

**LEGAL SERVICES TRUST FUND COMMISSION
HOMELESSNESS PREVENTION FUNDS COMMITTEE**

Meeting Summary and Action Items

Wednesday, July 20, 2022, 2:00 p.m.–4:00 p.m.
State Bar of California (Conference Call via Zoom)

Roll Call

Members Present

Chair James Meeker
Banafsheh Akhlaghi
Amin Al-Sarraf
Tammy Mahoney
Richard Reinis
Kim Savage
Christian Schreiber

Liaisons

Lorin Kline, Legal Aid
Association of California
Bonnie Hough, Judicial
Council of California
Melanie Snider, Judicial
Council of California

Staff

Meryl Friedman
Danielle MacRae
Chris McConkey
Doan Nguyen
Kim Warmsley

Members Absent

Eric Isken

Public Members

Shelbie Knox, Community
Legal Aid SoCal

OPEN SESSION

Chair Meeker called the meeting to order at 2:01 p.m.

I. ROLL CALL

Staff took roll call and confirmed a quorum.

II. CALL FOR PUBLIC COMMENT

Chair Meeker invited the public to comment on agenda items. There were no public comments.

III. CONSENT

A. Approval of Meeting Summary and Action Items from January 28, 2022, Meeting

The Homelessness Prevention Funds Committee (Committee) approved the Meeting Summary and Action Items for January 28, 2022 (Reinis moved, Akhlaghi seconded).
The vote was:

Yes (6): Meeker, Akhlaghi, Mahoney, Reinis, Savage, and Schreiber.

No (0): None.

Abstain (1): Al-Sarraf.

Absent (1): Isken.

IV. BUSINESS

A. Approve Recommendations for the Timeline and Delegations of Authority for Homelessness Prevention (HP) 4 Grants Administration

Program Supervisor McConkey presented that last summer the Legal Services Trust Fund Commission (Commission) made HP 3 grants using an expected \$80 million over three years. Half the funds came from the Budget Act of 2021. The Commission expected the remaining \$40 million to arrive in the Budget Acts of 2022 and/or 2023.

The Budget Act of 2022 includes two allocations for HP legal aid. Both allocations fund:

[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.

The first allocation is \$20 million from the Coronavirus Fiscal Recovery Fund of 2021. It has an encumbrance/expenditure date of December 31, 2024. This amount is available for the HP 3 grants.

The second allocation is \$30 million from the Equal Access Fund. It has an encumbrance/expenditure date of June 30, 2024. This amount is available for the HP 4 grants. If the Commission approves a start date of January 1, 2023, then the HP 4 grant term would last 1.5 years.

The Committee discussed the amount available for Judicial Council and State Bar administrative costs. The Budget Act of 2021 capped the amount for HP 3's administrative costs at 2.5 percent. The Budget Act of 2022 caps these costs at five percent. The cap might have increased due to the additional—federal—reporting requirements for HP 3 funds. Staff noted, however, that the HP 3 grant amounts assumed a 2.5 percent cap for all three years.

Whereas HP 3 has both formula and competitive awards, all HP 4 grants must be competitive. The Legal Aid Association of California (LAAC) reported that this accommodates organizations' varying need for additional HP funding. Some organizations might prefer to focus on spending their HP 2 and 3 awards. Meanwhile, others could spend more than their formula share of HP 4 funding.

The Budget Act of 2022 removed the “no supplantation” requirement for HP 4 grants. Supplantation clauses often require applicants to hire staff or extend an expiring project with their new grant. LAAC reported that the Legislature likely removed the prohibition on supplantation to make HP 4 awards more flexible.

The following table from staff’s memo covers these and other differences between the HP 3 and HP 4 grants:¹

Comparing the Authorizing Statutes for HP 3 and HP 4 Grants

	Budget Act of 2021 (HP 3 Grants)	Budget Act of 2022 (HP 4 Grants)
Spending	\$40 million	\$30 million
Federal or state source	Federal	State
Eligible organizations	QLSPs and [support centers]	QLSPs and [support centers]
Permissible activities	Same (see above language)	Same (see above language)
Formula and/or Competitive	Formula and competitive	Competitive only
“No supplantation” clause	Yes	No
Competitive preference	Serve rural or underserved	Serve rural or underserved
Administrative costs	Up to 2.5%	Up to 5%
Encumbrance/expend. date	December 31, 2024	June 30, 2024

Staff then recommended the following timeline and roles for making HP 4 grants. The timeline and roles are based on those for HP 3 and would enable a grant period start date of January 1, 2023.

Recommended Timeline for Making HP 4 Awards

Date(s)	Activity
July 20, 2022	Committee recommends timeline and delegations of authority to commission
August 12, 2022	Commission approves timeline and delegations of authority
August 31, 2022	Committee approves the Request for Proposal and rubric
September 9, 2022	Staff releases application
October 10, 2022	Applications due
October 19, 2022	Committee advises the scoring team/calibrates the rubric

¹ Staff’s memo, dated July 20, 2022, is available at <https://board.calbar.ca.gov/docs/agendaitem/Public/agendaitem1000029404.pdf>.

Date(s)	Activity
October 20-November 11, 2022	Commissioner-staff team scores applications
December 1, 2022	Committee recommends awards
December 13, 2022	Commission approves awards
January 1, 2023	Grant period starts

The Committee discussed whether to increase the time between releasing applications and making them due. This would reduce the time for careful review, however. Instead, staff will notify programs of the funding opportunity well in advance. Specifically, staff will message that the HP 4 request for proposals and scoring rubric are likely to resemble those for HP 3.

Program Supervisor McConkey noted that for HP 3 grantmaking, the Commission directed staff to score applications “in consultation with the Committee.” To perform its consultative role, the Committee:

1. Advised the scoring team on how to apply the rubric;
2. Assigned a commissioner (Chair Meeker) to serve on the scoring team; and
3. Reviewed proposals that the scoring team elevated to the Committee.

After discussing the timeline and roles, the Committee passed the following resolution (Akhlaghi moved, Meeker seconded):

RESOLVED, that the Legal Services Trust Fund Commission Homelessness Prevention Funds Committee recommends the timeline for 2023-2024 Homelessness Prevention (HP 4) grants as presented in staff’s July 20, 2022, memo; and it is

FURTHER RESOLVED, that the committee recommends that the commission delegate authority to the committee to approve the request for proposals, including scoring rubric, for the HP 4 grants and to a commissioner(s)-staff team to score applications in consultation with the committee.

Yes (6): Meeker, Akhlaghi, Mahoney, Reinis, Savage, and Schreiber.

No (0): None.

Abstention (0): None.

Absent (2): Al-Sarraf and Isken.

B. Consider a Request from Community Legal Aid SoCal to Reduce HP 2 Formula Grant Deliverables

Program Supervisor McConkey reported that when a grantee seeks to decrease its deliverables substantially, staff typically elevates the request to the relevant committee. Community Legal Aid (CLA) SoCal has sought to reduce its HP 2 formula deliverables. CLA SoCal is entitled to these particular funds—since they are formula funds—provided that it qualifies and complies with the relevant statutory and regulatory requirements and standards.

Shelbie Knox, Grants and Evaluation Manager at CLA SoCal, reported that the original deliverables were incorrect on the application. In its letter to the Committee, CLA SoCal states:²

This grant funds .24FTE of a case manager; our grants staff made an administrative error when calculating the number of clients our case managers could handle, stating 120/year in Years 2-3. After having spent more than a year working on this grant, we believe that we can effectively serve 50 clients per year given the depth of service that we provide.

CLA SoCal also noted that case management is only part of its HP 2-funded work. The project also includes attorney services for which the deliverables are unchanged.

The Committee passed the following resolution (Reinis moved, Savage seconded):

RESOLVED, that the Legal Services Trust Fund Commission Homelessness Prevention Funds Committee recommends approving the revision to Community Legal Aid SoCal's 2021-2023 Homelessness Prevention formula grant deliverables as presented in their May 23, 2022, letter to the Committee.

Yes (6): Meeker, Akhlaghi, Mahoney, Reinis, Savage, and Schreiber.

No (0): None.

Abstention (0): None.

Absent (2): Al-Sarraf and Isken.

V. ADJOURN

There being no other business, the meeting adjourned at 3:33 p.m.

² CLA SoCal's letter is available at <https://board.calbar.ca.gov/docs/agendaitem/Public/agendaitem1000029405.pdf>.