

**Meeting of the Homelessness Prevention (HP) Committee
of the Legal Services Trust Fund Commission**

Meeting Summary and Action Items

Tuesday, October 27, 2020

1:00 p.m. – 4:00 p.m.

Zoom Conference

OPEN SESSION

Chair Christian Schreiber called the meeting to order at 1:02 p.m.

I. ROLL CALL

Roll was taken and quorum was established. All members were present on Zoom or by phone.

Committee Members

Chair Christian Schreiber
Banafsheh Akhlaghi
Amin Al-Sarraf
Herman DeBose
Eric Isken
James Meeker
Richard Reinis
Kim Savage

Liaison

Salena Copeland (LAAC)

State Bar Staff

Erica Carroll
Brady Dewar
Andrea Fitantes
Christine Holmes
Doan Nguyen

Andrea Fitantes, the new Director of the Office of Access & Inclusion, introduced herself to members of the HP Committee.

II. CALL FOR PUBLIC COMMENT

The Chair called for public comment and Salena Copeland of the Legal Aid Association of California (LAAC), reported that LAAC had shared thoughts with the Committee about issues to prioritize based on a survey of the legal aid community. Program Supervisor Doan Nguyen also commented that Western Center on Law and Poverty is conducting preliminary research on COVID hotspots and informally surveying organizations regarding evictions already taking place. She suggested deferring discussion of these questions to the date of the RFP meeting.

III. CONSENT

A. Approval of Meeting Summary and Action Items from August 12, 2020 Meeting

Meeting notes from the August 12 meeting were briefly discussed. The Committee approved the meeting summary and action items by unanimous roll call vote (Akhlaghi moved, Savage seconded, Al-Sarraf abstained).

IV. DISCUSSION AND ACTION ITEMS

A. Review and Approve 2021 Homelessness Prevention Formula Application and Allocation

The Committee turned to discussion of the 72 2021 HP formula applications received. Staff reported that it conducted an initial review of all applications. Seventy of the applications proposed clearly qualifying activities and required no additional follow-up. Approximately 22 more programs required staff follow-up to resolve issues such as clearly demonstrating the connection between their proposed work and homelessness prevention and removing policy advocacy activities. Most programs modified their proposals to ensure they only included qualifying activities after discussing with staff. Staff was elevating a couple issues related to formula applications for Committee review.

Senior Program Analyst Dan Passamaneck provided a summary of the proposal from Coalition of California Welfare Rights Organizations, Inc. (CCWRO). CCWRO planned to provide web-based trainings with a general focus on income stability. The connection to homelessness prevention was not immediately clear to staff from the proposal.

Committee members discussed the proposal. One member did not recall this support center engaging in housing work previously, and Program Supervisor Doan Nguyen clarified that related work can qualify if it is supportive of maintaining housing stability. Grant recipients are required to screen and track renters accessing their services in order to show a nexus to the intent of the legislation, but Nguyen pointed out that it becomes a more difficult question as support centers such as CCWRO do not typically screen, they rely on the qualified legal services projects they support to provide such information.

The original recommendation was undecided and to elevate for further discussion with the Committee. However, staff spoke with CCWRO about the proposal in greater detail, and after CCWRO explained that 75 percent or more of those assisted by the proposed services would be renters, staff was satisfied that the trainings had a sufficient nexus with homelessness prevention. A Committee member confirmed with staff that the legislation permitted broad interpretation that does not have to solely focus on housing work.

A Committee member asked what percentage of the funding or what dollar amount would be awarded to CCWRO if this proposal were approved. Program Supervisor Nguyen reported that staff cannot run the funding formula until it was clear which proposals were approved, so staff could not provide that specific information at this meeting. She also reminded the Committee that the application profile sheets were attached to their meeting materials and invited questions and comments on any of the other proposals. Staff hoped to get approval from the Committee today on the formula applications in order to provide an update at the next meeting or the ad hoc meeting tentatively scheduled for December 3.

The Committee turned to formula applications that were submitted after the September 15 deadline. Senior Program Analyst Christine Holmes informed the Committee that Affordable Housing Advocates (AHA) reached out after the HP convening that was held on September 16 and asked for an extension.

Staff informed AHA that its application would have to be elevated to the HP Committee, and AHA completed its application shortly after it was released to them. Staff recommended that the Committee be flexible and approve the application, noting that AHA was very quick to submit once it realized it missed the deadline. AHA is a small organization and were invested in the convening, and in general, it has been a challenging time for all legal services organizations.

Staff reported that Disability Rights Legal Center (DRLC) also submitted a late application. DRLC submitted its formula application on October 9, which was the deadline for RFP application. Staff contacted DRLC for clarification and DRLC apparently confused the due dates. However, DRLC never asked for an extension, and the RFP they submitted was substantially similar to the formula application. The staff recommendation was not to accept this late application.

The Chair invited discussion of the late applications, and staff responded to Committee questions regarding the timing of the application from DRLC (it was submitted over three weeks late but never communicated an issue causing their delay nor did they request an extension). Staff confirmed that the RFP application was timely, the formula application was not, and both proposals were similar, but the only question before the Committee at this meeting was whether to accept DRLC's late formula application, and the recommendation was not to accept it.

The Committee asked questions about DRLC's location and whether failing to approve the formula application would disrupt its services. Staff confirmed DRLC did not receive HP funding last year. The Committee further questioned whether DRLC is eligible for this round of funding, and staff reported that the proposed activities in the formula application appear to be qualifying but it was a matter of lateness in submitting the application. The Committee discussed whether the late submission was reasonable and compared AHA's submission a day late accompanied by an extension request with DRLC's submission over three weeks late with no such request nor any justification provided. Staff noted that organizations are reminded regularly of upcoming deadlines, and some Committee members found it troubling that DRLC did not address their apparent confusion sooner.

Brady Dewar from the Office of General Counsel stated that there are no regulations or rules on tardiness in this context but offered the comparison with audits submitted with IOLTA/EAF applications. He stated that in that context, a late audit requires a showing of extraordinary circumstances, and he felt perhaps the Committee could analogize the current situation. Dewar also mentioned the Committee might be able to compromise by funding DRLC's RFP, which was timely, but not the formula application. A Committee member was wary of that proposal because DRLC's formula and RFP applications were almost identical, which was not the point of the RFP process.

The Chair clarified that the list of organizations recommended for approval needed to be amended if DRLC were found ineligible. The Chair asked for motion to remove DRLC from the list. The Committee moved to adopt the staff recommendation not to approve DRLC's late formula application, and the recommendation was approved by unanimous roll call vote (Akhlaghi moved, Isken seconded). The Committee then moved to find the remaining programs eligible for formula funding, as reflected in the spreadsheet provided by staff and amended by the previous vote. The motion was approved by roll call vote (Reinis moved, Meeker seconded, Savage abstained).

The Chair then provided an overview on the upcoming RFP review process. The Committee discussed the rubric used as a starting point. Staff felt it was useful and led to more robust conversations

grounded in objective factors. Nguyen invited comments from Committee members regarding their experience, and one Committee member commented that it will likely improve with subsequent iterations as the rubric and process are refined. There was also discussion around factors that may lend themselves to subjective ratings and questions around how to prioritize identified needs (e.g. rural or underserved populations, or both).

Staff pointed out that many organizations do not have significant funding for evaluation and most funding goes toward providing services, and the Committee discussed demonstrating measurable impact and balancing overburdened organizations' need to focus on their work. Other commented that there may be instances where it is unclear how to measure the impact, particularly when focusing on prevention, but it was apparent that many organizations had considered various approaches to evaluation. Staff suggested the possibility of reconvening the Reboot Committee, which could provide more support and guidance in terms of evaluation.

The Committee then briefly discussed the upcoming meeting tentatively scheduled for December 3.

V. ADJOURN

There being no other business before the Committee, the meeting was adjourned at 2:16 p.m.