 any other charge authorized by law. The county may retain up to five
3 percent of these funds collected solely for the collection,
4 administration, and local distribution of these funds. Of the
5 remaining funds, forty percent of the revenue generated through this
6 surcharge will be transmitted monthly to the state treasurer who will
7 deposit the funds into the (~~Washington housing trust account~~) home
8 security fund account created in section 12 of this act. The office of
9 community development of the department of community, trade, and
10 economic development will develop guidelines for the use of these funds
11 to support building operation and maintenance costs of housing projects
12 or units within housing projects that are affordable to extremely low-
13 income (~~persons~~) households with incomes at or below thirty percent
14 of the area median income, and that require a supplement to rent income
15 to cover ongoing operating expenses.

16 (2) All of the remaining funds generated by this surcharge will be
17 retained by the county and be deposited into a fund that must be used
18 by the county and its cities and towns for eligible housing (~~projects~~
19 ~~or units within housing projects that are affordable to~~) activities as
20 described in this subsection that serve very low-income (~~persons~~)
21 households with incomes at or below fifty percent of the area median
22 income. The portion of the surcharge retained by a county shall be
23 allocated to eligible housing activities that serve extremely low and
24 very low-income (~~housing projects or units within such housing~~
25 ~~projects~~) households in the county and the cities within a county
26 according to an interlocal agreement between the county and the cities
27 within the county consistent with countywide and local housing needs
28 and policies. (~~The funds generated with this surcharge shall not be~~
29 ~~used for construction of new housing if at any time the vacancy rate~~
30 ~~for available low income housing within the county rises above ten~~
31 ~~percent. The vacancy rate for each county shall be developed using the~~
32 ~~state low income vacancy rate standard developed under subsection (3)~~
33 ~~of this section. Uses of)) A priority must be given to eligible
34 housing activities that serve extremely low-income households with
35 incomes at or below thirty percent of the area median income. For
36 counties participating in the affordable housing for all program, all
37 eligible housing activities funded must be consistent with strategies~~

1 outlined in the county affordable housing for all plan. Eligible
2 housing activities to be funded by these ((local)) county funds are
3 limited to:

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

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

16 (c) Rental assistance vouchers for housing ((projects or)) units
17 ((within housing projects)) that are affordable to very low-income
18 ((persons)) households with incomes at or below fifty percent of the
19 area median income, to be administered by a local public housing
20 authority or other local organization that has an existing rental
21 assistance voucher program, consistent with or similar to the United
22 States department of housing and urban development's section 8 rental
23 assistance voucher program standards. The department shall develop
24 statewide guidelines for rental assistance programs by 2008, which must
25 include, at a minimum, guidelines and related performance measures to
26 ensure acceptable housing quality for voucher recipients, as well as
27 tenant protections consistent with federal section 8 rental assistance
28 voucher program standards; and

29 (d) Operating costs for emergency shelters and licensed overnight
30 youth shelters.

31 ((+2)) (3) The surcharge imposed in this section does not apply to
32 assignments or substitutions of previously recorded deeds of trust.

33 ((-3) ~~The real estate research center at Washington State~~
34 ~~University shall develop a vacancy rate standard for low income housing~~
35 ~~in the state as described in RCW 18.85.540(1)(i))~~

36 (4) All counties shall report at least annually upon receipts and
37 expenditures of the affordable housing for all program surcharge funds
38 created in this section to the department. The department may require

1 more frequent reports. The report must include the amount of funding
2 generated by the surcharge, the total amount of funding distributed to
3 date, the amount of funding allocated to each eligible housing
4 activity, a description of each eligible housing activity funded,
5 including information on the income or wage level and numbers of
6 extremely low and low-income households the eligible housing activity
7 is intended to serve, and the outcome or anticipated outcome of each
8 eligible housing activity. Counties participating in the affordable
9 housing for all program shall also report annually on performance
10 measures, including performance measures outlined in section 6 of this
11 act and others to be determined by the department, related to uses of
12 the affordable housing for all program surcharge funds.

13 NEW SECTION. Sec. 12. The home security fund account is created
14 in the custody of the state treasurer. The state's portion of the
15 surcharges established in RCW 36.22.178 and 36.22.179 (as recodified
16 by this act), and section 25 of this act shall be deposited in the
17 account, as well as all other sources directed to the affordable
18 housing for all program and the homeless housing and assistance
19 program. Expenditures from the account may only be used for the
20 affordable housing for all program and the homeless housing and
21 assistance program as described in this act. Only the director or the
22 director's designee may authorize expenditures from the account. The
23 account is subject to allotment procedures under chapter 43.88 RCW, but
24 an appropriation is not required for expenditures.

25 **Sec. 13.** RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are
26 each reenacted and amended to read as follows:

27 County auditors or recording officers shall collect the following
28 fees for their official services:

29 (1) For recording instruments, for the first page eight and one-
30 half by fourteen inches or less, five dollars; for each additional page
31 eight and one-half by fourteen inches or less, one dollar. The fee for
32 recording multiple transactions contained in one instrument will be
33 calculated for each transaction requiring separate indexing as required
34 under RCW 65.04.050 as follows: The fee for each title or transaction
35 is the same fee as the first page of any additional recorded document;
36 the fee for additional pages is the same fee as for any additional

1 pages for any recorded document; the fee for the additional pages may
2 be collected only once and may not be collected for each title or
3 transaction;

4 (2) For preparing and certifying copies, for the first page eight
5 and one-half by fourteen inches or less, three dollars; for each
6 additional page eight and one-half by fourteen inches or less, one
7 dollar;

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

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

12 (5) For issuing a marriage license, eight dollars, (this fee
13 includes taking necessary affidavits, filing returns, indexing, and
14 transmittal of a record of the marriage to the state registrar of vital
15 statistics) plus an additional five-dollar fee for use and support of
16 the prevention of child abuse and neglect activities to be transmitted
17 monthly to the state treasurer and deposited in the state general fund
18 plus an additional ten-dollar fee to be transmitted monthly to the
19 state treasurer and deposited in the state general fund. The
20 legislature intends to appropriate an amount at least equal to the
21 revenue generated by this fee for the purposes of the displaced
22 homemaker act, chapter 28B.04 RCW;

23 (6) For searching records per hour, eight dollars;

24 (7) For recording plats, fifty cents for each lot except cemetery
25 plats for which the charge shall be twenty-five cents per lot; also one
26 dollar for each acknowledgment, dedication, and description: PROVIDED,
27 That there shall be a minimum fee of twenty-five dollars per plat;

28 (8) For recording of miscellaneous records not listed above, for
29 the first page eight and one-half by fourteen inches or less, five
30 dollars; for each additional page eight and one-half by fourteen inches
31 or less, one dollar;

32 (9) For modernization and improvement of the recording and indexing
33 system, a surcharge as provided in RCW 36.22.170;

34 (10) For recording an emergency nonstandard document as provided in
35 RCW 65.04.047, fifty dollars, in addition to all other applicable
36 recording fees;

37 (11) For recording instruments, a surcharge as provided in RCW
38 36.22.178 (as recodified by this act); and

1 (~~{(12)}~~) (12) For recording instruments, except for documents
2 recording a birth, marriage, divorce, or death or any documents
3 otherwise exempted from a recording fee under state law, a surcharge as
4 provided in RCW 36.22.179 (as recodified by this act).

5 NEW SECTION. **Sec. 14.** This chapter does not require either the
6 department or any local government to expend any funds to accomplish
7 the goals of this chapter other than the revenues authorized in this
8 act and other revenue that may be appropriated by the legislature for
9 these purposes. However, neither the department nor any local
10 government may use any funds authorized in this act to supplant or
11 reduce any existing expenditures of public money to address the
12 affordable housing shortage.

13 NEW SECTION. **Sec. 15.** The joint legislative audit and review
14 committee shall conduct a performance audit of the state affordable
15 housing for all program every four years. The audit must include an
16 analysis of the department's expenditures of funds from sources
17 established by RCW 36.22.178 (as recodified by this act) and all other
18 sources directed to the affordable housing for all program. The first
19 audit must be conducted on or before December 31, 2010. Each audit
20 must take no longer than six months or fifty thousand dollars to
21 complete.

22 NEW SECTION. **Sec. 16.** (1) The joint legislative audit and review
23 committee shall conduct an evaluation and comparison of the cost-
24 efficiency of rental housing voucher programs funded with state or
25 local moneys versus other low-income housing projects funded with state
26 or local moneys that are intended to assist low-income households to
27 obtain and retain affordable housing. The study must consider factors
28 including administrative costs, capital costs, and other operating
29 costs involved in the implementation and management of rental housing
30 voucher programs. The study must compare the number of households that
31 may be served, given a set amount of available funds, through rental
32 housing voucher programs funded with state or local moneys with other
33 housing projects funded with state or local moneys, including new
34 construction and rehabilitation of housing units. The department of
35 community, trade, and economic development, the Washington state

1 housing finance commission, housing authorities, community action
2 agencies, and local governments shall provide the joint legislative
3 audit and review committee with information necessary for the
4 evaluation study.

5 (2) The joint legislative audit and review committee shall solicit
6 input regarding the study from interested parties, including
7 representatives from the affordable housing advisory board, the
8 department of community, trade, and economic development, the
9 Washington state housing finance commission, representatives from the
10 private rental housing industry, housing authorities, community action
11 agencies, county and city governments, and nonprofit and for-profit
12 housing developers.

13 (3) The joint legislative audit and review committee shall present
14 the results of this study to the appropriate committees of the
15 legislature by December 31, 2008.

16 (4) This section expires December 31, 2008.

17 NEW SECTION. **Sec. 17.** (1) The department, the Washington state
18 housing finance commission, the affordable housing advisory board, and
19 all participating county governments, housing authorities, and other
20 nonprofit organizations receiving state funds, county affordable
21 housing for all surcharge funds, or financing through the housing
22 finance commission, shall, by December 31, 2007, and annually
23 thereafter, review current housing reporting requirements related to
24 housing programs and services and give recommendations to the
25 legislature to streamline and simplify all planning and reporting
26 requirements. The entities listed in this section shall also give
27 recommendations for additional legislative actions that could promote
28 the affordable housing for all goal.

29 (2) The department shall collaborate with the Washington state
30 housing finance commission and representatives from statewide
31 organizations representing counties, cities, housing authorities,
32 nonprofit groups involved in affordable housing, and other interested
33 parties, to create a strategy to streamline and, when possible,
34 consolidate state, city, town, and county reporting requirements to
35 address the inefficiencies associated with multiple reporting
36 requirements. The department shall present the strategy to the
37 appropriate committees of the legislature by December 31, 2007.

1 **Sec. 18.** RCW 43.63A.650 and 1999 c 267 s 3 are each amended to
2 read as follows:

3 (1) The department shall be the principal state department
4 responsible for coordinating federal and state resources and activities
5 in housing, except for programs administered by the Washington state
6 housing finance commission under chapter 43.180 RCW, and for evaluating
7 the operations and accomplishments of other state departments and
8 agencies as they affect housing. The department shall conduct annual
9 performance evaluations of all state department and agency services
10 provided to extremely low, very low, and low-income persons needing
11 housing assistance, as well as all other housing-related programs and
12 activities. The department shall provide copies of the evaluation
13 reports to the appropriate committees of the legislature and the
14 affordable housing advisory board by December 31st of each year.

15 (2) The department shall work with (~~local governments~~) cities,
16 towns, counties, tribal organizations, local housing authorities,
17 nonprofit community or neighborhood-based organizations, and regional
18 or statewide nonprofit housing assistance organizations, for the
19 purpose of coordinating federal and state resources with local
20 resources for housing.

21 (3) The department shall be the principal state department
22 responsible for providing shelter and housing services to homeless
23 families with children. The department shall have the principal
24 responsibility to coordinate, plan, and oversee the state's activities
25 for developing a coordinated and comprehensive plan to serve homeless
26 families with children. The plan shall be developed collaboratively
27 with the department of social and health services. The department
28 shall include community organizations involved in the delivery of
29 services to homeless families with children, and experts in the
30 development and ongoing evaluation of the plan. The department shall
31 follow professionally recognized standards and procedures. The plan
32 shall be implemented within amounts appropriated by the legislature for
33 that specific purpose in the operating and capital budgets. The
34 department shall submit the plan to the appropriate committees of the
35 senate and house of representatives no later than September 1, 1999,
36 and shall update the plan and submit it to the appropriate committees
37 of the legislature by January 1st of every odd-numbered year through
38 2007. The plan shall address at least the following: (a) The need for

1 prevention assistance; (b) the need for emergency shelter; (c) the need
2 for transitional assistance to aid families into permanent housing; (d)
3 the need for linking services with shelter or housing; and (e) the need
4 for ongoing monitoring of the efficiency and effectiveness of the
5 plan's design and implementation.

6 **Sec. 19.** RCW 43.185C.005 and 2005 c 484 s 1 are each amended to
7 read as follows:

8 Despite laudable efforts by all levels of government, private
9 individuals, nonprofit organizations, and charitable foundations to end
10 homelessness, the number of homeless persons in Washington is
11 unacceptably high. The state's homeless population, furthermore,
12 includes a large number of families with children, youth, and employed
13 persons. The legislature finds that the fiscal and societal costs of
14 homelessness are high for both the public and private sectors, and that
15 ending homelessness (~~(should)~~) must be a goal for state and local
16 government.

17 The legislature finds that there are many causes of homelessness,
18 including a shortage of affordable housing; a shortage of good family-
19 wage jobs which undermines housing affordability; a lack of an
20 accessible and affordable health care system available to all who
21 suffer from physical and mental illnesses and chemical and alcohol
22 dependency; domestic violence; (~~and~~) a lack of education and job
23 skills necessary to acquire adequate wage jobs in the economy of the
24 twenty-first century; inadequate availability of services for citizens
25 with mental illness and developmental disabilities living in the
26 community; and the difficulties faced by formerly institutionalized
27 persons in reintegrating to society and finding stable employment and
28 housing.

29 The support and commitment of all sectors of the statewide
30 community is critical to the chances of success in ending homelessness
31 in Washington. While the provision of housing and housing-related
32 services to the homeless should be administered at the local level to
33 best address specific community needs, the legislature also recognizes
34 the need for the state to play a primary coordinating, supporting,
35 (~~and~~) monitoring, and evaluating role. There must be a clear
36 assignment of responsibilities and a clear statement of achievable and
37 quantifiable goals. Systematic statewide data collection on

1 (~~homelessness~~) homeless individuals in Washington must be a critical
2 component of such a program enabling the state to work with local
3 governments not only to count all homeless people in the state, but to
4 record and manage information about homeless persons (~~and~~) in order
5 to assist them in finding housing and other supportive services that
6 can help them, when possible, achieve the highest degree of self-
7 sufficiency and economic independence that is appropriate given their
8 specific abilities and situations.

9 The systematic collection and rigorous evaluation of homeless data,
10 a nationwide search for and implementation through adequate resource
11 allocation of best practices, and the systematic measurement of
12 progress toward interim goals and the ultimate goal of ending
13 homelessness are all necessary components of a statewide effort to end
14 homelessness in Washington by July 1, 2015.

15 **Sec. 20.** 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 homeless housing strategic
22 plan which (~~shall~~) must outline statewide goals and performance
23 measures (~~and shall be coordinated with the plan for homeless families~~
24 with children required under RCW 43.63A.650. To guide local
25 governments in preparation of their first local homeless housing plans
26 due December 31, 2005, the department shall issue by October 15, 2005,
27 temporary guidelines consistent with this chapter and including the
28 best available data on each community's homeless population)). Local
29 governments' (~~ten-year homeless housing)~~ homeless housing plans
30 (~~shall not~~) must include all of the performance measures included in
31 the state homeless housing strategic plan and must be substantially
32 (~~inconsistent~~) consistent with the goals and program recommendations
33 of (~~the temporary guidelines and, when amended after 2005,~~) the state
34 homeless housing strategic plan.

35 (2)(a) Program outcomes and performance measures and goals
36 (~~shall~~) must be created by the department (~~and reflected~~) in
37 consultation with the interagency council on homelessness and a task

1 force established by the department consisting of the committee chairs
2 of the appropriate committees of the legislature, representatives
3 appointed by the director from a minimum of five local ending
4 homelessness task forces representing both urban and rural areas and
5 communities east and west of the Cascade mountains, and a
6 representative from a statewide membership organization that advocates
7 for ending homelessness. The task force must also produce guidelines
8 for local governments regarding methods, techniques, and data suggested
9 to measure each performance measure. Performance measures, yearly
10 targets, and corresponding measurement guidelines must be established
11 by December 31, 2007, and must be reviewed annually by the department
12 and the interagency council on homelessness after soliciting feedback
13 from all local homeless housing task forces. Performance measures must
14 be included in the department's ((homeless housing)) state homeless
15 housing strategic plan ((as well as)) and all local homeless housing
16 plans.

17 (b) The department may determine a timeline for implementation and
18 measurement of each performance measure for the state and local
19 homeless housing plans, except that the state and all local governments
20 must implement and respond to all performance measures by December 31,
21 2009, unless the department finds that a performance measure is not
22 applicable to a specific local area according to parameters and
23 thresholds established by the department.

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

27 (i) The societal cost of homelessness;

28 (ii) The cost of ending homelessness in comparison with available
29 and committed resources;

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

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

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

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

1 (vii) The quality of local homeless housing plans.

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

4 (3) Interim goals against which state and local governments'
5 performance may be measured must also be described and reported upon in
6 the state homeless housing strategic plan, including:

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

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

12 ~~((e))~~ (b) By July 1, 2015, reduction of the homeless population
13 statewide and in each county by fifty percent.

14 ~~((3))~~ (4) The department shall develop a consistent statewide
15 data gathering instrument to monitor the performance of cities and
16 counties receiving homeless housing grants in order to determine
17 compliance with the terms and conditions set forth in the homeless
18 housing grant application or required by the department.

19 (5) The department shall, in consultation with the interagency
20 council on homelessness, the state advisory council on homelessness,
21 and the affordable housing advisory board, report annually to the
22 governor and the appropriate committees of the legislature ~~((an~~
23 ~~assessment of))~~ the fiscal and societal costs of the homeless crisis,
24 including identifying, to the extent practical, savings in state and
25 local program costs that could be obtained through the achievement of
26 stable housing for the clients served by those programs.

27 (6) The department shall also deliver a summary annual report,
28 including information about:

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

30 (b) The state's performance in furthering the goals of the state
31 ~~((ten-year))~~ homeless housing strategic plan; and

32 (c) The performance of each participating local government in
33 creating and executing a local homeless housing plan ((which)) that
34 meets the requirements of this chapter. ((The annual report may
35 include performance measures such as:

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

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

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

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

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

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

11 ~~(g) The ability to successfully collect data and report~~
12 ~~performance;~~

13 ~~(h) The extent of collaboration and coordination among public~~
14 ~~bodies, as well as community stakeholders, and the level of community~~
15 ~~support and participation;~~

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

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

19 ~~(4)) (7) The state homeless housing plan must also include a~~
20 ~~response to each recommendation included in the local homeless housing~~
21 ~~plans for policy changes to assist in ending homelessness and a summary~~
22 ~~of the recommendations to the legislature to streamline and simplify~~
23 ~~all housing planning and reporting requirements, as required in section~~
24 ~~17 of this act.~~

25 ~~(8) Based on the performance of local homeless housing programs in~~
26 ~~meeting their interim goals, on general population changes and on~~
27 ~~changes in the homeless population recorded in the ((annual)) census,~~
28 ~~the department may revise the performance measures and goals of the~~
29 ~~state homeless housing strategic plans, set goals for years following~~
30 ~~the initial ten-year period, and recommend changes in local~~
31 ~~governments' homeless housing plans.~~

32 **Sec. 21.** RCW 43.185C.050 and 2005 c 484 s 8 are each amended to
33 read as follows:

34 ~~(1)(a)(i) Each local homeless housing task force shall prepare and~~
35 ~~recommend to its local government legislative authority a ((ten-year))~~
36 ~~local homeless housing plan for its jurisdictional area ((which shall~~
37 ~~be not inconsistent)) that is consistent with the department's~~

1 (~~statewide temporary guidelines, for the December 31, 2005, plan, and~~
2 ~~thereafter the department's ten-year homeless housing~~) state homeless
3 housing strategic plan and (~~which shall be~~) is aimed at eliminating
4 homelessness, with a minimum goal of reducing homelessness by fifty
5 percent by July 1, 2015. (~~The local government may amend the proposed~~
6 ~~local plan and shall adopt a plan by December 31, 2005. Performance in~~
7 ~~meeting the goals of this local plan shall be assessed annually in~~
8 ~~terms of the performance measures published by the department.~~) Local
9 governments must update their local homeless housing plans annually on
10 a schedule to be determined by the department.

11 (ii) Local plans must include specific strategic objectives,
12 consistent with the state plan, and must include corresponding action
13 plans. Local plans must address identified strategies to meet the
14 needs of all homeless populations, including chronic homeless, short-
15 term homeless, families, individuals, and youth. Each local plan must
16 include the total estimated cost of accomplishing the goals of the plan
17 to reduce homelessness by fifty percent by July 1, 2015, and must
18 include an accounting of total committed funds for this purpose.

19 (b)(i) The department must conduct an annual performance evaluation
20 of each local plan by December 31st of each year beginning in 2007.
21 The department must also conduct an annual performance evaluation of
22 each local government's performance related to its local plan by
23 December 31st of each year beginning in 2007. A local government's
24 performance must be evaluated using, at a minimum, the performance
25 measures outlined in RCW 43.185C.040(2).

26 (ii) In addition to the performance measures mandated in RCW
27 43.185C.040(2), local plans may include specific local performance
28 measures adopted by the local government legislative authority(~~(τ)~~) and
29 (~~may~~) must include recommendations for (~~any~~) state legislation
30 needed to meet the state or local plan goals. The recommendations must
31 be specific and must, if funding is required, include an estimated
32 amount of funding required and suggestions for an appropriate funding
33 source.

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

35 (a) Rental and furnishing of dwelling units for the use of homeless
36 persons;

37 (b) Costs of developing affordable housing for homeless persons,

1 and services for formerly homeless individuals and families residing in
2 transitional housing or permanent housing and still at risk of
3 homelessness;

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

6 (d) Services to prevent homelessness, such as emergency eviction
7 prevention programs, including temporary rental subsidies to prevent
8 homelessness;

9 (e) Temporary services to assist persons leaving state institutions
10 and other state programs to prevent them from becoming or remaining
11 homeless;

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

13 (g) Development and management of local homeless housing plans,
14 including homeless census data collection(+) and information,
15 identification of goals, performance measures, strategies, and costs,
16 and evaluation of progress towards established goals;

17 (h) Rental vouchers payable to landlords for persons who are
18 homeless or below thirty percent of the median income or in immediate
19 danger of becoming homeless; ((and))

20 (i) Implementing a quality management program and applying to the
21 full examination Washington state quality award program; and

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

24 **Sec. 22.** RCW 43.185C.080 and 2005 c 484 s 12 are each amended to
25 read as follows:

26 (1) ~~((Only a local government is eligible to receive a homeless~~
27 ~~housing grant from the homeless housing account. Any city may assert~~
28 ~~responsibility for homeless housing within its borders if it so~~
29 ~~chooses, by forwarding a resolution to the legislative authority of the~~
30 ~~county stating its intention and its commitment to operate a separate~~
31 ~~homeless housing program. The city shall then receive a percentage of~~
32 ~~the surcharge assessed under RCW 36.22.179 equal to the percentage of~~
33 ~~the city's local portion of the real estate excise tax collected by the~~
34 ~~county. A participating city may also then apply separately for~~
35 ~~homeless housing program grants. A city choosing to operate a separate~~
36 ~~homeless housing program shall be responsible for complying with all of~~
37 ~~the same requirements as counties and shall adopt a local homeless~~

1 ~~housing plan meeting the requirements of this chapter for county local~~
2 ~~plans. However, the city may by resolution of its legislative~~
3 ~~authority accept the county's homeless housing task force as its own~~
4 ~~and based on that task force's recommendations adopt a homeless housing~~
5 ~~plan specific to the city.~~

6 ~~(2))~~ Local governments ~~((applying for homeless housing funds))~~ may
7 subcontract with any other local government, housing authority,
8 community action agency, or other nonprofit organization for the
9 execution of programs contributing to the overall goal of ending
10 homelessness within a defined service area. All subcontracts ~~((shall))~~
11 must be consistent with the local homeless housing plan adopted by the
12 legislative authority of the local government, time limited, and filed
13 with the department, and ~~((shall))~~ must have specific performance
14 terms. Local governments must strongly encourage all subcontractors
15 under the homeless housing and assistance program to apply to the full
16 examination Washington state quality award program. While a local
17 government has the authority to subcontract with other entities, the
18 local government continues to maintain the ultimate responsibility for
19 the homeless housing program within its ~~((borders))~~ jurisdiction.

20 ~~((3))~~ (2) A county may decline to participate in the program
21 authorized in this chapter by forwarding to the department a resolution
22 adopted by the county legislative authority stating the intention not
23 to participate. A copy of the resolution ~~((shall))~~ must also be
24 transmitted to the county auditor and treasurer. If ~~((such a))~~ the
25 resolution is adopted, all of the funds otherwise due to the county
26 under RCW ~~((43.185C.060 shall))~~ 36.22.179 (as recodified by this act)
27 and section 25 of this act, minus funds due to any city that has chosen
28 to participate through the process established in subsection (3) of
29 this section, must be remitted monthly to the state treasurer for
30 deposit in the ~~((homeless housing))~~ home security fund account, without
31 any reduction by the county for collecting or administering the funds.
32 Upon receipt of the resolution, the department shall promptly begin to
33 identify and contract with one or more entities eligible under this
34 section to create and execute a local homeless housing plan for the
35 county meeting the requirements of this chapter. The department shall
36 expend all of the funds received from the county under this subsection
37 to carry out the purposes of this chapter ~~((484, Laws of 2005))~~ in the

1 county, (~~provided that~~) but the department may retain six percent of
2 these funds to offset the cost of managing the county's program.

3 (3) Any city may assert responsibility for homeless housing within
4 its borders, by forwarding a resolution to the legislative authority of
5 the county stating its intention and its commitment to operate a
6 separate homeless housing program. A city choosing to operate a
7 separate homeless housing program receives a percentage of the
8 surcharge assessed under RCW 36.22.179 (as recodified by this act) and
9 under section 25 of this act equal to the percentage of the city's
10 local portion of the real estate excise tax collected by the county.
11 A participating city may also then apply separately for homeless
12 housing grants. A city choosing to operate a separate homeless housing
13 program must comply with all of the same requirements as counties and
14 shall adopt a local homeless housing plan meeting the requirements of
15 this chapter for local homeless housing plans.

16 (4) A resolution by the county declining to participate in the
17 program (~~shall have~~) has no effect on the (~~ability~~) authority of
18 each city in the county to assert its right to manage its own program
19 under this chapter, and the county shall monthly transmit to the city
20 the funds due under (~~this chapter~~) RCW 36.22.179 (as recodified by
21 this act) and section 25 of this act.

22 **Sec. 23.** RCW 43.185C.160 and 2005 c 485 s 1 are each amended to
23 read as follows:

24 (1) Each county shall create a homeless housing task force to
25 develop a (~~ten-year~~) homeless housing plan addressing short-term and
26 long-term services and housing (for homeless persons) to prevent and
27 reduce homelessness by fifty percent by 2015.

28 Membership on the task force may include representatives of the
29 counties, cities, towns, housing authorities, civic and faith
30 organizations, schools, community networks, human services providers,
31 law enforcement personnel, criminal justice personnel, including
32 prosecutors, probation officers, and jail administrators, substance
33 abuse treatment providers, mental health care providers, emergency
34 health care providers, businesses, at-large representatives of the
35 community, and a homeless or formerly homeless individual.

36 In lieu of creating a new task force, a local government may
37 designate an existing governmental or nonprofit body (~~which~~) that

1 substantially conforms to this section and (~~which~~) includes at least
2 one homeless or formerly homeless individual to serve as its homeless
3 representative. As an alternative to a separate plan, two or more
4 local governments may work in concert to develop and execute a joint
5 homeless housing plan, or to contract with another entity to do so
6 according to the requirements of this chapter. While a local
7 government has the authority to subcontract with other entities, the
8 local government continues to maintain the ultimate responsibility for
9 the homeless housing program within its borders.

10 ~~((A county may decline to participate in the program authorized in
11 this chapter by forwarding to the department a resolution adopted by
12 the county legislative authority stating the intention not to
13 participate. A copy of the resolution shall also be transmitted to the
14 county auditor and treasurer. If a county declines to participate, the
15 department shall create and execute a local homeless housing plan for
16 the county meeting the requirements of this chapter.))~~

17 (2) In addition to developing a (~~ten-year~~) homeless housing plan,
18 each task force shall establish guidelines consistent with the
19 (~~statewide~~) state homeless housing strategic plan, as needed, for the
20 following:

- 21 (a) Emergency shelters;
- 22 (b) Short-term housing needs;
- 23 (c) Temporary encampments;
- 24 (d) Rental voucher programs;
- 25 (e) Supportive housing for chronically homeless persons; (~~and~~
26 ~~(e)~~) (f) Long-term housing; and
- 27 (g) Prevention services.

28 Guidelines must include, when appropriate, standards for health and
29 safety and notifying the public of proposed facilities to house the
30 homeless.

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

36 **Sec. 24.** RCW 36.22.179 and 2005 c 484 s 9 are each amended to read
37 as follows:

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

7 (a) The auditor shall retain two percent for collection of the fee,
8 and of the remainder shall remit sixty percent to the county to be
9 deposited into a fund that must be used by the county and its cities
10 and towns to accomplish the purposes of chapter (~~(484, Laws of 2005)~~)
11 43.185C RCW, six percent of which may be used by the county for
12 administrative costs related to its homeless housing plan, and the
13 remainder for programs which directly accomplish the goals of the
14 county's local homeless housing plan, except that for each city in the
15 county which elects as authorized in RCW 43.185C.080 to operate its own
16 local homeless housing program, a percentage of the surcharge assessed
17 under this section equal to the percentage of the city's local portion
18 of the real estate excise tax collected by the county shall be
19 transmitted at least quarterly to the city treasurer, without any
20 deduction for county administrative costs, for use by the city for
21 program costs which directly contribute to the goals of the city's
22 local homeless housing plan; of the funds received by the city, it may
23 use six percent for administrative costs for its homeless housing
24 program.

25 (b) The auditor shall remit the remaining funds to the state
26 treasurer for deposit in the homeless housing home security fund
27 account. The department may use twelve and one-half percent of this
28 amount for administration of the program established in RCW
29 43.185C.020, including the costs of creating the statewide homeless
30 housing strategic plan, measuring performance, providing technical
31 assistance to local governments, and managing the homeless housing
32 grant program. The remaining eighty-seven and one-half percent is to
33 be (~~(distributed by the department to local governments through the~~
34 ~~homeless housing grant program)) used by the department to:~~

35 (i) Provide housing and shelter for homeless people including, but
36 not limited to: Grants to operate, repair, and staff shelters; grants
37 to operate transitional housing; partial payments for rental

1 assistance; consolidated emergency assistance; overnight youth
2 shelters; and emergency shelter assistance; and

3 (ii) Fund the homeless housing grant program.

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

6 NEW SECTION. Sec. 25. A new section is added to chapter 43.185C
7 RCW to read as follows:

8 (1) In addition to the surcharges authorized in RCW 36.22.178 and
9 36.22.179 (as recodified by this act), and except as provided in
10 subsection (2) of this section, the county auditor shall charge an
11 additional surcharge of eight dollars for each document recorded, which
12 is in addition to any other charge allowed by law. The funds collected
13 under this section are to be distributed and used as follows:

14 (a) The auditor shall remit ninety percent to the county to be
15 deposited into a fund that must be used by the county and its cities
16 and towns to accomplish the purposes of this chapter. Funds are to be
17 used for programs that directly accomplish the goals of the county's
18 local homeless housing plan, except that for each city in the county
19 that elects, as authorized in RCW 43.185C.080(3), to operate its own
20 homeless housing program, a percentage of the surcharge assessed under
21 this section equal to the percentage of the city's local portion of the
22 real estate excise tax collected by the county must be transmitted at
23 least quarterly to the city treasurer for use by the city for program
24 costs that directly contribute to the goals of the city's homeless
25 housing plan.

26 (b) The auditor shall remit the remaining funds to the state
27 treasurer for deposit in the home security fund account. The
28 department may use the funds for administering the program established
29 in RCW 43.185C.020, including the costs of creating and updating the
30 statewide homeless housing strategic plan, implementing and managing
31 the Washington homeless client management information system
32 established in RCW 43.185C.180, measuring performance, providing
33 technical assistance to local governments, and managing the homeless
34 housing grant program. Remaining funds may also be used to:

35 (i) Fund the creation of two self-sufficiency income standards
36 established under section 26 of this act;

1 (ii) Provide housing and shelter for homeless people including, but
2 not limited to: Grants to operate, repair, and staff shelters; grants
3 to operate transitional housing; partial payments for rental
4 assistance; consolidated emergency assistance; overnight youth
5 shelters; and emergency shelter assistance; and

6 (iii) Fund the homeless housing grant program.

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

9 NEW SECTION. **Sec. 26.** A new section is added to chapter 43.185C
10 RCW to read as follows:

11 The department shall contract with the employment security
12 department to annually establish two self-sufficiency income standards
13 based upon the cost of living, including housing costs, which include
14 mortgage or rent payments and utilities other than telephone, for each
15 county in the state. The self-sufficiency income standards must be
16 based upon the costs needed to support: (1) One adult individual; and
17 (2) two adult individuals and one preschool-aged child and one school-
18 aged child. These income standards will be translated into an
19 equivalent hourly wage rate assuming one full-year, full-time earner
20 for the self-sufficiency income standards for each county. The self-
21 sufficiency income standards must be presented to the legislature by
22 December 31, 2008. The employment security department must spend no
23 more than one hundred ten thousand dollars in creating the initial
24 self-sufficiency income standards and no more than fifty-five thousand
25 dollars annually to update the standards. The employment security
26 department shall deliver a report to the department and the appropriate
27 committees of the legislature that details the number and percentage of
28 individuals statewide and in each county who do not have a good family
29 wage job and, as a result, earn less than the self-sufficiency income
30 standards, as well as the number and percentage of individuals
31 statewide and in each county who have a good family wage job and, as a
32 result, earn an amount equivalent to or more than the self-sufficiency
33 income standards.

34 NEW SECTION. **Sec. 27.** A new section is added to chapter 43.185C
35 RCW to read as follows:

36 The joint legislative audit and review committee shall conduct a

1 performance audit of the homeless housing and assistance program every
2 four years. The first audit must be conducted by December 31, 2009.
3 Each audit must take no longer than six months or fifty thousand
4 dollars to complete.

5 **Sec. 28.** RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are
6 each reenacted and amended to read as follows:

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

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

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

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

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

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

1 revenue generated by this fee for the purposes of the displaced
2 homemaker act, chapter 28B.04 RCW;

3 (6) For searching records per hour, eight dollars;

4 (7) For recording plats, fifty cents for each lot except cemetery
5 plats for which the charge shall be twenty-five cents per lot; also one
6 dollar for each acknowledgment, dedication, and description: PROVIDED,
7 That there shall be a minimum fee of twenty-five dollars per plat;

8 (8) For recording of miscellaneous records not listed above, for
9 the first page eight and one-half by fourteen inches or less, five
10 dollars; for each additional page eight and one-half by fourteen inches
11 or less, one dollar;

12 (9) For modernization and improvement of the recording and indexing
13 system, a surcharge as provided in RCW 36.22.170;

14 (10) For recording an emergency nonstandard document as provided in
15 RCW 65.04.047, fifty dollars, in addition to all other applicable
16 recording fees;

17 (11) For recording instruments, a surcharge as provided in RCW
18 36.22.178 as recodified by this act); (~~and~~

19 ~~{(12)}~~) (12) For recording instruments, except for documents
20 recording a birth, marriage, divorce, or death or any documents
21 otherwise exempted from a recording fee under state law, a surcharge as
22 provided in RCW 36.22.179 (as recodified by this act); and

23 (13) For recording instruments, except for documents recorded by
24 the department of revenue, the department of labor and industries, and
25 the employment security department and for documents recording a birth,
26 marriage, divorce, or death or any documents otherwise exempted from a
27 recording fee under state law, a surcharge as provided in section 25 of
28 this act.

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

31 This chapter does not require either the department or any local
32 government to expend any funds to accomplish the goals of this chapter
33 other than the revenues authorized in (~~chapter 484, Laws of 2005~~) RCW
34 36.22.179 (as recodified by this act) and the revenues authorized in
35 section 25 of this act. However, neither the department nor any local
36 government may use any funds authorized in (~~chapter 484, Laws of~~
37 ~~2005~~) RCW 36.22.179 (as recodified by this act) or the revenues

1 authorized in section 25 of this act to supplant or reduce any existing
2 expenditures of public money for the reduction or prevention of
3 homelessness or services for homeless persons.

4 NEW SECTION. Sec. 30. RCW 36.22.179, 43.20A.790, and 43.63A.650
5 are each recodified as sections in chapter 43.185C RCW.

6 NEW SECTION. Sec. 31. RCW 36.22.178, 43.185B.020, and 43.185B.040
7 are each recodified as sections in chapter 43.--- RCW (created in
8 section 32 of this act).

9 NEW SECTION. Sec. 32. Sections 1 through 4, 6 through 10, 12, 14,
10 and 15 of this act constitute a new chapter in Title 43 RCW.

11 NEW SECTION. Sec. 33. If specific funding for the purposes of
12 sections 1 through 18 of this act, referencing this act by bill,
13 chapter, or section, number, is not provided by June 30, 2007, in the
14 omnibus appropriations act, this act is null and void.

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