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SECOND SUBSTITUTE HOUSE BILL 1922

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State of Washington                      60th Legislature                      2007 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Pedersen, Pettigrew, Miloscia, McIntire, Walsh, Kagi, Appleton, Kenney, Hasegawa and Ormsby)

READ FIRST TIME 03/05/07.

1            AN ACT Relating to creating an independent youth housing program;  
2 adding new sections to chapter 43.63A RCW; and creating new sections.

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

4            NEW SECTION.    **Sec. 1.** The legislature finds that:

5            (1) Protecting the public health, safety, and welfare by ensuring  
6 that housing resources are available to needy or vulnerable persons,  
7 such as youth exiting the state dependency system, is a fundamental  
8 purpose of government;

9            (2) Providing needy youth exiting the state dependency system with  
10 safe and viable options for housing to avoid homelessness confers a  
11 valuable benefit on the public that constitutes consideration for  
12 financial assistance to such youth; and

13            (3) The state must establish goals regarding the self-sufficiency  
14 status of youth exiting the state dependency system, which must  
15 include:

16            (a) Ensuring that all youth exiting the state dependency system  
17 have access to a decent, appropriate, and affordable home in a healthy  
18 safe environment to prevent such young people from experiencing  
19 homelessness;

1 (b) Reducing each year the percentage of young people eligible for  
2 state assistance upon exiting from the state dependency system.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.63A RCW  
4 to read as follows:

5 (1) For the purposes of this section:

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

8 (b) "Eligible youth" means an individual who:

9 (i) On or after September 1, 2006, is at least eighteen, was a  
10 dependent of the state under chapter 13.34 RCW in the month before his  
11 or her eighteenth birthday, and has not yet reached the age of twenty-  
12 three;

13 (ii) Except as provided in subsection (3)(b)(ii) of this section,  
14 has a total income from all sources, except for temporary sources that  
15 include, but are not limited to, overtime wages, bonuses, or short-term  
16 temporary assignments, that does not exceed fifty percent of the area  
17 median income;

18 (iii) Is not receiving services under RCW 74.13.031(10)(b);

19 (iv) Complies with other eligibility requirements the department  
20 may establish;

21 (c) "Independent housing" means a housing unit that is not owned by  
22 or located within the home of the eligible youth's biological parents  
23 or any of the eligible youth's former foster care families or  
24 dependency guardians. "Independent housing" may include a unit in a  
25 transitional or other supportive housing facility;

26 (d) "Fair market rent" means the fair market rent in each county of  
27 the state, as determined by the United States department of housing and  
28 urban development;

29 (e) "Individual development account" or "account" means an account  
30 established by contract between a low-income individual and a  
31 sponsoring organization for the benefit of the low-income individual  
32 and funded through periodic contributions by the low-income individual  
33 that are matched with contributions by or through the sponsoring  
34 organization; and

35 (f) "Subcontractor organization" means an eligible organization  
36 described under RCW 43.185A.040 that contracts with the department to  
37 administer the independent youth housing program.

1           (2) The independent youth housing program is created in the  
2 department to provide housing stipends to eligible youth to be used for  
3 independent housing. The department must serve the maximum number of  
4 eligible youth possible within the available funding for the program.  
5 The department shall capitalize upon existing department administrative  
6 resources by administering this program as a component of the  
7 transitional housing operating, and rent program created in chapter  
8 43.185C RCW by chapter . . . (Substitute House Bill No. 1921), Laws of  
9 2007 or, if chapter . . . (Substitute House Bill No. 1921), Laws of  
10 2007 is not enacted, as a component of any other similar department  
11 program that provides rental assistance and case management services to  
12 low-income individuals or families who are homeless or at risk of  
13 becoming homeless. The department shall solicit input from a variety  
14 of stakeholders involved with dependent youth, homeless youth, and  
15 homeless young adults to develop a plan for the design, implementation,  
16 and operation of the independent youth housing program. The  
17 department, in consultation with the department of social and health  
18 services, shall:

19           (a) Develop, administer, supervise, and monitor the independent  
20 youth housing program; and

21           (b) Ensure that the independent youth housing program is integrated  
22 and aligned with other state rental assistance and case management  
23 programs, such as the transitional housing operating and rent program  
24 created in chapter 43.185C RCW by chapter . . . (Substitute House Bill  
25 No. 1921), Laws of 2007, as well as all existing services and programs  
26 designed to assist foster youth transition to independent living.  
27 Whenever possible, the program must be aligned and collaborated with  
28 the independent living program, the transitional living program, and  
29 other related programs offered by the department of social and health  
30 services to maximize resources and provide the greatest number and  
31 variety of services to eligible youth. The program must also be  
32 included in the state homeless housing strategic plan under RCW  
33 43.185C.040 and any other state or local homeless or affordable housing  
34 plans. The outcomes of the independent youth housing program must be  
35 included in the measurement of any performance measures described in  
36 chapter 43.185C RCW.

37           (3) To receive services under the independent youth housing  
38 program, an eligible youth must:

1 (a) Sign a program compliance agreement stating that the youth  
2 agrees to:

3 (i) Timely pay his or her portion of the independent housing cost;  
4 (ii) Comply with an independent living plan; and  
5 (iii) Comply with other program requirements and policies the  
6 department may establish;

7 (b) Maintain his or her status as an eligible youth, except that if  
8 the youth's total income exceeds fifty percent of the area median  
9 income during the course of his or her participation in the program,  
10 the department shall establish policies and procedures to allow the  
11 youth to remain in the program and continue to receive a housing  
12 stipend. The policies must require that the youth agrees to:

13 (i) Participate in the individual development account program  
14 established under RCW 43.31.460 and invest a portion, to be determined  
15 by the department, of his or her income that exceeds fifty percent of  
16 the area median income in an individual development account; or  
17 (ii) If the youth is unable to participate in the individual  
18 development account program due to the program's capacity limits or  
19 eligibility requirements, participate in an alternate supervised  
20 savings program approved by the department, as long as the youth  
21 qualifies for and may participate in this savings program.

22 (4) An eligible youth may participate in the independent youth  
23 housing program for any duration of time and may apply to enroll in the  
24 program with the department at any time.

25 (5)(a) A youth may be terminated from the independent youth housing  
26 program for a violation of department policies.

27 (b) Youth who are terminated from the program may apply to the  
28 department for reenrollment in the program through a procedure to be  
29 developed by the department. The department shall establish criteria  
30 to evaluate a reenrollment application and may accept or deny a  
31 reenrollment application based on the department's evaluation.

32 (6) Under the independent youth housing program, the department of  
33 social and health services shall:

34 (a) Refer a potential eligible youth to the department before the  
35 youth's eighteenth birthday, if feasible, and indicate, if known, where  
36 the youth plans to reside after exiting foster care;

37 (b) Collaborate with the department to provide information to all  
38 youth aged fifteen or older, who are dependents of the state under

1 chapter 13.34 RCW, about the independent youth housing program, and  
2 encourage all dependents of the state nearing their eighteenth birthday  
3 to consider applying for enrollment in the program;

4 (c) Encourage organizations participating in the independent living  
5 program and the transitional living program to collaborate with the  
6 independent youth housing program whenever possible to capitalize on  
7 resources and provide the greatest amount and variety of services to  
8 eligible youth;

9 (d) Annually provide to the department data reflecting changes in  
10 the percentage of youth exiting the state dependency system each year  
11 who are eligible for state assistance, as well as any other data and  
12 performance measures that may assist the department to measure program  
13 success; and

14 (e) Annually, beginning by December 31, 2007, provide to the  
15 appropriate committees of the legislature and the interagency council  
16 on homelessness as described under RCW 43.185C.170 recommendations of  
17 strategies to reach the state goals of:

18 (i) Ensuring that all youth exiting the state dependency system  
19 have access to a decent, appropriate, and affordable home in a healthy,  
20 safe environment to prevent these youth from experiencing homelessness;  
21 and

22 (ii) Reducing each year the percentage of young people eligible for  
23 state assistance upon exiting from the state dependency system.

24 (7) Under the independent youth housing program, the department  
25 shall:

26 (a) Adopt policies, requirements, and procedures necessary for the  
27 program;

28 (b) Contract with one or more eligible organizations described  
29 under RCW 43.185A.040 to provide services and conduct administrative  
30 activities as described in subsection (8) of this section. Moneys  
31 awarded to these subcontractor organizations may be used for housing  
32 stipends, security deposits, first and last month's rent stipends, case  
33 management program costs, and administrative costs. Administrative  
34 costs for each subcontractor organization may not exceed twelve percent  
35 of the estimated total annual grant amount to the subcontractor  
36 organization;

37 (c) Establish the eligibility criteria of youth for the independent  
38 youth housing program;

1 (d) Refer interested youth to the designated subcontractor  
2 organization administering the program in the area in which the youth  
3 intends to reside;

4 (e) Develop a method for determining the amount of the housing  
5 stipend, and first and last month's rent and security deposit where  
6 applicable, to be dedicated to participating youth. The method for  
7 determining a housing stipend must take into account a youth's age, the  
8 fair market rent for the area in which the youth lives or intends to  
9 live, and a variety of possible living situations, including when youth  
10 are custodial parents of young children or two or more youth  
11 participating in the program choose to live together. The amount of  
12 housing stipends must be adjusted, by a method and formula established  
13 by the department, to promote the successful transition for youth to  
14 complete housing self-sufficiency over time. All housing stipends  
15 under this section are payable only to a landlord or housing manager of  
16 any type of independent housing; and

17 (f) Annually review and report on the performance of subcontractor  
18 organizations, as well as the performance of the program as a whole, in  
19 the state homeless housing strategic plan under RCW 43.185C.040 and any  
20 other relevant state or local homeless or affordable housing plans,  
21 beginning in 2007. The outcomes of the independent youth housing  
22 program must be included in the measurement of any performance measures  
23 described in chapter 43.185C RCW. The independent youth housing  
24 program report must include, at a minimum:

25 (i) An update on the following program performance measures, as  
26 well as any other performance measures the department may establish,  
27 for enrolled youth in consultation with the department of social and  
28 health services, to be measured statewide and by county:

29 (A) Increases in housing stability;

30 (B) Increases in economic self-sufficiency;

31 (C) Increases in independent living skills;

32 (D) Increases in education and job training attainment;

33 (E) Decreases in the use of all state-funded services over time;

34 and

35 (F) Decreases in the percentage of youth exiting the state  
36 dependency system each year who are eligible for state assistance as  
37 reported to the department by the department of social and health  
38 services; and

1 (ii) Recommendations to the legislature and to the interagency  
2 council on homelessness as described under RCW 43.185C.170 on program  
3 improvements and on departmental strategies that might assist the state  
4 to reach its goals of:

5 (A) Ensuring that all youth exiting the state dependency system  
6 have access to a decent, appropriate, and affordable home in a healthy  
7 safe environment to prevent these youth from experiencing homelessness;  
8 and

9 (B) Reducing each year the percentage of young people eligible for  
10 state assistance upon exiting from the state dependency system.

11 (8) Under the independent youth housing program, subcontractor  
12 organizations shall:

13 (a) Enroll eligible youth who are referred by the department and  
14 who choose to reside in their assigned service area;

15 (b) Enter eligible youth program participants into the homeless  
16 client management information system as described in RCW 43.185C.180;

17 (c) Issue housing stipends as well as security deposits and first  
18 and last month's rent, where applicable;

19 (d) Monitor participating youth's housing status;

20 (e) Evaluate participating youth's eligibility and compliance with  
21 department policies and procedures at least twice a year;

22 (f) Assist participating youth to develop or update an independent  
23 living plan focused on obtaining and retaining independent housing or  
24 collaborate with a case manager with whom the youth is already involved  
25 to ensure that the youth has an independent living plan;

26 (g) Educate participating youth on tenant rights and  
27 responsibilities;

28 (h) Provide support to participating youth in the form of general  
29 case management and information and referral services, when necessary,  
30 or collaborate with a case manager with whom the youth is already  
31 involved to ensure that the youth is receiving the case management and  
32 information and referral services needed;

33 (i) Connect participating youth, when possible, with individual  
34 development account programs, other financial literacy programs, and  
35 other programs that are designed to help young people acquire economic  
36 independence and self-sufficiency, or collaborate with a case manager  
37 with whom the youth is already involved to ensure that the youth is

1 receiving information and referrals to these programs, when  
2 appropriate;

3 (j) Submit expenditure and performance reports, including  
4 information related to the performance measures in subsection (7)(f)(i)  
5 of this section, to the department on a time schedule determined by the  
6 department; and

7 (k) Provide recommendations to the department regarding program  
8 improvements and strategies that might assist the state to reach its  
9 goals as described in subsection (7)(f)(ii) of this section.

10 (9) Section 1 of this act and this section do not create:

11 (a) An entitlement to services;

12 (b) Judicial authority to extend the jurisdiction of juvenile court  
13 in a proceeding under chapter 13.34 RCW to a youth who has reached the  
14 age of eighteen or to order the provision of services to the youth; or

15 (c) A private right of action or claim on the part of any  
16 individual, entity, or agency against the department, the department of  
17 social and health services, or any contractor of the departments.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.63A RCW  
19 to read as follows:

20 The independent youth housing account is created in the custody of  
21 the state treasurer. All revenue directed to the independent youth  
22 housing program must be deposited into this account. Expenditures from  
23 the account may only be used for the independent youth housing program  
24 as described in this act. Only the director of the department or the  
25 director's designee may authorize expenditures from the account. The  
26 account is subject to allotment procedures under chapter 43.88 RCW, but  
27 an appropriation is not required for expenditures.

28 NEW SECTION. **Sec. 4.** Beginning in September 2008, the Washington  
29 state institute for public policy shall conduct a study measuring the  
30 outcomes for youth who are participating or who have participated in  
31 the independent youth housing program created in section 2 of this act.  
32 The institute shall issue a report containing its preliminary findings  
33 to the legislature by December 1, 2009, and a final report by December  
34 1, 2010.



1        NEW SECTION.   **Sec. 5.**   If specific funding for the purposes of this  
2   act, referencing this act by bill or chapter number, is not provided by  
3   June 30, 2007, in the omnibus appropriations act, this act is null and  
4   void.

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