

Date of Hearing: March 26, 2025

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Matt Haney, Chair

AB 750 (Quirk-Silva) – As Introduced February 18, 2025

SUBJECT: Homeless shelters: safety regulations

SUMMARY: Makes changes to existing rules that a city or county must follow regarding inspecting homeless shelters funded by the Homeless Housing, Assistance, and Prevention Program (HHAP). Specifically, **this bill**:

- 1) Requires a city or county to conduct an annual inspection of every homeless shelter in its jurisdiction to ensure that the shelter is not substandard. Allows the inspection to be announced or unannounced.
- 2) Requires a homeless shelter to prominently display information about a shelter occupant's rights and process for reporting a complaint alleging a homeless shelter is substandard, including the contact information for all of the following:
 - a) The owner or operator of the homeless shelter;
 - b) The city or county; and
 - c) The Department of Housing and Community Development (HCD).
- 3) Requires a homeless shelter to provide the notice in 2) in writing to each occupant during intake.
- 4) Authorizes HCD to take legal action against an owner or operator who fails to meet the timelines to correct a violation under this bill.
- 5) Adds to the existing annual reporting requirement, the number of complaints a city or county receives regarding the habitability of a homeless shelter.
- 6) Requires a city or county to submit a report on any violations of habitability regardless of whether any violations occurred.
- 7) Requires HCD to withhold state funding from a city or county that fails to comply with the reporting requirements for shelters in their jurisdiction or fails to take action to correct a violation if a homelessness shelter is found to be substandard.

EXISTING LAW:

- 1) Requires a local government that receives a complaint from an occupant of a homeless shelter, or an agent of an occupant, that alleges a homeless shelter is substandard, shall do all of the following:
 - a) Inspect the homeless shelter or portion intended for human occupancy that may be substandard;

- b) Identify whether the homeless shelter or portion intended for human occupancy is substandard and include documentation in the inspection report; and
 - c) Advise the owner or operator of a homeless shelter of each violation and of each action that is required to be taken to remedy the violation. The local government shall schedule a re-inspection to verify correction of the violations.
- 2) Requires that if the local government determines that a homeless shelter is substandard, the local government shall promptly, but no later than 10 business days after the inspection is completed, issue a notice to correct the violation to the owner or operator of the homeless shelter as follows:
- a) If the local government determines that the violation constitutes an imminent threat to the health and safety of the occupants of the homeless shelter, the notice of violation shall be issued immediately and served on the owner or operator of the homeless shelter; and
 - b) If the local government determines that deficiencies, violations, or conditions exist that are hazardous, immediately detrimental to life or health, or otherwise render the homeless shelter unfit for human habitation, it may issue an emergency order directly to the owner or operator to take immediate measures to rectify those deficiencies, violations, or conditions.
- 3) Requires a local government to maintain all records on file of each homeless shelter inspection and made available to the public.
- 4) Requires a local government to perform an inspection at least as promptly as that local government conducts an inspection in response to a request for final inspection.
- 5) Prohibits a local government from conducting an inspection in response to a complaint to either of the following:
- a) A complaint that does not allege one or more substantial conditions; and
 - b) A complaint submitted by a tenant, resident, or occupant, who, within the past 180 days, submitted a complaint about the same property that the chief building inspector or their designee determined, after inspection, was frivolous or unfounded.
- 6) Requires a local government to provide free, certified copies of an inspection report and citations issued, if any, to the complaining occupant or their agent. If the inspection reveals a condition potentially affecting multiple occupants, including but not limited to, conditions related to the premises, common areas, or structural features, then the local government shall provide free copies of the inspections report and citations issued to all potentially affected occupants or their agents.
- 7) Requires the owner or operator of a homeless shelter to be responsible for the correction of any violations. The owner or operator shall correct each violation within 30 days of receipt of a citation. The local government may grant a 30-day extension to correct a violation.
- 8) Provides that in addition to existing penalties under the State Housing Law, an owner or operator who fails to meet the timelines to correct a violation may be liable for a civil penalty

in an amount determined by the local government for each violation or for each day of a continuing violation.

- 9) Prohibits the local government from awarding or distributing state funding to the owner or operator of a homeless shelter for purposes of operating a shelter if the local government determines that any of the following exist:
 - a) The owner or operator fails to correct a violation within the time periods specified;
 - b) The owner or operator has failed to correct violations in a timely manner on multiple occasions; and
 - c) The owner or operator has been cited for a violation that is an imminent threat to the health and safety of the occupants of the homeless shelter and the owner or operator fails to make sufficient action to correct the violation or prevent future similar violations.
- 10) Provides that a local government shall not be required to submit a report pursuant, if there are no outstanding violations or any violations corrected during the applicable period.
- 11) Requires a local government to submit a report annually to HCD and the Business, Consumer Services, and Housing Agency (BCSH) by April 1 of each year that includes all of the following information:
 - a) Any pending uncorrected violations determined by the local government;
 - b) Any determination by a local government that conditions exist or existed that make or made the homeless shelter dangerous, hazardous, imminently detrimental to life or health, or otherwise render the homeless shelter unfit for human habitation;
 - c) A list of any emergency orders issued;
 - d) A list of any owners or operators who received three or more violations within any six-month period; and
 - e) Any corrected violations from the prior year.
- 12) Requires any local government that applies for state funding to support the ongoing operations of homeless shelters to disclose to the state agency that administers the state funding the status of any unresolved violations and the names of the homeless shelter owner or operators.
- 13) Authorizes HCD or BCSH to deem an owner or operator of a shelter ineligible for state funding for shelter operations, pursuant to the information provided in the report under 11) above. (Health and Safety Code Section 17974 et al.)

FISCAL EFFECT: Unknown.

COMMENTS:

Author's Statement: According to the author, "AB 750 is about justice, accountability, and human dignity. In California, we believe that everyone, no matter their circumstances, deserves

to feel safe and respected. This bill will ensure that our homeless shelters live up to the standards that every resident deserves, because when our community fails to protect the most vulnerable among us, we all fail.”

State Investment in Shelters: Based on the 2024 point in time count, California has the largest homeless population in the nation with nearly 185,000 people experiencing homelessness on any given night. Many of those people, 101,820, are unsheltered, meaning they are living outdoors and not in temporary shelters.

In recent years, in response to the growing population of people experiencing homelessness, especially those who are unsheltered, the state has invested in local efforts to reduce homelessness. From 2018 to 2024, through two programs – the Homeless Emergency Assistance Program (HEAP) and HHAP – the state has invested billions of dollars in flexible funding that can be used for shelters, navigation centers, rental assistance, permanent supportive housing, and services. HCD administers the HHAP program and is responsible for collecting data from Continuums of Care (CoCs), cities, and counties that receive funding on the use of funds.

In response to COVID-19 the federal government provided funding to immediately house people experiencing homelessness at risk of contracting the virus. Project Roomkey reimbursed cities and counties from Federal Emergency Management Agency (FEMA) funds to temporarily house people and Project Homekey provided funding to purchase hotels and motels and master lease housing to house people experiencing homelessness. In March of 2020, the state received \$150 million in federal Coronavirus Relief Funds (CRF) that was used to secure hotels, motels, acquire trailers for people experiencing homelessness at greatest risk of COVID.

This bill would require HCD to withhold funding from HHAP from a city or county that fails to submit a report of complaints or violations in a shelter.

Background: A year-long study in 2020 completed by the American Civil Liberties Union (ACLU) of three shelters in Orange County uncovered unsanitary and unsafe conditions. The report was based on first-person visits and more than 70 interviews with residents, staff members, and shelter volunteers at three facilities — the Courtyard and SAFE Place in Santa Ana, and Bridges at Kraemer Place in Anaheim. The report found unsafe and unsanitary conditions in shelters as well as discrimination and abuse. The ACLU recently sued Orange County on behalf of 11 shelter residents, alleging sexual abuse, rampant rodent and bedbug infestations, broken toilets and showers and extreme temperatures at the shelters. In response to this report, AB 362 (Quirk-Silva), Chapter 362, Statutes of 2021 required cities and counties to investigate complaints from homeless shelter occupants and report yearly on any violations. However, local compliance has been lacking.

In February of 2025, CalMatters completed an investigation and found only 5 of California’s 58 counties and just 4 of the state’s 478 cities have submitted reports as required by law. Violations such as rodent infestations, lack of hot water, and hazardous conditions have been documented, but serious incidents—including deaths, assaults, and sexual abuse—are often omitted.

Through the HHAP program, the state has invested billions of dollars in shelters. This has more than doubled the number of emergency shelter beds in California, from around 27,000 to 61,000. HHAP requires that applicants, big cities, counties and CoCs show that state investments result in people experiencing homelessness being moved into permanent housing. According to data reviewed by CalMatters only 10% of people living in shelters funded by the state have exited

shelters into permanent housing. This is in large part because there are not enough affordable housing units to move people into from shelters.

Code Enforcement: Existing law does not require homeless shelters to be inspected on a regular basis. Under existing law, if a local code enforcement agency receives a complaint about a shelter, they are required to inspect. AB 362 (Quirk-Silva) required a local government to respond timely to any legitimate complaints it receives related to substandard homeless shelters. An owner or operator of a homeless shelter must correct the violation or violations within a specified period of time; failure to do could result in additional civil penalties at the discretion of the local government. Further, any owner or operator of a homeless shelter that fails to correct a violation, had multiple violations within a six-month period, or was determined to be unfit for human habitation may be deemed ineligible for state funding for shelter operations. Local governments are required to submit an annual report to HCD and BCSH identifying violations of the state housing law, which may be used to deem a shelter operator ineligible for state funds.

Due to the lack of compliance with the existing reporting requirements and the continued habitability issues in homeless shelters, this bill would require cities and counties to inspect shelters annually. Shelters would be required to prominently display information about an occupant's rights and process for reporting a complaint alleging a homeless shelter is substandard. Shelters would be required to post contact information for the city, county, HCD, and the owner and operator of the shelter for occupants to make complaints. In addition, shelters would be required to post occupants' rights. Finally, HCD would have standing to sue a shelter over a lack of compliance with the law.

Arguments in Support: According to the ACLU, "the failure to consistently enforce reporting requirements has left thousands of shelter residents vulnerable. Challenges such as lack of awareness among residents, inconsistent reporting by local governments, and the absence of standardized reporting formats hinder the effectiveness of existing law. This void left shelters, which are often a refuge of last resort for unhoused community members, operating without standards and with little accountability, leading to widespread reports of unsafe and unsanitary conditions."

Arguments in Opposition: The California Building Officials (CALBO) are opposed to this bill, they argue that inspections are available on a complaint basis and yearly inspections are completed by fire departments. CALBO would be required to charge a fee for annual inspections required by this bill.

Related Legislation:

AB 362 (Quirk-Silva) Chapter 362, Statutes of 2021: Required cities and counties to investigate complaints from homeless shelter occupants and report yearly on any violations.

Double-referred: This bill was also referred to the Assembly Committee on Judiciary where it will be heard should it pass out of this committee.

REGISTERED SUPPORT / OPPOSITION:

Support

ACLU California Action
AIDS Healthcare Foundation
California Coalition for Housing and Survivor Justice
Disability Rights California

Support If Amended

Housing California

Opposition

California Building Officials

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