



The State Bar of California

2022–2024 Homelessness Prevention (HP III) Competitive Grant Review Guide

Background

Recognizing the continued impacts of the COVID-19 pandemic on housing instability in California, Governor Newsom signed Assembly Bill 164 (AB 164) on July 16, 2021. AB 164, amending the Budget Act of 2021, allocates \$40 million in federal Coronavirus State and Local Fiscal Recovery Funds for homelessness prevention (HP) grants to qualified legal services projects (QLSPs) and support centers. This \$40 million is the first installment of an expected \$80 million in funding over three years.

After deductions for administrative costs, 75 percent of the three-year total will go to eligible QLSP and support center applicants via a modified funding formula. The remaining 25 percent will fund competitive grants. Both grants must support:

[E]viction defense, other tenant defense assistance in landlord-tenant rental disputes, or services to prevent foreclosure for homeowners, 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, legal help for persons displaced because of domestic violence, and homelessness prevention.

Statutory Requirements

1. Applicants must be a QLSP or support center under California Business and Professions Code section 6213(a)-(b).
2. Awards may fund only the activities that AB 164 enumerates, above. Legislative advocacy is outside the scope of these awards.
3. These grants must serve Californians who meet the definition of “indigent person” in Business & Professions Code section 6213(d).
4. Applicants that serve rural or underserved communities must receive preference.
5. Applicants must demonstrate that they would avoid supplanting existing funds including any HP formula award. That is, grantees must use their award to serve clients whom

they otherwise would be unable to reach.

Distribution

The amount available for competitive grants is \$19,500,000. The maximum that a program could request was \$500,000 per year—\$1,500,000 for three years. Any amount left over will go to HP III formula grantees according to the formula in AB 164.

The commission plans to vote on final awards in December 2021. The competitive grant period will start on January 1, 2022.

Application

A complete application includes the following:

1. **Form A: Project Profile**

The project profile collected high-level information about the project's geographic focus, community partnerships, budget request, and current funding (if any), as well as a project abstract.

2. **Form B: Project Description**

The project description collected detailed information about the project's need, clients, partnerships, goals, activities, deliverables, and strategies for outreach, accessibility, and evaluation. It also asked for detailed narratives about the applicant's qualifications and resources to perform the work effectively.

3. **Form C: Project Budget**

The project budget collected information on how the program proposes to allocate HP funds to the project for three years. Applicants needed to identify staff by their role and estimate the amount of time that the role would spend on the project. The project staff, budget, and description should be consistent.

4. **Form D: Budget Narrative**

The budget narrative collected information about each line of the budget, noting whether the grant would directly pay for specific items or be allocated on a percentage or other basis.

5. **Form E: Signed Project Assurances**

Selection Criteria

The HP Funds Committee (committee) has encouraged applicants to propose creative partnerships with IOLTA and non-IOLTA providers including community based organizations and local government agencies. To that end, programs could seek to subgrant a portion of their

award to one or more partners. Such a collaboration could enable a well-rounded suite of HP expertise and services that the applicant alone might be unable to achieve.

On August 31, 2021, the committee adopted the following rubric to guide its deliberations:

Category	Exceeds Expectations	Meets Expectations	Below Expectations	Not Addressed
Project impact and strategies: The applicant proposes a project that significantly and directly addresses or will address a compelling need for the particular homelessness prevention intervention(s).				
Number of check marks	X25 points	X20 points	X15 points	X0 points
Subtotal				
Organizational capacity: The applicant demonstrates that it has the qualifications, experience, resources, and/or partners that it needs to meet the proposal objectives.				
Number of check marks	X20 points	X15 points	X10 points	X0 points
Subtotal				
Focus on rural populations: The applicant articulates a focus on addressing homelessness in rural communities.				
Focus on underserved populations: The applicant articulates a focus on addressing homelessness in particularly underserved communities.				
Project evaluation: The applicant details an evaluation strategy to acquire data that it can use to refine the project's strategies to increase its effectiveness in addressing homelessness.				
Number of check marks	X15 points	X10 points	X5 points	X0 points
Subtotal				
Special consideration: Applicant articulates a focus on partnerships and evidence-based advocacy strategies to address individual or systemic homelessness.				
	0-10 points			
Total				

The request for proposals (RFP) states that the rubric is a tool to guide committee and

commission discussion of projects. A comparatively high score, therefore, does not guarantee funding. The committee and commission may still exercise discretion to recommend/make awards that best accomplish the statewide goals of AB 164. For instance, the committee can use its best efforts to distribute grants statewide and to fund a diversity of HP interventions

The RFP communicated the following explanations to applicants:

- **Project impact and strategies:** Applicants should explain how the project’s strategies and goals—activities, partnerships, outputs, outcomes, etc.—will directly and significantly ameliorate homelessness. They should explain why they selected the particular intervention(s) over others. The justification for the proposed services should refer to the circumstances and needs of particular populations that the project seeks to serve.
- **Organizational capacity:** Applicants should demonstrate their ability and capacity to implement and manage the proposed activities. Recruiting partners, such as community based organizations and/or local government subgrantees, who offer complimentary HP expertise and services is relevant to this criterion. Strong administration includes adequate staffing, leadership, and oversight of project monitoring, outreach, and resource development. An applicant’s history of meeting the goals and complying with the requirements of other grants is relevant to this criterion.
- **Focus on rural populations:** Applicants should describe any focus on rural communities. The California Commission on Access to Justice recommends defining “rural” as areas that meet the medical service study area (MSSA) standard for “rural” or “frontier.” The California Office of Statewide Health Planning and Development identifies MSSAs using sub-county clusters of census tracts.¹ The California Commission on Access to Justice argues that MSSA categories of rural and frontier—as opposed to urban—are better suited than counties to classify rural areas.² Rural MSSAs have 50,000 or fewer residents and population densities below 250 people per square mile. “Frontier” MSSAs have population densities of fewer than 11 people per square mile.
- **Focus on underserved populations:** Applicants should describe any focus on particularly underserved clients. A project that focuses on such communities should explain how the latter face even higher barriers to accessing civil justice than does the low-income community generally. Since “focus on rural populations” is a separate criterion, “focus on underserved populations” refers to other aspects of community access.

¹ For more information, please visit <https://www.arcgis.com/home/item.html?id=a20100c4bf374bd081bb49b82cbaaac3>.

² The California Commission on Access to Justice, “Improving Civil Justice in Rural California” (2010) available at <https://www.calatj.org/wp-content/uploads/2021/01/2010-Improving-Civil-Justice-in-Rural-CA.pdf>.

- **Project evaluation:** Applicants should describe an evaluation strategy—frequency, diversity of approaches to collecting information, etc.—and resources that are likely to yield data in time for course corrections and refinements during the grant period.

The rubric scores of “exceeds expectations”, “meets expectations”, “below expectations”, and “not addressed” are subject to committee interpretation. Indeed, the goal of calibration is to distinguish between these scores by applying the rubric to a sample of applications. As a starting point, staff proposes the following explanations for the committee’s calibration session on October 29:

- **Not Addressed:** A proposal that scores “not addressed” in a category/criterion fails to satisfy that criterion in a meaningful way or lacks the relevant nexus. A proposal might fail to satisfy a criterion in a meaningful way if it articulates only a vague intention to do so. And a response might lack the relevant nexus to “focus on rural populations”, for instance, if it would serve only an urban community.
- **Below expectations:** A proposal that scores “below expectations” in a category/criterion addresses that criterion but is insufficiently competitive or persuasive to justify a score of “meets expectations”. The proposal might aspire to do too little, for instance, such as only occasionally serve rural clients in “focus on rural populations”. Or the proposal might lack sufficient detail, explanation, or basis in fact to demonstrate its contours or likelihood of success. Since an uncompetitive proposal might still articulate a feasible project, this score confers some points.
- **Meets expectations:** A proposal that scores “meets expectations” in a category/criterion is competitive and persuasive with respect to that row of the rubric. To be competitive, the proposal will be sufficiently ambitious and/or compelling to merit the use of competitive—as compared to formula—funds. To be persuasive, the proposal will describe circumstances sufficiently probative of the applicant’s intention and ability to accomplish its stated objectives in that criterion.
- **Exceeds expectations:** A proposal that scores “exceeds expectations” in a category/criterion satisfies the standard for “meets expectations” while standing out as particularly compelling or impressive. A project might be especially compelling, for instance, because its strategies or partnerships would be unusually impactful. Or the proposal might be exceptionally detailed, thorough, evidence-driven, or otherwise well-conceived and convincing.

Staff encourages the committee to explore the boundaries between these scores such that a spread of total points across applications is possible.