

11-2012

## 2011-2012 Legislative Summary

Assembly Committee on Housing and Community Development

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Assembly Committee on  
Housing and Community Development

# 2011-2012 Legislative Summary



## Committee Members

Norma J. Torres, Chair  
Toni Atkins, Vice Chair  
Steven Bradford  
Gilbert Cedillo  
Beth Gaines  
Ben Hueso  
Kevin Jeffries

## Committee Staff

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Yvonne Fong, Committee Secretary

**ASSEMBLY COMMITTEE  
ON  
HOUSING AND COMMUNITY DEVELOPMENT**

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ASSEMBLY COMMITTEE ON  
**HOUSING AND COMMUNITY DEVELOPMENT**  
NORMA J. TORRES, CHAIR  
ASSEMBLYMEMBER, SIXTY-FIRST DISTRICT

VICE CHAIR  
TONI ATKINS

MEMBERS  
STEVEN BRADFORD  
GILBERT CEDILLO  
BEN HUESO  
KEVIN JEFFRIES  
JEFF MILLER

November 2012

To All Interested Parties:

Government Code Section 65580 declares: *The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farm-workers, is a priority of the highest order.*

Affordable housing and debates over land use decisions continue to be significant challenges in California. Despite falling real estate values, California still faces a lack of housing that is affordable to low- and moderate-income families, a shortage that has been exacerbated by a sharp decline in housing construction. The number of building permits issued for single-family housing dropped from 212,960 in 2004 to 35,000 in 2009. Multifamily housing permits decreased by 80% in the same period, from 62,000 in 2004 to just over 11,000 in 2009. While these numbers have started to creep upwards since 2009, they remain well below what is needed to keep up with population growth. Dwindling housing bond funds and the elimination of redevelopment agencies present additional challenges for the future of affordable housing construction.

During the 2011-12 Legislative Session, the Assembly Committee on Housing and Community Development heard a wide range of measures affecting housing and land use policy. The committee also worked on several key oversight issues during the session, including, monitoring the delivery of federal funds to reduce and prevent foreclosure, the state's plan for providing housing for veterans, and the impact of redevelopment on affordable housing. In addition, in response to the budget crisis facing the state, the Legislature passed two bills that dissolved redevelopment agencies and redirected the property taxes they collected to schools, counties, and cities, a move that had serious implications for housing since redevelopment generated on average \$1 billion for affordable housing each year.

The following is a summary of legislation referred to the committee during the 2011-12 session, as well as a summary of the committee's oversight hearings. This document is intended as a source for preliminary information. For additional detail about legislation, hearings, or other activities of the committee, please contact committee staff at (916) 319-2085.

Respectfully,

A handwritten signature in black ink that reads "Norma J. Torres".

NORMA J. TORRES, Chair  
Assembly Committee on Housing and  
Community Development

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NORMA J. TORRES, Chair  
Assembly Committee on Housing and  
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# Committee Oversight Hearings

The Assembly Committee on Housing and Community Development held seven oversight hearings:

- 1) Joint Oversight Hearing with Banking and Finance Committee and Judiciary Committee (Eng / Feuer)  
9:30 a.m., Monday, January 31, 2011  
Los Angeles County Hall of Administration, 500 W. Temple Street, Los Angeles  
  
Subject: Home Foreclosure in California – Have government and industry efforts been sufficient to respond to this persistent impediment to California's economic recovery, homeownership, strong communities, and jobs?
- 2) Joint Oversight Hearing with Senate Transportation and Housing Committee (DeSaulnier)  
1:30 p.m., Tuesday, February 15, 2011  
State Capitol, Room 4203  
  
Subject: Redevelopment and affordable housing finance.
- 3) Joint Oversight Hearing with Banking and Finance Committee (Eng)  
1:30 p.m., Monday, March 14, 2011  
State Capitol, Room 444  
  
Subject: Keep your home California.
- 4) Joint Oversight Hearing with Veterans Affairs Committee (Cook)  
9:30 a.m., Wednesday, March 23, 2011  
State Capitol, Room 126\*  
  
Subject: Housing California's veterans: does the State have a plan?
- 5) Housing and Community Development Oversight Hearing  
9:00 a.m., Monday, December 5, 2011  
State Capitol, Room 126  
  
Subject: The Housing Market's Role in Economic Recovery: What's next for California?
- 6) Joint Oversight Hearing with Local Government Committee (Smyth)  
10:30 a.m., Wednesday, March 7, 2012  
State Capitol, Room 4202  
  
Subject: Land use and community development: What tools will work in the post-redevelopment era?
- 7) Joint Oversight Hearing with Banking and Finance (Dickinson)  
11:00 a.m., Wednesday, October 17, 2012  
City Hall, 303 East B Street, Council Chambers, Ontario  
  
Subject: Progress of the Keep Your Home California Program

## 2011-12 Budget Bills

### **\*ABX1 25 (Blumenfield): Redevelopment.**

This bill would have made various changes to implement the redevelopment package adopted in ABX1 26 (Blumenfield) and ABX1 26 (Blumenfield) as part of the 2011-12 Budget. It would have provided additional flexibility to redevelopment agencies and cities and counties to make annual payments. This bill would have provided protection for low- and moderate-income housing funds by specifying in the case of an eliminated redevelopment agency that existing balances are retained for low- and moderate-income housing purposes and affordability covenants are retained.

### **Died in the Senate.**

### **\*ABX1 26 (Blumenfield): Budget bill appropriation: redevelopment agencies.**

This bill does all of the following:

- Suspends redevelopment agency (RDA) activities;
- Dissolves existing RDAs;
- Establishes and defines the duties of Successor Agencies;
- Establishes and defines the duties of Oversight Boards; and
- Provides for the use of property tax revenues that would otherwise have gone to RDAs.

### **Chapter 5, Statutes of 2011-12 First Extraordinary Session**

### **\*ABX1 27 (Blumenfield): Budget related to community development.**

This bill allowed communities to be exempt from the elimination of existing redevelopment agencies if a city or county elected to participate in the Alternative Voluntary Redevelopment Program established by the bill. In *California Redevelopment Association v. Matosantos*, the California Supreme Court threw out all provisions related to the Alternative Voluntary Redevelopment Program created by this bill.

### **Chapter 6, Statutes of 2011-12 First Extraordinary Session**

*\*Bills not heard in the Assembly Committee on Housing and Community Development*



**\*ABX1 46 (Charles Calderon): Redevelopment agencies: public improvement projects.**

This bill would have authorized a redevelopment agency (RDA) to continue a public improvement project under the jurisdiction of that RDA if the public improvement project was initiated by a vote of the agency prior to January 1, 2011, and the RDA expended funds for the design, engineering, environmental review, and site acquisition for the public improvement project prior to January 1, 2011.

**Died at the Assembly Desk.**

**\*SBX1 8 (Budget and Fiscal Review Committee): Redevelopment.**

This bill would have made various changes to existing laws related to community redevelopment and the Alternative Voluntary Redevelopment Program. The changes relate to certain technical issues, clarifying provisions, and special circumstances that are in reference to previously adopted legislation affecting redevelopment agencies.

**Vetoed October 3, 2011. Governor Edmund G. Brown, Jr.'s veto message:**

Legislation abolishing redevelopment agencies (ABX1 26) and establishing a Voluntary Alternative Redevelopment Program (ABX1 27) is currently the subject of litigation to *California Redevelopment Association v. Matosantos*. The California Supreme Court has indicated that it will rule in this case by January 15, 2012.

Until the court issues its ruling in this case, it would be premature to consider the modifications proposed in this bill.

**\*SBX1 13 (Budget and Fiscal Review Committee): Redevelopment.**

This would have made a change in the basis on which community remittances can be adjusted under the Alternative Voluntary Redevelopment Program established under ABX 1 27 (Blumenfield).

**Died on Senate Unfinished Business: Concurrence.**

*\*Bills not heard in the Assembly Committee on Housing and Community Development*

## 2012-13 Budget Bills

### **\*AB 1484 (Committee on Budget): Redevelopment.**

This bill clarifies certain matters associated with the dissolution of redevelopment agencies (RDAs) and addresses substantive issues related to administrative processes, affordable housing activities, repayment of loans from communities, use of existing bond proceeds, and the disposition or retention of former RDA assets.

### **Chapter 26, Statutes of 2012**

### **\*SB 1030 (Budget and Fiscal Review): Dissolution of redevelopment agencies and excess educational revenue augmentation fund revenues.**

This bill would have removed the language in AB 1484 (Committee on Budget) that stipulates that additional excess educational revenue augmentation fund (ERAF) revenues that may result from the dissolution of redevelopment agencies should not be construed to increase allocations of these moneys to cities, counties, or special districts. The removal of the language would have meant that any additional excess ERAF created under the dissolution would go to cities, counties, and special districts.

### **Vetoed September 29, 2012. Governor Edmund G. Brown, Jr.'s veto message:**

This bill would eliminate a provision in Assembly Bill 1484 (Chapter 26, Statutes of 2012) that alters the manner in which "excess" Educational Revenue Augmentation Funds are distributed in counties whose schools are fully funded to their revenue limits using property tax revenues.

While I understand that the three counties impacted by the provision in question believe they have been placed in an unfair situation, I also note that these entities are estimated to receive a generous increase in property tax revenues due to redevelopment dissolution. Furthermore, given the current General Fund uncertainties, it would not be prudent to enact legislation when the potential cost is unclear.

*\*Bills not heard in the Assembly Committee on Housing and Community Development*

## **Building Standards**

### **AB 19 (Fong): Building standards: water meters: multiunit structures.**

This bill would have mandated that water purveyors adopt policies requiring that multi-unit residential structures or mixed-use residential and commercial structures that apply for water connections after January 1, 2014, have new water service submeters that measure the water supplied to each individual dwelling unit.

### **Failed passage in the Assembly Committee on Housing and Community Development.**

### **AB 849 (Gatto): Water: use efficiency: graywater building standards.**

This bill repeals the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of graywater systems and instead requires that any local ordinance establishing graywater standards that are different than statewide standards specify the local climatic, geological, or topographical conditions necessitating the difference.

### **Chapter 577, Statutes of 2011**

### **SB 1394 (Lowenthal): Dwelling safety: Carbon monoxide and smoke detectors.**

This bill delays the date by which an owner must install a carbon monoxide device in an existing hotel or motel unit from January 1, 2013, to January 1, 2016, and makes a number of changes to existing laws relating to the installation of smoke detectors in residential dwellings.

### **Chapter 420, Statutes of 2012**

## **Common Interest Developments**

### **AB 771 (Butler): Common interest developments: provision of sale-related documents.**

This bill requires a homeowners association (HOA) in a common interest development (CID) to provide each owner of a separate interest in a CID with a statement of the fees that may be charged for providing documents to a prospective buyer. The bill allows an HOA to contract with an agent to procure, prepare, reproduce, and deliver disclosure documents to a seller of a separate interest in a CID.

### **Chapter 206, Statutes of 2011**

### **AB 805 (Torres): Common interest developments.**

This bill revises and recasts the Davis Stirling Common Interest Development Act, which governs common interest developments. It groups related provisions together in a logical order; clarifies sections that are unclear or confusing; and divides sections that are long into shorter, more readable, sections.

### **Chapter 180, Statutes of 2012**

### **AB 806 (Torres): Common interest developments.**

This bill makes conforming changes to AB 805 (Torres) to delete the cross-references in existing law to the existing code sections in the Davis Stirling Common Interest Development Act and replace them with the new code sections in AB 805.

### **Chapter 181, Statutes of 2012**

### **AB 2273 (Wieckowski): Common interest developments: required documents.**

This bill streamlines the process for the mortgagee or trustee for a separate interest in a common interest development to provide information about the new owner to the homeowners association necessary for the purpose of invoicing assessments.

### **Chapter 255, Statutes of 2012**

### **SB 150 (Correa): Common interest developments.**

This bill prohibits a common interest development from restricting the right of an owner to rent or lease his or her separate interest if the owner had that right at the time of purchase, unless the owner waives the right to lease or rent.

### **Chapter 62, Statutes of 2011**

**SB 209 (Corbett): Common interest developments: electric vehicle charging stations.**

This bill makes void and unenforceable any covenant, restriction, or conditions contained in any deed, contract, security instrument, or other instrument in a common interest development that prohibits or restricts the installation of an electric vehicle charging stations.

**Chapter 12, Statutes of 2011**

**SB 561 (Corbett): Common interest developments: delinquent assessments.**

This bill would have amended the Davis-Stirling Common Interest Development Act (Act) to clarify that a debt collector shall be subject to specified provisions of the Act regarding application of payments and states that any waiver by a homeowner of his or her rights is void as contrary to public policy.

**This bill was amended June 21, 2012, out of the committee's jurisdiction.**

**SB 563 (Transportation and Housing Committee): Common interest developments: meetings.**

This bill requires a homeowners association to send notice to members two days prior to an executive session meeting and restricts how the board of directors can communicate via electronic means.

**Chapter 257, Statutes of 2011**

**SB 759 (Lieu): Common interest developments: artificial turf.**

This bill would have made the governing documents of a common interest development (CID) void and unenforceable if they prohibit the use or include conditions that effectively prohibit the use of artificial turf or any other synthetic surface that resembles grass, but would have allowed a CID to apply design and quality standards for artificial turf.

**Vetoed July 13, 2011. Governor Edmund G. Brown, Jr.'s veto message:**

Under this bill, homeowners associations that govern Common Interest Developments would be forced to approve the installation of Astro Turf. The decision about choosing synthetic turf instead of natural vegetation should be left to individual homeowners associations, not mandated by state law.

**SB 880 (Corbett): Common interest developments: electric vehicle charging stations.**

This bill makes changes to the rules on installation of electric vehicle charging stations in common interest developments.

**Chapter 6, Statutes of 2012**

## Homelessness

### **AB 683 (Ammiano): Homelessness.**

This bill would have required the Department of Housing and Community Development to create a statewide Homeless Management Information System, contingent on receiving sufficient federal and private funds.

**This bill was amended June 21, 2012 out of the committee's jurisdiction.**

### **AB 1167 (Fong): Homelessness: Interagency Council on Homelessness.**

This bill would have created the California Interagency Council on Homelessness and would have required various state agencies to meet quarterly to coordinate efforts on homelessness.

**Died in the Senate Committee on Appropriations.**

## Housing Finance

### **AB 221 (Carter): Housing and Emergency Shelter Trust Fund Act of 2006: supportive housing.**

This bill would have allowed funds from the Emergency Housing and Assistance Funds to be used for supportive housing programs, which qualify for the Multifamily Housing Program.

### **Died in the Senate Committee on Appropriations.**

### **AB 483 (Torres): Housing finance.**

This bill changes the definition of "target population" for purposes of the Supportive Housing component of the Multifamily Housing Program.

### **Chapter 275, Statutes of 2011**

### **\*AB 1092 (Dickinson) as amended August 30, 2012: Housing: catalyst project funding.**

This bill would have appropriated \$20 million of Proposition 1C funding for grants to projects that the Department of Housing and Community Development previously designated as catalyst projects within the Affordable Housing Innovation Program.

### **Died in the Senate Committee on Appropriations.**

### **AB 1551 (Torres): California Housing Finance Agency loan subordinations.**

This bill authorizes the California Housing Finance Agency to subordinate a second mortgage under the Home Purchase Assistance and Extra Credit Teacher programs under certain conditions and allows the Department of Housing and Community Development to subordinate a second mortgage under the CalHome Program under certain conditions.

### **Chapter 555, Statutes of 2012**

*\*Bills not heard in the Assembly Committee on Housing and Community Development*



**AB 1585 (John A. Pérez) as introduced: Redevelopment: enforceable obligation.**

As introduced, this bill would have made changes to the process of dissolving redevelopment agencies (RDAs), including requiring the funds on deposit in the Low- and Moderate-Income Housing Fund of a former RDA to remain with the entity that assumes the RDA's housing functions rather than being distributed as property tax revenue.

**As amended August 24, 2012: Community development.**

As amended, this bill appropriates \$50 million to the Infill Incentive Grant Program and the Transit-Oriented Development Program created by Proposition 1C: Housing and Emergency Shelter Trust Fund Act of 2006.

**Chapter 777, Statutes of 2012**

**AB 1699 (Torres): Affordable housing.**

This bill allows the Department of Housing and Community Development to refinance and restructure older loans made through affordable rental housing programs.

**Chapter 780, Statutes of 2012**

**AB 1951 (Atkins): housing bonds.**

This bill transfers \$30 million from the Affordable Housing Innovation Fund to the Multifamily Housing Program.

**Chapter 784, Statutes of 2012**

**AB 2447 (Skinner): The California Neighborhood Revitalization Partnership Act of 2012.**

This bill would have established the California Neighborhood Revitalization Partnership Act of 2012 and transferred \$25 million in bond funds from the California Homebuyer Downpayment Assistant Program to the new program. The bill would have required the Department of Housing and Community Development to make the funds available to local public agencies or nonprofit corporations as grants or loans for the purchase, rehabilitation, or demolition of foreclosed or abandoned residential properties and for downpayment assistance associated with the resale of an improved property.

**Died in the Senate Committee on Appropriations.**

**\*SB 77 (Leno) as amended August 24, 2012: Department of Housing and Community Development: loans.**

This bill would have permitted the Department of Housing and Community Development to reduce the interest rate on any loan that the department issues to a rental housing development to as low as zero percent.

**Died in the Assembly Committee on Rules.**

*\*Bills not heard in the Assembly Committee on Housing and Community Development*

## Land Use

### **AB 208 (Fuentes): Land use: subdivision maps: expiration dates.**

This bill extends by 24 months the expiration date for specified subdivision maps and any legislative, administrative, or other approval by any state agency that pertains to a development project included in a map that is extended.

### **Chapter 88, Statutes of 2011**

### **AB 542 (Allen) as introduced: Land use: housing element: regional housing need.**

This would have specified that for purposes of complying with Housing Element Law, a site within the unincorporated area of a county shall be deemed appropriate to accommodate housing for lower income households if the site is owned by the county, is set aside for affordable housing, and the land will be provided for the development of affordable housing at no cost to the developer; or the county has committed to providing subsidies of at least 15% of the total development cost per unit for the construction of affordable housing on the site during the planning period. In addition, qualifying sites would have had to be zoned to allow a minimum residential density of 10 units per acre and be located close to jobs and within one mile of a grocery store or an elementary

### **As amended August, 24.2012: Land use: housing element.**

This would have revised references to redevelopment agencies within the housing element provisions to instead be to successor housing agencies.

### **Died in the Senate Committee on Rules.**

### **AB 679 (Allen): Land use: housing element.**

This bill would have allowed the County of Napa, through October 31, 2022, to meet up to 15% of its share of the regional housing need for lower-income households by committing funds for the construction of affordable housing units within one or more cities within the county, if various conditions were met.

### **Died in the Senate Committee on Transportation and Housing.**

### **AB 710 (Skinner): Local planning: infill and transit-oriented development.**

This bill would have established minimum parking standards for new transit-oriented development.

### **Failed passage in the Senate.**

**AB 1103 (Huffman): Land use: housing element.**

This bill adds units on foreclosed property to the types of existing units a local government can count towards meeting housing element obligations if it provides funding to make the units affordable to low- and very low-income households for at least 40 years.

**Chapter 210, Statutes of 2011**

**AB 1216 (Fuentes): Land use: notice of proposed change: assisted housing developments.**

This bill would have given tenants and affected public entities the ability to enforce the provisions of law requiring owners of assisted housing developments to give affordable housing developers and others the right to make an offer to purchase the development in order to preserve its affordability when the owner does not intend to extend or renew participation in a subsidy program.

**Vetoed September 7, 2011. Governor Edmund G. Brown, Jr.'s veto message:**

This bill would give affected tenants and public entities the right to sue owners of assisted housing developments who are ending their participation in a subsidy program.

I strongly support preserving assisted housing units. Unfortunately, the bill fails to specify clearly the remedies available. This could lead to unnecessary litigation and delays.

**AB 1220 (Alejo): Land use and planning: cause of actions: time limitations.**

This bill would have allowed an entity in support of affordable housing to challenge a housing element or certain city or county housing ordinances within three years of adoption.

**Vetoed October 9, 2011. Governor Edmund G. Brown, Jr.'s veto message:**

This bill increases the statute of limitations from 90 days to 3 years for a citizen to file a Notice of Deficiency in a locally adopted housing element.

While I understand the value of using the courts to compel compliance with state housing goals, there should be a balance between a local government's planning authority and citizen oversight. This bill tilts that balance and creates too much uncertainty.

**AB 2308 (Torres): Land use: housing element: regional housing need.**

This bill allows a city or county to reduce its share of the regional housing need by the number of units built between the start of the projection period and the deadline for adoption of the housing element.

**Chapter 58, Statutes of 2012**

**SB 244 (Wolk): Land use: general plan: disadvantaged unincorporated communities.**

This bill requires cities, counties, and local agency formation commissions to plan for disadvantaged communities.

**Chapter 513, Statutes of 2011**

## **Manufactured Homes and Mobilehomes**

### **AB 317 (Charles Calderon): Mobilehomes.**

This bill adds language to an existing disclosure form that the management of a mobilehome park must provide to prospective homeowners stating that purchasers who do not occupy the mobilehome as their principal residence may be subject to rent levels that are not governed by rent control.

### **Chapter 337, Statutes of 2012**

### **AB 585 (Fong) as introduced: Property taxation: manufactured homes: information sharing.**

This bill would have required the Department of Housing and Community Development to furnish to each county assessor a complete list of all manufactured homes sited within the county.

**This bill was amended June 21, 2012, out of the committee's jurisdiction.**

### **AB 1797 (Torres): Mobilehome Park Resident Occupancy Program.**

This bill allows the Department of Housing and Community Development to offer an interest rate below 3% on loans made under the Mobilehome Park Resident Occupancy Program and makes other changes to the program.

### **Chapter 558, Statutes of 2012**

### **AB 1938 (Williams): Mobilehomes: rental agreements.**

This bill expands the existing prohibition on mobilehome park management passing through various fines, fees, or damages assessed by a court relating to violations of the Mobilehome Residency Law to also cover violations of the Mobilehome Park Act and amounts assessed by enforcement agencies.

### **Chapter 477, Statutes of 2012**

### **AB 2150 (Atkins): Mobilehome parks.**

This bill creates a new notice that the management in a mobilehome park must provide to all homeowners on an annual basis that summarizes key rights and responsibilities of homeowners and park management under the Mobilehome Residency Law.

### **Chapter 478, Statutes of 2012**

**AB 2272 (Wagner): Mobilehomes: injunctions.**

This bill provides that, until January 1, 2016, the management of a mobilehome park may seek an order enjoining a violation of a park rule or regulation as a limited civil case.

**Chapter 99, Statutes of 2012**

**SB 149 (Correa): Mobilehomes and special occupancy parks: permit invoice: notice.**

This bill requires the Department of Housing and Community Development or a local enforcement agency to include on the annual invoice for a permit to operate a mobilehome park or a special occupancy park notice of the Mobilehome Residency Law or the Recreational Vehicle Park Occupancy Law, as applicable to the park.

**Chapter 307, Statutes of 2012**

**SB 1421 (Correa): Mobilehomes: resident-owned mobilehome parks.**

This bill makes clarifying changes related to the application of the Mobilehome Residency Law in a mobilehome park owned and operated by a non-profit mutual benefit corporation.

**Chapter 492, Statutes of 2012**

## Redevelopment

Citing a need to preserve public resources that support core government programs, the Governor's 2011-12 budget proposed dissolving redevelopment agencies (RDAs). Under the Governor's plan, property taxes that otherwise would have been allocated to RDAs in 2011-12 would have been used to pay existing redevelopment debts, make pass-through payments to other local governments, and offset \$1.7 billion in state General Fund costs. Any remaining redevelopment funds would have been allocated to the other local agencies that serve the former project area, with the allocations based largely on each agency's share of property tax revenues in the project area. The Governor's proposal failed to secure the necessary two-thirds vote. As an alternative, in June of 2011, the Legislature passed and the Governor signed ABX1 27 (Blumenfield, Chapter 6, Statutes of 2011 First Extraordinary Session), which created an Alternative Voluntary Redevelopment Program. The Legislature also passed a companion measure, ABX1 26 (Blumenfield, Chapter 5, Statutes of 2011 First Extraordinary Session), which set up the process for the dissolution of redevelopment agencies if they chose not to opt in to the voluntary program.

On July 18, 2011, the California Redevelopment Association (CRA) and the League of California Cities, along with other petitioners, filed suit against the state challenging the constitutionality of AB X1 26 and ABX1 27 and asked for a stay of the measures. On August 17, 2011, the California Supreme Court issued a modified order that stayed almost all provisions of both measures except Part 1.8 of the Health and Safety Code, which suspended any new activities of RDAs and prohibited the issuance of new debt.

On December 29, 2011, the Supreme Court issued its final judgment and denied CRA's petition for peremptory writ of mandate with respect to ABX1 26. However, the Court did grant CRA's petition with respect to AB X1 27, thereby throwing out all provisions related to the Alternative Voluntary Redevelopment Program yet maintaining the Legislature's ability to dissolve RDAs pursuant to the provisions of ABX1 26. The Court also extended all of the statutory deadlines contained in Health and Safety Code Division 24, Part 1.85 (Sections 34170-34191) and arising before May 1, 2012, by four months, thus moving the effective date for the dissolution of RDAs from October 1, 2011, to February 1, 2012.

### **AB 343 (Atkins): Redevelopment plans: environmental goals.**

This bill would have required every redevelopment plan to consider and identify strategies for how redevelopment projects will help attain climate, air quality, and energy conservation goals identified in SB 375 (Steinberg), Chapter 728, Statutes of 2008, or the applicable regional greenhouse gas emission reduction targets.

### **Died in the Senate Governance and Finance Committee**



**\*AB 345 (Torres) as amended August 21, 2012: Redevelopment.**

This bill would have reformed, beginning January 1, 2018, redevelopment agencies' use of their Low- and Moderate-Income Housing Funds. This bill was identical to SB 450 (Lowenthal) except it had a five-year implementation delay.

**Vetoed September 29, 2012. Governor Edmund G. Brown, Jr.'s veto message:**

This bill makes changes to the Community Redevelopment Law regarding redevelopment agencies' use of the Low and Moderate Income Housing Fund.

The intent of this bill is to govern use of the 20 percent set-aside for low and moderate income housing established in SB 1156. Given my recent veto of SB 1156, this bill is premature.

**AB 936 (Hueso): Redevelopment: debt forgiveness.**

This bill requires a public body or a redevelopment agency to adopt a resolution prior to forgiving a loan, advance, or indebtedness.

**Chapter 226, Statutes of 2011**

**AB 1235 (Hernández): Redevelopment property: hazardous substance release: immunities.**

This bill would have provided qualified immunities from liability, if certain conditions are met, for brownfield cleanup activities conducted by successor agencies assuming the authority and duties of redevelopment agencies, if redevelopment agencies were dissolved by Legislative act.

**This bill was amended August 24, 2012, out of the committee's jurisdiction.**

**AB 1275 (Torres): Redevelopment agency contracts.**

This bill would have clarified the general powers of a redevelopment agency and provided that a contract that a redevelopment agency enters into can be declared null and void by a court if it violates the Community Redevelopment Law.

**This bill was amended June 11, 2012, out of the committee's jurisdiction.**

**AB 1555 (Norby): Redevelopment: debt forgiveness.**

This bill would have prohibited the oversight board responsible for the wind-down of a redevelopment agency (RDA) to require the successor agency to forgive a loan, advance, or indebtedness that is owed to the dissolved RDA by a public body.

**Died on the Assembly Inactive File.**

**SB 450 (Lowenthal): Redevelopment.**

This bill would have made various reforms to the activities of redevelopment agencies in fulfilling the requirements to increase, preserve, and improve low- and moderate-income housing.

**Vetoed October 4, 2011. Governor Edmund G. Brown, Jr.'s veto message:**

This measure contains significant legal changes that will affect Low and Moderate Income Housing funds managed by redevelopment agencies, but this bill is a little ahead of its time. The California Supreme court has indicated that it will rule on *California Redevelopment Agency v. Matosantos* by January 15, 2012, and I believe it would be premature to enact such substantive reform before that time.

**SB 1156 (Steinberg): Sustainable Communities Investment Authority.**

This bill would have allowed local governments to establish a Sustainable Communities Investment Authority (Authority) to finance specified activities within a sustainable communities investment area.

**Vetoed September 29, 2012. Governor Edmund G. Brown, Jr.'s veto message:**

This bill would allow local governments to establish a Sustainable Communities Investment Authority to finance activities within a specified area. The planning and investment that is envisioned by this bill would help to develop and redevelop a California that is sustainable and thriving

I prefer to take a constructive look at implementing this type of program once the winding down of redevelopment is complete and General Fund savings are achieved. At that time, we will be in a much better position to consider new investment authority. I am committed to working with the Legislature and interested parties on the important task of revitalizing our communities.

## Miscellaneous

### **AB 505 (Harkey): Housing programs: audits.**

This bill would have required, on or before January 1, 2013, and every four years after, the Bureau of State Audits to conduct a performance audit of special fund and General Fund programs administered by the Department of Housing and Community Development.

### **Died in the Senate Committee on Rules.**

### **AB 697 (V. Manuel Pérez): Veteran acquisition of home: interest of record.**

This bill allows the CalVet Home Loan Program within the California Department of Veterans Affairs to refinance existing mortgage loans.

### **Chapter 368, Statutes of 2011**

### **AB 826 (Atkins): Department of Housing and Community Development: annual report.**

This bill would have required that cumulative information on programs funded under the Housing and Emergency Shelter Trust Fund Acts of 2002 and 2006 be included in the Department of Housing and Community Development's (HCD) annual report. This bill would have required that HCD's annual report break out the required information for each program funded by Proposition 46 or Proposition 1C, respectively, and include a cumulative total of this information for all funds distributed under Proposition 46 and Proposition 1C.

### **This bill was amended June 21, 2012, out of the committee's jurisdiction.**

### **AB 840 (Torres): Employee Housing Act: agricultural land use.**

This bill clarifies that farmworker housing meeting specified criteria must be treated the same as other agricultural uses in any zone that allows such uses.

### **Chapter 74, Statutes of 2011**

### **AB 931 (Dickinson): California Environmental Quality Act exemption: housing projects.**

This bill would have increased the maximum retail use from 15 percent to 25 percent in the definition of "residential" for purposes of an existing California Environmental Quality Act exemption for infill housing projects meeting specified criteria.

### **Failed passage in the Senate Committee on Environmental Quality.**

**AB 1222 (Gatto): California Housing Finance Agency: executive compensation.**

This bill requires the California Housing Finance Agency (CalHFA) board, as opposed to agency staff, to contract for any salary survey related to executive management compensation and makes a number of changes to CalHFA's conflict of interest statutes.

**Chapter 408, Statutes of 2011**

**AB 1672 (Torres): Housing-Related Parks Program.**

This bill makes changes to the Housing-Related Parks Program, administered by the Department of Housing and Community Development.

**Chapter 779, Statutes of 2012**

**AB 1925 (Ma): Real property: rent control.**

This bill limits levels of compensation in San Francisco for the temporary displacement of tenant households from rent-controlled units for less than 20 days to \$275 per day per household and actual moving expenses if it is necessary to move the household's possessions.

**Chapter 243, Statutes of 2012**

**AB 2314 (Carter): Real property: blight.**

This bill removes the sunset on a statute that permits local governments to fine property owners for failure to maintain certain property and makes other changes relating to the ability of a local enforcement agency to abate nuisances and correct substandard building violations.

**Chapter 201, Statutes of 2012**

**AB 2610 (Skinner): Tenants: foreclosure and unlawful detainer.**

This bill improves notice to tenants in foreclosed properties, including revising the requirement in existing law providing 60 days' notice to instead provide, in the case of a month-to-month lease or periodic tenancy, 90 days' notice for tenants in a foreclosed property.

**Chapter 562, Statutes of 2012**

**AB 2697 (Housing Committee): Housing omnibus bill.**

This bill makes technical and non-controversial changes to various housing laws.

**Chapter 770, Statutes of 2012**

**SB 562 (Transportation and Housing Committee): Housing omnibus bill.**

This bill makes technical and non-controversial changes to various housing laws.

**Chapter 239, Statutes of 2011**

**SB 1039 (Steinberg): Business, Consumer Services, and Housing Agency.**

This bill revises the Governor's Reorganization Plan No. 2 by changing the name of the Business and Consumer Services Agency to the Business, Consumer Services, and Housing Agency and requires the Department of Housing and Community Development, the Department of Transportation, and the California Transportation Commission to coordinate state housing and transportation policies and programs to help achieve state and regional planning priorities and to maximize cobenefits of infrastructure investments.

**Chapter 147, Statutes of 2012**

**SB 1472 (Pavley): Real property: blight.**

This bill would have removed the sunset on a statute that permits local governments to fine property owners for failure to maintain certain property and makes other changes relating to the ability of a local enforcement agency to abate nuisances and correct substandard building violations.

**Died on the Assembly Inactive File.**

**SB 1473 (Hancock): Tenants: foreclosure and unlawful detainer.**

This bill would have removed the sunset on a statute that permits local governments to fine property owners for failure to maintain certain property and makes other changes relating to the ability of a local enforcement agency to abate nuisances and correct substandard building violations.

**Died on the Assembly Inactive File.**

**SCR 6 (Lowenthal): Affordable housing: in-home Internet service accessibility.**

This resolution encourages state and local multifamily housing lending agencies to align their policies on the provision of free Internet access with those of the Tax Credit Allocation Committee.

**Resolution Chapter 72, Statutes of 2011**

## **Bills Referred to the Committee but Never Heard**

**AB 14 (Wieckowski)**: Redevelopment: Fremont Redevelopment Agency: NUMMI.

**AB 264 (Hagman)**: Transitional housing location.

**AB 330 (Norby)**: Redevelopment: audit violations.

**AB 370 (Smyth)**: Building standards: tankless water heater venting materials.

**AB 445 (Carter)**: Redevelopment: Military Base Reuse Preservation Act.

**AB 497 (Wieckowski)**: Emergency shelters: Federal Emergency Solutions Grant Program.

**AB 547 (Gatto)**: Manufactured Home Recovery Fund: fee modification.

**AB 602 (Olsen)**: Housing element: revision and update.

**AB 1170 (Alejo)**: Redevelopment Agency City of Watsonville: Manabe-Ow Site.

**AB 1198 (Norby)**: Land use: housing element: regional housing need assessment.

**AB 1234 (Norby)**: Redevelopment agencies: financing.

**AB 1248 (Hueso) as introduced**: tax credit for low-income housing project.

**AB 1250 (Alejo)**: Redevelopment agency compliance.

**AB 1317 (Norby)**: Redevelopment: community development plan consistency.

**AB 2522 (Williams)**: Mobilehome parks: rental agreements.

**AB 2525 (Smyth)**: building standards: tankless water heater venting materials.

**AB 2644 (Butler)**: Building standards: electric vehicle charging stations.

**AB 2597 (Fuentes)**: Mobilehome parks: lot lines.

**SB 245 (Rubio)**: Smoke detectors: mobilehomes, manufactured homes and commercial modular.

**SB 301 (De Saulnier)**: Housing and community development: redevelopment: seismic retrofits

**SB 654 (Steinberg)**: Redevelopment housing funds.

**SB 1151 (Steinberg)**: Sustainable Economic Development and Housing Trust Fund: long-range asset management plan.

# APPENDIX

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