

**MEMORANDUM OF AGREEMENT
FAMILY UNIFICATION PROGRAM-SECTION 8 VOUCHERS
HOUSING ASSISTANCE COORDINATION**

This Amendment updates the Memorandum of Agreement which was entered into in June , 1996 between the Monterey County Department of Social Services and the Housing Authority of the County of Monterey. The original MOA outlined the partnership for the Family Unification Section 8 Voucher Program. The purposes of this Amendment is to clarify roles and successfully implement the Family Unification Section 8 Voucher program, and will modify existing procedures under the program.

Between

The Housing Authority of the County of Monterey
123 Rico Street
Salinas, Ca 93907

and

The Monterey County Department of Social Services
Family and Children's Services Division
1000 S. Main Street, Suite 112
Salinas, California 93901

The parties agree as follows:

The Goals of the Partnership for the Section 8 Family Unification Program (FUP):

- A. To assure that tenant based Section 8 rental assistance is provided to families who are eligible under the FUP, receive the housing assistance necessary to allow the family to be reunited, when the child or children of the family are delayed in release from foster care due to the family's homelessness status, or lack of adequate housing conditions, or the family may loose their children to foster care due to domestic violence, homelessness or lack of adequate housing.
- B. To assure that housing assistance and case management occurs in a coordinated fashion which best meets the individual needs of the families assisted under the FUP and Children's Services.
- C. To assure that families who are determined to be at-risk for substance abuse receive the services which will build skills, foster positive parenting, and provide support to families under the Continuum of Care developed for Monterey County under the Supportive Housing Program.

Goals of the FUP:

- A. To assure that the FUP encourages and aids the families' to become reunited, and that children who remain or are reunited with their families are safe and secure and not subject to neglect as a result of homelessness, inadequate housing or domestic violence.

- B. To empower families to become self-sufficient, to assist families to develop the skills to resolve their own problems, to effectively build and utilize support networks and service systems, and advocate for their children with schools, public and private agencies and other community institutions to strengthen the family.
- C. To ensure that family problems are identified as early as possible and that children are not placed in foster care, or delayed in reunification with their families due to homelessness, domestic violence, or substance abuse. To initiate and sustain methods to identify families' barriers to self-sufficiency, and positive parenting as early as possible and to engage families in a change process to remedy barriers.
- D. To actively involve the community in identifying a coordinated, comprehensive process of identifying needs and building systems to address needs by utilizing available HUD funding and other community in-kind resources.
- E. To prevent child abuse and neglect, and the unnecessary separation of children from their families for delayed periods of time, utilizing systems developed at the local level to address the causal factors which lead to homelessness, and placement of children in foster care.
- F. To assure that housing resources and FUP activities will yield long term measurable results, address local needs, and integrate local resources in the most efficient manner to that the program may be utilized as a model for other organizations and communities.

Goals of Program and Measurement Standards

Homeless status in and of itself is not a factor in the placement of children in foster care, or results in the delay of release of children from foster care in the State of California, nor is the finding that the family is living in substandard or inadequate housing a factor of placement of children in foster care. The primary factors in Monterey County are severe domestic violence, child abuse and neglect cause by an abusive parent, and neglect and abuse caused by substance abuse. Therefore the causal factors must be adequately addressed prior to becoming permanently housed. Families which have severe domestic violence issues which may lead to the placement of children into foster care are a primary under-served population. This factor must be addressed through the adequate legal channels including restraining orders, and certification by the head of household that the perpetrator of the abuse will not live in the household.

The following goals have been developed based upon the known needs of the families whose children have been placed in foster care, and whose adult members are homeless, or lack adequate housing for reunification of their children. In Monterey County, substance abuse among families plays a major role in the neglect and subsequent placement of children in the foster care system, and among families who are homeless. It is estimated that at least 80% of the families have substance abuse issues which must be adequately addressed prior to reunification, and after reunification substantial supportive services, life skills, and parenting support are necessary for the successful unification of the families, and maintenance of sobriety. The experiences of the FUP in the past under the Section 8 Program, and the development of an adequate system in Monterey County which successfully integrates supportive transitional housing, case management, sobriety

programs, and support has now been achieved. This system will allow the successful integration of these at-risk families into the private market under the Section 8 program.

The program will be deemed successful if it meets the following standards:

- ◆ Families which have identified substance abuse issues as primary causal factors in the placement of children in foster care, receive the services, sobriety maintenance and life skills development to be successfully reunited with their families, prior to receiving permanent housing assistance. At least 75% of the families assisted will have successfully graduated from a transitional housing program which addresses sobriety maintenance, and factors which lead to homelessness.
- ◆ After receiving permanent housing assistance, at least 90% of the children threatened with separation from their families or reunited with their families, remain together in their Section 8 subsidized unit for one year, and receive the necessary case management and supportive services in order to do so.

Eligibility Criteria for the Family Unification Program Section 8 Vouchers

The Housing Authority shall determine eligibility under the FUP. The Family and Children's Services Division shall certify that the family is a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child/children, in out-of-home care, or in the delay of discharge of a child/children, to the family from out of home care. The determination of adequate housing or lack of adequate housing shall include the release and successful graduation from a transitional housing program which addresses the causal factors of homelessness and/or substance abuse, which includes sobriety maintenance, living skills and parenting skills.

Family Unification Program initial eligibility is based upon a family meeting the following eligibility criteria, from the Notice of Funding for Fiscal Year 1999, and updates all other eligibility criteria under previous awards under the FUP:

- ◆ There is an imminent threat of placement of the family's child/children in out-of-home care based upon the family's housing conditions which may include homelessness, inadequate housing, substandard housing or domestic violence.
- ◆ There is the delay or discharge of a child/children to the family from out of home care based upon the family's housing conditions which may include homelessness, inadequate housing, substandard housing or domestic violence.

Lack of adequate housing includes the following definitions:

Overcrowded housing:

The family is separated from its child/children, and the parents are living in an otherwise standard housing unit, but, after the family is re-united, the parent's housing unit would be overcrowded for the entire family and would be considered substandard; or

The family is living with its child/children, in a unit that is overcrowded for the entire family and this overcrowded condition may result in the imminent placement of the child/children in out-of-home care.

The overcrowded housing condition must be verified by the Housing Authority and is determined by the Housing Authority subsidy standards. The Family and Children's Services Division may certify to the housing conditions and the HA may verify such conditions.

Detained Family members-A FUP may not include any person imprisoned or otherwise detained pursuant to an Act of Congress or State Law.

Displaced by Domestic Violence-

A family is displaced by domestic violence if:

- ◆ The applicant has vacated a housing unit with a person who engages in domestic violence.
- ◆ Domestic violence means actual or threatened physical violence, or sexual abuse directed against one or more members of the applicant family by a spouse or other member of the applicant's household.
- ◆ For a family to qualify as involuntarily displaced due to domestic violence the Housing Authority must determine that the domestic violence occurred recently or is of a continuing on-going nature; and the applicant must certify that the person who engaged in such violence will not reside with the family unless the HA has given advance approval. The HA may terminate assistance to the family for a breach of this certification. The HA may rely upon certification by the Children's Services that the domestic violence is of continuing and ongoing nature and that a restraining order is in effect.

Homeless-

A homeless family include any person or family that:

- ◆ Lacks a fixed, regular, and adequate nighttime residence; and has a primary nighttime residence that is:
 - ◆ A supervised publicly or privately operated shelter designed to provide temporary living accommodations, this includes the following:
 - ⇒ Congregate shelters, temporary shelters, or transitional housing
 - ◆ An institution that provides a temporary residence for persons intended to be institutionalized (does not include prison or jail)
 - ◆ A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Substandard Housing-

A family is determined to be living in substandard housing if the unit where the family lives meets one of the following criteria:

- ◆ Is dilapidated
- ◆ Does not have operable indoor plumbing
- ◆ Does not have a usable bath tub or shower inside the unit for the exclusive use of the family;
- ◆ Does not have a usable flush toilet inside the unit for the exclusive use of the family;
- ◆ Does not have electricity, or has inadequate or unsafe electrical service;
- ◆ Does not have a safe or adequate source of heat;

- ◆ Should, but does not have a kitchen;
- ◆ Or has been declared unfit for habitation by an agency or unit of government.

Dilapidated Housing-

A family is living in a housing unit that is dilapidated if the unit where the family lives does not provide safe and adequate shelter, and in its present condition endangers the health, safety, or well-being of a family, or the unit has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may result from original construction, from continued neglect or lack of repair or from serious damage to the structure.

The Housing Authority has established a preference system for the FUP based upon the local conditions of the housing market and known histories of families involved in the FCS programs. FCS shall investigate and provide certification of preference status. The following are the order of preferences:

1. Families who are victims of severe and ongoing domestic violence, or sexual abuse (10 points).
2. Graduates of a transitional housing program which addresses sobriety maintenance, living skills, domestic violence counseling, development of positive support networks and family functioning skills (5 points).
3. Families who meet all other criteria of the FUP and who do not have a substance abuse factor in the placement of their children in out of home care, or the imminent placement in-out of home care, i.e., living in substandard, overcrowded, or dilapidated housing (1 point).

The foregoing preferences shall be based upon point rating and ranking based upon date and time of submission of their application to the Housing Authority.

HOUSING AUTHORITY RESPONSIBILITIES-

1. To provide outreach to eligible families on the HA waiting list. Upon receipt of the Family and Children's Services list of families in the FCS caseload, compare the names with those of families on the Section 8 waiting list. Any family on the HA Section 8 waiting list which meets eligibility criteria and which is certified by FCS as FUP family must be assisted in order of their position on the waiting list in accordance with Preferences and HA admission policies.
2. Determine if any families with children on the waiting list are living in temporary shelters, or on the street, or in transitional housing, and may qualify for the FUP, such families shall be referred to the FCS for certification of meeting the FUP criteria established above.
3. Determine if families referred by the FCS are eligible for the Section 8 assistance and place eligible families on the Section 8 waiting list.
4. To amend the administrative plan in accordance with applicable program regulations and requirements under the FUP.

5. Administer the rental assistance in accordance with applicable program regulations and requirements
6. To assist in the expedition of the process for verification of a family's eligibility certification, preference status, and income.
7. To provide briefing sessions for FUP voucher recipients, which covers the following: the application and apartment leasing process, apartment search techniques, areas impacted by crime and concentrations of poverty, lease negotiations, housing discrimination, housing quality standards, tenant rights and responsibilities, and where appropriate, apartment maintenance, housekeeping and budgeting.
8. To further fair housing, to update the administrative plan when necessary.
9. To maintain FUP client data for future program evaluation.

Family and Children's Services Division Responsibilities-

1. To assist the Housing Authority to develop and implement a system to certify the eligibility and preferences of FUP eligible families, and to review referrals and certify the preference from the Housing Authority of FUP eligible families which may be on the existing waiting list for Section 8 assistance.
2. To commit a sufficient number of staff to ensure that FUP eligible families are certified in a timely manner, and to attend periodic program meetings.
3. To screen referred families for substance abuse issues, and refer families who require continued sobriety support and maintenance, living skills, domestic violence counseling, and parental support to the appropriate transitional housing program.
4. To include graduates of the transitional housing programs as eligible families under the FUP within their certification process.
5. To provide FCS related supportive services to families during the lease up period, and to provide follow-up services for the period authorized under state law.
6. To provide the necessary certifications regarding domestic violence, homeless status, substandard housing, or restraining order compliance.
7. To assign staff on an ongoing basis as primary point of contact, and to attend regular program meetings as coordinated by the Housing Authority.
8. To participate in the evaluation process, to maintain relevant data and provide written information as requested for program evaluation.

RESOURCES AND SERVICE PLANS-

1. The FCS case managers are responsible for arranging the delivery of eligible services as outlined in the families' service plans. These services may include provision or referral to: case management/counseling; mental health evaluation and assistance, evaluation of substance abuse and referral for treatment; referral to a transitional housing program; continued monitoring and case management; parental skills development and other services and support as necessary to allow the family to become reunited or remain together.
2. In development of a service plan for reunification or continued custody of children, the adult members of the family shall participate in the development and implementation of the service plan. If the family members do not participate in the service plan, this may be a reason for termination of the Section 8 housing subsidy if the family is not reunited within 120 days, or if the family violates Section 8 program regulations regarding One Strike Policies.
3. For each certified family whose child/children is in placement in out-of-home care, FCS shall include within the existing service plan or as a separate plan: the anticipated date of the child/children's return to the parent, the housing services needed, and the supportive services necessary to assist with the family remaining together in permanent housing. **This plan shall be forwarded to the Housing Specialist assigned to the FUP.** The family shall participate in the development and implementation of the service plan, and failure to participate may be a reason for termination of the Section 8 housing subsidy if the family is not reunited within 120 days, or if the family violates Section 8 program regulations regarding One Strike Policies.
4. Upon finding suitable housing and signing of the lease agreement, the FUP assisted family shall be assisted by FCS in identifying ongoing services needs and shall ensure that the family has been referred to community resources which may assist the family to remain together. FCS shall address such issues as: substance abuse monitoring; services to enable parents to meet the basic care needs of the child/children; the healthy and appropriate development of the child/children; maximizing safety within the home, which includes domestic violence and child abuse; restraining orders, and services to enhance economic and social self-sufficiency.
5. For each certified family who has successfully completed a transitional housing program, continued support and services as necessary to allow the family to remain together in permanent housing.
6. The FCS Case Manager shall be responsible for the delivery of services as developed with the family and outlined in the Family's Service Plan. These services may include, but not be limited to direct provision or referral to: Case management/counseling; child care; adult education; parenting skill training; vocational training; mental and physical health care; substance abuse testing and treatment; and family advocacy. These services shall be supplied for a minimum of six months to one year after the family is reunified. Upon recommendation of the Housing Specialist and the Family Self-Sufficiency Program Coordinator, these services may be continued for up to one year.

7. The FCS Division will prepare and implement, where feasible, an emergency services plan for new FUP families which receive a Section 8 Voucher, which may include, but are not limited to the following: housing search and financial assistance, such as moving expenses, security deposits, rental/utility arrearage payments and emergency health, welfare and legal services.
8. The HA and FCS will jointly establish and staff a community based Family Unification Program Project Advisory Committee, which is comprised of public and private agencies involved in child and family services, transitional housing providers, substance abuse recovery agencies, mental health agencies and other organizations or persons as appropriate to meet program goals and intent of the FUP.

The committee shall meet regularly, and at least quarterly to:

Review reports on program utilization, address family service needs and project coordination. The HA and FCS will designate staff to provide liaison between the two agencies and establish a cooperating service network for the FUP.

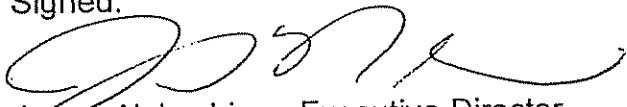
Recommend service program changes, changes to the MOA, changes to the program Preferences, or additions to meet the needs of families within the FUP.

10. The Housing Authority and FCS will coordinate the FUP with Health and Human Services funded programs (CalWORKS/TANF) and other housing programs, i.e., HUD's Supportive Housing Programs, and the Continuum of Care developed for Monterey County, HUD's Family Self-Sufficiency Program and the Welfare to Work Program to maximize the staff resources, and resources available to families.
11. The Housing Authority will offer training to designated FCS staff regarding the FUP Section 8 Program application procedures, and eligibility requirements. FCS case managers will attend these briefings as part of their client support. FCS will offer training to the Housing Authority staff describing FCS mandates and procedures regarding the State requirements for out-of-home placement, issues regarding family preservation and family unification. Training topics may include: interagency referrals, certification of eligible families and timely provision of services to maximize self-sufficiency.
12. Both the Housing Authority and FCS will maintain and update statistical reports on families involved in the FUP. This data may be made available to the Program Committee, HUD, HHS, and any official HUD evaluation team. The reports will include demographic data, family service needs, service utilization information and statistical information relating to out of home care and reunification processes in Monterey County. The Housing Authority will prepare reports based upon each family's initial Section 8 occupancy and will provide follow up reports at quarterly intervals for at least two years to the FCS program.

13. FCS will strive to ensure that FUP families are informed of family services, substance abuse counseling, mental health and employment training and programs and other resources to allow the families to remain unified and retain permanent housing.

14. The HA and FCS agree to comply with Welfare and Institutions Code Section 10850, 45 CFR Section 505.50, and HUD Regulations which require confidentiality of client records, and all other applicable provisions of law which provide for the confidentiality of records and prohibit their being opened for examination for any purpose not directly connected with the administration of public social services, or housing assistance. Whether or not covered by W & I Code Section 10850 or by 45 CFR Section 205.50, confidential medical or personnel records and the identities of clients and complainants shall not be disclosed unless there is proper consent to such disclosure or a court order requiring disclosure. Confidential information gained by the Housing Authority of FSC from access to any such records and from contact with mutual clients shall be used by either agency only in connection with the operation of the housing assistance under this Memorandum of Agreement. The County, through the Director of the Department of Social Services, shall have access to such confidential information and records to the extent allowed by law, and such information and records in the records of the County shall remain confidential and may be disclosed only as permitted by law, subject to a release of information form signed by the applicant for housing assistance.

Signed:



James Nakashima, Executive Director
Housing Authority of the County of Monterey

Dated: 5-12-99

Signed:



Marie Glavin, Director
Department of Social Services
County of Monterey

Dated: