



The State Bar of California

Equal Access Homelessness Prevention Fund Request for Proposal

Background

Recognizing the need for stable housing for renters, Governor Gavin Newsom included \$20 million in his May Revision to the 2019 Budget Act for grants to legal services organizations to provide legal assistance to renters with landlord-tenant disputes, including counseling, renter education programs and preventing evictions. The Legislature included language in the Budget Act of 2019 (AB 74, Stats. 2019, ch. 23) to define how the funding was to be allocated and to further effectuate the purposes of the funding.

Consistent with the language of the budget bill, 25 percent (approximately \$5 million) will be distributed to qualified legal services providers and support centers through a competitive grant process. The current timeline plans for the \$5 million to be distributed in or about December 2019, with the requirement that the grant be fully spent down by June 30, 2021.

The budget bill language has been included below for reference (emphasis added to the relevant section):

Of the amount appropriated [for the Equal Access Fund] . . . \$20,000,000 shall be distributed by the Judicial Council through the State Bar of California pursuant to Provision 1¹ [of budget item 0250-101-0001] to qualified legal services projects and support centers to provide eviction defense or other tenant defense assistance in landlord-tenant rental disputes, including pre-eviction and eviction legal services, counseling, advice and consultation, mediation, training, renter education, and representation, and legal services to improve habitability, increasing affordable housing, ensuring receipt of eligible income or benefits to improve housing stability, and homelessness prevention. Of this amount, \$150,000 shall be available, upon order of the Department of Finance, for administrative costs of the Judicial Council and the State Bar. The remaining funds shall be allocated as follows:

- (a) 75 percent shall be distributed to qualified legal services projects and support centers that currently provide eviction defense or other tenant defense assistance in landlord-tenant rental disputes, as set forth in Provision 6. To expedite the distribution of this percentage of the \$20,000,000, eligible programs shall be limited to those found eligible for 2019 IOLTA funding. Each eligible program shall receive a percentage equal to that legal services project's 2019 IOLTA allocation divided by the total 2019 IOLTA allocation for all legal services projects eligible for this funding, except that to ensure that meaningful funding is provided, a minimum amount of \$50,000 shall be allocated to each eligible program unless the program requests a lesser amount, in which case the additional funds shall be distributed proportionally to the other qualified legal

¹ Provision 1 identifies how the remainder of the money appropriated in the Equal Access Fund are to be distributed. This is long standing language which has existed in substantially the same form since the creation of the fund and the established protocol for distributing 90 percent pursuant to formula and 10% for Partnership Grants.

services projects. These funds shall be distributed as soon as practicable after the effective date of this act and shall not supplant existing resources.

(b) 25 percent shall be allocated through a competitive grant process developed by the Legal Services Trust Fund Commission of the State Bar to award grants to qualified legal service projects and support centers to provide eviction defense or other tenant defense assistance in landlord-tenant rental disputes, as [defined above] . . . to meet the needs of tenants not addressed by the formula provided in subdivision (a). The grant process shall ensure that any qualified legal service project or support center that received funding pursuant to subdivision (a) may only receive funding pursuant to this subdivision if that qualified legal service project or support center demonstrates that funds received under this subdivision will be not be used to supplant existing resources, and will be used to provide services to tenants not otherwise served by that qualified legal service project or support center. The commission shall make the grant award determinations. In awarding these grants, preference shall be given to qualified legal aid agencies that serve rural or underserved communities and that serve clients regardless of immigration or citizenship status. Any funding not allocated pursuant to this competitive grant process shall be distributed pursuant to subdivision (a), except that there shall be no minimum funding amount for these funds.

Eligibility

Grant proposals must be submitted via SmartSimple **by October 18, 2019 at 5:00pm**. Applicants must meet the following criteria to be eligible to submit a proposal:

- Qualified legal services projects and support centers in California that will provide eviction defense or other tenant defense assistance in landlord-tenant rental disputes, including pre-eviction and eviction legal services, counseling, advice and consultation, mediation, training, renter education, and representation, and legal services to improve habitability, increasing affordable housing, ensuring receipt of eligible income or benefits to improve housing stability, and homelessness prevention. (Note: Unlike the formula funding provided for these purposes, this RFP is open to all IOLTA-funded QLSPs and SCs, whether or not they currently provide the types of tenant assistance defined by the Budget Act).
- If programs received an allocation from the first tranche, they must be able to demonstrate that the funds from the competitive grant will not be used to supplant existing resources and will be used to provide services to tenants not otherwise served by the organization.

Pursuant to the terms of the Budget Act, preference will be given to organizations that serve rural or underserved communities and that serve clients regardless of immigration or citizenship status.

There will be no minimum funding amount for these grants.

Award Information

The Legal Services Trust Fund Commission (LSTFC) or a delegated body of the LSTFC will distribute up to \$5 million using a competitive RFP process. Final award decisions will be made in November 2019.

Selection Criteria

The exact dollar amount of grant awards will vary depending on the number and quality of applications received, an assessment of needs for funding of the particular project, and the extent to which a proposal addresses the intent of this funding, as spelled out in the Budget Act. The costs of carrying out the proposed program/work should not be overstated as that could impact the funds available for other programs. Grant award decisions are final and there is no appeals process. A successful response to the RFP will:

- Demonstrate how all granted funds will be spent down by June 30, 2021 (sub-grants may be permitted depending on the proposed program/work and sub-grantee) but the primary grantee is responsible for ensuring that the sub-grantee is in compliance with all requirements.
- Identify with specificity the purposes for which the granted funds will be used that align with the areas set forth in the Budget Act.
- Demonstrate how it will ensure that granted funds will be used for eligible clients or entities that are at 125% of poverty.
- Demonstrate how granted will not be used to supplant existing resources, including the EAF Homelessness Prevention formula funding (meaning that these funds cannot replace existing funds used to provide these same services), and must be used to provide services to tenants not otherwise served by the qualified legal service project or support center.
- Highlight how clients in rural or underserved communities, regardless of immigration or citizenship status will be served since preference will be given to those projects.
- Demonstrate how it will track main benefits related to the programs supported by granted funds separately as these benefits will not be reported as part of the IOLTA/EAF Case Summary Reporting or Main Benefits to ensure non-supplantation. Instead, these services should be tracked separately for main benefits related to homelessness prevention, with correlating demographic data information for the clients served.
- The following scoring rubric will be used to evaluate all proposals:

<u>Points/Weight</u>	<u>Criteria</u>
40	Proposal Quality <ul style="list-style-type: none">- Type and depth of legal service provided- Proposed outcomes and goals- Type and depth of partnerships (for subcontracts)- Innovation- Organizational capacity- Ability to measure and evaluate the benefits and outcomes of the project/activities

20	Proposed services serve rural or underserved communities
20	Proposed services serve clients regardless of immigration or citizenship status
10	Historical performance (ability to spend down grant funds, ability to meet goals for prior grants, timely submission of reports, ability to successfully start-up new services)
10	Potential sustainability/continuation of proposed services after the completion of the grant period
100	Total

Requirements/Next Steps:

<u>Estimated Date(s)</u>	<u>Activity</u>
9/16/19	RFP posted on SmartSimple
10/18/19	Responses due by 5:00pm
Week of 11/4/19	LSTFC Executive Committee meeting to review and approve RFP funding recommendations
11/14-15/19	Judicial Council meeting where update will be provided on RFP process and funding recommendations
11/22/19	LSTFC to approve Executive Committee's final RFP funding recommendations
December 2019	Release final list of grant recipients and finalize grant agreements
Early January 2020	Funds disbursed

Restrictions and Assurances:

By accepting grant funds, programs agree to:

- Spend down all granted funds by June 30, 2021. Carryovers will not be permitted.
- Use funds only for stated purposes: eviction defense or other tenant defense assistance in landlord-tenant rental disputes, including pre-eviction and eviction legal services, counseling, advice and consultation, mediation, training, renter education, and representation, and legal services to improve habitability, increasing affordable housing, ensuring receipt of eligible income or benefits to improve housing stability, and homelessness prevention.
- Not use funds to supplant existing resources (meaning that these funds cannot replace existing funds used to provide these same services including the EAF Homelessness Prevention formula

funding if applicable), and must be used to provide services to tenants not otherwise served by the qualified legal service project or support center.

- Comply with all reporting requirements specific to this grant.

Application Questions:

- Describe how your proposal for legal services will be used for eviction defense or other tenant defense assistance in landlord-tenant rental disputes. Such assistance can include, but is not limited to, pre-eviction and eviction legal services, counseling, advice and consultation, mediation, training, renter education, and representation, and legal services to improve habitability, increasing affordable housing, ensuring receipt of eligible income or benefits to improve housing stability, and homelessness prevention. Please describe how your proposed services using this competitive grant will not supplant existing resources and will be used to provide services to tenants not otherwise currently served.
- Briefly explain your organization's ability to carry out the program, including any experience implementing similar programs and the potential sustainability of the program beyond the grant period. How will you ensure quality? Describe the staffing and supervisory structure for the project.
- Who is the targeted population being served and what are the overall goals for the specified project or activities? Quantify the outcomes whenever possible.
- How will you ensure that the target demographic is served?
- If approved for funding, do you have any plans to sub-contract with another organization(s). If so, please provide details about the organization(s), including their experience and staffing, their intake/evaluation capacity to ensure compliance, the proposed subcontract work, any experience working on joint projects, how their work will supplement and improve the work your organization will provide, and subcontract amount.
- Describe how you will evaluate or monitor the effectiveness of the project/activities and the progress toward achieving the goals and objectives stated above. If proposing a subcontract, describe how you will ensure that sub-grantee(s) will provide quality services and compliance with all requirements. Grant recipients will be required to track and report certain project activities and outcomes like main benefits related to homelessness prevention, with correlating demographic data information for the clients served to demonstrate how the services delivered with these grant funds affected the target population.
- Please provide a break-down of your funding request if you plan on subcontracting.
- Is there any other organization currently providing your proposed services or serving this population in your area? If so, are there any distinguishing characteristics about your proposed

services and/or are you targeting an unmet need? How do you plan to collaborate with that organization?

Proposed Project Budget

Please be as detailed as possible in filling out the budget template which can be downloaded within the budget tab in your application on SmartSimple. To submit your budget, upload the completed form back to the budget tab in the application.

- Under column B (Budget), please insert the total expense that you anticipate for Dec 2019 – June 2021 for each expense line item.
 - For example for “Lawyers”, you might insert \$50,000 and then under column C (Brief Narrative), provide an explanation like: “Hire a temporary attorney to work on pre-eviction cases for 20 hours per week.”
 - Another example for “Printing and Postage” might be to insert \$10,000 in the “Budget” column and then provide the following explanation in the “Brief Narrative” column: “Print 5,000 training brochures on the topic of homelessness prevention strategies.”
- Please do not fill in any information in the “Cost Report 1” and “Cost Report Final” tabs.

If you have any questions, please do not hesitate to contact:

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