

# Council on Homelessness

## 2010 Report



*Submitted June 2010*

*to*

Governor Charlie Crist  
Senate President Jeff Atwater  
House Speaker Larry Cretul  
DCF Secretary George H. Sheldon

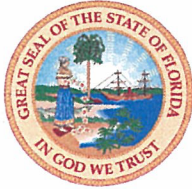
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## Florida's Council on Homelessness

**Charlie Crist**  
*Governor*

**George H. Sheldon**  
*Secretary*

**Jeffrey McAdams**  
*Chairperson*

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June 14, 2010

The Honorable Charlie Crist  
Governor  
PL05 The Capitol  
Tallahassee, Florida 32399-0001

Dear Governor Crist:

It is my honor to submit to you the 2010 Report of the Council on Homelessness. This year the Council has focused on the impacts of the recession on those households facing homelessness. This issue has increased the number of children and youth who are homeless, and working class households are facing homelessness for the first time.

In addition, the downturn in the state's economy has also limited the state's budget revenue. Difficult decisions have had to be made to balance the needs of our state, with available resources. The Council appreciates the support shown for the state's homeless programs in the budget.

The Council is pleased to submit a series of legislative and budget proposals for your consideration. These reflect the priorities set by the Council for 2009 -2010. Increased affordable housing, more homeless prevention resources, and major reforms to the state's mental health system will lay the foundation for reducing homelessness in our great state.

The Council is pleased to continue to work on your behalf for the vulnerable residents of our state who face living on our streets.

Sincerely,

  
Jeff McAdams  
Chairperson

Cc: Secretary George H. Sheldon  
Jerry McDaniel, Office of the Governor  
Bob Barrios, Office of the Governor  
Shachi Mankodi, Office of the Governor  
Council Members

## Overview

Homelessness continues to be a national and state problem, rooted in the lack of housing options at affordable costs. This is especially true for those households with low incomes, in particular, those falling below the poverty level. Florida has experienced high levels of foreclosures and evictions. In addition, unemployment has risen to over 12 percent. These economic conditions have added to the number of people facing the loss of their homes.

The Council on Homelessness was established to help the state reduce homelessness. Toward that end, the Council develops policy recommendations for submission to the Legislature. In addition, the Council advises the state's Office on Homelessness on its work to coordinate state agencies and their resources to serve the homeless.

In accordance with section 420.622(9), Florida Statutes, the Council is submitting its annual report to the Governor, the Florida Legislature, and the Secretary of the Department of Children and Families. The submission date, as amended by the Legislature in 2009, is June 30, 2010.

## Florida's Homeless Situation

According to Florida's local homeless coalitions, there is an estimated homeless population of 57,751 persons on a given day. This is based on counts conducted in January 2010, as well as service provider data from the same time period. These numbers reflect those persons who were sleeping in a place not meant for human habitation, sleeping in an emergency shelter facility, or staying in transitional housing after having been on the street or in an emergency shelter.

The 57,751 figure does not include persons who are "doubled up" or sharing the housing of another person or family, nor does it include those who are staying in motels due to the lack of other adequate housing. In 2009, the state law was amended to add such individuals to the State's definition of a homeless person.

The majority of the homeless population is single adults, making up 85 percent of the persons counted. Households with minor children make up the remaining 15 percent of the homeless persons reported. Children under the age of 18 constituted 16 percent of the 2010 estimated persons who are homeless.

Based on the 2009 continuum of care plans, the following breakdowns of homeless subpopulations were identified as living in emergency shelters.

- Long-term, "chronic homeless" 14.4%
- Severely mentally ill 19.6%
- Persons with HIV/AIDS 2.9%
- Substance abuse 25.9%
- Military veterans 12.1%
- Victims of domestic violence 10.4%
- Unaccompanied youth 2.7%

The rise in homeless in our state is reflected in the following data from the past three years.

### Total Homeless Persons (Daily Count)

2007	49,916 Persons
2008	50,147 Persons
2009	55,599 Persons

*Source: Homeless Exhibit 1, Continuum of Care Plans in Florida  
Based on federal definition of homeless person*

Homeless School Age Children (School Year Total)

<u>School Year</u>	<u>Homeless Children/Youth</u>
2006-2007	30,878
2007-2008	34,375
2008-2009	41,286

*Source: Florida Department of Education*

*Based on expanded federal definition of homeless person, to include those living with others due to lack of housing, or in hotels, motels, or camping grounds.*

These trends are not unique to Florida alone. Across the country, more people are finding it difficult to continue to afford a place of their own.

State government needs to continue its commitment to work with our community agencies to help those in need.

## Introduction

The following section reports on the work of the Council for calendar year 2009, and the first half of 2010. The date for the submission of the Council's report was changed from December 31 to June 30 annually, based on homeless legislation that was enacted in 2009.

### 2010 Recommendations and Actions

#### RECOMMENDATIONS

1. The Council recommended in October 2009 that the Legislature enact legislation to make crimes against the homeless a hate crime under state law.

Over the past several years, Florida has experienced a number of high profile attacks on persons who were homeless. These attacks have specifically targeted those who are most vulnerable, who are forced to live on our streets or in other outdoor locations.

Based on reports by the National Coalition for the Homeless, in the past ten years there have been 880 documented attacks committed against homeless individuals in our country. A total of 244 homeless individuals died in these attacks.

Perpetrators of these attacks have shown an overwhelming trend to be young men and teenaged boys. In 2008, 43% of the attacks against homeless people were committed by teens between the ages of 13 to 19. Overall, 73% of the attacks were committed by persons younger than 25.

Motives to these attacks are not totally clear. What is obvious is that many attacks were committed because the victim was homeless, or due to the fact that the homeless are simply more vulnerable.

Florida had the most of the attacks committed against the homeless, with 30 documented attacks.

In response to this issue, the National Coalition for the Homeless has proposed a series of actions.

1. Support federal legislation to amend the Hate Crimes Statistics Act to include crimes against the homeless.
2. Support state legislation to add homeless persons as a protected class to state hate crime statutes.
3. Provide trainings to help law enforcement officers better understand homelessness, and how to prevent and manage crimes against homeless persons.
4. Establish public education in schools to educate young people about homelessness, and to humanize persons who are homeless.

5. Encourage local governments to not adopt local laws that would make it a crime for homeless persons to carry out day-to-day living activities for hygiene, eating, sleeping and similar acts.
6. Promote more affordable housing to bring an end to homelessness.

Florida has taken steps to address this issue. First, Miami-Dade County Public Schools, in conjunction with the Miami Dade County Homeless Trust, have developed an educational curriculum to better inform our school aged youth about the issue of homelessness. The curriculum fosters better appreciation of who may become homeless, and the day-to-day challenges facing those living on our streets.

On public education, Florida's homeless coalitions are working with the National Coalition for the Homeless to create local homeless speaker's bureaus. The purpose of these efforts is to bring people together including the homeless and former homeless, to discuss the myths and misconceptions on homelessness.

Further, the state has been blessed to have a strong commitment to create more affordable housing. The dedicated source of funds at the state level has created a major stream of revenue to allow state and local governments to create new housing, affordable to those at lower income levels.

The Council recommends that the Florida Legislature add to these efforts by enacting legislation to add homeless persons to the categories of persons protected by state hate crime statutes. This action would result in enhanced penalties for crimes based on the victim being homeless.

Legislation was filed in 2010 for action by the Florida Legislature. The bill, HB11 was passed by the Legislature. The Council commends the Legislature for this action. Florida will become only the second state in the country to extend this protection to its homeless residents. Exhibit 3 contains HB11, as approved by the Legislature, and signed into law by Governor Crist.

## 2. Tenants in Foreclosed Properties

Since Florida has been one of the leading states in the country in the number of residential properties falling into foreclosure, the Council identified the issue of the impact of foreclosures on tenants renting housing that is going into court action. Early in 2009, the impacts were being seen in communities across our state, where such tenants were being given no notice of the pending legal action, and in fact were being evicted with no advance notice.

Nationally, approximately 20% of foreclosures involve tenants. These tenants have been subject to being immediately set out of the rental unit by a writ of possession, no matter whether or not the tenant is current in their rent or fully abiding in all terms of their lease.



In response, the Council adopted the following recommendations:

### Recommendation

In order to protect tenants who are living in foreclosed rental units, the Council on Homelessness recommends that the following provisions be covered in state legislation:

- Landlords should be required to immediately advise tenants that the rental property is in foreclosure;
- Notice to all tenants should be actual and personal, and not general notice at the property, or in any other form;
- Notice that the property is in foreclosure must be provided to all potential tenants prior to their entering into a lease after the foreclosure has been filed;
- Properties should not be allowed to deteriorate after a foreclosure is filed, management and repair of the property should be maintained and tenants must continue to have easy redress for problems that arise;
- Tenants in foreclosed properties should be able to apply their security deposits toward rent regardless of what the rental agreement might provide;
- Tenants should have adequate recourse to be able to recover their security deposits after the foreclosure;
- Evictions from rental properties as a result of foreclosure should not be considered in tenant's credit report and rating.

Early in 2009, Fannie Mae released its National Real Estate Owned Rental Policy. This federal policy allowed qualified renters in Fannie Mae owned foreclosed properties to stay in their homes.

This policy applies to renters occupying foreclosed properties at the time Fannie Mae acquired the property. Renters in single family, two to four unit properties, condos, co-ops, and manufactured homes will be eligible.

Eligible renters will be offered a new month-to-month lease with Fannie Mae, or an offer of financial assistance for their movement to new housing should they choose to vacate the foreclosed property. Renters will be asked to pay market rate rent under the new leases.

Eligible renters will be notified by property managers of the Fannie Mae owned foreclosed properties, to advise them of their options.

### 3. Legislative Proposals for the 2011 Session

The Council has reviewed its past legislative proposals as well as issues which arose in the 2010 session, and recommends that the Legislature give consideration to following policy and budgetary proposals.

- Remove the statutory limitations specified in section 201.15(9) and (10), Florida Statutes, on the amount of revenue annually that can be deposited in the State and Local Government Housing Trust Funds.

See Exhibit 2 for background on this proposal recommended by the Council in previous years.

- Create a setaside for special needs households within the State Apartment Incentive Loan program, by amending section 420.5087, Florida Statutes.

This proposal is also detailed in Exhibit 2, as recommended by the Council in past annual reports.

- Establish state policy to direct the Florida Housing Finance Corporation to give priority consideration to use available resources to preserve existing affordable housing projects, that include federal rental assistance linked to the project.

One of Florida Housing's highest policy priorities is to use its resources to assist in the preservation and rehabilitation of quality rental housing developments that are at risk of losing their federal rental subsidies and affordability for very low and extremely low income households. Many of the federally subsidized rental housing developments that have project based tenant assistance are close to or at the end of their required affordability periods. Because of this, the properties are at risk of being sold for other types of development, or converted to market rate units. Florida Housing's objective is to help housing providers and communities preserve and rehab viable and affordable rental housing, as well as save the precious rental subsidies attached to the development.

- In developing the state's 2011-2012 budget, the Council recommends that consideration be given to following spending issues:

- (1) Provide funds to the Florida Housing Finance Corporation targeted specifically to assist housing to serve households with extremely low incomes, as a population most in need of low cost housing in our state.

Extremely low income households are defined as those households earning 30% or less of the area median income.

- (2) Reauthorize the transfer of funds from the Local Government Housing Trust Fund in the budget of the Florida Housing Finance Corporation to fund homeless housing programs in the Department of Children and Families.

This transfer of revenue from the doc stamp source provided recurring funding for two state homeless programs from FY2001 to FY2009. The Council supports the restoration of this revenue source to fund the state's Homeless Housing Assistance Grant, and the Emergency Financial Assistance for Housing Program.

- (3) Restore funding for the homeless Grant in Aid Program authorized in section 420.625, Florida Statutes, at the level funded in FY 2008-2009.

This grant program equipped local homeless coalitions to mobilize and coordinate local responses to homelessness, and to provide direct services to those individuals or households facing homelessness. The program was based on a partnership between the local homeless coalitions and the Department of Children and Families. The coalitions recommended spending plans to the Department's Circuit Administrators, who approved the use of the grant dollars to address essential local services.

## ACTIONS

### State's FY2010-11 Budget for Homeless Programs

As the Legislature's appropriations committees began their work to create a state budget for FY2010-11, the challenge that faced them was the projected revenue shortfall of over \$3.0 billion. State agencies were asked to submit budget plans to accomplish reductions of 10%, as well as 15% of their base budgets for FY 2010-11. Agencies were directed to avoid across the board reductions, but rather to target reductions to those services and programs with the lowest priority relative to the agency's mission. Legislative committees also worked to evaluate the priorities for services and programs.

During this process and discussion, there was identified in the 15% reduction budget exercise, the elimination of the homeless program office, and all state funding for homeless grants to support community programs, services and housing. The Council was briefed on the budget proposal, and the potential impacts that such a budget would have on the state's homeless population.

In response to the significant adverse impacts identified by the local homeless providers and advocates, the Council took action to approve a letter from its Chairperson to be sent to the President of the Senate, the Speaker of the House, and

all members of the Legislature. The Council recommended to the Florida Legislature:

- Now is not the time for our State to retreat from or abandon its commitment to reduce homelessness.
- Florida is facing a rise in the number of persons who are homeless, due to the state's high unemployment and home foreclosures.
- Reaffirm its commitment to reduce homelessness, and not make major reductions in the critical state homeless grant program

*Copies of this correspondence are contained in Exhibit 4.*

The Council is pleased that the Legislature was able to sustain its commitment to reducing homelessness in the General Appropriations Act enacted on April 30, 2010. Given the difficult process of balancing the budget for FY2010-11, the Legislature continued to fund each of the state's grant programs to address the needs of the homeless.

#### Homeless Children and Youth

In 2009, the National Center on Family Homelessness released its report entitled *America's Youngest Outcasts*. The report describes the plight of America's homeless children. It includes state-by-state report cards to provide a snapshot of how each state is addressing the needs of homeless children. The report is intended to be used to develop programs, policies and infrastructure to address the priority to eliminate homelessness for our children and unaccompanied youth.

The definition of homelessness used in the report follows the broad federal definition used in the Education for Homeless Children and Youth program in the school districts. For Florida, the report estimated a total of 49,886 children under the age of 18 in Florida. The breakdown by age was:

Under 6 years	20,952
Grades K - 8	23,404
Grades 9-12	<u>5,530</u>
TOTAL	49,886

The *America's Youngest Outcasts* also evaluated each state on issues related to child well being, the risk for child homelessness, and state policies and planning efforts. The Council invited staff from the National Center on Family Homelessness to attend the Council's October 2009 meeting to brief the members on the Report and the policy issues that Florida might want to consider.

The following list of policy recommendations were offered for the Council's consideration.

#### School Age Children

- a. Waive the requirement that homeless students get immunized within 30 days of enrollment in school, and require schools to assist homeless children in getting immunizations, and require health agencies to expedite immunizations and medical record transfers.
- b. Work with the local continuums of care to implement the education assurances contained in new federal law on homeless assistance, the HEARTH Act of 2009, to include:
  - i. Name of contact at each agency that serves families and youth to ensure enrollment in education and early education programs.
  - ii. Fund these agency contact positions.
  - iii. Facilitate and promote the implementation of "promising practices" for building partnerships between providers and local schools.

#### Pre-School Age Children

- a. Give priority to homeless children when distributing child care vouchers.
- b. Prioritize homeless children for enrollment in public pre-school programs.
- c. Provide guidance to Head Start providers on how to comply with the federal mandate to give priority to homeless children with Head Start enrollment slots.
- d. Promote the use of home visiting programs targeted to families at high risk of homelessness, or those in shelters.

#### All Children

- a. Address the impact of violence and trauma in the lives of homeless children and families by adopting a "Trauma informed care model" for services.
- b. Add specific questions about homelessness to the Youth Risk Behavior Survey (Center for Disease Control survey), with option for state to add questions.

To address youth aging out of foster care, the Council was briefed on the July 2009 Interagency Agreement executed to coordinate services for children served by the Florida Child Welfare System. Signature agencies to the Agreement are:

Department of Children and Families  
Department of Education  
Department of Juvenile Justice  
Agency for Persons with Disabilities  
Agency for Workforce Innovation

In response, the Council created a Children's Committee to explore the policy recommendations presented by the National Center for Family Homelessness. The Children's Committee has been working through the suggested policy issues. Based on their review and discussion, the following action steps have been recommended by the Council.

1. The Council supports the work underway between the Department of Children and Families and the Department of Education to establish a memorandum of Agreement to define a "child awaiting placement in foster care" under the federal Education for Homeless Children and Youth program.
2. The Council supports the joint training efforts of the Head Start Collaboration Office and the Department of Education on the enrollment of homeless children in early and regular Head Start child care slots, pursuant to federal requirements to give priority to homeless children.

### Education and Job Training for the Homeless

In response to the American Recovery and Reinvestment Act (ARRA) of 2009, the Congress established a Pathways Out of Poverty Grant. The Council's Education and Training Committee chair, Steve Urquhart of Workforce Florida, Inc., initiated efforts to bring together the Council, local homeless continuum of care planning areas, other non-profit agencies and the local workforce boards to pursue this opportunity.

The Pathways Out of Poverty grant funding was intended to integrate training and supportive services into cohesive programs to help target populations find pathways into economic self-sufficiency through employment in energy efficiency and renewable energy industries. A total of \$150 million nationally was available, with proposals due in September 2009.

Based on initial discussion with the Council's Committee, the concept for a grant proposal was to develop education and training to address the needs of the homeless population, as well as veterans to secure jobs in the 'green collar' industries. This would include weatherization of homes which received major funding increases in the ARRA legislation.

A core group of interested parties came together to develop the grant proposal. This included the Pasco County and Hillsborough County continuums of care, Volunteers of America of Florida, the workforce boards in the Tampa Bay area and others. Under the leadership of staff from Volunteers of America of Florida, a grant proposal was developed and submitted to the U.S. Department of Labor. The project would fund the job training efforts in Pasco and Hillsborough Counties for work in the rehabilitation of vacant foreclosed properties, as well as weatherization of owner occupied homes. The job training would focus on the homeless and unemployed veterans.

While the grant application was not awarded funding the initiative was successful in developing closer working relations between local homeless continuum of care efforts,

local workforce boards, community education and training partners, and local agencies serving the veterans and homeless populations.

### Supportive Housing

In 2007, the Florida Supportive Housing Coalition convened a statewide workgroup to develop a five year strategic plan to increase the supply of supportive housing in Florida. The outcome was the *Common Sense* report. The Council endorsed the goals outlined in this five year strategic plan in its 2007 report. Further, the Council recommended legislative action in its 2008 Report to address the households in Florida who have special needs relative to accessing housing.

The Florida Supportive Housing Coalition reconvened a statewide workgroup in 2009 to assess the progress in achieving the Common Sense goals. The successes included:

- Florida Housing Finance Corporation has instituted several rule changes which would increase the production of housing for the state's most vulnerable households.
- Florida Housing and the Department of Children and Families are working together to link persons receiving services from the Department to the affordable housing financed by Florida Housing's programs.
- The affordable housing needs of extremely low income and special needs households are being recognized by state policymakers.

The *Common Sense* strategic plan was updated and reissued in October 2009. The Council has once again reviewed the goals contained in the plan.

The need for affordable housing to serve the state's homeless population continues to remain high. Based on the homeless assistance continuum of care plans in Florida for 2009, the unmet demand for beds to serve the homeless in our communities was:

Emergency Shelter	10,741 beds needed
Transitional Housing	10,399 beds needed
Permanent Housing	<u>16,006</u> beds needed
	37,146 beds

The Council continues to endorse the goals of the *Common Sense* strategic plan. In particular, the Council highlights the following components for action.

Goal One: Develop permanent supportive housing units commensurate with need.

Strategy: Create a setaside for special needs/supportive housing units within the Florida Housing Finance Corporation's annual rental housing funding cycle.

Strategy: Allocate 50% of all housing units reserved to serve Extremely Low Income households, to serve those with special needs.

Goal Two: Create rental assistance for households requiring supports to maintain their housing and/or develop their independent living skills.

Strategy: Create statewide tenant based rental assistance program to serve households with special needs.

The Council finds that while there may be adequate housing units in the market, Floridians on fixed incomes or earning minimum wages face a major barrier in being able to pay for rental housing in the state. The federal rental assistance program is unable to overcome this barrier, as the rent vouchers are fully obligated, have extremely low turnover rates, and the housing authorities are not even accepting applications for the rent aid.

#### Implementation of Real ID Act in Florida - Impact on Homeless Persons

The Council has received testimony from the local homeless coalitions and service providers that the January 2010 changes made to the process of issuing state drivers' licenses and photo identification cards are creating new barriers to homeless persons.

The new requirements specify additional documentation required to prove who the applicant is that is applying for the identification or license. The new documentation standards are imposed to comply with federal REAL ID Act of 2005.

The following documentation is now required.

(1) Proof of Identity (*Need one of the following:*)

- An original birth certificate from Vital Statistics;
- A U.S. Passport, permanent resident card or immigration documents;
- Any name changes will require a marriage, divorce, or adoption certificate.

(2) Proof of One's Social Security Number

- Social Security card;
- Paycheck stub with name and social security number from within last 10 years;
- Tax forms - either W-2 or 1099.

(3) Proof of Residency (*Need two of the following:*)

- Letter from a shelter claiming the applicant as a resident;
- Mortgage or rental agreement;



- Tax forms (W-2 or 1099) or recent mail from a government agency;
- Utility bill or bank statement less than two months old;
- Certification of address form from the Department of Motor Vehicles.

For a person who is homeless, the ability to maintain possession of the required documentation is a real problem. This is creating a significant barrier for the homeless to be able to secure necessary state photo identification.

Based on the input provided by the local agencies who work directly to help the homeless secure identification paperwork, there is a need to reassess the Florida requirements. Alternative forms of documentation to verify one's Social Security number are suggested to allow more flexibility to the process, while retaining integrity. Examples might be the Department of Defense paperwork for military personnel or veterans, and school records for children who are not yet of work age.

The Council will continue to monitor the issue and impacts on those who are homeless. No specific proposal has been formalized for inclusion in the Council's 2010 Report.

### 2009 Statutory Changes

The Council commends the Florida Legislature for enacting significant changes to the state's homeless laws in 2009. Most significant was the amendment to the state's definition of a "homeless person."

The definition was expanded effective July 1, 2009, to now include:

- An individual who is sharing the housing of other persons due to the loss of housing, economic hardship or a similar reason;
- An individual who is living in a motel, hotel, travel trailer park or camping ground due to a lack of alternative, adequate accommodations.

This change reflects the need for those families or households who have lost their housing and are using these alternative accommodations to avoid living on the street, or in emergency shelters.

This change in state law was also reflected in changes enacted by Congress in 2009, in the legislation known as the HEARTH Act of 2009.

As a result of these changes, there is the potential for much better alignment of the federal and state definitions governing the full range of programs and services for those who are homeless. The new definitions all align most closely with the long standing definition used by the school districts to identify homeless children.

The Council has identified one section in state law which did not get changed to reflect the revised definition from the 2009 session. Section 1009.25(1)(e), Florida Statutes defines a homeless student for the purpose of a fee exemption for tuition. The Council recommends the Legislature to address this section in the statutory revision process.

The Council is also pleased to welcome three new entities to the Council, as a result of the 2009 homeless legislation:

Florida League of Cities;  
Florida Department of Education;  
Agency for Health Care Administration.

The agencies and organizations will add important expertise and new points to the Council's discussion of policy issues. The Council expresses its appreciation to the Legislature for enacting these changes.

Exhibit 1

Council Participants  
2009-2010

Represented by:

Department of Children and Families	Brandon Butterworth
Department of Community Affairs	Paula Lemmo
Department of Health	Glen Davis
Department of Corrections	Alan McManus
Department of Veterans' Affairs	Alene Tarter
Workforce Florida, Inc.	Steve Urquhart
Florida Housing Finance Corporation	Bill Aldinger
Agency for Health Care Administration	James McFaddin
Florida Coalition for the Homeless	Rayme Nuckles
Florida Supportive Housing Coalition	Shannon Nazworth
Florida League of Cities	Alana Brenner
Florida Association of Counties	Dave Rogoff
Florida Department of Education	Lorraine Allen
Governor's Appointees	Arthur Rosenberg Jeffrey McAdams Joanell Greubel Teri Saunders
Ex Officio	Lindsey Berling

Council's Recommendations from Last Report  
Legislative Proposals

**1. Reauthorize the State Housing Trust Fund and the Local Government Housing Trust Fund; and remove the statutory limitations in section 201.15(9) and (10), F.S. on the amount of revenue annually that can be deposited into these two trust funds**

Statutory Cites. State Housing Trust Fund established in section 420.0005, F.S. Local Government Housing Trust Fund established in section 420.9079 F.S.

Rationale - Narrative

The problem of homelessness is rooted in the lack of housing that is affordable to all individuals or families. For those with the lowest incomes, the housing options are limited. Based on the homeless continuum of care plans in Florida, there is an unmet need for housing for 24,302 persons who were homeless in 2008.

Statewide, the Florida Housing Coalition estimates that by 2010, the state will need at least 529,141 new affordable housing units. In addition, the 2007 Rental Market Study prepared by the Shimberg Center for Affordable Housing found that 558,114 low income households in Florida are paying over 40 percent of their income on rent. This population is at risk of becoming homeless if they encounter any type of economic crisis.

The programs assisted by the state and local government trust funds have a history of success in building quality rental housing units with amenities and tenant service programs. The housing assisted with the state dollar is significantly leveraged with private investment. For every \$1 million in state funding for housing, over \$6.05 million in housing is built or sold.

The need for more low cost housing to serve Florida's growing population is evident. The revenues from the state's surtax on documentary stamp tax are a critical resource for Florida to address this ongoing need.

Based on the current legislative cap on the state and local trust fund revenues, \$244 million is authorized. Based on the funded programs, it is estimated that 15,903 units of housing can be assisted each year, according to the Florida Housing Coalition.

One of the programs assisted under the Local Government Housing Trust Fund is targeted to serve the homeless. The Homeless Housing Assistance Grant program has been assisted with money from this trust fund since 2001. Over eight years, the program has been able to build 2,725 units of housing reserved for occupancy by homeless persons or families. A total of \$41.8 million has been awarded to assist 96 housing projects around the state. These permanent

housing units are helping to reduce the number of individuals who would otherwise be on our streets.

**2. Create a setaside for special needs households/supportive housing units within the State Apartment Incentive Loan program by amending section 420.5087, F.S.**

This proposal would create another setaside within this program, adding to existing setasides for the following tenant groups:

- Commercial fishing workers and farm workers
- Families
- Persons who are homeless
- Elderly persons

The proposal would require that program funds be utilized to produce housing affordable and accessible to extremely low income households with one of the following special needs:

- Persons with a disability, as defined by the U.S. Department of Housing and Urban Development
- Persons receiving SSI benefits
- Young adults exiting foster care, up to the age of 22
- Persons with substance abuse problems
- Ex-offenders discharged from jail or prison
- Veterans, and
- Other special need populations or households requiring professional supportive living services in order to maintain their housing or develop independent living skills.

The distribution of the program funds for those with special needs shall be proportional to the need. Extremely low income households shall be defined as households earning 30 percent or less of the area median income for the community.

Supportive housing is affordable independent housing integrated with a comprehensive, individualized service delivery system that allows people to live successfully in the community with stable permanent housing.

Services include the spectrum of non-clinical supports that may be required by a participant in order for that participant to maintain their housing and/or increase their independent living skills. Utilization of services is the choice of each participant.

Supportive housing is the proven solution for stabilizing and housing people with special needs, including individuals and families challenged with homelessness, people with physical or developmental disabilities, frail elderly, victims of violence, people with a mental illness, youth exiting foster care, people living with AIDS, the formerly incarcerated, certain veterans and people overcoming addictions.

Providing supportive housing to all those who need it not only positively impacts the individuals and families served; it also makes significant positive change to the social and economic structures of our state and our communities.

#### Supportive housing is cost effective

Providing services in the community is less expensive than providing them in a facility-setting including those in the criminal justice system. In addition, there are peripheral costs to the criminal justice and healthcare systems when services are only provided in facility-settings.

Most households requiring supportive housing have extremely low incomes. Creating housing which is affordable to persons with such low incomes does require increased subsidy. However, this higher upfront cost is offset by recurring annual savings to service, healthcare and criminal justice systems.

#### Supportive housing provides better outcomes

Services provided in an affordable home of one's own provide better personal outcomes than services provided in a facility-setting. In addition, supportive housing stabilizes individuals thereby reducing relapse and/or recidivism for the majority of households served.

### **3. Enact the Department of Children and Families proposed Mental Health, Crime Reduction and Treatment Act: Ending the Criminalization of Mental Disorders.**

This legislation is based on recommendations in the 2007 Florida Supreme Court Report, "Constructing a Comprehensive and Competent Criminal Justice/Mental Health/Substance Abuse Treatment System."

Florida would invest in a redesigned system of care that:

- Ensures adequate prevention and treatment services in the community;
- Curtails unnecessary involvement of people with mental illnesses and/or substance abuse disorders in the criminal justice system;
- Develops strong collaboration among substance abuse, mental health and other provider agencies to provide integrated delivery of services.

Pilot projects relying on demonstrated best practices will target individuals with mental illnesses and/or substance use disorders involved in or at risk of becoming involved in the justice system. Financing will leverage federal resources, and the incorporation of newly designed performance standards to ensure effective, high quality services by qualified providers. Communities will expand prevention and treatment capacity for juveniles and adults. Funding for mental health services will shift from expensive "deep end" treatment to early prevention, although substantial "deep end" residential capability will have to be maintained.

The Council endorses the legislation to improve the mental health and substance abuse treatment systems to address two major contributing factors for homelessness. Based on information gathered by Florida's local homeless coalitions in 2008, an estimated 28% of the 60,000 homeless persons reported on a given day have a mental illness disability. In addition, another 31.5% have an alcohol or drug abuse disabling condition. An enhanced system capacity for community care will create new opportunities to get those who are homeless who suffer with mental illness and substance addictions into treatment, and off the streets. Such options are critical to any long term strategy to reduce homelessness, and help the client toward recovery and economic self-sufficiency.

**4. The Council reaffirms its 2007 recommendation to authorize a local homeless prevention grant to the local continuums of care. Building upon the successful models of the Challenge Grant and the Homeless Housing Assistance Grant, the proposed new local homeless prevention grant should be authorized with the following components.**

- Local flexibility to allow funds to be used for rent, utility costs, or other expenses creating the household's financial crisis.
- Allow the aid to be provided over a short period of time, as needed to resolve the emergency.
- Allow the state aid to cover case management costs.
- Require the program to track the clients assisted to determine if the household avoided becoming homeless.
- Require an individual case plan for the household to set how much aid will be provided, the mix of state and local funds, and what costs will be covered.
- Allocate the prevention grant by formula to each continuum of care.
- Criteria to be considered in a formula allocation could include cost burdened households (those paying over half of the income on housing), eviction data for the area, or housing stock lost due to disasters.
- Allow for reasonable administrative costs for the local program (up to five percent).

- Encourage linkage of the state's homeless prevention grant to other community housing plans.
- Decrease assistance levels to the household over time to encourage the transition back to independence.

The new program could be funded by the existing appropriation for the Emergency Financial Assistance for Housing Program. This is the only authorized state prevention program, and is managed by the Department of Children and Families, Office on Homelessness. This program operates statewide, with families facing eviction applying directly for state aid. The existing program offers aid of up to \$400 one time in any 12 month period to eligible families. This aid goes directly to the landlord, who agrees to keep the family housed for at least 30 days. The program is funded at \$1,800,000 per year. At this level, the state can help just over 4,000 families a year. Demand for this assistance continues to grow. Applications were up by 27% in July 2008 over the same time in 2007.

The change to a local prevention grant is expected to have the following outcomes.

- Align the existing state resources for prevention with the 28 local homeless continuum of care plans.
- Better leverage the state dollars with existing local prevention assistance resources.
- Speed up the provision of emergency aid to the family by shifting management and decision making to local agencies.
- Reduce the state administrative costs and temporary staffing required each year.
- Cost neutral to the overall state budget by shifting existing appropriations for the state program to the new local prevention grant.
- Allow for more comprehensive aid to be provided to the family, to address more of their critical needs.
- Tracking the success of the prevention aid in keeping the family in their home or apartment.

The local homeless prevention grant is strongly supported by the local homeless coalitions, Florida's continuum of care planning agencies, and the Department of Children and Families.

The legislative change was introduced in 2008. The bill, HR241, passed the House of Representatives, but died in Senate messages. The Department of Children and Families has included this issue in its 2009 legislative proposals. The bill language is contained in Exhibit 2 to the Council's report.



For the families facing a housing crisis, this change will give them easier access to the aid they need. Instead of sending an application to Tallahassee for review, they can meet face-to-face with a local case manager at a community agency. The decision will be local, and the processing of a check will be faster than the current program's reliance on requesting and mailing a state warrant from the Comptroller.

**5. Amend section 420.622(4), F.S., to authorize the lead agency receiving a homeless Challenge Grant to use up to 8 percent of the grant award amount for administrative costs in managing the grant.**

Administrative costs would include the professional and clerical staff time directly related to managing the grant, costs for audits, record keeping, reporting, and financial and performance monitoring for sub-grant agreements related to agencies funded for homeless services. Administrative costs shall not include the cost of preparing the grant application.

The Council recommends this change on behalf of the designated lead agencies of the 28 continuums of care, which need to have resources to cover the costs of administering this grant. When the program was created in 2001, the authorizing law did not specify that administrative costs were allowable. The Homeless Housing Assistance Grant program, also created in 2001, does allow the lead agency to use a maximum of 5 percent of the grant for administrative costs.

The Council surveyed the lead agencies to secure cost data on past Challenge Grants awarded. The average cost of grant administration was \$8,318, based on the \$100,000 grant award level. The data reflected cost information submitted by 17 of the 28 lead agencies.

The lead agencies shall have the discretion to budget a level of administrative costs up to the 8 percent maximum. If the continuum desires to maximize the grant for direct services, they may request administrative costs less than the 8 percent.

Exhibit 3

HB 11

2010

1                   A bill to be entitled  
 2           An act relating to crimes against homeless persons;  
 3           amending s. 775.085, F.S.; reclassifying offenses  
 4           evidencing prejudice based on the homeless status of the  
 5           victim; providing a definition; providing an effective  
 6           date.

7  
 8 Be It Enacted by the Legislature of the State of Florida:  
 9

10           Section 1. Subsection (1) of section 775.085, Florida  
 11 Statutes, is amended to read:

12           775.085 Evidencing prejudice while committing offense;  
 13 reclassification.--

14           (1)(a) The penalty for any felony or misdemeanor shall be  
 15 reclassified as provided in this subsection if the commission of  
 16 such felony or misdemeanor evidences prejudice based on the  
 17 race, color, ancestry, ethnicity, religion, sexual orientation,  
 18 national origin, homeless status, mental or physical disability,  
 19 or advanced age of the victim:

20           1. A misdemeanor of the second degree is reclassified to a  
 21 misdemeanor of the first degree.

22           2. A misdemeanor of the first degree is reclassified to a  
 23 felony of the third degree.

24           3. A felony of the third degree is reclassified to a  
 25 felony of the second degree.

26           4. A felony of the second degree is reclassified to a  
 27 felony of the first degree.

28           5. A felony of the first degree is reclassified to a life

HB 11

2010

29 felony.

30 (b) As used in paragraph (a), the term:

31 1. "Mental or physical disability" means that the victim  
 32 suffers from a condition of physical or mental incapacitation  
 33 due to a developmental disability, organic brain damage, or  
 34 mental illness, and has one or more physical or mental  
 35 limitations that restrict the victim's ability to perform the  
 36 normal activities of daily living.

37 2. "Advanced age" means that the victim is older than 65  
 38 years of age.

39 3. "Homeless status" means that the victim:

40 a. Lacks a fixed, regular, and adequate nighttime  
 41 residence; or

42 b. Has a primary nighttime residence that is:

43 (I) A supervised publicly or privately operated shelter  
 44 designed to provide temporary living accommodations; or

45 (II) A public or private place not designed for, or  
 46 ordinarily used as, a regular sleeping accommodation for human  
 47 beings.

48 Section 2. This act shall take effect October 1, 2010.

## Exhibit 4



# Florida's Council On Homelessness

**Charlie Crist**  
Governor

**George H. Sheldon**  
Secretary

**Jeffery McAdams**  
Chairperson

The Honorable Jeff Atwater  
President  
Florida Senate  
312 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Dear President Atwater:

The Council on Homelessness is charged by State law to make recommendations to you for proposals to reduce homelessness in our state. Given the financial position of the state budget, you face the difficult task of balancing the need for services with the revenues available.

The Council was established in 2001, as a result of the findings and recommendations of the 2000 Study Commission on Homelessness. Five major directions were cited. The top issue was the need for improved coordination at the state level. The 2001 legislation states:

"It is absolutely necessary that any meaningful, comprehensive plan for the eradication or significant reduction of homelessness be a partnership between the state and local governments to draw upon the best practices of local model practices to achieve a permanent, uniform and integrated state strategy."

Over the last nine years, the state's partnership has included the Council's development of policies, and the local homeless coalitions planning for and leveraging of state grants to reduce homelessness. As a result:

- Homeless assistance plans now cover 63 counties in Florida, up from just 31 counties in 2001.
- Increased the supply of homeless beds available by 65.75% to 36,863 beds today, up from just 22,239 in 2001.
- Our local partners have maximized the state grants to leverage over \$74.7 million in federal awards in 2009.


As you look to balance the budget, now is not the time for our state to retreat from or abandon its commitment to reduce

1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

homelessness. The current recession's high unemployment, and increasing numbers of home foreclosures are causing homelessness to rise. In 2009, our local partners report an overall rise of over 11% in homeless persons in shelters and on our streets. For homeless families with minor children, there has been a 31.4% rise from 2008 levels.

The Council urges you and your colleagues to reaffirm your commitment to reduce homelessness, and not make major reductions in funding for the critical state grant programs used by our local partners to serve those facing sleeping on the streets.

Respectfully,

  
Jeff McAdams  
Chair

Attachment: Impact of Reductions to Homeless Program

Cc: Council Members  
Members of the Senate



## Florida's Council On Homelessness

**Charlie Crist**  
Governor

**George H. Sheldon**  
Secretary

**Jeffery McAdams**  
Chairperson

---

The Honorable Larry Cretul  
Speaker  
House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Dear Speaker Cretul:

The Council on Homelessness is charged by State law to make recommendations to you for proposals to reduce homelessness in our state. Given the financial position of the state budget, you face the difficult task of balancing the need for services with the revenues available.

The Council was established in 2001, as a result of the findings and recommendations of the 2000 Study Commission on Homelessness. Five major directions were cited. The top issue was the need for improved coordination at the state level. The 2001 legislation states:

"It is absolutely necessary that any meaningful, comprehensive plan for the eradication or significant reduction of homelessness be a partnership between the state and local governments to draw upon the best practices of local model practices to achieve a permanent, uniform and integrated state strategy."

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1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

As you look to balance the budget, now is not the time for our state to retreat from or abandon its commitment to reduce homelessness. The current recession's high unemployment, and increasing numbers of home foreclosures are causing homelessness to rise. In 2009, our local partners report an overall rise of over 11% in homeless persons in shelters and on our streets. For homeless families with minor children, there has been a 31.4% rise from 2008 levels.

The Council urges you and your colleagues to reaffirm your commitment to reduce homelessness, and not make major reductions in funding for the critical state grant programs used by our local partners to serve those facing sleeping on the streets.

Respectfully,

  
Jerry McAdams  
Chair

Attachment: Impact of Reductions to Homeless Program

Cc: Council Members  
Members of the House of Representatives

## **State of Florida Homeless Programs Impact Assessment**

The Council on Homelessness supports the continued commitment of state funding for the following state homeless initiatives and their impact on addressing homelessness in our state.

- |   |                    |
|---|--------------------|
| <b>Challenge Grant</b>  | <b>\$2,031,354</b> |
| <ul style="list-style-type: none"><li>• Grant shall help fund local services to the homeless consistent with the locally adopted continuum of care plan</li><li>• FY 2009-10 grant award outcomes expected:<ul style="list-style-type: none"><li>- Assists 23 of the 28 continuum of care planning areas</li><li>- Funds 91 local homeless service agencies</li><li>- Supports the direct services to over 57,000 homeless persons</li><li>- Helps fund 2,342 beds in 55 facilities to serve 14,386 persons this year</li><li>- Other supportive services will go to over 41,000 persons</li><li>- 1,689 households will get emergency aid to avoid being evicted</li></ul></li></ul> |                    |
| <b>Homeless Housing Assistance Grant</b>  | <b>\$5,000,000</b> |
| <ul style="list-style-type: none"><li>• Provides state aid to build or repair housing to serve the homeless to increase the supply of beds available statewide</li><li>• Since 2001, has financed 3,259 units of housing for the homeless</li><li>• FY 2009-10 grants funded 13 projects, providing 553 units of housing.</li><li>• Typical project leverages \$2 in other funds for each \$1 in state grant award</li></ul>  |                    |
| <b>Emergency Financial Assistance for Housing</b>   | <b>\$1,800,000</b> |
| <ul style="list-style-type: none"><li>• Program helps pay back rent for families with minor children facing eviction</li><li>• Provides a one-time per year payment not to exceed \$400 to the landlord on behalf of the family</li><li>• FY09-10 funding assisted 4,103 families to avoid eviction</li><li>• Keeping an estimated 13,000 persons from becoming homeless</li></ul>  |                    |
| <b>Local Homeless Coalition Staffing Grants</b>   | <b>\$ 345,729</b>  |
| <ul style="list-style-type: none"><li>• Provides grant to help fund a professional staff position with the coalition</li><li>• FY09-10 funding supports 28 coalitions with their staff costs</li><li>• Over half of the 28 coalitions operate with one professional staff person</li><li>• Coalitions are the local entity to coordinate all services to the homeless</li><li>• Coalitions undertake the annual counts of the homeless for the state</li></ul>  |                    |
| <b>Support for Office and Council on Homelessness</b>   | <b>\$ 435,471</b>  |



- As created in 2001, the Office is the state's point of contact on homeless issues
- Council on Homelessness works as an interagency policy entity to prepare proposals to reduce homelessness and improve access to all state programs for the homeless and local service providers.
- Office provides staff support to the Council and its committees
- Office promotes the local homeless planning efforts, and access to federal resources to address the needs of the homeless.
- Since 2001, the state has increased its share of federal homeless housing dollars from \$47.5 million to over \$74.7 million in 2009.
- Local homeless planning has expanded from 31 counties in 2001 to 63 counties today.