

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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June 19, 2025

Katie Quintero, Planning Manager  
Planning Division  
156 S. Broadway, Ste. 120  
Turlock, CA 95380-5456

Dear Katie Quintero:

**RE: Notice of Violation – City of Turlock Non-Compliance with Homelessness Provisions and Other Housing Element Requirements**

The California Department of Housing and Community Development (HCD) is aware of a decision by the City of Turlock's (City) City Council on April 22, 2025, to block critical funding for the operation of the We Care Program's shelter, which provides shelter services for 49 chronically homeless men in Turlock every night. This decision harms the people the shelter serves as well as the larger Turlock community. Therefore, HCD strongly urges the City to reconsider its decision and to ensure funding for the We Care Program's shelter or act with urgency to identify alternatives to address its homelessness needs. Moreover, the City's action creates an unnecessary barrier to the City's ability to finally achieve a housing element that substantially complies with Housing Element Law.

**Background**

On April 22, 2025, the City Council voted against providing a \$1 contribution and a written letter of support to Stanislaus County's use of state funding to operate the We Care Program. In doing so, the City rebuffed the County's request for partnership and effectively ceased its support for the We Care Program's shelter.

As the only emergency shelter dedicated to serving adult males in the city, the services provided by the We Care Program are of immense need to the local community, especially as this demographic tends to be disproportionately affected by homelessness. For example, of the total homeless population in Stanislaus County, 64 percent were males and nearly half utilized emergency shelter services. Additionally, according to the City's initial draft housing element, the 2023 Stanislaus County Point-in-Time (PIT) Count identified 233 persons experiencing homelessness in the city, an increase of 111 people (92.6 percent) from 121 unhoused individuals in the 2018 count.

The We Care Program has been in operation for over 20 years and provides day center resources and nightly shelter for men over 18 years old that fall at or below 80 of the area median income. The impact of the loss of this shelter will be significant for the community it serves, as vulnerable individuals will no longer have access to a warm and safe environment and will likely be forced to sleep on the street.

### **Impact on Housing Element Compliance**

The City of Turlock has been out of compliance with Housing Element Law **since December 31, 2023**, and changes to the draft housing element to address the denial of funding for the We Care Program will cause even more delay and uncertainty in achieving compliance. On the other hand, if the City facilitates funding for the program, the housing element has a clearer path to compliance.

HCD issued a letter to the City on April 30, 2025,<sup>1</sup> finding the City's most recent 6<sup>th</sup> cycle draft housing element does not comply with requirements under Housing Element Law.<sup>2</sup> Finding A (Review and Revision) of the appendix noted that continued assistance of the We Care Program's shelter identified in Program 4-E was needed to substantially comply with Housing Element Law. If the City no longer provides this assistance, then it loses a major program intended to address homelessness in its draft housing element and this aspect of the housing element would have to be revised without delay to reflect this material change in circumstances and identify additional programs. This includes a thorough evaluation of the effectiveness of the City's homelessness-related programs and the identification and implementation of new or modified programs with specific actions and discrete timelines to assist people experiencing homelessness throughout the planning period. Absent these corrective actions, the housing element will remain non-compliant on this issue.

In addition, under Government Code section 65883, subdivision (a)(7), the housing element is required to include an analysis of any special housing needs, including families and persons in need of emergency shelters and the number of beds available. The City's analysis would need to be amended to account for the closure of the We Care Program's shelter. In addition to these items, the April 30, 2025 letter identified other necessary actions that the City must take to comply with the requirements of Housing Element Law.

### **6<sup>th</sup> Cycle Housing Element Submission and Review History**

The 6<sup>th</sup> cycle planning period for the City of Turlock is December 31, 2023, through December 31, 2031, and its decision to deny funding for the We Care Program's shelter, among other actions and lack of actions, has set back the City's progress towards compliance with Housing Element Law. HCD's records are as follows:

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<sup>1</sup> [Draft Housing Element Findings Letter to Turlock \(April 30, 2025\)](#)

<sup>2</sup> Gov. Code, § 65580 et seq.

- The City failed to adopt a compliant housing element by its 6<sup>th</sup> cycle due date of December 31, 2023.
- On May 13, 2024, HCD issued a Letter of Inquiry to the City regarding noncompliance with Housing Element Law due to its failure to submit an initial draft of its 6<sup>th</sup> cycle housing element.<sup>3</sup>
- On January 31, 2025, the City submitted an initial draft housing element to HCD for review.
- On April 22, 2025, the City Council voted against providing a \$1 contribution and a written letter of support to Stanislaus County's use of state funding to operate the We Care Program.
- On April 30, 2025, HCD issued a findings letter to the City with an appendix of revisions necessary for the housing element to be substantially compliant with Housing Element Law. Among these revisions, HCD noted in Finding A the critical nature of Program 4-E and continued assistance to the We Care Program's shelter to address Special Housing Needs populations in compliance with Housing Element Law. The City also committed to providing financial assistance to this shelter in its Annual Action Plan For CDBG funds & Turlock/Stanislaus Urban County HOME Consortium funds Fiscal Year 2024-2025.<sup>4</sup>
- On May 9, 2025, Governor Gavin Newsom sent a letter to the City's Mayor and City Council to express concern about the City's decision and request an explanation about whether or not action will be taken to support ongoing operation of the We Care Program's shelter, and if not, to inform the state what alternative actions it will take to address the needs of people experiencing homelessness in its community. The letter gave the City until May 30, 2025, to respond to the letter. The City failed to respond to the Governor's letter by that date. The City sent a letter one week after the deadline, on June 6, 2025, outlining concerns about the We Care shelter. While legitimate concerns about service issues should be addressed with providers, the City's decision to effectively reject funding for the City's only dedicated shelter for chronically homeless men, with no alternative or plan in its place, remains deeply concerning.
- On May 13, 2025, the City indicated draft housing element revisions would be provided by the end of May. The City has yet to provide those revisions.

### **Consequences of Noncompliance**

Various consequences apply because the City does not have a housing element in substantial compliance with Housing Element Law. First, noncompliance results in

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<sup>3</sup> Letter of Inquiry to Turlock (May 13, 2024) available at <https://www.hcd.ca.gov/sites/default/files/docs/planning-and-community/HAU/turlock-he-nonsubmittal-loi-051324.pdf>.

<sup>4</sup> Annual Action Plan For CDBG funds & Turlock/Stanislaus Urban County HOME Consortium funds Fiscal Year 2024-2025 available at [https://www.cityofturlock.org/\\_pdf/hppr.asp?id=45](https://www.cityofturlock.org/_pdf/hppr.asp?id=45).

ineligibility or delay in receiving state funds that require a compliant housing element as a prerequisite, including, but not limited to, the following:

- Permanent Local Housing Allocation Program
- Local Housing Trust Fund Program
- Infill Infrastructure Grant Program
- Senate Bill 1 Caltrans Sustainable Communities Grants
- Affordable Housing and Sustainable Communities Program

Second, jurisdictions that do not meet their housing element requirements face additional financial and legal ramifications. HCD may notify the California Office of the Attorney General, which may bring suit for violations of Housing Element Law.<sup>5</sup>

Further, state law provides for court-imposed penalties for persistent noncompliance, including financial penalties. For example, Government Code section 65585, subdivision (l)(1), establishes a minimum fine of \$10,000 per month, up to \$100,000 per month for jurisdictions that fail to comply with a court order to bring its housing element into compliance. If a jurisdiction remains noncompliant, a court can multiply those penalties by a factor of six. Moreover, in any action brought by the Attorney General or HCD to enforce the adoption of housing element revisions, jurisdictions are subject to additional fines of between \$10,000 and \$50,000 per month for each failure to adopt court-ordered housing element revisions, assessed from the date of initial violation until the date the violation is cured, including all investigation and prosecution costs in a successful lawsuit.<sup>6</sup> Other potential ramifications could include the loss of local land use authority to a court-appointed agent.<sup>7</sup>

In addition to these legal remedies available in the courts, under the Housing Accountability Act, jurisdictions that do not have a substantially compliant housing element are subject to the Builder's Remedy, meaning their ability to disapprove very low-, low-, or moderate-income housing and emergency shelters for inconsistency with zoning and land use designation is limited.<sup>8</sup>

Finally, please note a jurisdiction that fails to adopt a substantially compliant housing element within one year from the statutory deadline cannot be found in compliance until any rezones necessary to accommodate a shortfall of sites pursuant to Government Code sections 65583, subdivision (c)(1)(A), and 65583.2, subdivision (c), are completed.<sup>9</sup>

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<sup>5</sup> Gov. Code, § 65585, subd. (j).

<sup>6</sup> Gov. Code, § 65009.1, subd. (a)(1).

<sup>7</sup> Gov. Code, § 65585, subd. (l).

<sup>8</sup> Gov. Code, § 65589.5, subds. (d)(6), (f)(6), (h)(11).

<sup>9</sup> Gov. Code, § 65588, subd. (e)(4)(C)(iii).

## Conclusion

Unfortunately, the City's recent actions to deny a \$1 contribution to the County and a written letter of support for the We Care Program's shelter hinders the City's ability to address special housing needs during the 6th cycle planning period. As the previous letter from the Governor stated, the City cannot ignore its obligation to support its most vulnerable populations. Funding this program through partnership with the County or finding an alternative means would help the City address the requirements of the housing element related to special housing needs throughout the 6<sup>th</sup> cycle planning period.

HCD strongly urges the City of Turlock to facilitate funding for the We Care Program and ensure the continued operation of the We Care Program's shelter or identify alternative or additional pathways to address its homelessness needs. As stated in its findings letter issued on April 30, 2025, this funding is critical to the City's capacity to achieve compliance with Housing Element Law.

Under Government Code section 65585, subdivision (i), HCD must give the City a reasonable amount of time to respond to these findings. Given the urgency of this situation for the City's compliance with Housing Element Law and for the welfare of its residents experiencing homelessness, the City has until July 3, 2025 to provide a response indicating how the City intends to restore funding to the shelter so it can remain part of the City's homelessness strategies in the housing element, or clarify the alternative strategies the City has identified to address its homelessness needs. While the City can and should engage providers to ensure quality service, it is critical that any gap in service be immediately addressed with additional or alternative strategies. In addition, the City must provide a date no later than July 11, 2025 when the City will submit a draft revised housing element addressing all findings from HCD's April 30, 2025 letter. If either of these actions do not occur, HCD may take any of the actions authorized by section 65585, including, but not limited to, referral to the California Office of the Attorney General.

If you have any questions or would like to discuss the contents of this letter, please contact me at [David.Zisser@hcd.ca.gov](mailto:David.Zisser@hcd.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Zisser', with a stylized flourish extending to the right.

David Zisser  
Assistant Deputy Director  
Local Government Relations and Accountability