

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

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**INFORMATION BULLETIN 2022-02**

**TO:** All California Counties  
All California Cities  
Interested Parties

**FROM:** Kyle Krause, Deputy Director  
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**SUBJECT: Assembly Bill (AB) 362 Homeless Shelters Reporting Guidelines**

This Information Bulletin (IB) is notification of a 2021 legislative change to California law that imposes new requirements for the California Department of Housing and Community Development (HCD) and California cities and counties as of April 1, 2022. This IB has been developed to inform all applicable parties of pertinent requirements associated with the chaptering of [Assembly Bill \(AB\) 362 \(Chapter 395, Statutes of 2021\)](#).

The purpose of this IB is to ensure that California cities and counties are aware of the following provisions and responsibilities to remain in compliance with AB 362 and to provide HCD contact information for ongoing support/questions. California cities and counties are required to investigate complaints of substandard housing claims in homeless shelters made by an occupant or an agent of an occupant to determine if the complaint is valid.

This law defines homeless shelter as:

- An emergency shelter, as defined in [24 Code of Federal Regulations part 576.2](#).
- An emergency shelter, as defined in [Health and Safety Code section 50801\(e\)](#).
- A navigation center, as defined in [Health and Safety Code section 50216](#).

The definition of homeless shelter does not include emergency shelters that are funded by the program commonly referred to as [Project Roomkey](#) that is administered by the California Department of Social Services.

If a homeless shelter is deemed substandard, the respective city or county will record the violation(s) and inform the owner/operator of each violation. They will also note the action necessary to remedy the violation within an established timeframe, as outlined in [Health and Safety Code sections 17974.1 and 17974.2](#).

AB 362 mandates that each California city and county submit a report to HCD by April 1, 2022, and each subsequent April 1 thereafter. HCD requests the annual report to include all the following information:

1. The municipality name and point of contact information.
2. A list of operational homeless shelters within their municipality.
3. Pending uncorrected violations for each homeless shelter.
4. Any corrected violations from the prior calendar year.
5. A list of determinations made by the city or county that any homeless shelter is rendered unfit for human habitation.
6. Any action/steps that have been or will be taken for the benefit of the current occupants of the homeless shelter.
7. A list of any emergency orders issued regarding homeless shelters.
8. A list of any owners or operators who received three or more violations within a six-month period.
9. If any homeless shelter is operating under a locally declared shelter crisis.

AB 362 authorizes HCD to prohibit further state funding of homeless shelter operators if there is a failure to correct any violations within a specified timeframe or there are multiple violations within a six-month period. California cities and counties are not required to submit a report to HCD if there are no outstanding or corrected violations during the prior calendar year.

HCD encourages cities and counties to send reports of egregious violations as early as possible and before the April 1 deadline in any given calendar year.

Annual reports and questions can be submitted to HCD at [AB362AprilReports@hcd.ca.gov](mailto:AB362AprilReports@hcd.ca.gov).