



Cal ICH Guide to California's Housing First Law

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The California Interagency Council on Homelessness (Cal ICH) is the lead entity for coordinating state efforts to prevent and end homelessness. Cal ICH was originally created to oversee the state's implementation of Housing First guidelines and regulations. This guide provides answers to frequently asked questions about the implementation of Housing First in state-funded programs. Cal ICH plans to continue putting out resources for state and local partners related to Housing First implementation across a variety of topics.

What is Housing First?

"Housing First" refers to an evidence-based model that uses housing as a tool, rather than a reward, for recovery, and that aims to provide or connect people experiencing homelessness to permanent housing as quickly as possible. Under this model, providers offer services as needed and requested, and participation in services are not a requirement for housing ([Welfare and Institutions Code \(WIC\) §8255\(b\)](#)).

Why does California use a Housing First model?

The Housing First model was developed to address the needs of people experiencing homelessness who face behavioral health, mental health, or substance use challenges. Programs that mandate behavior or substance use treatment to receive or maintain housing can cause individuals to cycle in and out of housing without improvement, hindering their long-term stability. Housing First acknowledges that a stable place to call home is crucial to one's success in addressing any health or substance use needs, and therefore removes those barriers to accessing housing for people experiencing homelessness. Housing First has been well-studied and is found to have stronger outcomes for people experiencing homelessness.¹

What are the State's legal requirements for Housing First?

California law includes eleven Housing First core components that must be incorporated into state program requirements. These core components must be adopted by state departments or agencies that fund, administer, or implement programs for the purpose of providing housing or housing-based services to people experiencing homelessness or at risk of homelessness. For the full statutory language, please see [WIC §8255\(b\)](#).

Are people required to be sober, in treatment, or have met other prerequisites to be enrolled in a housing or service program?

People are not required to have met prerequisites related to sobriety or treatment to be eligible for participation in state-funded homelessness and housing programs. Additionally, participants must not be rejected for their financial or rental history,

¹ [USICH \(2019\). The Evidence Behind Approaches that Drive an End to Homelessness.](#)

criminal convictions unrelated to tenancy, or any judgement about “housing readiness” behaviors. Housing First is based around a harm reduction philosophy, helping people take steps to reduce the risk of their existing behaviors and letting them choose how to do so. For example, people who are experiencing homelessness can have great difficulty recovering from alcohol or substance use or participating in treatment programs while focusing on the day-to-day survival of homelessness. Therefore, the Housing First model allows them to find stable housing or shelter before working on other behavioral changes.

Can people be evicted for the use of drugs or alcohol?

A program must not evict or remove a participant from housing or shelter settings solely for use of alcohol or drugs, without other program violations. Instead, service providers must use evidence-based harm reduction techniques to prevent participation from engaging in actions that may lead to violation of the program requirements.

Are people required to participate in services to receive or retain housing?

Participation in services must not be a prerequisite or condition to receiving and retaining housing. State-funded programs, however, are required to offer services as well as encourage participants to engage in those services using evidence-based models of engagement that typically require service providers to build trusting relationships and participant-driven service plans.

How should service providers engage with participants?

Programs must not have predetermined goals that apply to all participants. Supportive services offered in housing or outreach should be tailored and relevant to participants and empower participants in the decision-making process to determine solutions for their needs. Programs must utilize staff who are trained in evidenced-based and culturally-sensitive practices for client engagement or provide training on such models. Evidence-based models are those where research has shown significant positive outcomes, such as motivational interviewing, client-centered counseling, and trauma-informed care. Additionally, programs must offer services that are informed by harm reduction philosophies, such as engaging clients with non-judgmental communication, offering education to avoid risky behaviors, and connecting them to evidence-based treatment upon request.

Are housing providers required to provide leases to participants?

Tenants in permanent housing settings must be provided with a lease and all the rights and responsibilities of tenancy. Participants in temporary housing settings, such as shelter or Navigation Centers, are not required to be provided a lease. Occupancy requirements for interim homelessness programs and emergency shelter are defined in [California Civil Code §1954.08 - 1954.093](#) and must be followed in addition to Housing First core components, whenever applicable.

Are programs with time-limited assistance allowed under the Housing First law?

State agencies and departments may fund time-limited rental and service assistance, as long as they comply with California's Housing First core components and implement the additional requirements stated in statute ([WIC §8255\(d\)\(2\)](#)). If a participant is

leaving housing, providers must assist in connecting the participant to other housing or services prior to when they leave the program. Time-limited housing or time-limited programs that require participants to leave after a specific time period with no additional assistance would not be consistent with Housing First. Additional requirements for time-limited programs serving youth are listed in statute.

How does Housing First apply to shelters and interim housing?

Housing First law applies to permanent and temporary settings, including emergency shelters and other interim settings. Not all of the core components of Housing First may be applicable to these settings, for example, the requirement to have leases does not align with the function of an emergency shelter because it is not a long-term housing placement, therefore a lease is not necessary in this case. These settings must use Housing First components and principles in their screening and selecting of participants, providing services, and in other engagement with participants.

How do Housing First core components apply to recovery housing programs?

“Recovery housing” refers to sober living facilities as well as programs that provide housing in recovery-focused and peer-supported communities for people addressing substance use ([WIC §8256\(c\)\(3\)](#)). Per statute, all state-funded recovery housing programs must be compliant with the Housing First core components unless they are funded by specific grants within the California Department of Corrections and Rehabilitation (CDCR) or by the Board of State and Community Corrections Adult Reentry Grant. There are additional requirements for these programs ([WIC §8256\(c\)\(1\)](#)). Participation in recovery housing is voluntary unless participation in that housing type is pursuant to a court order.

How do Housing First core components apply when someone is on probation or parole?

People who have been involved in local or state criminal justice systems are more likely to experience homelessness than the general public. Sobriety may be a condition of court-ordered probation or parole for people exiting jail or prison. This requirement is unrelated to the housing environment in which a person chooses to live. Therefore, it is the expectation that probation or parole officers will connect with individuals about their sobriety, not rely on housing service providers to do so. A housing program must not evict or remove a participant from housing or shelter settings solely for use of alcohol or drugs, without other violations. Instead, service providers should use evidence-based harm reduction techniques to help prevent participants from engaging in actions that may lead to violation of the program agreements. Evidence-based models are those where research has shown significant positive outcomes, such as motivational interviewing, client-centered counseling, and trauma-informed care.

Does the Housing First law apply to federal programs?

Federal policy largely promotes Housing First in federal government programs. The Supportive Services for Veteran Families (SSVF) and HUD-Veterans Affairs Supportive Housing (HUD-VASH), administered by the US Department of Veterans Affairs (VA), include strong Housing First requirements. The SSVF program specifically includes in its regulations “re-housing assistance is offered without preconditions (such as

employment, income, absence of criminal record, or sobriety) and the resources and services provided are typically tailored to the unique needs of the household."²

Providers must apply the Housing First statute to federal programs as well. To the extent federally funded programs have requirements that are inconsistent with the state Housing First statute, federal policy takes precedence, but only where policy is inconsistent ([WIC §8255\(e\)](#)). For example, per HUD, site-based projects, such as emergency shelters, may take exception to the criminal background of program participants in certain cases.³ State programs otherwise must follow all Housing First core components. Many exclusionary federal policies are discretionary policies and do not impose an enforcement obligation on the housing provider.

Can California Federally Recognized Tribes implement culturally responsive adaptations of Housing First?

California's Federally Recognized Tribes may require culturally-appropriate adaptations of Housing First to meet the needs of their specific communities. The vision and philosophy of Housing First can remain intact in these instances, while honoring tribal self-determination, sovereignty, and unique situatedness, such as historical and cultural context and power relations.

What is Cal ICH's role in implementing Housing First?

Cal ICH is charged with working with state departments and agencies to ensure proper compliance with Housing First statute. Cal ICH also provides a variety of resources to state and local partners regarding effective Housing First implementation. If you have any questions about Housing First or would like Cal ICH to develop a specific resource for your community, please email calich@bcsh.ca.gov.

² [Preventing the Use of Housing First. \(n.d.\). National Alliance to End Homelessness](#)

³ [Criminal History \(n.d.\). HUD Exchange.](#)

APPENDIX A: CORE COMPONENTS AND CONTEXT

California Statute provides eleven Housing First core components that must be adopted into state program requirements. A summary of each core component with context is listed below along with context. For the full statutory language, please see [Welfare and Institutions Code \(WIC\) Section 8255\(b\)](#).

	CORE COMPONENTS SUMMARIZED	CONTEXT
1	No requirements for sobriety, treatment, or service participation to be selected for a program.	Lowers barriers to access for historically marginalized groups, such as people who use drugs or those with behavioral/mental health service needs.
2	No rejections for financial or rental history, most criminal convictions, or lack of “housing readiness.”	Provides opportunity to build credit and income, reduce recidivism to incarceration, and stabilize behavioral health conditions.
3	Accept referrals from all areas of the homelessness response system utilized by vulnerable people experiencing homelessness.	Connects people to services and resources through the pathways they already have access to.
4	Service plans are participant-driven and supportive services emphasize engagement and problem solving.	Person-centered approaches, such as allowing participants to identify their goals and service needs, are crucial for success in promoting participation in services.
5	No requirement to participate in services in order to receive or retain housing.	Programs offer services and encourage participants with evidence-based practices. Participants are more likely to succeed when they have autonomy in their participation.
6	Participants provided a lease in permanent housing. Not required for participants in temporary housing settings.	Ensures that participants in permanent housing have the same rights as those in traditional housing and can retain housing while following lease requirements.
7	No evictions solely for drug or alcohol use, without other lease violations.	Participants have the same expectations as those in traditional housing and are approached with harm reduction techniques.
8	Use coordinated entry system or process to prioritize people based on vulnerability criteria.	Prioritizes the most vulnerable for housing and services appropriate for their needs. Outcomes assessed regularly to ensure communities are equitably served.
9	Providers are trained in and use evidenced-based practices .	A voluntary participation model relies on engaging people to design and participate in their own service plans.
10	Services use a harm-reduction philosophy to engage with participants.	Provides participants with options to reduce harm caused by substance use, including but not limited to, sobriety. Services cannot be required.
11	Physical changes in units accommodate disabilities and promote health.	Allows participants to have their needs met, especially those with significant disabilities.