

Agenda Item VI: Discussion of Draft Housing First Criteria
Homeless Coordinating and Financing Council meeting April 9, 2019

HCFC Presentation

This item continues the discussion at the January 17, 2019 Council meeting, in which we presented a draft set of criteria we developed with the Interagency working group to assist departments in determining whether their programs providing housing or housing-based services to people experiencing homelessness or at risk of homelessness must comply with the Housing First requirements in Senate Bill (SB) 1380 (Mitchell, Chapter 847, Statutes of 2016).

At that Council meeting, Sharon Rapport from the Corporation for Supportive Housing expressed a concern about some of the criteria for excluding programs from Housing First and the Council voted to hold this item open until the next Council meeting. The Interagency working group invited Ms. Rapport to participate in a working group meeting to discuss her concerns and then met several times to review her recommended changes. These discussions are ongoing and we will present a revised draft of the criteria at or before the next Council meeting.

Council member Welch has also expressed her ongoing concern about how sober living facilities are affected by the Housing First requirement that applicants must be accepted regardless of their sobriety or use of substances, completion of treatment, or participation in services.

In response to this concern, we contacted Carol Wilkins, the former director for policy and research at the Corporation for Supportive Housing and a leading expert on homelessness and co-occurring mental health and substance use disorders. Ms. Wilkin shared a HUD policy brief on Housing First and Recovery Housing, a term that includes sober living facilities, as well as the policy brief from Los Angeles. These documents have been provided to the Council as well as a two-page summary of the HUD policy brief. Unfortunately, Ms. Wilkins was unable to participate in today's Council meeting, so we will do our best to convey the recommended approach as described in the HUD policy brief.

The HUD policy brief uses the term "Recovery Housing" to include both sober living and recovery housing programs and defines Recovery Housing as "housing in an abstinence-focused and peer-supported community for people recovering from substance use disorders." Notwithstanding its emphasis on a Housing First approach, HUD also recognizes the importance of providing individual choice to support various paths towards recovery. Some people pursuing recovery from addiction express a preference for an abstinence-focused residential or housing program where they can live among and be supported by a community of peers who are also focused on pursuing recovery from addiction—environments that are provided by Recovery

Housing programs. However, supporting individual choice must also mean ensuring that housing options are available for people at all stages of recovery, including people who continue to use drugs or alcohol. HUD also emphasizes that unless court ordered, no person experiencing homelessness should be required to enter Recovery Housing or be offered or provided this type of program as the only housing option, but rather they should be offered choices.

While not all residents of sober living facilities are homeless or at risk of homelessness, sober living facilities that require residents to abstain from use of drugs or alcohol or that evict residents for noncompliance with the sobriety requirement currently appear to violate the Housing First requirements of SB 1380.

Therefore, we have two recommendations for the Council to consider:

First, we recommend that consideration of the draft criteria for inclusion in Housing First be held open until completion of the ongoing discussions.

Second, we recommend the Council consider taking action to recommend technical amendments to SB 1380 to allow a limited exemption for sober living facilities and other Recovery Housing programs from the provision in SB 1380 that requires that applicants must be accepted regardless of their sobriety or use of substances, completion of treatment, or participation in services—as long as they conform to the recommended best practices described by HUD:

1. They are chosen by the individual rather than required, and residents have expressed a preference for living in a housing setting targeted to people in recovery with an abstinence focus (there may be exceptions for court-ordered participation).
2. There are minimal barriers to entry into programs, so that long periods of sobriety, income requirements, clean criminal records, or clear eviction histories are not required for program entry.
3. Relapse is not treated as an automatic cause for eviction from housing or termination from the program. Instead, the program includes relapse support that does not automatically evict or discharge a program participant from the program for a temporary lapse; and
4. The programs are part of a continuum of housing options provided for SUD treatment, and participants who determine they are no longer interested in living in a housing setting with an abstinence focus, or who are discharged from the program or evicted from the housing, are offered assistance in accessing other housing and services options, including options operated with the harm reduction principles included in Housing First.