

HOMELESS EMERGENCY AID PROGRAM (HEAP)

Frequently Asked Questions



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Homeless Emergency Aid Program (HEAP) Frequently Asked Questions

Shelter Crisis Declaration

Q: Who has the authority to declare a shelter crisis?

A: Government Code Chapter 7.8 Section 8698 states a government body may declare the shelter crisis. For the purpose of the HEAP program a local jurisdiction (city, county or city that is also a county) is the government body that has the authority to declare a shelter crisis.

Q: Can the county declare a shelter crisis that covers all jurisdictions within the county?

A: No. Senate Bill (SB) 850 Section 50212. (a) states, "in order to be eligible for program funds, an administrative entity shall demonstrate the following:

(1) Except as otherwise provided in subdivision (b), the jurisdiction or jurisdictions that the administrative entity represents for which funding is requested have, at the time of the award, declared a shelter crisis pursuant to Chapter 7.8 (commencing with Section 8698) of Division 1 of Title 2 of the Government Code."

This means that each jurisdiction (city, county, or city that is also a county) that the administrative entity represents must declare a shelter crisis if it wishes to receive a share of the HEAP funding. Further clarity regarding the specific requirements surrounding declaring a shelter crisis is available in Chapter 7.8 (commencing with Section 8698) of Division 1 of Title 2 of the Government Code.

The County may declare a shelter crisis for the unincorporated areas of the county.

Q: Can a Continuum of Care declare a shelter crisis?

A: No. The only entities that may declare a shelter crisis are governing bodies. According to Government Code Chapter 7.8, Section 8698.3, (a) (1) "the governing body may declare a shelter crisis".

Q: Can a county that has declared a shelter crisis contract with non-profit services providers or provide direct homeless services funded by HEAP in cities that have not declared a shelter crisis?

A: No. The intent of the statute is that HEAP funds are distributed to and expended in jurisdictions that have declared a shelter crisis.

Q: Do all of the counties that the administrative entity represents have to declare a shelter crisis for any funds to be awarded to the administrative entity?

A: No. SB850 Section 50212 states (b) states, “the jurisdiction or jurisdictions that the administrative entity represents for which funding is requested have, at the time of the award, declared a shelter crisis”.

This means that only the jurisdictions requesting HEAP funding through their CoC must declare a shelter crisis.

Q: Can a Joint Powers Authority that acts as the CoC declare a shelter crisis?

A: No. Each individual jurisdiction represented by a CoC where HEAP funds will be used must declare a shelter crisis.

Funding Rounds

Q: As we are developing plans for use of HEAP, some of our jurisdictions will be ready to go sooner than others. Can we submit our application(s) separately as the plans for each region are completed up until the deadline?

A: No. One application will be received per CoC and Large City per round. Keep in mind that you have a generous application window from the date the NOFA launches on 9/5/2018 through 12/31/2018 when Round 1 closes to conduct your local process.

Q: Do we lose our allocation if we don't request it all at once in one application?

A: Funds not applied for in Round 1 will be redistributed in Round 2 using the same formula distribution methodology. If a CoC fails to apply in Round 1, they will not receive the same level of allocation in Round 2 that they would have received in Round 1.

One application per funding round will be accepted. If you have jurisdictions that are not ready when the first round of funding is released, you may apply for the second round in 2019. Of course, we are encouraging all communities to prepare to apply as early as possible. The HEAP team will be conducting outreach and TA to help make that a smooth process.

Large City Application

Q: How do large cities apply for HEAP funds?

A: Large cities will complete an online application that will be released with specific instructions unique to the large cities allocation.

Q: Will the large cities share the \$150 million be allocation evenly?

A: No. The large cities funds will be allocated in proportion to the percent of homeless people in the large cities jurisdictions. Please refer to Attachment B of the HEAP Overview document. The breakout of the funds is charted there.

Uses of HEAP Funds

Q: What qualifies as “emergency aid”?

A: The statute does not specifically define emergency aid. However, we are interpreting this to mean any urgent and immediate services which includes housing that will be provided to homeless people. Broad categories of uses include, but are not limited to, shelters, shelter beds, public toilets and shower facilities, tiny shed homes, etc.

Q: Can HEAP be used for the construction of permanent supportive housing?

A: According to SB850 Section 50214. (a), “program funds shall be expended on one-time uses that address homelessness, including, but not limited to, prevention, criminal justice diversion programs to homeless individuals with mental health needs, and emergency aid.” While the statute does not specifically address construction of housing, the intent is for funds to be used for urgent needs. This is further illuminated by the declaration of shelter crisis, which allows jurisdictions to relax building and safety standards to permit flexible housing solutions to be implemented quickly. In addition, HEAP funds have a timeline for contractual obligation.

HEAP statute mandates that 50 percent of the awarded funds must be contractually obligated by January 1, 2020. Additionally, 100 percent of the funds must be expended by June 30, 2021. Unexpended funds must be returned to the Business, Consumer Services and Housing Agency (BCSH) and will revert to the General Fund. This factor should be considered when making decisions about the best use for HEAP funds. It may prove prohibitive considering the usually long timeframe for developing permanent supportive housing.

Q: What are some examples of allowable uses for the HEAP funds?

A: While the statute does not call out specific examples of the use of HEAP funds, many resources among homeless services and housing providers exist. Some communities are considering new opportunities to address homelessness and the public health crisis that surrounds being homeless. Some articles and interesting sources are as follows:

Tiny Homes – shed type housing alternatives -

<https://www.oaklandhomelessresponse.com/our-response-1>

<https://www.youtube.com/watch?v=Yh7j81iT6HA>

<https://www.compassionvillage.org/tiny-house-villages/>

Tent Communities – moveable, inexpensive, flexible

<http://www.latimes.com/local/lanow/la-me-ln-homeless-shelter-plans-20180730-story.html>

Sanitary Facilities – Toilets, showers, handwashing stations

<http://www.sandiegouniontribune.com/communities/north-county/sd-no-homeless-toilets-20171025-story.html>

<https://www.sfgate.com/news/article/Thousands-sign-petition-demanding-10-new-public-10696383.php>

<https://www.sacbee.com/news/article214375319.html>

Point in Time Count

Can the jurisdiction use a homeless count different from the HUD Point in Time (PIT) count to apply for HEAP funding?

A: No. The statute specifically recognizes the HUD PIT counts as the basis for determining the allocation structure of the program. The statute states in Section 50210(f), “Homeless point-in-time count” means the 2017 homeless point-in-time counts pursuant to Section 578.3 of Title 24 of the Code of Federal Regulations. The PIT numbers are reflected in the allocation chart, Attachment A.



Attachment A – Formula Funding Estimates

CoC Number	Jurisdiction	Total Homeless, 2017	Percent of Total State Homeless, 2017	Section 50213(a) Per Jurisdiction portion of \$250M	Section 50213(b) \$100M Distribution Based on Percent of Homeless Population	Total of CoC Distribution per 50213(a) and (b)	50214(c) 5% Minimum Youth Set-aside Per Continuum of Care total of 50213(a) and (b)
CA-600	Los Angeles City & County	55,188	41.100%	\$ 40,000,000.00	\$ 41,099,807.86	\$ 81,099,807.86	\$ 4,054,990.39
CA-601	San Diego City & County	9,160	6.822%	\$ 12,000,000.00	\$ 6,821,668.48	\$ 18,821,668.48	\$ 941,083.42
CA-500	San Jose/Santa Clara City & County	7,394	5.506%	\$ 12,000,000.00	\$ 5,506,486.54	\$ 17,506,486.54	\$ 875,324.33
CA-501	San Francisco	6,858	5.107%	\$ 12,000,000.00	\$ 5,107,314.68	\$ 17,107,314.68	\$ 855,365.73
CA-502	Oakland, Berkeley/Alameda County	5,629	4.192%	\$ 12,000,000.00	\$ 4,192,049.33	\$ 16,192,049.33	\$ 809,602.47
CA-602	Santa Ana, Anaheim/Orange County	4,792	3.569%	\$ 12,000,000.00	\$ 3,568,715.65	\$ 15,568,715.65	\$ 778,435.78
CA-503	Sacramento City & County	3,665	2.729%	\$ 10,000,000.00	\$ 2,729,412.12	\$ 12,729,412.12	\$ 636,470.61
CA-506	Salinas/Monterey, San Benito Counties	3,364	2.505%	\$ 10,000,000.00	\$ 2,505,250.30	\$ 12,505,250.30	\$ 625,262.52
CA-504	Santa Rosa, Petaluma/Sonoma County	2,835	2.111%	\$ 10,000,000.00	\$ 2,111,291.50	\$ 12,111,291.50	\$ 605,564.57
CA-608	Riverside City & County	2,406	1.792%	\$ 8,000,000.00	\$ 1,791,805.06	\$ 9,791,805.06	\$ 489,590.25
CA-508	Watsonville/Santa Cruz City & County	2,249	1.675%	\$ 8,000,000.00	\$ 1,674,883.45	\$ 9,674,883.45	\$ 483,744.17
CA-514	Fresno City & County/Madera County	2,016	1.501%	\$ 8,000,000.00	\$ 1,501,362.84	\$ 9,501,362.84	\$ 475,068.14
CA-609	San Bernardino City & County	1,866	1.390%	\$ 8,000,000.00	\$ 1,389,654.30	\$ 9,389,654.30	\$ 469,482.71
CA-606	Long Beach	1,863	1.387%	\$ 8,000,000.00	\$ 1,387,420.13	\$ 9,387,420.13	\$ 469,371.01
CA-603	Santa Maria/Santa Barbara County	1,860	1.385%	\$ 8,000,000.00	\$ 1,385,185.96	\$ 9,385,185.96	\$ 469,259.30

Attachment A – Formula Funding Estimates Continued

CoC Number	Jurisdiction	Total Homeless, 2017	Percent of Total State Homeless, 2017	Section 50213(a) Per Jurisdiction portion of \$250M	Section 50213(b) \$100M Distribution Based on Percent of Homeless Population	Total of CoC Distribution per 50213(a) and (b)	50214(c) 5% Minimum Youth Set-aside Per Continuum of Care total of 50213(a) and (b)
CA-510	Turlock, Modesto/Stanislaus County	1,661	1.237%	\$ 6,000,000.00	\$ 1,236,985.95	\$ 7,236,985.95	\$ 361,849.30
CA-505	Richmond/Contra Costa County	1,607	1.197%	\$ 6,000,000.00	\$ 1,196,770.88	\$ 7,196,770.88	\$ 359,838.54
CA-511	Stockton/San Joaquin County	1,542	1.148%	\$ 6,000,000.00	\$ 1,148,363.84	\$ 7,148,363.84	\$ 357,418.19
CA-512	Daly City/San Mateo County	1,253	0.933%	\$ 4,000,000.00	\$ 933,138.71	\$ 4,933,138.71	\$ 246,656.94
CA-509	Mendocino County	1,238	0.922%	\$ 4,000,000.00	\$ 921,967.86	\$ 4,921,967.86	\$ 246,098.39
CA-518	Vallejo/Solano County	1,232	0.917%	\$ 4,000,000.00	\$ 917,499.52	\$ 4,917,499.52	\$ 245,874.98
CA-519	Chico, Paradise/Butte County	1,195	0.890%	\$ 4,000,000.00	\$ 889,944.74	\$ 4,889,944.74	\$ 244,497.24
CA-613	Imperial County	1,154	0.859%	\$ 4,000,000.00	\$ 859,411.07	\$ 4,859,411.07	\$ 242,970.55
CA-611	Oxnard, San Buenaventura/Ventura County	1,152	0.858%	\$ 4,000,000.00	\$ 857,921.63	\$ 4,857,921.63	\$ 242,896.08
CA-614	San Luis Obispo County	1,125	0.838%	\$ 4,000,000.00	\$ 837,814.09	\$ 4,837,814.09	\$ 241,890.70
CA-507	Marin County	1,117	0.832%	\$ 4,000,000.00	\$ 831,856.30	\$ 4,831,856.30	\$ 241,592.81
CA-515	Roseville, Rocklin/Placer, Nevada Counties	979	0.729%	\$ 2,000,000.00	\$ 729,084.44	\$ 2,729,084.44	\$ 136,454.22
CA-516	Redding/Shasta, Siskiyou, Lassen, Plumas, Del Norte, Modoc, Sierra Counties	934	0.696%	\$ 2,000,000.00	\$ 695,571.87	\$ 2,695,571.87	\$ 134,778.59
CA-513	Visalia/Kings, Tulare Counties	853	0.635%	\$ 2,000,000.00	\$ 635,249.26	\$ 2,635,249.26	\$ 131,762.46
CA-604	Bakersfield/Kern County	810	0.603%	\$ 2,000,000.00	\$ 603,226.14	\$ 2,603,226.14	\$ 130,161.31
CA-524	Yuba City & County/Sutter County	760	0.566%	\$ 2,000,000.00	\$ 565,989.96	\$ 2,565,989.96	\$ 128,299.50
CA-522	Humboldt County	759	0.565%	\$ 2,000,000.00	\$ 565,245.24	\$ 2,565,245.24	\$ 128,262.26
CA-525	El Dorado County	602	0.448%	\$ 1,000,000.00	\$ 448,323.63	\$ 1,448,323.63	\$ 72,416.18
CA-607	Pasadena	575	0.428%	\$ 1,000,000.00	\$ 428,216.09	\$ 1,428,216.09	\$ 71,410.80

CoC Number	Jurisdiction	Total Homeless, 2017	Percent of Total State Homeless, 2017	Section 50213(a) Per Jurisdiction portion of \$250M	Section 50213(b) \$100M Distribution Based on Percent of Homeless Population	Total of CoC Distribution per 50213(a) and (b)	50214(c) 5% Minimum Youth Set-aside Per Continuum of Care total of 50213(a) and (b)
CA-521	Davis, Woodland/Yolo County	459	0.342%	\$ 1,000,000.00	\$ 341,828.15	\$ 1,341,828.15	\$ 67,091.41
CA-520	Merced City & County	454	0.338%	\$ 1,000,000.00	\$ 338,104.53	\$ 1,338,104.53	\$ 66,905.23
CA-529	Lake County	401	0.299%	\$ 1,000,000.00	\$ 298,634.18	\$ 1,298,634.18	\$ 64,931.71
CA-526	Tuolumne, Amador, Calaveras, Mariposa Counties	367	0.273%	\$ 1,000,000.00	\$ 273,313.57	\$ 1,273,313.57	\$ 63,665.68
CA-517	Napa City & County	315	0.235%	\$ 1,000,000.00	\$ 234,587.94	\$ 1,234,587.94	\$ 61,729.40
CA-523	Colusa, Glen, Trinity Counties	176	0.131%	\$ 500,000.00	\$ 131,071.36	\$ 631,071.36	\$ 31,553.57
CA-612	Glendale	168	0.125%	\$ 500,000.00	\$ 125,113.57	\$ 625,113.57	\$ 31,255.68
CA-527	Tehama County	124	0.092%	\$ 500,000.00	\$ 92,345.73	\$ 592,345.73	\$ 29,617.29
CA-530	Alpine, Inyo, Mono Counties	121	0.090%	\$ 500,000.00	\$ 90,111.56	\$ 590,111.56	\$ 29,505.58



HEAP Large Cities Allocation

CoC Number	Jurisdiction	50213(c) Large Cities \$150,000,000 Allocation	50213(c) Minimum Youth Set Aside Per Large City Allocation
CA-600	Los Angeles	\$ 85,013,607.00	\$ 4,250,680.35
CA-601	San Diego	\$ 14,110,397.95	\$ 705,519.90
CA-500	San Jose	\$ 11,389,987.16	\$ 569,499.36
CA-501	San Francisco	\$ 10,564,313.22	\$ 528,215.66
CA-502	Oakland	\$ 8,671,116.82	\$ 433,555.84
CA-602	Santa Ana	\$ 3,690,885.841	\$ 184,544.29
CA-602	Anaheim	\$ 3,690,885.841	\$ 184,544.29
CA-503	Sacramento	\$ 5,645,699.61	\$ 282,284.98
CA-514	Fresno	\$ 3,105,519.90	\$ 155,276.00
CA-606	Long Beach	\$ 2,869,833.12	\$ 143,491.66
CA-604	Bakersfield	\$ 1,247,753.53	\$ 62,387.68