

1994

1993-94 Housing Update

Assembly Committee on Housing and Community Development

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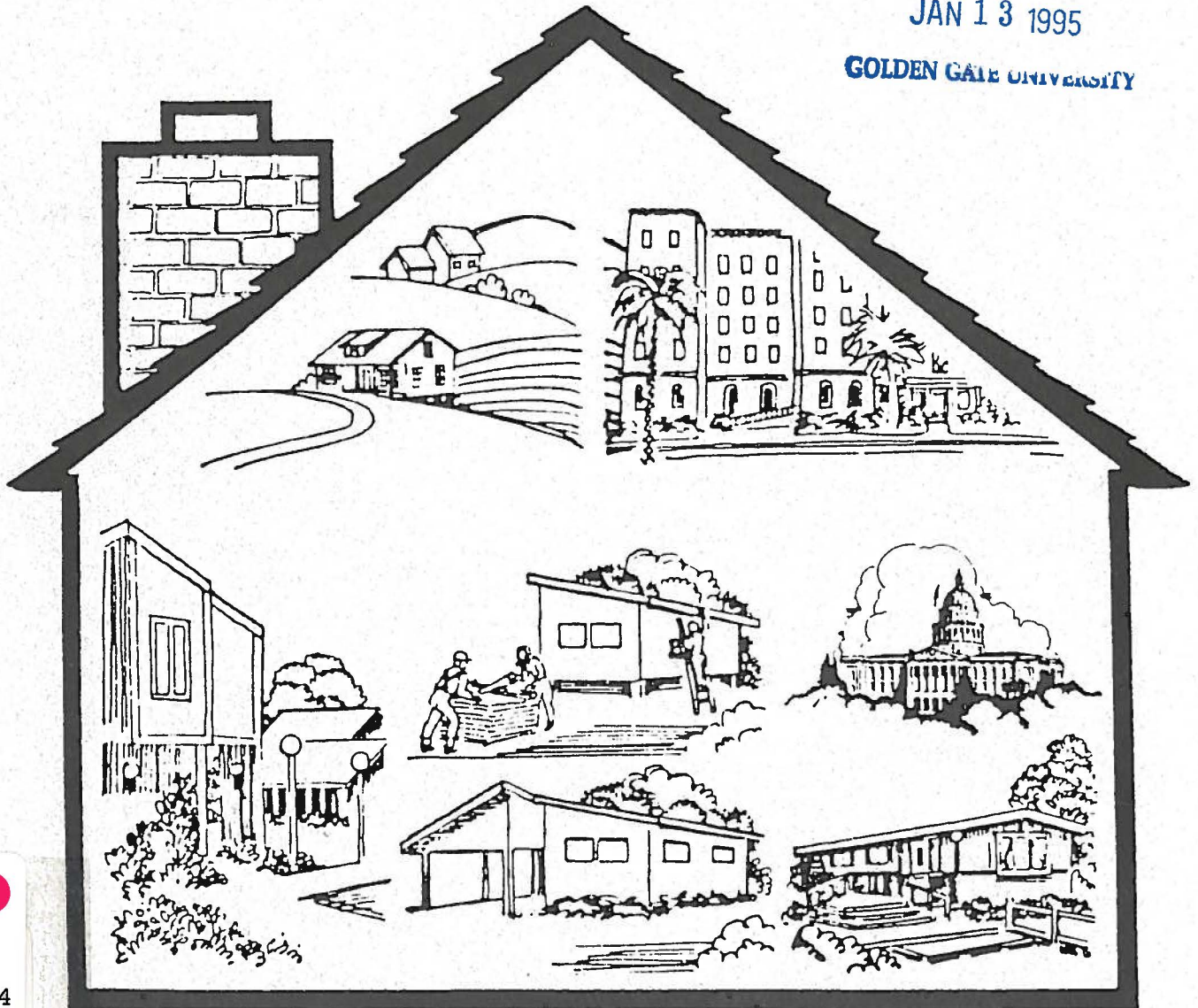
DAN HAUSER, Chairman

1993-94 HOUSING UPDATE

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HOUSING FINANCE

California has one of the most expensive single-family housing markets in the nation and experiences a high rate of overcrowding in multifamily housing. For example, in 1991, the median price of a single-family home in California was about \$200,000 while the national median price of a single-family house equaled about \$100,000. The United States Census reports that the rate of overcrowding in California rental housing rose from 11.1 percent in 1980 to 19.6 percent in 1990.

Numerous legislative proposals are introduced in each session of the Legislature to alleviate the adverse housing conditions in California; however, it should be noted that the vast majority of all housing produced in this state originates through private sector financing.

This section sets forth a summary of housing conditions, a review of government housing financing programs and a description of significant legislation introduced this session.

Housing Conditions

1. **Single-Family Housing:** In 1989, about 53.6 percent of all Californians owned their homes. Since then, home ownership has increased as a result of a recession-driven drop in interest rates and lower median-home prices. In mid-1994, about 56.8 percent of all Californians owned their own homes; nevertheless, the state's home ownership rate is the sixth lowest in the nation.

The increase in home ownership results from an improvement in housing affordability. In mid-1990, about 20 percent of California households could afford to buy median-priced homes. In mid-1994, however, about 40 percent of California households could afford to purchase the median home price of \$185,9000. In contrast, almost 60 percent of United States' households can afford median-priced homes.

The recession significantly affected new home building, which shows little sign of improvement. As measured by new housing units in building permits, the rate of single-family building construction in 1993 was roughly the same as in 1991 and 1992 (about 70,000+ units). In 1989, about 163,000 single-family homes were constructed. The 1994 forecast estimates that about one-half of the 1989 total, or about 80,000 units, will be built in 1994. This rate of construction should be contrasted with the annual increase in the number of households - about 200,000 per year.

2. **Multifamily Housing:** The most important housing need in California is affordable, multifamily housing. According to the California Statewide Housing Plan Update (October 1990), issued by the Department of Housing and Community Development (HCD), more than one-third of all renters in the state spend more than 35 percent of their incomes for housing. The Update states that an average of at least 250,000 housing units need to be built annually through 1996. If net immigration remains at its present level, at

least 275,000 new housing units will be needed annually. The 1994 estimated rate of building will result in only 99,00 residential units, of which only 19,000 will be multifamily units.

Compounding the problem of the shortage of affordable housing is the potential loss of up to 120,000 units which receive federal assistance and will be converting to market value when federal loans are repaid.

Governmental Housing Finance Programs

1. **Mortgage Revenue Bond Financing:** The California Housing Financing Agency (CHFA) and local housing agencies provide construction and mortgage loans through the sale of tax-exempt revenue bonds. The issuance of these bonds is subject to the Federal Tax Reform Act (TRA) of 1986, which imposes major restrictions on the issuance of tax-exempt revenue bonds used for private activities, including housing bonds.

Under the TRA, a bonded indebtedness ceiling is imposed on all tax-exempt private activity bonds which may be issued within a state. In 1993, California's bonded indebtedness ceiling equaled \$1.543 billion. The ceiling is adjusted each year to reflect changes in the state's population. The ceiling for 1994 approximates \$1.560 billion.

In general, housing bond issuers - such as CHFA - must compete against other such issuers and other private activity uses - such as industrial development projects - for allocations under the ceiling.

The California Debt Limit Allocation Committee (CDLAC) has the statutory authority to allocate private activity bond authority to state and local issuers. In the past, housing projects received the preponderance of allocations. In 1991, for example, housing received \$1.315 billion from a total ceiling of \$1.453 billion. Federal authority to issue single-family mortgage revenue bonds [and mortgage credit certificates (MCCs)] lapsed on June 30, 1992 and was not reinstated until October 1993.

In 1993, CDLAC allocated \$746 million in MCCs, \$67 million in single-family bond authority, and \$75 million in multifamily bond authority.

- a. **Multifamily Housing:** The TRA requires 20 percent of total rental units in an assisted project to be reserved for households with incomes lower than 50 percent of county median income or 40 percent of total units to be reserved for households with incomes under 60 percent of county median income.
- b. **Single-Family Housing:** The TRA requires a single-family mortgagor to be a first-time homebuyer, i.e., the buyer cannot have owned a home within the previous three years. For a family of three or more persons, a mortgagor's family income cannot exceed 115 percent of median family income for the area in which the residence is located or the statewide median income (\$51,300), whichever is greater. The income of a family of one or two persons cannot exceed 100 percent of area median income or statewide median income (\$44,600), whichever is higher.

Two-thirds of the amount of mortgage financing in **targeted areas** must be provided to those whose family incomes do not exceed 140 percent of median family income (120 percent of median income for a family of one or two persons) for the area or statewide median income, whichever is greater. A target area includes a census tract in which at least 70 percent of the families have incomes which are 80 percent or less than the statewide median family income and areas of chronic economic distress, as defined.

The price of a home may not exceed 90 percent of the average area purchase price or 110 percent of such price in a targeted area. For new construction, prices range from \$134,300 to \$257,500 in non-target areas and \$164,100 to \$314,700 in target areas. For resale homes, prices range from \$90,300 to \$203,400 in non-target areas and \$110,300 to \$248,600 in target areas.

Since its inception in 1975 through 1993, CHFA has issued \$6.1 billion in single-family bonds and financed nearly 52,000 homes.

2. **Mortgage Bond and Loan Insurance:** California is only one of five states which has its own "private" mortgage insurance company, the California Housing Loan Insurance Fund (CHLIF). This has enabled Californians to obtain lower financing in areas and under conditions which the Federal Housing Administration (FHA) or private insurers cannot meet. During the severe devaluation of home prices during 1988 to 1989, CHLIF was able to replace the insurance on those CHFA loans issued by private insurance companies which were collapsing and continue homeowner coverage.

The California Housing Loan Insurance Fund was created in 1977 for the purpose of providing reasonably priced bond and loan insurance; reducing the risk factor in providing loans for single-family and rental housing, including privately financed loans; and securing revenue bonds issued by local agencies.

It was not until 1988, however, that CHLIF earned a claims paying credit rating, thereby becoming the state's equivalent of a private mortgage insurance company. Under an agreement with Standard and Poor's and Moody's, from 1988 until 1991 CHLIF operated under certain rating agency restrictions regarding the types of loans it could insure.

Beginning in March 1991, however, these restrictions were no longer applicable and CHLIF could provide single-family mortgage insurance to developers of affordable housing outside of CHFA's programs, including for-profit and non-profit developers, redevelopment agencies, and local finance agencies. To date, CHLIF has entered into a joint contract (with the Counties of Los Angeles and Orange) to provide insurance services for mortgages originating outside of CHFA. Additionally, CHLIF is currently in the process of developing a new insurance product in conjunction with redevelopment agencies.

Currently, CHLIF has no rating or reserves from which to provide multifamily mortgage insurance.

- a. **The Single-Family Program:** The California Housing Loan Insurance Fund writes insurance for approximately 25 percent of all CHFA single-family loans. Lenders participating in the CHFA mortgage program may choose which insurance best fits their clients' needs. Approximately 75 percent of all CHFA mortgages have FHA insurance. According to Standard and Poor's, approximately 48 percent of CHLIF's portfolio has loan-to-value ratios between 90 and 95 percent.

The California Housing Finance Agency's approved five-year business plan for CHLIF includes specific loan insurance programs and estimated levels of program activity. These new programs include:

- o **Ninety-Seven Percent Cal-Home Buyer Loan Program (97-Percent Program):** The 97-Percent Program will offer mortgage insurance to a first-time homebuyer who has a three-percent down payment. Under the program, a homeowner can obtain a mortgage from any lender including, but not limited to, CHFA and mortgage insurance is to be provided through the Commonwealth Mortgage Assurance Company (CMAC). The key to the 97-Percent Program is the establishment of a new two-percent reserve fund to limit CMAC's risk. In the event of a default, the reserve fund would absorb the initial costs.

Initially, \$1 million was set aside for reserves in a pledge account for the purpose of loan loss coverage to support \$50 million of outstanding new construction commitments. In 1994, the plan proposes extending the 97-Percent Program to CHFA mortgages made in conjunction with CMAC.

Currently, CHLIF has been heavily marketing the program to redevelopment agencies. One advantage of the 97-Percent Program to an agency is money is only committed for five years; if there have been no defaults, the agency's money is returned. With redevelopment agency moneys, CHLIF anticipates the creation of a \$30 million reserve fund which could support \$1.5 billion in new mortgages.

Although CHLIF will not actually be providing any reserves for the 97-Percent Program, CHLIF will be the administrator of the program, provide technical expertise in establishing the program, implement the program, and manage the expansion of the program.

- o **Equity Link Program:** Recognizing that it is difficult for some first-time homebuyers to save even enough money for a three-percent down payment on a home, CHLIF is developing another program which would provide insurance for 100-percent, loan-to-value mortgages. Under the program, the parents of the prospective homeowner would pledge a portion of the equity in their home or some other form of collateral to secure the loan. After a few years of payments, the pledge is terminated. The maximum loan limit under the Equity Link Program is \$203,150 (the Fannie Mae loan limit).

- o Construction Take-Out Guarantee: The plan proposes the establishment of a \$75 million mortgage guarantee program to induce lenders to provide adequate construction financing and/or more favorable terms.

Under the program, CHFA would agree to provide permanent financing to cover any remaining unsold inventory near the end of the construction period to ensure that the builder satisfies the construction loan. These permanent loans would in turn be assumed by an income eligible buyer or repaid by the builder upon sale of the unit.

- b. **The Multifamily Program:** It is important to note that CHLIF is currently only rated for single-family insurance programs. After being pressured for several years by the Assembly Housing Committee, CHFA is beginning to develop multifamily insurance programs using both CHLIF moneys and CHFA moneys.

- o FHA/CHFA Risk-Sharing Demonstration Program: The FHA is currently in the process of reviewing applications for a new multifamily demonstration program in which the FHA will enter into a risk-sharing agreement with state or local housing finance agencies.

Under the program, CHFA would underwrite, originate, and service FHA-insured loans for the construction, rehabilitation, and acquisition of multifamily rental housing.

- o Century Freeway Housing Program: In January 1992, the Century Freeway Housing Program was granted authority by Judge Harry Pregerson to establish a multifamily credit enhancement program through CHLIF to assist in meeting its housing obligations under the 1981 consent decree.

Ten million dollars has been deposited with CHLIF for this purpose.

- o Redevelopment Agency Moneys: In January 1994, CHLIF published a proposal for a joint venture with redevelopment agencies for the creation of a multifamily credit enhancement program. Under the terms of the proposal, CHFA would contribute \$10 million for reserves and redevelopment agencies would contribute \$40 million. One-half of the redevelopment agencies' contribution could be held in a trust account retained by redevelopment agencies.

CHLIF estimates that for every \$1 million contributed by redevelopment agencies approximately \$7.5 million of mortgage insurance would be available for allocation by a redevelopment agency. After five years of favorable experience, the same \$1 million could support \$25 million of mortgage insurance.

CHLIF proposes to develop a conservative program in order to establish a solid track record for the purpose of obtaining an "A" rating from Standard and Poor's and Moody's. A separate reserve and rating must be obtained for the multifamily program because CHLIF's

current ratings of "A-1" and "A+" from Moody's and Standard and Poor's, respectively, only applies to CHLIF's single-family program.

- The Federal HOME Program:** The HOME Investment Partnership Act was authorized by the Cranston-Gonzalez National Affordable Housing Act (1989). HOME is a federal block grant program which provides funds to state and local governments which, in turn, make money available for the development or rehabilitation of owner-occupied and rental units, and the provision of first-time homebuyer and rent subsidy programs.

The HOME Program is a unique program among the many programs administered by HCD. Under HOME, applicants may apply for funding for both individual projects and for programs comprising several different types of housing projects.

Under the funding formula, some communities in California are eligible to receive direct allocations from the federal Department of Housing and Urban Development (HUD) while other communities must compete for the general state allocation.

However, a community eligible to receive a direct allocation may transfer that allocation to the state and then compete for a portion of the state allocation. This transfer can be very beneficial to a community which has a solid housing program, but needs more money than it would receive under the direct allocation formula. As an example, the City of Redding has transferred its \$409,000 direct allocation to HCD and is now eligible to apply for up to a \$1 million allocation from HCD.

Over the next few years, the Federal HOME program will be a primary public financing source for affordable housing in California.

- General Obligation Bond Financing:** Prior to 1980, the Federal Government took the lead in financing local, affordable housing projects. In the past decade, however, federal housing funds have declined precipitously.

To make up a small portion of this shortfall, the Legislature enacted, and the voters approved, Propositions 77 and 84 in 1988 and Proposition 107 in 1990. Proposition 77 provided for a \$150 million general bond issue: \$80 million for seismic safety and \$70 million for general rehabilitation loans.

Proposition 84 provided for a \$300 million bond issue, including \$200 million for financing new construction of rental units. Proposition 107 authorized the sale of \$150 million of bonds, including \$100 million for the Rental Housing Construction Program. All of these funds have been committed.

- Low Income Housing Tax Credits:** The Low Income Housing Tax Credit provides a credit against net tax in the personal income, bank and corporation, and insurance gross premiums tax for costs related to qualified low-income housing projects. The credit is 30 percent of costs paid or incurred with respect to the purchase of, or improvements to, low-income housing. The credit is claimed over a four-year period. The state's low-income housing tax credit parallels a similar credit in federal law.

In order to claim the credit, the project must:

- a. Be located in California;
- b. Have been allocated a federal tax credit; and
- c. Meet federal guidelines regarding occupancy eligibility and rent levels.

Taxpayers must apply to the California Tax Credit Allocation Committee for an allocation of both the state and federal credits. The amount of tax credit allocated to a project is based on the amount needed to insure the financial feasibility of the project.

The amount of state credit available is limited to \$35 million per year, plus any unallocated and returned balances from prior years. California's low-income housing tax credit is available for any year in which the comparable federal credit is available.

The low-income housing tax credit is unique among state tax provisions. The amount of credit available is capped and project sponsors must apply for an allocation of credits. In most cases, individual taxpayers receive tax credits as members of a limited partnership when the general partner is the project sponsor and the limited partners receive credits based on their individual financial participation. Investors (i.e., the taxpayer ultimately claiming the credits) typically buy into a project by paying fifty to sixty cents for each dollar of tax credit received.

Credits are awarded based on the amount of assistance needed to insure a project's financial feasibility and a number of criteria established in state and federal law to target projects to areas or types of housing where there is significant need. In this respect, the tax credit program acts as a subsidy for the cost of developing low-income housing.

1993-94 Legislation

The following are brief descriptions of significant legislation heard by the Committee relating to housing finance:

AB 210 (Hauser) - Housing Bond Act

Would have created the 1994 Housing Bond Act for inclusion on the June 1994 ballot and the issuance of \$300 million in general obligations bonds to fund several housing programs.

Status: Died, Assembly Ways and Means Committee.

AB 214 (W. Brown) - Mortgage Insurance (Urgency)

Establishes a separate CHLIF and provides additional capital for the CHLIF.

Status: Chapter 115, Statutes of 1993.

AB 215 (W. Brown) - Mortgage Insurance (Urgency)

Provides for the "California Housing and Jobs Investment Bond Act" (Act), which re-authorizes the issuance of \$185 million in general obligation bonds to provide mortgage guaranty insurance for first-time homebuyers as provided in the Act.

Provides for submitting the Act to the voters at the November 2, 1993 election and, if not approved at that election, at the November 8, 1994 election. The Act was defeated by the voters at the 1993 election. [See AB 3257 (Bornstein) described below.]

Status: Chapter 116, Statutes of 1993.

AB 244 (Boland) - Real Estate Appraisers (Urgency)

Permits appraisers to participate in a multiple listing service.

Status: Chapter 10, Statutes of 1994.

AB 247 (Hauser) - Manufactured Homes

Allows a licensed, general building contractor to purchase manufactured homes directly from the factory without a mobilehome dealer's license.

Status: Chapter 458, Statutes of 1993.

AB 832 (Hauser) - Block Grants (Urgency)

Modifies HOME and Community Development Block Grant regulations.

Status: Chapter 198, Statutes of 1994.

AB 1257 (B. Friedman) - Relocation Assistance

Modifies state relocation law in circumstances when tenants will be temporarily displaced.

Status: Chapter 851, Statutes of 1993.

AB 1472 (Hauser) - Housing Authorities

Requires HCD to transfer all contracts relating to the special "Aftercare" program to a requesting housing authority or other entity.

Status: Chapter 1010, Statutes of 1993.

AB 1502 (Hauser) - Relocation Assistance

Exempts a public entity from the requirement to provide relocation assistance if the acquired property is subject to a lease for purposes of conducting a farm operation and the public entity agrees to assume all of the terms of that lease.

Status: Chapter 533, Statutes of 1993.

AB 1736 (Costa) - Relocation of Residential Structures (Urgency)

Allows relocated residential structures to be subject to pre-existing building standards.

Status: Chapter 288, Statutes of 1993.

AB 1861 (Bowen) - Violation of Regulatory Agreements

Would have authorized HCD to levy a civil penalty against a housing sponsor for specified violations.

Status: Failed passage, Assembly Housing and Community Development Committee.

AB 2607 (Hauser) - Community Development Block Grants

Makes numerous changes regarding application criteria and funding formula to the economic development portion of the HCD-administered Federal Small Cities Community Development Block Grant Program.

Status: Chapter 884, Statutes of 1994.

AB 3257 (Bornstein) - Mortgage Insurance (Urgency)

Deletes the authority for the "California Housing and Jobs Investment Bond Act" to be submitted to voters at the November 8, 1994 statewide General Election.

Status: Chapter 312, Statutes of 1994.

AB 3651 (Hauser) - Low Income Housing Tax Credits

Extends the sunset date for the Tax Credit Allocation Committee and makes several technical corrections to the Low Income Housing Tax Credit Program.

Status: Chapter 1164, Statutes of 1994.

SB 101 (Bergeson) - Infrastructure Financing

Makes technical and substantive revisions to the Bergeson-Peace Infrastructure Bank Act.

Status: Chapter 749, Statutes of 1994.

SB 131 (Roberti) - Housing Bonds (Urgency)

As heard in the Assembly Housing Committee, this bill proposed the issuance of \$280 million in general obligation bonds to fund several housing programs if approved by voters at the June 7, 1994 statewide election. The bill was

subsequently amended to provide for submission of the Earthquake Relief and Seismic Retrofit Bond Act of 1994 to the voters at the June 1994 election. The Act was subsequently defeated by the voters.

Status: Chapter 15, Statutes of 1994.

SB 1041 (Craven) - Enforcement of Regulatory Agreements

Specifies that the one-form-of-action rule does not apply to specified actions undertaken by CHFA to enforce obligations of its borrowers.

Status: Chapter 649, Statutes of 1993.

SB 1377 (Petris) - Property Transfers

Requires that any transfer of residential property be accompanied by a Real Estate Disclosure Statement, including information regarding defects, environmental hazards, and pending lawsuits.

Status: Chapter 814, Statutes of 1994.

SB 1387 (Thompson) - Economic Development

Creates the "California Economic Development Financing Authority" in the Trade and Commerce Agency.

Status: Chapter 753, Statutes of 1994.

LAND USE PLANNING

Beginning in 1981, California began a comprehensive allocation program for distributing the statewide need for low-, moderate- and above moderate-income housing units. For the first time, each community was required to display in the housing element of its general plan how the community would meet its "share" of California's significant increase in population.

The housing element, as a planning tool, was initially developed to describe how growth would be accommodated using a "best case scenario" approach. A locality was not expected to build the units, but was required to provide appropriate zoning for the development of the housing need identified within its housing element, including the regional need for housing.

Over the years, amendments have been made to Housing Element Law which require greater local government responsibility to ensure that housing is actually built, including identifying specific sites, to accommodate a community's lower income housing unit regional allocation.

This policy of both distributing growth projections without regard to financial or community viability and requiring greater and greater certainty that specific income units are accounted for is schizophrenic at best.

In general, it is agreed that something must be done to "streamline" the approval process, provide a better balance between jobs and housing, and increase first-time homebuyer opportunities. However, as far as a specific proposal is concerned, the debate continues.

Beginning as early as 1987, legislative policy committees began holding interim hearings on growth-related topics. In the fall of 1989, the Assembly Committee on Housing and Community Development held three interim hearings on local land use policies: "Affordable Housing in Rent Control Jurisdictions," "Land Use Planning: Who Drives the Train," and "Mobilehome Park Conversions: Searching for a Legislative Solution." Although several significant revisions to housing elements were approved in 1990, growth management legislation remained bottled up in various policy committees throughout the Legislature; however, by the end of the 1989-90 Legislative Session, there seemed to be a genuine commitment by all interested parties to work together toward a reasonable solution during the 1991-92 Legislative Session. [Refer to the 1989-90 Housing Update for details.]

In February of 1991, the Assembly and Senate Offices of Research sponsored the Growth Management Consensus Project in conjunction with the University of California, Sacramento. The Project brought together representatives of the major stakeholders in the California growth dilemma - builders and developers, local governments, low-income housing advocates, environmentalists, chambers of commerce, and others. For about eight months, these groups met and spoke about shared problems and their different perspectives. Unfortunately, no agreement was reached. Some of the participants, however, continued to meet and put their proposals into SB 929 (Presley). [SB 929 was ultimately gutted and used as a budget trailer bill relating to educational funding.]

In the Executive Branch, the Governor called for the establishment of a cabinet-level task force on growth management, with the Office of Planning and Research taking the lead. The Governor stated that he intended to target affordable housing as a key component in those discussions. However, due to the significant downturn in California's economy, the Governor deferred introduction of his proposal indefinitely.

The Assembly Committee on Housing and Community Development's 1991-92 proposal comprised three bills which: (a) retained land use control and regional impact considerations with the local government [AB 767 (Hauser)], (b) required localities to adopt local inclusionary ordinances pursuant to general state guidelines [AB 1883 (Hauser)], and (c) required localities to share a portion of the increase in sales tax generated by business assisted through redevelopment agency activity with neighboring jurisdictions [AB 1865 (Hauser)].

The Assembly and Senate Local Government Committee Chairpersons also introduced substantial growth management legislation in 1991-92, AB 76 (Farr) and SB 434 (Bergeson). Finally, the Senate and Assembly Offices of Research, responding to major research projects completed in 1990, prepared two comprehensive growth management measures, AB 3 (Brown) and SB 929 (Presley). None of these measures, however, passed the Legislature.

Growth management legislation was also introduced in the 1993-94 Legislative Session and included SB 377 (Presley) and SB 273 (Bergeson). After several years of preparation, the Governor is also negotiating a piece of his growth management platform. In late 1993, HCD proposed language which would have substantially altered the local housing element process. The Governor's language, however, was not amended into any bill due to strong opposition from local government groups.

In 1994, a proposal which was consistent with the goals and policies of the Administration's proposal was amended into AB 51 (Costa). The League of California Cities sponsored SB 1839 (Bergeson) as a local government alternative to AB 51. Additionally, the California Association of Councils of Government sponsored legislation, AB 1499 (Campbell), in an attempt to provide a middle ground to the seemingly diverse policies in AB 51 and SB 1839.

AB 1499 died on the Assembly Floor due to strong opposition from the Assembly Republican Caucus based on a perceived notion that AB 1499 created greater authority for regional councils of government without actually streamlining the housing element adoption process. However, in many respects, the concepts in AB 1499 relating to self-certification based upon the successful completion of a performance standard became the starting point for some of the most fruitful discussions on housing element reform during the last eight years.

Throughout most of 1994, extensive meetings were held between representatives of local governments, for-profit and nonprofit developers, and realtors. Compromises stemming from these discussions were amended into two competing bills, AB 51 and SB 1839. Within the last month of the 1993-94 Legislative Session, the working group reached an impasse on the definition of an appropriate performance standard to demonstrate eligibility for self-certification.

Rather than continuing with competing legislation and working to defeat the respective bills, the working group decided to drop their bills and continue negotiations during the fall. In order to not lose what progress had been made in housing element reform, AB 1864 (Hauser) was amended to include the most recent proposal. It should be noted that there is no specific agreement on the language contained in AB 1864, but the bill will serve as a starting place for negotiations during the fall of 1994.

AB 51 was amended to reflect the version which related to the transfer of regional fair share housing units.

Transferring Regional Fair Share Housing Units

In response to the long - and often times bitter - deadlock on growth management, the Legislature and a number of advocacy groups explored the policy of allowing a jurisdiction to transfer portions of its regional fair share allocation.

In 1992, no less than eight different bills were introduced authorizing the trading and shifting of one community's regional housing allocation to another community. However, as 1992 progressed, two measures [AB 3330 (Costa) and SB 2037 (Boatwright)] remained which attempted to provide statewide standards for transferring housing responsibilities. SB 2037 was eventually amended to a pilot project in Contra Costa and Alameda Counties and AB 3330 became the transfer bill which established statewide standards. Both bills were vetoed.

In 1994, Assembly Member Costa introduced AB 51, which substantially contains the same language as AB 3330. Although the concept of transferring affordable housing allocations between neighboring jurisdictions seems to have general agreement within the Legislature, the primary policy issue as to whether a community must meet a certain percentage of its housing allocation prior to being able to transfer part of that allocation remained. The sponsors of AB 51, the California Association of Realtors and a number of affordable housing groups, strongly support some sort of linkage between the authority to transfer and a history of housing production. The League of California Cities, however, does not want any threshold.

In the closing weeks of session, a compromise was struck between the various groups and the threshold was lowered from meeting 25 percent of the community's lower income housing allocation in order to transfer 20 percent, meeting 20 percent in order to transfer 15 percent, or meeting 15 percent in order to transfer 10 percent to a more simplistic requirement of meeting 15 percent in order to transfer 15 percent.

Suspension of the Regional Housing Allocation Mandate

As part of the 1992-93 and 1993-94 budget negotiations, the Legislature and the Governor agreed to suspend a number of local mandates, including the regional housing allocation mandate. The regional housing allocation mandate was again suspended for Fiscal Year 1994-95. Suspension of the regional housing mandate has led to a number of differing opinions as to what the suspension of the mandate means.

In an attempt to clarify the meaning of the mandate, Chairman Hauser introduced AB 2172. Although the measure did not completely settle a number of local disputes, the bill does modify the housing update schedule to reflect the suspension and states that a community which was required to have a housing element prior to the suspension still has the responsibility to adopt a housing element.

1993-94 Legislation

The following are brief descriptions of significant legislation relating to land use planning:

AB 51 (Costa) - Transfer of Regional Housing Allocations

Authorizes the transfer of a specified portion of a community's regional share of housing when certain conditions are met. These conditions include:

1. **The Trigger:** The transferring and receiving entities both have met 15 percent of their low- and very low-income regional housing needs in order to transfer 15 percent of the transferring entity's regional housing allocation. However, in no case may more than 500 units be transferred in any five-year housing element cycle.
2. **Eligible Transfer Units:** A jurisdiction may only transfer units in the same income levels as those which have already been met within its own jurisdiction.
3. **Eligible Transfer Locations:** Transfers may only take place between communities as follows:
 - a. A city may only transfer to a contiguous city.
 - b. A city may only transfer to a county within 10 miles of the donor community.
 - c. A county may only transfer to a county which is contiguous, within the same regional council of government, and within the same housing market, as defined.
4. **Eligible Communities:**
 - a. The transferring and receiving entities have adopted housing elements and are implementing those elements in substantial compliance with state law.
 - b. The transferring and receiving communities make a finding that the transfer will not cause or exacerbate racial, ethnic, or economic segregation or place a financial burden on the receiving jurisdiction.

- c. The transferring and receiving communities make a finding that the transfer will result in a greater number of units being provided.

Status: Chapter 1235, Statutes of 1994.

AB 764 (Goldsmith) - Housing Element Review

Would have expanded the ways in which a community may identify sites which could be made available for the provision of housing, including units in need of substantial rehabilitation, vacant units, units which will be provided through a regulatory agreement in another community (transfers), and units which will be affordable to lower income residents through regulatory or contractual obligations of the local government.

Status: Failed passage, Senate Appropriations Committee.

AB 1499 (Campbell) - Self-Certification of Housing Element

Would have authorized a local government to self-certify that it has met a prescribed performance standard for housing production and, therefore, need not submit its housing element for review by HCD.

Status: Failed passage, Assembly Floor.

AB 1684 (Hauser) - Housing Element Reform

Would have provided for a comprehensive revision of the housing element adoption process including modifications to the regional housing allocation, local adoption process, HCD's review of housing elements and the components of a housing element. [Language in the bill reflects the last housing element reform proposal reached by the working group's negotiations on AB 51 and SB 1839.]

Status: Died, Senate Local Government Committee.

AB 2172 (Hauser) - Regional Housing Allocation

Modifies the schedule for updating a locality's housing element to reflect the two-year mandate suspension. Additionally, the bill declares that a locality which was required to have a housing element prior to the suspension still has the responsibility to adopt a housing element.

Status: Chapter 695, Statutes of 1993.

AB 3198 (Hauser) - Second Units

Modifies state Second Unit Law by providing that local governments may not require more than one parking space per second-unit bedroom unless specific findings are made, eliminates arbitrary unit size requirements which prohibit the building of small efficiency units, and ensures that building fees are assessed according to the unit's scale of impact.

More specifically, the bill:

1. Authorizes a local government to require no more than one parking space per unit or per bedroom and provides that additional parking may be required provided that the local government makes a finding that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings.
2. Requires off-street parking and tandem parking to be permitted unless the local agency finds that the parking is not feasible based upon specific site or regional topographical, fire, and life-safety conditions or that such parking is not permitted anywhere else in the jurisdiction.
3. Adds intent language stating that it is the intent of the Legislature that the provisions of local, second-unit ordinances are not so arbitrary, excessive, or burdensome as to unreasonably restrict the ability of homeowners to build second units.
4. Prohibits a jurisdiction from establishing minimum or maximum size requirements which are so small as to prohibit the building of an efficiency unit.
5. Expands the definition of "second unit" to include manufactured housing and efficiency units.

Status: Chapter 580, Statutes of 1994.

SB 273 (Bergeson) - Comprehensive Growth Management

As passed by the Senate, the bill would have enacted the State Conservation and Redevelopment Strategy Act which would have established statewide planning goals, including economic property, public health and environmental quality, and coordination and consistency.

Additionally, the bill:

1. Would have provided for integrated state planning.
2. Would have established state planning guidelines for new local comprehensive plans.
3. Would have prohibited state agencies from funding specified projects which are inconsistent with state goals, state-mandated regional goals, or a comprehensive regional strategy.

[In the Assembly, the above language was deleted; new language was added to the bill relating to the Northridge Earthquake].

Status: Chapter 94, Statutes of 1994.

SB 377 (Presley) - Comprehensive Growth Management

Would have created the Economic and Environmental Recovery Act of 1993 and would have been operative upon the approval of the \$1 billion bond issuance proposed in SB 844 (Presley). More specifically, the bill would have:

1. Established three planning goals to be used in the development of the "State Environmental Goals and Policies Report," including economic revitalization, public health and environmental quality, and coordination and consistency.
2. Required that after January 1, 1996 all state agencies and departments would explain how their budgets are consistent with the three planning goals.
3. Created the 16-member California Conservation and Development Commission in the place of the Planning and Assistance Council. The Commission would have been required to develop three sets of implementation guidelines for the California Growth Management Strategy. The new Commission would have been authorized to review certain types of land use and California Environmental Quality Act decisions.
4. Required each agency to prepare a five- to ten-item list of capital projects which exceed \$500,000.
5. Required regional agencies to propose "cooperative regional strategies" by January 1, 1995. County-wide agencies would have been authorized to propose "coordinated" economic development and growth management programs.
6. Created local development and conservation plans that a city or county may adopt in lieu of its regular general plan.
7. Prohibited departments from approving applications for projects funded through the California Housing and Infrastructure Authority or the accompanying bond act unless the project is consistent with the state goals and objectives and the local capital improvement program [both of which are created by this bill].
8. Required that Local Agency Formation Commission's decision be consistent with the state goals, the local capital improvement program, and the regional strategy.
9. Authorized the issuance of "limited" obligation bonds with the approval of two-thirds of the voters.

Status: Failed passage, Assembly Ways and Means Committee.

SB 1839 (Bergeson) - Local Planning: Housing Element

Would have made substantive modifications to the housing element adoption process. The bill would have:

1. Modified the regional housing allocation process in the following ways:
 - a. **Data for Regional Allocations:** Expand the information that is used by HCD in allocating regional housing needs.
 - b. **Methodology for Regional Allocations:** Require HCD to submit to each council of government (COG) the data describing the assumptions and methodology used in calculating the regional housing needs allocation and its individual housing needs allocation. [This provision is only slightly different than existing law; however, its intent is substantially clearer.]
 - c. **Public Hearings:** Require the COG, or HCD if there is no COG, to hold a public hearing relative to the assumptions and methodology used in making its housing needs allocation.
 - d. **Reallocation by Subregions:** Authorize the creation of subregional COGs for the purpose of reallocating, within their boundaries, the COGs' allocations.
2. Modified the housing element process in the following ways:
 - a. **Past Performance:** Require a report to be included within the housing element on the community's progress in meeting its new construction housing needs and needs for housing affordable to lower income households in the previous planning period.
 - b. **Existing and Future Need:** Modify the requirements relative to existing and future housing needs by requiring the element to identify new construction needs and needs for lower income households.
 - c. **Site Identification:** Delete the requirement that a community must minimally identify sufficient sites and have appropriate zoning so those sites may be developed by right to meet the housing need for lower income households.
 - d. **Eligible Housing Activities:** Expand the types of activities which a community may undertake in order to meet its regional housing need to include newly constructed units; units which are made affordable through public or private subsidies; net increases in rent-subsidized units; units which have been substantially rehabilitated and which are affordable to lower income households; and units which were in danger of converting to market rates, as defined, and were preserved.
 - e. **Comprehensive Housing Assistance Strategy (CHAS):** Require HCD guidelines for the adoption of a housing element to permit, to the extent feasible, that the CHAS serve as the local housing element.
 - f. **Joint Housing Projects:** Authorize communities to enter into joint housing efforts by entering into a joint powers agreement.

3. **Self-Certification:** Authorized a local government to certify, after a noticed public hearing, that the community had a satisfactory performance during the last five-year housing element cycle.

Status: Died, Assembly Housing Committee.

BUILDING STANDARDS

Overview

Building standards reflect a balancing act between health and safety concerns and the pragmatic costs of construction. Developers insist that it is difficult to impossible to build affordable housing when increasing restrictions and regulations are placed on their shoulders; consumer groups, fire departments, and disabled groups argue for safer, energy-efficient, and more accessible buildings. The various interests make clear and convincing arguments for their positions. The public policy struggle is in finding the wavering nexus.

Building standards in California are based upon model codes, such as the Uniform Building Code and the Uniform Mechanical Code. Model codes are published and approved by groups of national and regional experts in structural, mechanical, electrical, plumbing, and fire safety standards. For instance, the Uniform Mechanical Code is published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials.

California building standards are currently adopted in a process whereby numerous, authorized state agencies and departments develop proposed new or amended changes to the California Building Standards Code (Code), which is also know as Title 24 of the California Administrative Code. The California Building Standards Commission (BSC) then has the authority to review, adopt, or reject proposed changes. Adopted changes are published in Title 24. Local governments can modify the Code, but those modifications must be more stringent that the statewide standard.

The Code applies to all buildings and residential occupancies; an updated version is published every three years. These building standards are comprised of updated national model codes - parts of which are adopted in their entirety - and additions and amendments to them by state agencies through the BSC. Some structures, however, such as high-rise commercial buildings and private schools, are not subject to the BSC and are governed by the model codes and local ordinances.

Although most building standards are created and adopted outside of the legislative process, numerous bills are introduced each year which propose new building standards or amendments. Often these bills are drafted in response to natural disasters, requests by industry, or proposals by groups which combat perceived dangers related to existing building standards.

Seismic Safety

Over the last several years, a seemingly endless succession of major earthquakes in California have kept seismic safety in the forefront of legislative building standard discussions. The key policy question has proved difficult to solve: how does the state ensure the seismic safety of buildings while not requiring measures which are too expensive for property owners to implement?

The succession of bills surrounding retrofit standards for unreinforced masonry buildings (URMs) are illustrative of the uncertain course of recent policy in the area:

- o In 1991, the Legislature passed AB 204 (Cortese), Chapter 173, Statutes of 1991, which required the BSC to incorporate Appendix Chapter I of the Uniform Code for Building Conservation into the Code. In short, AB 204 contained the minimum standard for URM retrofitting. Appendix Chapter 1 standards are based on life safety rather than structure preservation.
- o In 1992, the Legislature passed AB 2358 (Frazee), Chapter 346, Statutes of 1992, which provided a limited exemption to certain cities - including San Francisco - which argued that the Appendix Chapter 1 standards "cost too much" to implement. AB 2358 allowed those cities which had already commenced hazardous building mitigation programs by January 1, 1993 to be exempt from certain provisions of Appendix Chapter 1 provided that the requirements were found by local ordinances to be inapplicable based upon local conditions. AB 2358 narrowly defined "local conditions" as limited to their impacts on the preservation of qualified historic structures, California Mainstreet Program buildings, and the preservation of affordable housing. Jurisdictions which did not meet the AB 2358 exemption had to fully comply with Appendix Chapter 1 standards.
- o In 1993, however, AB 1904 (W. Brown), Chapter 1294, Statutes of 1993, completely exempted the City and County of San Francisco and other affected cities from all Appendix Chapter 1 standards and shifted the narrowly drafted AB 2358 "local conditions" exemption to apply to all other jurisdictions, leaving it unclear if any jurisdiction had to fully comply with Appendix Chapter 1.
- o In 1994, the latest bill, SB 1988 (Alquist), Chapter 1219, Statutes of 1994, narrowed the scope of the AB 1904 exemption to only apply to those jurisdictions which make findings that certain Appendix Chapter 1 standards are not applicable based upon undefined "local conditions." This bill allows further exemptions from the Appendix Chapter 1 standards for a jurisdiction which has conducted a specified study prior to January 1, 1993. (The Cities and Counties of San Francisco and Los Angeles are among a small number of jurisdictions which qualify for the study exemption.)

The effects of SB 1988 and its predecessors have created the first instance where local jurisdictions are allowed to adopt building standards less stringent than those contained in the Code. Heretofore, state building standards were strictly considered minimum standards and local jurisdictions could adopt more, but not less, stringent standards. Also, it is unclear if these bills will create a legislative precedent which encourages local government attempts to enact building standards which are less stringent than state standards. SB 197 (Marks), which was introduced in the 1993-94 Legislative Session, proposed to allow local governments to adopt fire and safety standards that were "equivalent" to state standards; the bill, however, died in the Assembly Housing Committee.

Mobilehome Seismic Safety

Mobilehome seismic safety was addressed in SB 750 (Roberti), Chapter 240, Statutes of 1994. SB 750 required all new manufactured homes to be tied to the ground to resist wind and seismic movements and that supportive piers be attached to the frames. Historically, a mobilehome was installed on a foundation consisting of either concrete cinder blocks stacked one on top of the other or a series of concrete or steel piers spaced at specific intervals to support the home with no required lateral bracing. These foundations proved disastrous during the most recent earthquake. According to HCD, more than 4,400 mobilehomes fell off their foundations, 900 shifted from their supports, and 184 mobilehomes burned down as a result of the Northridge Earthquake.

Other Seismic Legislation

Several significant seismic safety bills were heard by other legislative committees in the 1993-94 Legislative Session. SB 1953 (Alquist), Chapter 740, Statutes of 1994, required the Office of Statewide Health Planning and Development to develop seismic standards for new and existing hospitals and was heard by the Assembly Health Committee. SB 2100 (Hayden) would have required property owners to hire a qualified building inspector and an architect, civil engineer, or structural engineer to observe construction of multifamily dwellings and commercial and public buildings; the bill died in the Senate Local Government Committee, but will be the subject of an interim hearing. SB 1541 (Hayden), which died in the Senate Appropriations Committee, would have required property owners and employers to reveal to their tenants and employees whether their buildings complied with current seismic construction standards.

Other Building Standard Legislation

Seismic safety represents just one segment of building standard issues heard by the Committee. A number of bills either proposed new building standards or sought to streamline or improve the building standards approval process. AB 1063 (Haynes), AB 3228 (Haynes), and AB 959 (Campbell) are examples of the bills heard by the Committee. AB 1063 and AB 3228, both sponsored by industry, proposed that state law allow the sale and installation of unvented gas fireplaces in California homes. AB 959, sponsored by a group concerned with swimming pool drownings, required that every swimming pool be surrounded by a five-foot fence. These bills failed in the legislative process.

1993-94 Legislation

The following is a list of building standards bills heard by the Committee during the 1993-94 Legislative Session:

AB 959 (Campbell) - Swimming Pools/Fences

Would have required all newly constructed private swimming pools to be surrounded by enclosures, as specified.

Status: Died, Assembly Housing Committee.

AB 1063 (Haynes) - Unvented Heaters

Would have permitted unvented decorative gas log heaters and fireplaces for use in residential dwellings.

Status: Failed passage, Senate Local Government Committee.

AB 1138 (Knight) - Handicapped Access

Makes various technical and clarifying changes relating to handicapped access law regarding publicly financed buildings and public accommodations.

Status: Chapter 1220, Statutes of 1993.

AB 1281 (Archie-Hudson) - Fire Sprinklers

Requires the State Fire Marshal to prepare, adopt, and submit building standards to the BSC for the prevention of fire and the protection of life and property in any motion picture or television production facility. [Prior versions of the bill related to fire sprinklers in commercial occupancies.]

Status: Chapter 498, Statutes of 1994.

AB 1409 (Morrow) - Garage Door Openers (Urgency)

Allows an installer of residential garage doors to attach a replacement garage door to an automatic garage door opener which passes a standard test and authorizes a penalty of \$500 per violation.

Status: Chapter 802, Statutes of 1993.

AB 1780 (Hauser) - Building Standards/Adoption

Establishes specified fees for all new residential building permits to be provided to the BSC for completion of a streamlined building standards adoption process.

Status: Chapter 249, Statutes of 1994.

AB 1844 (T. Friedman) - Substandard Housing/Inspections

Establishes a process whereby tenants can request and obtain an inspection from an enforcement agency regarding substandard housing conditions.

Status: Vetoed.

AB 1904 (W. Brown) - Seismic Safety Standards

Exempts local jurisdictions which have done both of the following from state seismic safety building retrofitting requirements:

1. Adopted a program for the mitigation of potentially hazardous buildings prior to January 1, 1993.
2. Adopted a hazardous building program which includes notification of building owners of possible dangers and a range of potential mitigation measures on or before to July 27, 1992.

Status: Chapter 1294, Statutes of 1993.

AB 2182 (Lee) - Insulation/Fire Safety

Would have required the Bureau of Home Furnishings to develop standards by regulation for the simulation of accelerated aging of insulation by January 1, 1996 and would have required each manufacturer of insulation to certify compliance with the new standards within 180 days after their adoption before material may be sold or installed in the state.

Status: Vetoed.

AB 2254 (Areias) - Building Standards/Interpretations

Would have required the BSC to adopt regulations regarding the review, validation, and publication of building standard interpretations by December 31, 1994.

Status: Vetoed.

AB 3228 (Haynes) - Unvented Fireplaces

Would have provided that unvented, natural gas decorative gas log heaters and fireplaces which meet standards developed by HCD and adopted by the BSC may be sold in California. This legislation was virtually identical to AB 1063.

Status: Failed passage, Senate Floor.

AB 3819 (W. Brown) - Roofs/Fire Safety (Urgency)

Requires Class B roofs in "high" fire hazard severity zones commencing in July 1995 and requires the State Fire Marshal to develop a specified model ordinance related to comprehensive space and structure defensibility by July 1, 1996. Class A roofs will be required in those jurisdictions that fail to adopt the model ordinance by January 1, 1997.

Status: Chapter 843, Statutes of 1994.

SB 634 (Craven) - Fraud/Natural Disaster Repairs (Urgency)

Establishes fines between \$500 and \$25,000 and authorizes imprisonment terms for home improvement contractors who plan or scheme to defraud owners of residential or nonresidential structures in connection with structural repairs after a natural disaster.

Status: Chapter 175, Statutes of 1994.

SB 750 (Roberti) - Mobilehome Foundations

Requires, effective September 19, 1994, a manufactured home or mobilehome, when installed, to meet 15-pound per foot horizontal wind loads with four additional tiedowns per section to resist the same wind forces in the longitudinal direction of the manufactured home or mobilehome as the total of those forces to be resisted in the transverse direction. In addition, the bill:

- o Requires concrete or steel piers, when used, to have mechanical connections to the home and its footings.
- o Authorizes a manufactured home or mobilehome to be installed in compliance with the wind and seismic provisions of the bill in accordance with either the manufacturer's installation instructions, HCD regulations, or installation instructions signed by a licensed architect or engineer, as specified.
- o Requires manufactured homes or mobilehomes which need to be reinstalled as a result of a natural disaster caused by wind or seismic forces to be installed in accordance with the requirements of this bill if federal funds are available to pay the increased costs.
- o Requires HCD to develop emergency regulations to implement the bill.
- o Exempts those manufactured homes or mobilehomes for which escrow is opened prior to the effective date of the bill.

Status: Chapter 240, Statutes of 1994.

SB 1777 (Thompson) - Emergency Procedure Information

Requires emergency procedure information to be furnished in apartment buildings and condominiums.

Status: Chapter 1292, Statutes of 1994.

SB 1873 (Petris) - Acrylonitrile-Butadiene-Styrene (ABS) Pipe Standards

Prohibits selling or offering for sale to a manufacturer of ABS pipe any plastic resin which does not meet certain specifications.

Status: Chapter 990, Statutes of 1994.

SB 1988 (Alquist) - Unreinforced Masonry Seismic Safety (Urgency)

Requires local seismic hazard mitigation ordinances adopted prior to January 1, 1993 to incorporate the provisions of Appendix Chapter 1, except for standards determined to be inapplicable based upon "local conditions" or if the jurisdiction has completed a seismic hazard mitigation study prior to January 1, 1993, as defined.

Status: Chapter 1216, Statutes of 1994.

COMMUNITY REDEVELOPMENT

As California communities cope with increasing demands for infrastructure and services with limited financing mechanisms to meet these demands, tax increment financing and the broad range of redevelopment agency activities have become an ever-increasing medium in community development.

This past session, Community Redevelopment Law (CRL) underwent significant changes relative to the adoption of redevelopment plans, the scope of redevelopment activities relating to economic development, and the role of redevelopment in military base reuse.

Legislative Oversight

During the 1993-94 Legislative Session, the Assembly Committee on Housing and Community Development held three special hearings to review the role of redevelopment within California's communities. The first hearing, May 12, 1993, focused on the impact of the 1992-93 budget and its \$205 million state-mandated Education Reserve Augmentation Fund (ERAF) tax increment revenue shift from redevelopment agencies. The second hearing, May 26, 1993, focused specifically on AB 1290 (Isenberg), the Community Redevelopment Association's CRL reform legislation. The third hearing, November 17, 1993, focused on CRL's role relative to the revitalization of communities after a military base closure.

The key issue before the Committee at the first and second hearings was: to what extent are redevelopment agencies critical links between depressed downtowns and revitalized commercial and industrial centers? Does the current economic situation outweigh the relevance of providing a local tool for community development? Have redevelopment agencies strayed from their traditional role to the extent that California can no longer allow agencies to function without significant and fundamental CRL revisions?

Community Redevelopment and the Budget

The first hearing provided Committee members with basic background information regarding the consequences of the 1992-93 ERAF property tax shift from community redevelopment agencies to school and community college districts. Agencies voiced concerns relating to the potential downgrading of bond ratings, the curtailment of community development programs, and the further reliance on an already over-extended local general fund.

Committee staff prepared a background paper for the hearing entitled "Community Redevelopment Agencies in Today's Budget Process." The background paper includes information relating to tax increment financing; mitigation agreements; Low and Moderate Income Housing (LMI) Fund deposits; the 1992-93, 1993-94, and the 1994-95 budgets; and the City of Alhambra v. Ikemoto lawsuit.

As the 1993-94 and 1994-95 budgets were negotiated, redevelopment agencies greatly benefited from having both a formal recognition of the \$205 million ERAF shift's impact and the development of the Redevelopment Reform Act of

1993 (1993 Act). For each of these two fiscal years, agencies were only required to transfer \$65 million to ERAF. Additionally, the formula was based on an agency's net tax increment allocation instead of its gross allocation as was calculated in 1992-93.

The following are brief descriptions of significant legislation heard by the Committee, or of interest to the Committee, relating to CRL and the budget process:

AB 621 (Napolitano) - Educational Revenue Augmentation Fund (Urgency)

Directs the Department of Finance (DOF) to use corrected financial reports for calculating the 1993-94 and the 1994-95 ERAF contributions for redevelopment agencies.

Status: Chapter 281, Statutes of 1994.

AB 1002 (Brulte) - Reporting Mitigation Agreements

Requires a redevelopment agency to separately identify, in its annual report, expenditures relative to each mitigation agreement.

Status: Chapter 476, Statutes of 1993.

AB 1251 (Polanco) - Bonding by Affected Taxing Agency (Urgency)

Authorizes the issuance of bonds with revenues which the affected taxing entity is contracted to receive through redevelopment pass-through agreements.

Status: Chapter 902, Statutes of 1993.

AB 3718 (Ducheny) - Tax Increment and Community Colleges

Provides parity between K-12 school districts and community college districts with respect to the use of tax increment revenues which are received by districts through a prescribed two-percent formula. This bill only affects a community college district when both the redevelopment plan as adopted prior to January 1, 1994 and no negotiated pass-through agreement had been reached by the redevelopment agency and the district.

Status: Chapter 1003, Statutes of 1994.

SB 467 (Hill) - Modifying the 1992-93 Budget Formula (Urgency)

Modifies the 1992-93 ERAF formula for a redevelopment agency which transfers more than 30 percent of its gross tax increment to an affected county. The bill requires that the affected county pay a proportionate share of the agency's ERAF transfer amount.

Status: Chapter 566, Statutes of 1993.

SB 1135 (Committee on Budget and Fiscal Review) - 1993-94 ERAF Shift (Urgency)

Provides a mechanism for allocating, during the 1993-94 and the 1994-95 fiscal years, \$65 million in local property taxes to school and community college districts to offset the state's general aid expenditure. This increase is provided by redirecting redevelopment agency moneys and/or local property taxes to meet target amounts. Amounts collected pursuant to this section are to be deposited in each county's ERAF.

Status: Chapter 68, Statutes of 1993.

1993-94 Redevelopment Reform

The purpose of the second special hearing was to build from the more general discussion of the role of California's community redevelopment agencies and focus more specifically on issues which had historically caused concerns among redevelopment observers, including the definition of "blight," the term of redevelopment plans, and mitigation agreements.

In addition to reforming aspects of redevelopment, AB 1290 and other bills also refocused and expanded the scope of redevelopment activities to specifically include job retention, direct business loans, and loans and grants to manufacturers. Major portions of language included in AB 1290 were the result of the 1993 special hearings and the numerous discussions following those hearings.

The following are brief descriptions of significant legislation heard by the Committee, or of interest to the Committee, relating to CRL reform/refocus:

AB 175 (Polanco) - Hazardous Substance Clean Up

Extends the sunset date for five years on the hazardous substance clean-up provisions in CRL.

Status: Chapter 163, Statutes of 1993.

AB 984 (Hauser) - Project Area Committees

Makes a number of CRL revisions relating to project area committee (PAC) formation, including requiring PAC members to be elected and expanding the circumstances under which a PAC must be formed. Amendments to the PAC formation process affect all redevelopment plans which are amended after January 1, 1994.

Status: Chapter 1217, Statutes of 1993.

AB 1290 (Isenberg) - Major Revisions to CRL

Modifies a number of significant CRL provisions:

- o Alters the definition of "blight."

- o Specifies term limits for new and previously adopted project areas, i.e., the term of the redevelopment plan, the term of the available flow of tax increment moneys, and the term of the agency's redevelopment powers.
- o Increases and modifies penalties for the failure to expend tax increment moneys in an agency's LMI Fund.
- o Authorizes the development of affordable housing units outside the project area to count toward an agency's inclusionary requirements. Under the provisions of the bill, an agency must produce two units outside the project area for every one unit owed.
- o Prohibits the dedication of sales tax to an agency by its legislative body.
- o Authorizes the financing of facilities or capital equipment made in conjunction with the development or rehabilitation of property used for industrial or manufacturing purposes.
- o Deletes CRL provisions relating to negotiated mitigation agreements and, instead, provides for a guaranteed statutory pass-through beginning in Year One for all affected taxing entities.

Status: Chapter 942, Statutes of 1993.

AB 1813 (McDonald) - New Redevelopment Authority

Authorizes a pilot project within the communities of Los Angeles, Long Beach, San Jose, and Healdsburg for the purpose of providing small business loans, including loans to minority-owned and women-owned business enterprises.

Status: Chapter 1225, Statutes of 1993.

SB 732 (Bergeson) - 1993 Redevelopment Reform Act Clean Up (Urgency)

Makes a number of technical modifications to the 1993 Act (AB 1290). Additionally, the bill makes a number of amendments which clarify the sponsor's intent relative to the Redevelopment Reform Act of 1993. A majority of those changes which are not technical are described below:

- o Requires that an agency's replacement plan for units destroyed or removed by redevelopment agency activities be included in the implementation plan. Additionally, the bill requires that the implementation plan include information on how the agency proposes to meet its affordable housing obligations.
- o Provides that the adoption of an implementation plan does not constitute a "project" as defined by the California Environmental Quality Act (CEQA).
- o Modifies the "grandfather provisions" relative to the prohibition on sales tax kickbacks by requiring that an agency must have entered into

an agreement with an entity other than its own local government. This provision is not effective until January 1, 1995.

- o Allows an agency to refund, refinance, or restructure indebtedness beyond the statutory term to the extent that the repayment period does not extend beyond the maximum time limitation for repayments authorized under existing law: 45 years for new project areas and 40 years or January 1, 2009, whichever is later, for pre-1994 project areas.
- o Authorizes the use of first-class mail to notify property owners, business tenants, and residential tenants of redevelopment plan amendments instead of notification by registered letters.

Status: Chapter 936, Statutes of 1994.

Community Redevelopment and Military Base Closures

During the summer of 1993, the Committee focused a majority of its attention on legislation relating to the use of redevelopment in areas affected by military base closures. In July, the Governor requested that AB 69 (Cannella) and SB 438 (Maddy), both relating to Castle Air Force Base, and SB 915 (Johnston), relating to Mather Air Force Base, be amended to include a new general CRL chapter for communities with military installations slated for closure by the Federal Base Closure Commission. [Subsequently, SB 438 was gutted and language was added relating to counties.]

Due to the limited period (less than two weeks) of public comment on the general provisions of Military Base Closure Redevelopment Law (MRL), an interim hearing was scheduled for November 17, 1993. The hearing provided a Committee forum for the review of statewide policy implications of using CRL to assist in revitalizing closed military bases and the areas surrounding those closed bases.

Chairman Hauser requested that the interim hearing be held in San Bernardino as the Committee might better focus on the broader policy issues by reviewing the specific experience of the communities affected by the closure of Norton and George Air Force Bases. These two bases were identified in the first round of closings in 1989 and were the first bases having local reuse plans which relied heavily on redevelopment authorities.

During the course of the hearing, members focused on the following general policy questions:

- o **Fair Competition?** Does providing one community with extraordinary redevelopment powers unduly favor that community over a neighboring community? Should one community's loss of jobs due to a military base closure take precedence over another community's lack/loss of jobs due to California's general economic downturn?
- o **Balancing Priorities:** Are the needs of the host city or county superior to that of an affected taxing entity? To what extent are mitigation agreements "necessary" when thousands of vacant acres are put under redevelopment authority?

- o **Public Involvement:** Does the public have an adequate opportunity to participate in the redevelopment process when redevelopment includes the closure of a military base? Is there sufficient information available relative to redevelopment's impact prior to plan adoption to allow for valuable public participation?

A background paper was prepared for the November special hearing, "Military Base Closures: Redevelopment as a Revitalization Tool," and is available through the Housing Committee office [(916) 445-2320].

Although it is always difficult to conclusively state exact policies which have been supported and opposed due to varying circumstances surrounding separate pieces of legislation, below is a summary of several policies which appear to have general consensus among Committee members during the 1993-94 Legislative Session:

- o **General Statute v. Special Legislation:** This past session, the Committee rejected legislation [AB 3769 (Weggeland)] designed to expand general MRL provisions. The Chairman's comments regarding general MRL provisions centered on how each community had its own unique needs and a statute of general application would not necessarily best assist communities faced with military base closures. After its defeat, AB 3769 was amended to relate only to March Air Force Base and was passed by the Committee.
- o **Legislative Declaration of Blight:** The Committee repeatedly deleted any language from legislation [AB 69 (Canella), AB 3769 (Weggeland), SB 1035 (Thompson), and SB 1600 (Mello)] which suggested a statutory determination that a closed military base was blighted and retained the current requirement that the determination be made at the local level.
- o **The Cost of Police and Fire:** The Committee repeatedly deleted language from legislation (AB 69, AB 3769, SB 1035, and SB 1600) which authorized a redevelopment agency to pay the costs of police and fire from tax increment moneys. Nevertheless, legislation (SB 1600) was approved which allowed (consistent with existing CRL) that mitigation payments could be received by the city or county where the redevelopment agency is located to eliminate a financial burden or detriment caused by the redevelopment plan's implementation.
- o **Mitigation Payments:** The Committee repeatedly deleted language which statutorily allocated tax increment moneys when there were no formal local agreements. In cases when the local affected taxing entities had reached an agreement on the distribution of tax increment (SB 1600), the Committee passed the legislation. All other redevelopment agencies (AB 69 and SB 915) were required to make mitigation payments to affected taxing entities as it was deemed necessary by the redevelopment agencies.
- o **Replacement Housing Requirements:** The Committee failed to reach a consensus on replacement requirements on military housing removed through redevelopment agency activities. However, consensus was reached on an exemption for the replacement of military barracks or dormitory style

housing (AB 69, AB 3769, and SB 1600). The consensus was based on the fact that usable barracks would likely be transferred under the Federal Stewart B. McKinney Act for use by the homeless.

- o **Low and Moderate Income Housing Fund Deposits:** A varying array of deferrals based on specific local conditions was negotiated. In many cases, these deferrals were based on vacancy rates in lower income rental markets (AB 3769 and SB 1600).

The following are brief descriptions of significant legislation heard by the Committee, or of interest to the Committee, relating to military base closures:

AB 69 (Cannella) - Castle Air Force Base Project Area

Creates the Castle Joint Powers Redevelopment Agency. Additionally, this bill creates a new CRL chapter relating to the adoption and implementation of closed military base redevelopment plans. This same language is also included in SB 915.

General provisions include the:

- o Definition of a blighted area and conditions which cause blight. These provisions are separate and different from general CRL.
- o Requirement that, beginning in the 15th year of the redevelopment project, school and community college districts receive 100 percent of their share of property taxes.
- o Authorization for the agency to enter into a mitigation agreement with all affected taxing entities other than school and community college districts to alleviate any financial burden or detriment caused by the redevelopment plan.

Special Castle provisions include the:

- o Authority to defer up to 50 percent of LMI Fund requirements for up to five years.
- o Specific statutory limits on the term of the redevelopment project area, a limit on tax increment dollars allocated to the agency, and the date by which eminent domain proceedings must have commenced.
- o Authority for the agency to adopt redevelopment project areas outside Castle Air Force Base under limited terms and conditions.

Status: Chapter 943, Statute of 1993.

AB 175 (Polanco) - Hazardous Substance Clean Up

Extends the sunset date for five years on hazardous substance clean-up provisions in CRL.

Status: Chapter 163, Statutes of 1993.

AB 1023 (Baca) - Citizens' Advisory Committee

Requires the formation of a citizens' advisory committee within each redevelopment project area created under the special authorities provided to the joint powers agency operating within the area of Norton Air Base.

Status: Chapter 968, Statutes of 1993.

AB 2010 (Brulte) - Use of Tax Increment in Litigation/Norton Air Force Base (Urgency)

Prohibits a redevelopment agency from financing litigation against a public agency which does not have jurisdiction within the redevelopment project area. This prohibition does not preclude an agency from:

- o Defending itself against any action.
- o Filing or maintaining an action regarding the interpretation or enforcement of a written agreement between a redevelopment agency and another public agency or private entity.

Additionally, the bill exempts a redevelopment plan amendment approved prior to September 1, 1995 for the Norton Air Force Base Redevelopment Project Area from CEQA. However, all projects resulting from the redevelopment plan are subject to CEQA and the agency is required to adopt an Environmental Impact Report (EIR) within 12 months after the plan amendment.

Status: Chapter 326, Statutes of 1994.

AB 3769 (Weggeland) - March Air Force Joint Redevelopment Agency

Authorizes the adoption and implementation of a redevelopment plan in response to the realignment of March Air Force Base, including:

- o Modifying the definition of blight.
- o Authorizing the limited inclusion of property outside the base within the March Joint Powers Redevelopment Project Area.
- o Authorizing the expenditure of tax increment moneys outside the redevelopment project area if the agency makes a finding that the proposed project will eliminate blight, that no other financing mechanism is available, and that the proposed project would be of benefit to the project area.
- o Modifying the replacement housing requirements for units which are removed or destroyed through redevelopment agency activities.
- o Authorizing the annual deferral of LMI Fund deposits for up to five years upon a finding that the vacancy rate for rental housing affordable to lower and moderate-income households within all jurisdictions participating in March Joint Powers Redevelopment Agency is four percent or higher.

Status: Chapter 1170, Statutes of 1994.

SB 915 (Johnston) - Mather Air Force Base Project Area (Urgency)

Authorizes the inclusion of any portion of Mather Air Force Base within a redevelopment project area. Additionally, this bill creates a new CRL chapter relating to the adoption and implementation of redevelopment plans on closed military bases. This same language is also included in AB 69.

General provisions include the:

- o Definition of a blighted area and conditions which cause blight. These provisions are separate and are different than general CRL.
- o Requirement that, beginning in the 15th year of the redevelopment project, school and community college districts receive 100 percent of their share of property taxes.
- o Authorization for the agency to enter into a mitigation agreement with all affected taxing entities other than school and community college districts to alleviate any financial burden or detriment caused by the redevelopment plan.

Special Mather Redevelopment Project Area provisions include the:

- o Authority to defer up to 50 percent of LMI Fund requirements for up to 10 years.
- o Authority to determine that the redevelopment plan is not subject to CEQA. Should such a determination be made, an EIR is required to be certified within 18 months after the adoption of the plan.
- o Specific authority relative to the amount of moneys which are received by a school district from the agency for the purpose of capital facilities.

Status: Chapter 944, Statutes of 1993.

SB 1035 (Thompson) - Mare Island Redevelopment Project Area

Authorizes the establishment of the Mare Island Redevelopment Project Area under special conditions, including:

- o Requiring the agency to make the statutory pass-through payments required under general CRL provisions rather than specific provisions relating to MRL to all affected taxing entities.
- o Authorizing the City of Vallejo to determine, at a public hearing, that the adoption of the Mare Island Redevelopment Plan is not subject to CEQA. Should the City of Vallejo exercise this authority, the agency is required to prepare and certify an EIR for the redevelopment plan within 18 months after the plan's adoption.

- o Modifying the definition of a blighted area.

Status: Chapter 1168, Statutes of 1994.

SB 1600 (Mello) - Fort Ord Redevelopment Agency

Authorizes the establishment of redevelopment project areas within the area previously included within the Fort Ord Military Base under special conditions, including, but not limited to:

- o Providing for the distribution of tax increment moneys received by a redevelopment agency, including the agencies for the Cities of Seaside and Marina, the Redevelopment Agency of Fort Ord, and affected school and community college districts.
- o Requiring that all redevelopment plans and implementation plans be certified by Ford Ord Reuse Authority (FORA) as to their consistency with the reuse plan before those plans or plan amendments become effective.
- o Authorizing the waiver of the agency's LMI Fund requirements for up to five years upon an annual finding that the vacancy rate for rental housing affordable to lower income households is six percent or greater.
- o Authorizing FORA and the cities and county to use the federal environmental statement for the draft state EIR.
- o Modifying the definition of "landowner" for the purpose of establishing a community facility district to include a public agency that owns land within the territory of a military base which is closed or is being closed. Additionally, the bill adds an agency to the list of eligible entities permitted to initiate proceedings to create a community facilities district.

Status: Chapter 1169, Statutes of 1994.

Community Redevelopment and Disaster Recovery

In 1964, the Community Redevelopment Financial Assistance and Disaster Project Law (Disaster Project Law) was enacted in response to the devastation in Crescent City resulting from the tidal wave caused by the March 27, 1964 "Black Friday" Earthquake in Alaska.

Under the provisions of Disaster Project Law, a redevelopment plan may be adopted without regard to a number of requirements which are detailed below:

- o The project area need not be "blighted."
- o The redevelopment plan is not required to conform with the local general plan.
- o The redevelopment plan is not subject to referendum.

- o The redevelopment agency is authorized to demolish and remove any structures on the property; pay all costs related to the acquisition, demolition, or removal of any structures on the property; and assume the responsibility to bear any loss resulting from the exercise of that authority without the necessity of meeting any condition precedent to such activities prescribed in CRL.

Since 1964, Disaster Project Law has not been amended to reflect significant CRL changes. This lack of legislative review has led some redevelopment agencies to seek supplemental legislative authority prior to using Disaster Project Law. Alternatively, some redevelopment agencies have sponsored legislation to amend general CRL provisions to meet their communities' recovery needs.

Communities which have sought special legislation include:

- o Crescent City (1964 Tidal Wave)
- o Coalinga (1983 Coalinga Earthquake)
- o Whittier (1987 Whittier-Narrows Earthquake)
- o Watsonville (1990 Loma Prieta Earthquake)
- o Santa Cruz (1990 Loma Prieta Earthquake)
- o West Oakland (1990 Loma Prieta Earthquake)
- o Dunsmuir (1991 Toxic Spill)
- o Long Beach/Signal Hill (1992 Civil Unrest)
- o Compton (1992 Civil Unrest)

Questions as to how modifications to CRL since 1964 interrelate with Disaster Project Law have been posed. The enactment of broad changes authorized by AB 1290 has made these types of interpretational issues even more relevant. As an example, prior to the enactment of AB 1290, blighting conditions were almost exclusively used as a means by which the boundaries of a redevelopment project area were determined. After January 1, 1994, blighting conditions are required to be cited for a number of redevelopment activities including the sale or lease of property (commercial, industrial, and residential) which was acquired with tax increment moneys, the development of public infrastructure, and the contents of an agency's five-year implementation plan. Are agencies administering Disaster Project Law project area also exempt from these requirements? Should they be?

In an attempt to provide some general guidance relative to the interrelationship between modern CRL and Disaster Project Law, AB 978 (Hauser) was amended in the Senate Local Government Committee. Potential fiscal concerns raised by the DOF led to the bill being moved to the Senate Appropriations Suspense File. Although language was eventually worked out to meet DOF's concerns, the bill failed to be removed from the Suspense File.

The following are brief descriptions of significant legislation heard by the Committee, or of interest to the Committee, relating to natural disasters and redevelopment:

AB 984 (Hauser) - Disaster Project Law

Would have repealed and reinstated a modified form of Disaster Project Law under which a redevelopment agency has the authority to act in areas where a natural disaster has been declared by the President and the Governor. Among other items, the bill would have:

- o Limited the scope of agency activities under Disaster Project Law to only those related to demolishing, removing, repairing, restoring, and replacing buildings, facilities, structures, or other improvements which have been damaged or destroyed as a result of a disaster.
- o Reduced the terms under which an agency may incur indebtedness or exercise redevelopment authority from 10 and 20 years, respectively, to 10 years with no provision for extensions.
- o Reduced the term by which an agency must retire its indebtedness from 40 to 30 years.
- o Subjected a redevelopment plan to referendum pursuant to existing CRL.
- o Reduced the base-year property tax roll to reflect any reductions in the assessed value of property as a result of a natural disaster.
- o Exempted a redevelopment plan from CEQA, although all projects implementing plans which would have significant effects on the environment would still be subject to CEQA or agencies could have been authorized to certify plan EIRs within 18 months after adoption.
- o Prohibited any agency from adopting a redevelopment plan under Disaster Project Law after January 1, 1998.

Status: Chapter 1217, Statutes of 1993.

AB 1059 (Murray) - Compton Civil Unrest (Urgency)

Authorizes the City of Compton to deposit less than 20 percent of its tax increment allocation into its LMI Fund during the 1992-93 fiscal year. Any amount not deposited during this period is considered an indebtedness to the Fund and is required to be repaid.

Status: Chapter 477, Statutes of 1993.

AB 2135 (Tucker) - Los Angeles Civil Unrest

Would have authorized the establishment of the Community Reinvestment Authority for the purpose of administering a redevelopment program within South Central Los Angeles. Among other items, the bill would have:

- o Created a new joint (public/city/county) redevelopment agency, operating within the area known as "South Central Los Angeles."
- o Provided for a nine-member governing board - five members elected from the community at large, one Los Angeles City council representative,

one Los Angeles County supervisor, and one representative from the Metropolitan Transportation Agency.

- o Required that a PAC be elected within every project area, including community organizations. The bill additionally would have prescribed that the PAC remain in existence throughout the time the community redevelopment agency has authority to exercise eminent domain or for seven years, whichever is longer.
- o Required that each project area vote as to whether the agency would have eminent domain authority within its project area.
- o Stated that the Central Business District redevelopment plan could not receive more than \$750 million over the life of the project area nor more than \$75 million in any one year. If an excess exists, the money would be returned to the the respective taxing entities.

Status: Died, Assembly Inactive File.

AB 3750 (T. Friedman) - Malibu Fire Redevelopment (Urgency)

Would have authorized the adoption and implementation of a redevelopment plan within the City of Malibu for the purpose of mitigating damage resulting from the 1993 Southern California Fire Storms and subsequent mudslides.

The bill would have:

- o Required property included within the project area to be property which has been either:
 1. Damaged or destroyed by the 1993 Southern California Fire Storms, or
 2. Damaged or destroyed by soil erosion, landslides, or mudslides resulting from the rain storms following the fire storms.
- o Modified various CRL requirements relating to the agency demonstrating or finding that certain structures or properties are blighted and therefore in need of redevelopment to, instead, require the agency to demonstrate or find that the area contains disaster damage or the area is necessary for the effective eradication of disaster conditions.
- o Exempted the redevelopment agency from the requirement that the project area is predominately urbanized; however, the project area would have been required to be predominately disaster stricken.
- o Provided that the assessment roll, last equalized prior to the effective date of the ordinance adopting the redevelopment plan, reflect property value reductions resulting from the fire storms and subsequent rain storms, as specified.

- o Required all moneys in the agency's LMI Fund to be expended for preserving, increasing, or improving the community's supply of low- and very low-income housing.
- o Exempted the redevelopment plan from CEQA upon the adoption of a resolution by the agency under specified conditions.

Status: Vetoed.

RENT CONTROL

Under existing law, in the absence of state or local law to the contrary, rental rates for real property are established by contractual agreement. Over 90 jurisdictions have established, through ordinance or initiative, some form of rent control on multifamily rental housing or mobilehome park spaces.

Proponents of rent control argue that either state regulation or the prohibition of rent control is inappropriate - each community is unique and local circumstances should determine whether rent control is warranted. Rent control protects persons with low incomes from high rents which result from speculation, low vacancy rates, or the desire for higher profits.

Opponents of rent control argue that controls deter new construction of rental housing and discourage investment. Further, rent controls which do not offer adequate returns inhibit the proper maintenance and upkeep of residential property. Finally, it is contended that rent control subsidizes rents for persons who can readily afford to pay market rates.

Rent controls are generally categorized as "severe" or "moderate." Severe rent control is characterized by the continuing control of rent when a unit becomes vacant and prohibits a rent increase when a new tenant occupies the unit (vacancy control). Moderate rent control does not control the rent on a unit when it becomes vacant and permits the rent to rise to the market rate when a new tenant moves in. After this new rent is determined, the rent is again controlled (vacancy decontrol).

Fourteen cities have some form of residential rent control. Over 90 jurisdictions have enacted mobilehome rent control. Mobilehome rent control applies to about 1,300 parks covering about 140,000 mobilehome spaces. Approximately 4,500 parks and 310,000 spaces are not covered by rent control.

1993-94 Legislation

The following rent control bills were heard by the Committee:

AB 157 (Conroy) - Prohibition of Rent Control

Would have prohibited local jurisdictions from adopting or enforcing residential or mobilehome rent control.

Status: Died, Assembly Committee on Housing and Community Development.

AB 264 (Costa) - Rate of Return

Requires a residential rent control jurisdiction which does not provide for vacancy decontrol to include specified expenses or costs in any calculation used to determine a fair return to the owner of the property.

Status: Chapter 843, Statutes of 1993.

AB 673 (V. Brown) - Long-Term Mobilehome Leases

Would have specified that any ordinance, rule, regulation, or initiative measure adopted by any local governmental entity which establishes a maximum amount that a landlord may charge a tenant for rent shall prevail over conflicting provisions of a rental agreement entered into on or after January 1, 1994, but shall not prevail over conflicting provisions of a rental agreement entered into prior to this date.

Status: Failed passage, Senate Floor.

AB 746 (Ferguson) - Exemption from Mobilehome Rent Control

Would have exempted a mobilehome space from rent control if the mobilehome occupying the space is not the principal residence of the tenant. [The bill in its final form was authored by Assembly Member Goldsmith and related to land use.]

Status: Failed passage, Assembly Floor.

AB 1320 (Costa) - Vacancy Decontrol

Would have required vacancy decontrol in residential rent control jurisdictions, as specified.

Status: Failed passage, Senate Judiciary Committee.

AB 2712 (Costa) - Rent Control

Would have made a technical, non-substantive correction in the law relating to residential rent control in vacancy control jurisdictions.

Status: Died, Senate Judiciary Committee.

AB 2959 (Ferguson) - Calculation of Base Rent

Would have provided that the last rental rate charged for a mobilehome space under a previous rental agreement which was exempt from rent control would be the base rent for the purpose of rent regulation and that the base rent would be treated like any other base rent under the rent regulations.

Status: Failed passage, Assembly Committee on Housing and Community Development.

AB 3056 (Conroy) - Calculation of Fair Return

Would have required a mobilehome rent control jurisdiction which does not provide for vacancy decontrol to include reasonable expenses, fees, and other costs in any calculation used to determine a fair return to the owner of the property, as specified.

Status: Failed passage, Assembly Ways and Means Committee.

AB 3578 (Ferguson) - Restriction of Mobilehome Rent Control

Would have restricted mobilehome rent control to persons of low or very low incomes.

Status: Failed passage, Assembly Committee on Ways and Means.

AB 3585 (Ferguson) - Restriction of Mobilehome Rent Control

Would have restricted residential rent control to persons of low or very low incomes.

Status: Failed passage, Assembly Ways and Means Committee.

SB 6 (Craven) - Administration of Rent Control (Urgency)

Provides that, notwithstanding any ordinance, rule, regulation, or initiative measure adopted by a local government entity which establishes a maximum amount management may charge a homeowner for rent with respect to any space in a mobilehome park that is exempt from rent control, a mobilehome park shall not be assessed any fee or other exaction, and no fee or other exaction shall be imposed, for the purpose of defraying administrative costs.

Status: Chapter 9, Statutes of 1993.

COMMON INTEREST DEVELOPMENTS

"Thus, subordination of individual property rights to the collective judgment of the owners' association, together with restrictions on the use of real property, comprise the chief attributes of owning property in a common interest development."

California Supreme Court, September 2, 1994
Nahrstedt v. Lakeside Village Condominium Association

The Davis-Stirling Act (Act) defines common interest developments (CID), including community apartment projects, condominium projects, planned developments, and stock cooperatives. In addition, the Act provides for association voting requirements, access to records, levy of assessments, conduct of meetings, and liability of officers and directors.

A CID combines a separate interest in the ownership of a unit with a combined interest in the ownership of the common area.

The owners of the separate interests are members of an association which is created for the purpose of managing the CID. The board of directors of the association is responsible for the day-to-day management and operation of the CID.

The Department of Real Estate is the governmental entity responsible for approving, with limited exceptions, the public report required before a CID can be established. It is estimated that there are over 25,000 CID associations. The majority of these associations are less than 10 years old.

1993-94 Legislation

Descriptions of the major bills reviewed by the Committee in this area are as follows:

AB 67 (Hauser) - Association Standing

Re-confirms existing law; states that a development without a common area does not have standing to sue under the Act.

Status: Chapter 245, Statutes of 1994.

AB 154 (Alpert) - Notice of Suit

Would have required a board of directors to give prescribed written notice to association members within 30 days after filing a civil suit against a developer for construction deficiencies.

Status: Died, Senate Judiciary Committee.

AB 199 (Hauser) - Amendment of Governing Documents

Re-institutes a specified a procedure (which became inoperative January 1, 1990) by which the governing documents of a CID may be amended when those governing documents neither preclude amendment nor include provisions permitting amendment.

Status: Chapter 21, Statutes of 1993.

AB 530 (Hauser) - Enforcement of Restrictions

Would have specified that if the covenants and restrictions have reasonable objectives, they shall not be deemed unreasonable. The bill would have declared the intent of the Legislature to supersede the holding in Nahrstedt v. Lakeside Village Condominium Association, 9 Cal. App. 4th 1. In Nahrstedt, the Court of Appeal held, among other things, that the reasonableness of the covenants and restrictions is determined on a case-by-case basis according to the application of the covenant or restriction to the facts of the case.

Status: Died, Assembly Committee on Housing and Community Development.

AB 1545 (Bornstein) - Delinquent Assessments

Would have provided that where the association has made efforts to collect a delinquent assessment the beneficiary or mortgagee of a deed of trust or mortgage who forecloses a separate interest must, within 60 days from the date of sale, pay to the association an amount not to exceed two months of regular unpaid assessments which cannot otherwise be satisfied from the proceeds of sale.

Status: Vetoed.

AB 1793 (Hauser) - Member Discipline

Would have authorized the governing documents of a CID to contain disciplinary provisions and would have imposed prescribed fines upon owners of the separate interests, other than with respect to nonpayment of assessments.

Status: Died, Assembly Committee on Housing and Community Development.

AB 2551 (Hauser) - Articles of Incorporation

Requires the articles of incorporation of a CID association filed with the Secretary of State on or after January 1, 1995 to contain a prescribed statement.

Status: Chapter 204, Statutes of 1994.

AB 2770 (Cortese) - Reserve Funds

Clarifies that the transfer of CID reserve funds to the general operating fund is temporary and must be repaid to the reserve fund.

Status: Chapter 885, Statutes of 1994.

SB 1553 (Alquist) - Solar Energy Systems

Sets forth clarifying guidelines and definitions relative to solar energy systems.

Status: Chapter 382, Statutes of 1994.

SB 2072 (Calderon) - Homeowner Liability

Provides that any cause of action in tort against any person arising solely by reason of an ownership in the common area of a CID shall be brought against the association and not against the individual owners of the separate interests, as specified.

Status: Chapter 833, Statutes of 1994.

HOMELESS PROGRAMS

Overview

Homelessness has become a problem in every major California city, as well as in many rural areas. California's streets, malls, beaches, parks, and river banks are rife with people who for one reason or another do not have permanent places to live. The homeless problem stems from many sources: high housing costs, unemployment, alcoholism, drug addiction, reduced services for the mentally ill, reduced federal housing funds, and a wave of conversions of federally subsidized housing to market rates - all of which have converged to create the current crisis.

Despite the acknowledgment by many in government, the media, and the private sector of the problems of homelessness, there is neither agreement on how best to attack the problem nor significant available public money to fight it. In large part, the battle against homelessness is being fought by church groups and other non-profit organizations with volunteers, donations, and a trickle of government funds.

The number of homeless people in California is difficult to estimate. Since a person can be homeless for days, weeks, months, or years, the homeless population is constantly fluctuating. Basically, the number of homeless depends on how they are counted and who does the counting. The 1990 census survey counted 48,887 people in shelters and in "visible" locations. However, according to the California Homeless and Housing Coalition (CHHC), 99,000 families (at an average size of three persons per family) received AFDC homeless assistance during Fiscal Year 1991-92. Overall, the CHHC estimates the number of homeless in California at 250,000, with one-third of the homeless population being children.

Who are the homeless? According to a recently released federal report on homelessness, homeless persons tend to be unattached men and women under 40, often with frayed or badly worn ties with family and friends, who are out of work and living on next to nothing. According to the report, homeless persons "show unusually high prevalences of severe mental illness, substance abuse, institutional histories, and foster care placement; minority groups (mainly, African Americans and Hispanics) and veterans are disproportionately represented." Further, the report defines two broad classes of problems which create homeless: "crisis poverty" and "chronic disability." Those with "crisis poverty" often become homeless because they lack education and job and life skills and are living on the bottom rung of poverty - a slight change in their circumstances, such as a late rent check, and they are homeless. Those with "chronic disability," however, possess one or more chronic disabling conditions such as alcohol and drug addictions or mental illness.

The causes of the increase in homelessness during the last decade are also a matter of dispute. One research team recently suggested that the proliferation of homelessness during the last decade is in part a result of the baby boom. The number of Americans age 18 to 44 - the period when most people are vulnerable to addictions and mental illness - increased from 70 million in 1970 to 108 million in 1990.

Those who work in shelters often take a holistic approach toward homeless assistance. According to Mark Holsinger, Executive Director of the Los Angeles Mission, the causes of homelessness are complex: "We've found that there's never just one problem. That's why there is no quick fix to homelessness. Shelter or food alone won't give a person the job and living skills necessary to function independently." Surveys by the Mission indicate a strong need for job training and job skills programs; drug and alcohol programs; and shelters, missions and other places to sleep.

To address the wide array of needs for the homeless, the state and federal government provides services to the homeless through a variety of agencies, departments, and programs which focus on either emergency shelter and services or narrowly-focused programs which address specific subgroups of the homeless population.

Department of Housing and Community Development Programs

1. **Emergency Housing Assistance Program (EHAP):** Operated by HCD and provides grants to local service providers who offer temporary emergency shelter to the homeless. Grants may be used for the acquisition and renovation or expansion of existing facilities, general maintenance costs, and limited administrative expenses. For the last several years, the Governor's budget has proposed a General Fund appropriation of approximately \$2 million for shelter operating expenses under the EHAP. Legislative augmentations for this program have not been successful.

A previous source of state funds for EHAP was provided through the Roberti Housing and Homeless Act: Proposition 84, which was approved by the voters in June 1988, and Proposition 107, approved in June 1990. Proposition 84 allocated \$25 million and Proposition 107 allocated an additional \$10 million in bond proceeds to EHAP for so-called "hard costs," i.e., development and rehabilitation of shelters. All of these funds have been committed.

2. **Federal Emergency Shelter Grant Program:** Provides Stewart B. McKinney Homeless Assistance Act of 1987 (McKinney Act) grant funds for rehabilitation of homeless shelters, essential services, operating expenses, homeless prevention, and grant administration. Approximately \$1.5 million has been allocated to California for this program in 1994.
3. **Homeless Handicapped Program:** Funded by HUD under the McKinney Act. The state program contracts with approximately 30 non-profit housing providers who acquire and rehabilitate single-family homes for use by the handicapped homeless. Currently, the program serves between 250 to 300 people. HUD pays for a percentage of the ongoing costs for up to five years, and the residents (most of whom receive Social Security) contribute 30 percent of their incomes toward household needs and maintenance costs. Over the last five years, the program has received \$9.7 million in federal funds; there was no previous state funding. This program receives approximately \$80,000 per year in state General Fund money.

Federal Stewart B. McKinney Homeless Assistance Act of 1987

The McKinney Act provides grants to states and local agencies for various programs for homeless persons, including the provision of "essential services" which includes drug and employment counseling and homeless prevention. The McKinney Act requires that as a condition of eligibility, applicants must provide a match equal in value to funds provided. This match must be supplied through non-federal sources. In addition, federal surplus property, including portions of recently closed military bases, may be made available to the state, local governments, or non-profits for use as facilities to assist the homeless. In 1994, approximately \$1 billion nationwide has been set aside to fund 13 different federal programs.

Federal Plan To End Homelessness

In May 1993, President Clinton signed an Executive Order directing the 17 member agencies of the Interagency Council on the Homeless to develop a single coordinated federal plan to break the cycle of existing homelessness and prevent future homelessness. As a result of this order, federal officials launched an eight-month nationwide effort to gather information and recommendations for improving and coordinating existing services and developing the plan. Input was received from over 14,000 representatives of state and local government, non-profit housing and service providers, homeless advocates, economic and community development leaders, educators and social service professionals, as well as individual homeless or formerly homeless persons.

The result is a report entitled, "Priority: Home! The Federal Plan to Break the Cycle of Homelessness." In brief, the report recommends doubling the budget for HUD's homeless programs under the McKinney Act to \$1.7 billion and calls for a seamless "continuum of care" that encompasses emergency needs, transitional support, and permanent housing. The Federal Government is urged to reorganize its resources to improve its partnership with states, localities, and the private sector, with a shift away from strictly emergency assistance to services designed to promote long-term independence and self-sufficiency. To prevent future homelessness, the report calls for more job training, better education, comprehensive social services, and affordable housing.

Recent Legislation

The Committee heard two major bills in 1993 relating to homelessness: SB 388 (Rosenthal) and SB 131 (Roberti). SB 388, which substantially overhauled EHAP, was the subject of long negotiations between HCD and shelter providers to ensure a more effective and efficient method of allocating scarce state funding for homeless shelters. SB 131, the 1994 housing bond measure, contained \$15 million for EHAP to be used for the construction and rehabilitation of homeless shelters. The housing provisions were later stripped from the bill and the bill became a \$2 billion seismic rehabilitation bond measure.

In 1994, the Committee heard no homeless bills. Major bills relating to the detention of homeless persons, mental illness, and tuberculosis patients were heard by other legislative committees. Key shelter bills, AB 1808 (Areias),

Chapter 1995, Statutes of 1994, and SB 1691 (Campbell), relating to winter usage of National Guard Armories, were heard by the Assembly Committee on Governmental Organization.

1993-94 Legislation

The Committee heard the following homeless bills:

SB 131 (Roberti) - Housing Bond Bill (Urgency)

Contained \$280 million for various housing programs, including \$15 million for EHAP. The bill was later gutted in the Assembly Ways and Means Committee and became a \$2 billion seismic rehabilitation bond measure for the Northridge Earthquake (Proposition 1A, which was rejected by the voters at the June 1994 election).

Status: Chapter 15, Statutes of 1994.

SB 388 (Rosenthal) - Emergency Shelter Program (ESP) Reforms (Urgency)

Makes extensive revisions to HCD's Emergency Shelter Program. More specifically, the bill:

- o Provides "designated local boards" with the authority to set shelter priorities and rate and rank applications for funds at the local level.
- o Changes the definition of "emergency shelter" and establishes for the first time a definition of "transitional housing" in state law, thereby expanding the scope of the program.
- o Provides additional spending flexibility for shelter operators to use ESP funds for new construction and rental deposits.

Status: Chapter 1022, Statutes of 1993.

HOUSING DISCRIMINATION

The Legislature addressed discrimination in housing this session relating to the California Fair Employment and Housing Act (Fair Housing Act), the Unruh Civil Rights Act (Unruh Act), and the federal Fair Housing Amendments Act of 1988 (FHAA).

The Fair Housing Act prohibits the owner of any housing accommodation from discriminating against any person in the sale or rental of housing accommodations because of race, color, religion, sex, marital status, national origin, ancestry, disability, or familial status. "Familial status" means one or more persons under the age of 18 living with a parent or other person having legal or designated custody and applies to pregnant persons or those who are in the process of obtaining legal custody of a child under 18.

The Unruh Act prohibits discrimination on several bases, including age, in the sale or rental of housing, but permits - as an exception to this prohibition - the establishment and preservation of exclusive housing for senior citizens where the accommodations are designed to meet the physical and social needs of senior citizens, and defines for these purposes a senior citizen housing development.

In 1982, California Supreme Court held in Marina Point, Ltd. v. Wolfson (1982) 30 Cal.3d 72, that the Unruh Act prohibited a business establishment from discriminating in the sale or rental of housing based on age. The Court determined that a landlord of an apartment complex and the owner's association in a planned development are business establishments subject to the Unruh Act. The Court determined that a ban against children in an apartment complex constitutes arbitrary discrimination under the the Unruh Act. The Court did, however, carve an exception for housing facilities "reserved for older citizens."

The Department of Fair Employment and Housing (DFEH) administers and enforces the Fair Employment and Housing Act (FEHA) and provides for procedures to prevent and eliminate discrimination in housing. DFEH also accepts complaints alleging violations of the Unruh Act relating to housing.

The Fair Housing Act does not expressly require that discrimination be proven intentional. The DFEH states that under the FEHA the burden on a complainant to establish discrimination in housing is met if the complainant demonstrates that the practice has a discriminatory effect. Discriminatory effect is demonstrated by the disparate impact test. This test allows a complainant (plaintiff) to establish a prima facie case of discrimination by showing that a respondent's (defendant's) practices or policies have an adverse impact on a statutorily protected class of persons.

The DFEH is authorized to investigate complaints and adopt guidelines for accepting complaints regarding occupancy limitations. When a housing provider's occupancy limitation permits the number of occupants to be equal to, or greater than, two persons per bedroom plus one additional person (2+1) for the entire dwelling unit, DFEH will advise the complainant that the complaint probably cannot be sustained unless there is proof of intentional discrimination.

State Housing law provides for the adoption of building standards and the state has adopted by reference the Uniform Housing Code (UHC) as the statewide overcrowding standard; however, a city or county may modify this standard as it determines it is reasonably necessary because of local climatic, geological, or topographical conditions. The UHC provides that every dwelling, except for studio apartments, have one room with at least 120 square feet of floor area. Two persons are allowed to use a room for sleeping purposes if it has a total area of not less than 70 square feet. When more than two persons occupy a room, the required floor area must be increased by an additional 50 square feet per occupant. The UHC is based on health and safety considerations.

The FHAA prohibits discriminatory housing practices based on handicap and familial status. HUD has adopted regulations which recognize, as an exception to the prohibition against discrimination, the special needs and status of senior citizens. These regulations permit "seniors only" developments under specified conditions.

The FHAA expressly does not limit the applicability of any reasonable occupancy standards adopted by the state and local governments.

The FHAA specifies that if HUD receives a complaint alleging discrimination in housing, HUD must refer the complaint to a state or local agency for action if the agency has jurisdiction and is certified by HUD as having protections, procedures, and remedies "substantially equivalent" to HUD in fair housing enforcement.

The following are descriptions of measures relating to discrimination in housing which were heard by the Committee:

AB 1703 (Goldsmith) - Occupancy Standards

Provides that in the determination of a discrimination claim based upon familial status which is filed with DFEH or any superior court, there shall be a rebuttable presumption that no discrimination, within the scope of the FEHA and the Unruh Act, has occurred on the part of a business establishment when the occupancy standard of that business establishment is equal to, or greater, than 2 persons per bedroom, plus one additional person, in a dwelling unit.

Status: Died, Assembly Housing and Community Development Committee.

AB 2199 (W. Brown) - Arbitrary Discrimination

Provides that the Unruh Act prohibits all arbitrary forms of discrimination and allows local jurisdictions to establish greater protections against discrimination than those set forth in the FEHA.

Status: Died, Senate Judiciary Committee.

SB 137 (Wright) - Senior Housing

Clarifies that the prohibition against discrimination in housing based on familial status shall not apply to senior housing, as specified.

Status: Chapter 830, Statutes of 1993.

SB 1434 (Maddy) - Department of Fair Employment and Housing

Changes the name of the "Department of Fair Employment and Housing" to the "Department of Civil Rights Enforcement."

Status: Failed passage, Assembly Housing and Community Development Committee.

SB 1560 (Mello) - Senior Housing

Defines a senior citizen development to be a residential development developed, substantially rehabilitated, or substantially renovated for, senior citizens and consisting of at least:

1. 150 dwelling units in a Standard Metropolitan Statistical Area (SMSA) with at least 1,000 residents per square mile or at least one million total residents based upon the 1990 census,
2. 100 dwelling units in a SMSA with not more than 999 residents per square mile and not more than 399,999 total residents based upon the 1990 census, or
3. 35 dwelling units in any other area.

Status: Chapter 464, Statutes of 1994.

FARMWORKER HOUSING

Overview

Affordable, safe, and sanitary housing for the vast majority of California's farmworkers is virtually nonexistent. When a migrant farmworker arrives in a rural agricultural town, he/she has few options: most of the existing housing is occupied; available units often consist of the most dilapidated units in the community; rents are high; and per-person charges are used to capitalize on "doubling up." If the migrant fails to arrive in town early enough to get a substandard unit, there are four choices available: double up in an occupied unit; pay rent to live in a shed, barn, garage, backyard, or cardboard box; be homeless and live in a car; or try to obtain housing in a surrounding community and commute to work. Although there are a number of state-operated farm labor camps and some employer-provided housing, these programs address only a minimal portion of the total housing need.

Several reasons are commonly cited for the lack of farmworker housing. Housing advocates maintain that government has not spent enough money for farmworker housing and has let the agricultural industry exploit farmworkers - a historically vulnerable group - for profit. Further, housing advocates argue that the agricultural industry as well as the consumer should be required to pay for farmworker housing and services since they both benefit from farmworker productivity. The agricultural industry maintains that housing is expensive to provide and investments are rarely recaptured because the housing is seasonal. Agricultural interests also contend that bothersome governmental regulations and community opposition make farmworker housing difficult to build and maintain. Moreover, the increasing use of farm labor contractors as intermediaries has increased the distance between growers and labor, which serves to blunt workers' attempts to attain better working conditions and benefits directly from growers.

Statistical information suggests that part of the problem is due to an oversupply of workers. Due to their high levels of mobility, durations of employment, and large numbers of undocumented workers (20 to 40 percent of the farm labor force), an accurate estimate of the total number of the farmworker population is difficult to calculate. Yet, all estimates indicate that there are many more farmworkers than jobs.

Agricultural researchers estimate that California agriculture employs the equivalent of 350,000 year-round workers. A 1989 study by the California Employment Development Department revealed that 880,000 people claimed at least a portion of their incomes from farmworking. Some estimates place the total farmworker population as high as 2 million.

Unemployment insurance data suggests most farm work is short-term at best. A 1985 study cited 54 percent of farmworkers as "casual workers" working for a few weeks and earning less than \$1,000; 40 percent were "seasonal workers" earning between \$1,000 to \$12,500 for employment of up to 20 weeks; and only six percent were "regular workers, managers, and professionals" earning an average of \$21,000 for 42 weeks.

Report Cites Failure of 1986 Immigration Reform Measure

In 1986, Congress passed the Immigration Reform and Control Act (IRCA), which contained provisions to control illegal immigration through a system of penalties against employers who hired illegal workers. In addition, IRCA legalized some aliens present in the United States prior to 1982. IRCA was expected to result in a more stable work force which, in turn, would lead to higher wages and improved working conditions for farmworkers; increased mechanization; decreased production of labor-intensive fruit, vegetable, and horticultural crops; higher food prices for consumers; and a better agricultural job-matching system. However, none of this occurred.

By legalizing over one million farmworkers under the Special Agricultural Worker (SAW) Program, IRCA created an oversupply of farmworkers. Unlike expectations, recently legalized SAW workers did not shift in large numbers to other non-farm jobs. The lack of English speaking skills and the general state of the economy served to keep most SAW workers seeking employment on farms. Conditions for workers did not improve. With fraudulent documents easily available, illegal immigration continued. Illegal and recently legalized farmworkers were pitted against each other vying for a small pool of jobs.

A 1992 report was conducted by the presidential and congressionally appointed Commission on Agricultural Workers - a body composed of a diverse cross-section of the agricultural community including representatives from the United Farm Workers, academics, and growers - on the effectiveness of IRCA. The report recommended the following changes:

- o Illegal immigration must be curtailed. Fed by a constant flow of illegal immigrants, the pool of available farmworkers expands and leads to stagnating wages and deteriorating working conditions. The curtailment of illegal immigration should be accomplished with more effective border patrols; better internal apprehension mechanisms; and enhanced enforcement of employer sanctions, including a better fraud-proof employment eligibility and identification system.
- o Economic development must be encouraged in countries (such as Mexico) to mitigate "push" migration pressures.
- o Methods of matching agricultural workers with agricultural jobs need to be improved to enable farmworkers to obtain enough employment during the course of a year to be economically self-sufficient.
- o Farm labor contractors should be more strictly regulated, including requiring training, licensing, and adequate bonding.
- o Access to unemployment insurance, worker's compensation, and the right to organize and bargain collectively should be fully extended to all farmworkers.
- o Housing standards on the federal and state levels should be reviewed. Standards should allow more flexibility in the design and construction of conceptually different seasonal farmworker housing which responds to the needs of workers and is economically viable. Housing can take the form of

in-transit camp sites, trailer camps, or direct housing subsidies to farmworkers. In addition, the role of federal farmworker housing programs should be expanded.

- o Services provided to farmworkers and their children should be improved and coordinated.

Housing Programs

Housing opportunities for farmworkers are scant in comparison to the demand. To address this enormous need, there are two state programs and a number of private camps offering a combined total of 5,607 units assisting 39,374 farmworkers and their families. The federal Farmers Home Administration (FmHA) provides funding to build low- and moderate-income farmworker housing.

The state housing programs are:

1. **Office of Migrant Services (OMS):** This program, administered by HCD, operates 26 migrant centers distributed among 15 counties, annually servicing an estimated 12,546 migrant farmworkers in 2,107 units. Thirty percent of the farmworkers come from California, 35 percent from Mexico, and the rest from Arizona, New Mexico, and Texas. The centers generally operate from April through November. Land is provided by the locality. The state owns the buildings and equipment and operates the program, usually by contracting with a local housing authority.
2. **Farmworker Housing Grant Program:** This HCD-administered program offers up to 50-percent matching grants for the construction and rehabilitation of owner-occupied and rental housing for low-income, year-round farmworkers. This program has assisted 3,500 units and an estimated 14,280 total farmworkers and their families since 1977.

The federal housing program is:

1. **Section 514/516 FmHA Housing:** This program offers funds for the construction and rehabilitation of low- and moderate-income housing for farmworkers. Federal funding in 1991-92 was \$27.3 million nationwide.

In California, FmHA has funded the construction of 10 projects consisting of 345 farmworker units over the last five years.

Private Camps

Private camps, which is housing of any kind for five or more agricultural employees, are often the target of negative press stories on miserable farmworker housing conditions. Newspaper photos and video footage of farmworkers crowded in barns and dilapidated shacks with hazardous electrical wiring and unhealthy sanitary conditions affix in the public mind the "dark" side of California's agricultural industry. Not all private camps, however, are substandard; many camps are clean, safe, and well-maintained.

Private camps are licensed under the HCD-administered Employee Housing Act (Act). In 1994, a total of 1,685 licensed camps served 27,117 farmworkers and their families.

Recently, HCD enforcement efforts against substandard farmworker housing have improved. In the past, the Act was enforced by a handful of state inspectors who responded to complaints or randomly drove agricultural backroads looking for illegal camps. These methods proved ineffective, resulting in few illegal camps being repaired or closed. More recently, HCD - armed by recent legislation authorizing stiff civil penalties of up to \$10,000 per day for substandard housing violations - has concentrated its enforcement efforts through an in-house task force by focusing on selected agricultural areas of the state. The task force's efforts have tripled the number of illegal camps identified and brought up to code. In 1993, through 17 strikes, HCD inspectors discovered 180 illegal camps containing 2,349 employees. Under the threat of potentially massive civil penalties, all 180 camps were brought into compliance with health and safety standards.

Cracking down on illegal camps, however, can have its down side, resulting in grower fear and frustration. Some growers, complaining of harassment by state and federal officials, have bulldozed their camps rather than repairing or continuing the camps' operation. As a result, their farmworkers will be forced to sleep in cars, other illegal camps, or in the open. For these reasons, HCD inspectors attempt to encourage camp operators to repair substandard camps and keep the camps open.

Battling illegal farmworker housing camps is a difficult fight. This sentiment was voiced by HCD's Director, Tim Coyle, at the Committee's 1992 Oversight Hearing. In response to a question from a Committee member on the enforcement issue, Coyle replied, "With 80,000 farms in the state, it does not matter if the state had 42 inspectors or 420, it still would not be enough for complete enforcement."

Housing Innovations

Despite the enormity of the problem, continuing efforts to improve the farmworker housing situation by housing advocates, non-profit housing providers, academics, growers, legislators, and others are being made. These efforts include:

- **Emergency Housing:** Some non-profit housing providers and others have argued for the establishment of temporary seasonal camps by using tents, mobile bunkhouses, and other types of inexpensive shelter as a way of meeting the demand for farmworker housing. These ideas are often met with criticism from housing advocates who view these proposals as solutions which set back farmworker housing to the days of "The Grapes of Wrath" and will lead to the public perception that the problem is somehow solved.
- **Employer-Provided Housing:** Some growers are building housing. In response to the pressing needs for farmworker housing during the fall grape harvest, Sonoma County recently enacted an innovative housing ordinance to promote the building of farmworker housing by local grape growers. In response to over-the-counter permitting and a farmworker-housing friendly board of

supervisors, growers have built housing for over 400 workers. Because they are able to offer housing, growers maintain that they are able to attract and keep better workers.

- o **Other Ideas:** Other suggested or implemented innovative ideas include using county fairgrounds, Department of Transportation right-of-ways, and National Guard armories as locations for farmworker housing; establishing a statewide network of farmworker hostels where workers could sleep and obtain information on job prospects and services; and establishing or expanding the amount of public funds available for funding farmworker housing through the establishment of revolving loan pools.

Prior Legislation

Over the past several years, the Committee has considered and passed bills which primarily strengthen and tighten enforcement provisions of the Act. In the 1991-92 Legislative Session, the Legislature passed four substantial bills authored by Assembly Member Polanco - AB 923, AB 1816, AB 2164, and AB 3526.

- o AB 923 extended protections to farmworkers who complained about substandard conditions in labor camps and contained a provision which allowed a court to sentence a repeat violator of the Act to house arrest in his/her labor camp.
- o AB 1816 increased fines from \$2,000 to \$6,000 for specified violations of the Act, required a labor camp operator to pay 10 times the permit fee if he or she is discovered twice within five years to be operating a camp without a permit, and authorized between \$1,000 to \$10,000 in fines and up to four years in prison for various violations of the Act.
- o AB 2164 allowed for additional civil penalties between \$300 to \$500 for each violation of the Act which is not corrected after 30 days of the issuance of a correction order.
- o AB 3526 revised numerous provisions of the Act. In addition to creating new duties for enforcement agencies and housing operators and increasing various fines and penalties, AB 3526 exempted farmworker housing for 12 or fewer farmworkers from any special local use taxes, fees, or permits.

1993-94 Legislation

Similarly, the 1993-94 Legislative Session contained additional enforcement bills. AB 2011 (Polanco) specified procedures for court-ordered receiverships of substandard employee housing, while AB 2571 (Polanco) clarified the procedure for awarding attorney's fees in cases involving resident relocation from a substandard camp which was closed by an enforcement agency. There were, however, a number of other bills which did not relate to enforcement. AB 2703 (Costa) made certain packing house workers eligible for grants under the Farmworker Housing Grant Program, and AB 3154 (Bustamante) made numerous improvements to the OMS Program.

Another major farmworker bill, AB 3468 (Bustamante), sought to establish a tax-credit program to encourage the development of farmworker housing. The bill

was heard by the Assembly Revenue and Taxation Committee and later died on the Senate Appropriations Committee's Suspense File.

The following are descriptions of farmworker housing bills heard by the Committee in the 1993-94 Legislative Session:

AB 832 (Hauser) - Housing Programs/FmHA Housing (Urgency)

Makes several changes to existing housing programs and clarifies that local house size requirements cannot be used to exclude housing financed through FmHA. More specifically, the bill:

1. Allows HCD to set aside \$200,000 for a default reserve for the existing Farmworker Housing Grant Program.
2. Authorizes HCD to allocate special federal Community Development Block Grant (CDBG) farmworker funds to Imperial County without jeopardizing that county's ability to compete in the annual CDBG allocation process.
3. Prohibits local jurisdictions from imposing house size requirements which exceed the size or capacity that the FmHA will finance.
4. Deletes the current specific numerical thresholds under the HOME Program and allows HCD to use revised federal target numbers.
5. Deletes the current CDBG numerical thresholds and exempts supplemental federal CDBG funds, as proposed by the Clinton Stimulus Package, from current California CDBG Program requirements.
6. Correct a technical error in AB 1472 (Hauser), Chapter 1010, Statutes of 1993, concerning the transfer of the state-administered Section 8 Aftercare Program to local housing authorities.

Status: Chapter 198, Statutes of 1994.

AB 2011 (Polanco) - Employee Housing Act/Receivership

Makes certain changes regarding the Act, including specifying procedures for court-ordered receiverships of extremely substandard housing. More specifically, the bill:

1. Authorizes an enforcement agency, tenant, tenant organization, or tenant association to seek and permit a court to order, after a three-day notice, the appointment of a receiver for the repair of substandard employee housing and specifies the procedures under which the receivership may take place.
2. Provides that if employee housing is maintained in such a manner that includes extensive violations which endanger the health and safety of the residents, the owner or operator has a reasonable time to correct conditions prior to any action to place the employee housing under receivership.

3. Requires the amount remaining from any fines, penalties, or awards received for violations of the Act to be deposited into HCD's Farmworker Housing Grant Fund (Fund) after all agencies and entities are reimbursed for their costs of enforcing the Act.
4. Specifies that moneys deposited into the Fund shall be allocated for the construction or rehabilitation of employee housing for either seasonal use, residential dormitories for unaccompanied men or women, or rental housing for low- and very low-income agricultural employees.
5. Authorizes local governments to pass an ordinance prior to January 1, 1994 which would require relocation payments and assistance more stringent than the Act.

Status: Chapter 952, Statutes of 1993.

AB 2012 (Polanco) - Farm Labor Rental Assistance Fund

Would have created the Farm Labor Rental Housing Assistance Fund in the State Treasury.

Status: Died, Assembly Housing Committee.

AB 2571 (Polanco) - Attorney's Fees/Relocation

Provides that a court may grant attorney's fees and costs to a private person or entity which brings a civil action to enforce relocation provisions of the Act when an enforcement agency's order to provide relocation benefits to displaced farmworkers has not been complied with.

Status: Chapter 1250, Statutes of 1994.

AB 2703 (Costa) - Farmworker Definition (Urgency)

Adds "packing house workers," as defined, to the existing definition of "agricultural employee" in the Farmworker Housing Grant Program, thereby establishing cannery workers as eligible applicants to the program.

Status: Chapter 259, Statutes of 1994.

AB 3154 (Bustamante) - Office of Migrant Services

Authorizes an agency operating a state-owned migrant farm labor center to establish a reserve account for specified uses, and authorizes the operation of these centers for more than 180 days.

Status: Chapter 371, Statutes of 1994.

AB 3257 (Bornstein) - Farmworkers/Mobilehomes (Urgency)

As passed by the Assembly, the bill corrected a reference to "mobilehome" and clarified that manufactured housing which houses 12 or fewer agricultural employees is not a "manufactured housing community." [This

language was later inserted into AB 3735 (Bornstein). AB 3257 was later amended to add language which removed the Housing and Jobs Investments Bond Act from the November 1994 ballot.]

Status: Chapter 312, Statues of 1994.

AB 3735 (Bornstein) - Farmworkers/Mobilehomes

Makes numerous technical changes which facilitate the use of manufactured housing to house farmworkers. More specifically, the bill:

1. Provides that temporary or seasonal housing for 12 or fewer agricultural employees in manufactured housing, mobilehomes, or recreational vehicles on land zoned for agricultural purposes does not fall within the definition of a mobilehome park, recreational vehicle park, or temporary recreational vehicle park.
2. Corrects a reference to "mobilehome" and clarifies that manufactured housing which houses 12 or fewer agricultural employees is not a "manufactured housing community." [This language was originally contained in AB 3257 (Bornstein).]
3. Extends the prohibition against discriminating against residential developments to apply to other local governmental agencies and provides that discrimination may not be based on race, sex, color, national origin, ancestry, or age; the method of financing of the residential development; or the intended occupancy of any residential development by persons or families of low, moderate, or middle income. In addition, the language includes manufactured homes within the definition of "residential development." [This language was originally contained in AB 2003 (Bornstein).]

Status: Chapter 896, Statutes of 1994.

SB 131 (Roberti) - Housing Bonds (Urgency)

Contained \$280 million for various housing programs, including \$40 million for farmworker housing. These housing provisions were later stripped from the bill in the Ways and Means Committee and the bill became a \$2 billion seismic damage repair bill. [Proposition 1A was rejected by the voters at the June 1994 election.]

Status: Chapter 15, Statutes of 1994.

NATURAL DISASTER ASSISTANCE & PREPAREDNESS

Overview

"California has four seasons - earthquake, fire, flood, and drought;" at times, that saying appears to be true. In the past, many Californians have accepted these disasters as facts of life which were soon forgotten. But recent disasters, such as the Loma Prieta and Northridge Earthquakes and the Oakland Hills and Malibu firestorms, may have altered that perception somewhat. The reality of school yards brimming with homeless disaster victims, hospital parking lots crowded with patients, and collapsed freeways and bridges made it clear to government officials, policy makers, and the public that California must be better prepared for future disasters.

A listing of recent earthquakes, fires, and other incidents reveals that California's reputation for major disasters is not based upon myth:

- o **Earthquakes:** Coalinga (1983), Whittier-Narrows (1987), Loma Prieta (1989), Upland (1990), Sierra Madre (1991), Cape Mendocino (1992), Landers/Big Bear (1992), and Northridge (1994).
- o **Fires:** Santa Barbara, Tehama, and Yosemite (1990); Oakland Hills (1991); Calaveras and Shasta Counties (1992); and Malibu (1993).
- o **Other Disasters:** Butte County - snow storms (1990), Dunsmuir - toxic spill (1991), Los Angeles Civil Unrest (1992), and Southern California - floods (1992).

The Legislature has responded to recent disasters with a mixture of cure and prevention. When a disaster occurs, the state may be requested by a local government to assist in recovery. Post-disaster assistance generally involves directing funds and resources to the disaster site and implementing existing statutory recovery programs such as the California Disaster Assistance Program (CALDAP), which offers an array of housing rehabilitation funds and assistance to disaster victims. These initial efforts are often followed by urgency legislation which contains narrowly drafted tax exemptions, redevelopment authorities, or enterprise zones to assist in long-term recovery. Following that, administrative or legislative hearings may result in an effort to strengthen and upgrade building standards aimed at reducing future disaster damage.

Below is a brief summary of the CALDAP Program, an outline of recent damage reduction and prevention legislation, an overview of the crisis in homeowner's earthquake insurance, and a list of natural disaster legislation heard by the Committee during the 1993-94 Session.

California's Residential Disaster Assistance Program

CALDAP is a permanent disaster assistance program, administered by the HCD, which provides "last-resort" financial assistance to repair owner-occupied and rental housing damaged or destroyed by a natural disaster. CALDAP, one of the largest housing programs operated by HCD, was developed in response to the

1989 Loma Prieta Earthquake. Financial assistance is only provided to applicants who have exhausted all other forms of assistance, including loans from private lenders, insurance, and the Federal Small Business Administration. Since its inception, CALDAP has dispersed over \$125 million in disaster assistance.

In conjunction with CALDAP, there are several other disaster assistance programs created to address specific subcategories of post-disaster needs which include farmworker housing rehabilitation, rental security deposits, emergency shelters, rural infrastructure rehabilitation, and migrant worker centers. Despite their existence, none of these programs have received any funding since the Loma Prieta Earthquake. The choice of programs and funding levels are the prerogative of the Governor.

The cost of Loma Prieta disaster repairs were viewed by both the Legislature and the Governor as excessive and eventually led to program restrictions. Homes which suffer the most damage in an earthquake are older or poorly maintained; repairing these structures generally includes repairing previously substandard conditions. Total General Fund Loma Prieta costs were \$112 million and would have been much higher if not for certain program restrictions imposed by the Governor and the Legislature. Although the original statute limits loan amounts to \$30,000, HCD had the ability to waive the limit and make larger loans. As a result, the average Loma Prieta loan amount was approximately \$50,000; in cases where structures were initially in poor repair, it was not unusual for individual loan amounts to increase to \$75,000 or \$100,000.

To control CALDAP's increasing costs, Chairman Hauser authored several HCD-sponsored bills - AB 3413, Chapter 966, Statutes of 1992, and AB 1677, Chapter 1105, Statutes of 1993. AB 3413 provided a number of cost containment provisions which included eliminating property acquisition costs for all but lower income rental property and reducing eligible CALDAP rehabilitation costs to only those necessary for disaster victims to obtain certificates of occupancy. When signing the legislation, the Governor stated that no further CALDAP loans would be provided to Loma Prieta victims over the \$30,000 statutory cap regardless of whether additional moneys were necessary to return homes to habitable conditions. As a result, some applications were disqualified.

AB 1677 increased the interest rate from three percent to that set for veteran's home loans, created a rental-rehabilitation program for market-rate rental projects, and required HCD to submit a deficiency request to the Department of Finance based upon preliminary damage estimates within 90 days of a disaster.

Ironically, CALDAP was not implemented for the most costly disaster in California history - the Northridge Earthquake. Unlike Loma Prieta, when the Legislature passed a quarter-cent sales tax to pay for Loma Prieta disaster recovery within a matter of weeks, political infighting over how to finance Northridge recovery costs (with estimated total public and private losses between \$13 to \$20 billion) stalled efforts to pay for damage caused by the Northridge Earthquake. In the end, as a compromise, the Legislature placed SB 131 (Roberti), a \$2 billion earthquake repair bond issue, on the June 1994 ballot. The bond issue, Proposition 1A, was defeated by the voters. No other legislative funding methods were attempted, leaving most disaster costs to be paid by the Federal Government.

Prevention

Much is learned in the aftermath of each disaster. Disaster-response networks are tested and improved. Bridges, roads, and buildings are destroyed and rebuilt with better construction methods. Likewise, the Legislature has passed bills to improve California's ability to withstand disasters, especially earthquakes and wildfires. Most recent legislative efforts have been directed toward improving existing buildings - unreinforced masonry buildings (URMs) in particular - to withstand earthquakes. Other legislation has improved mobilehome foundation systems, required water heaters to be braced, and increased fire-safe roofing requirements.

Seismic Safety

Unreinforced masonry buildings are a serious danger during earthquakes. Because URMs lack steel reinforcement bars, they have the propensity to collapse during earthquakes. A strong legislative emphasis, therefore, has been on identifying and retrofitting these structurally unsafe buildings.

In 1986, the Legislature passed SB 547 (Alquist), Chapter 250, Statutes of 1986, which required all cities and counties in Seismic Zone 4 to compile URM inventories and to develop mitigation measures within a three-year period. Realizing that URM seismic retrofitting costs are expensive and have little initial financial return for building owners, the Legislature passed and the voters approved Proposition 77 [AB 2032 (W. Brown), Chapter 29, Statutes of 1988], a \$150 million general obligation bond measure to help finance the retrofit of low- and moderate-income residential units.

Additional efforts to provide retrofit financing were passed in the 1989-90 Legislative Session. In 1989, SB 424 (Alquist), Chapter 1203, Statutes of 1989, authorized the California Housing Finance Agency to create a construction loan loss guarantee program to induce private lenders to offer mortgage loans for seismic rehabilitation improvements for buildings identified on a locality's list of unsafe buildings; the program, however, was never implemented because it lacked a legislative appropriation and was therefore not marketable. In 1990, the voters approved Proposition 122 [SB 1250 (Torres), Chapter 23, Statutes of 1990], a \$300 million general obligation bond measure targeted toward retrofitting state and local buildings, with \$50 million reserved for local "essential use" facilities. Essential use facilities are those facilities used in the aftermath of an earthquake and include police stations, fire departments, county hospitals, and courts.

Building standards were also improved. AB 1890 (Cortese), Chapter 951, Statutes of 1989, required all new and replacement water heaters after July 1, 1991 to be braced, anchored, or strapped to prevent them from falling over during earthquakes. AB 631 (Bradley), Chapter 304, Statutes of 1989, required building permits to be issued, and inspections by enforcement agencies, to ensure optional mobilehome earthquake bracing systems are correctly designed and installed.

SB 920 (Rogers), Chapter 988, Statutes of 1989, requires various studies on methods to improve the seismic safety of state buildings. AB 3561 (Cortese),

however, which would have required all one- to four-dwelling residential foundations and subfloor cripple walls to be retrofitted to current seismic codes was vetoed.

In 1991, the Legislature passed AB 204 (Cortese), Chapter 173, Statutes of 1991, which required the Building Standards Commission to incorporate Appendix Chapter I of the Uniform Code for Building Conservation into the California Building Standards Code (CBSC). In short, AB 204 contained the minimum standard for URM retrofitting. Appendix Chapter 1 standards are based on life safety rather than structure preservation. Since then, three other bills have amended this provision to exempt various jurisdictions from its requirements. [A full explanation of these bills may be found in the Building Standards section of this report (Page 21).]

Unstable cripple walls were again addressed in 1991 by AB 200 (Cortese), Chapter 699, Statutes of 1991, which requires sellers of all pre-1960 homes to disclose whether they have knowledge of structural deficiencies. In addition, AB 1968 (Areias), Chapter 859, Statutes of 1991, requires new purchasers of precast concrete or reinforced masonry structures with wood-frame floors or roofs to seismically retrofit their buildings within three years of purchase or be placed at the "end of the line" for state disaster assistance.

Additional improvements to mobilehome foundations were contained in SB 750 (Roberti), Chapter 240, Statutes of 1994, which requires all new manufactured homes to be tied to the ground to resist wind and seismic damage.

Fire Prevention

Numerous wildfires occur every year during the long, rainless California summers. Many fires are suppressed with little or no structural damage; damage by others, however, such as the Oakland Hills and Malibu fires, have been extremely severe. The Legislature has responded by authorizing local jurisdictions to enact more stringent fire protection standards than those contained in the CBSC. [AB 2666 (Hansen), Chapter 1111, Statutes of 1990].

Statewide fire-safe roofing was also mandated by the Legislature. In addition to requiring extensive fire prevention measures to be performed by property owners in high-risk areas, AB 337 (Bates), Chapter 1188, Statutes of 1992, required the Department of Forestry and Fire Protection to identify very high fire hazard severity zones in local government jurisdictions and required all new roofs in these high-risk zones to meet at least Class B fire-safe roofing requirements. In addition, AB 2131 (O'Connell), Chapter 553, Statutes of 1992, required all other new roofs in the state to meet at least Class C standards.

In 1994, roofing standards were increased again by AB 3819 (W. Brown), Chapter 843, Statutes of 1994, which increases roofing requirements in "moderate" zones of state firefighting responsibility areas from Class C to Class B. AB 3819 also requires jurisdictions with designated very high fire hazard severity zones to adopt a model fire prevention ordinance developed by the State Fire Marshal by January 1, 1997 or mandate Class A roofing requirements within these high-risk zones.

Earthquake Insurance

The Northridge Earthquake has had a constricting effect on the homeowner's casualty insurance market. Because state law requires insurance companies to offer earthquake insurance, the largest California insurance companies - fearing future losses - have either reduced the amount of homeowner's insurance they offer or withdrawn from the market entirely. Insurance industry sources state that since 1971 California insurers have collected \$3.383 billion in earthquake insurance premiums, but have paid out over \$7 billion in claims.

According to the Natural Disaster Coalition - a group composed of the insurance industry, banks, and state emergency managers among others, there had never been a disaster in the United States with insured losses over \$1 billion since 1987. Disasters since then, however, have carried much higher price tags: Northridge Earthquake - \$6.5 billion, Hurricanes Andrew and Iniki - \$20 billion combined, and the Midwest floods - \$10 billion.

As the cost of these disasters climbs, so does the pressure on Congress to find solutions. Because of the huge risk pool needed to spread out fiscal risks of disasters, many believe that a federally-backed disaster insurance program is the only long-term answer to the exorbitant costs of future disasters.

Federal natural disaster recovery legislation moved slowly in 1994. HR 2873 (Mineta) proposed a federal insurance and re-insurance program to cover losses resulting from catastrophic natural disasters such as hurricanes, windstorms, earthquakes, volcanic eruptions, or floods. The bill was strongly supported by the insurance industry, but contained several political and structural flaws which inhibited its passage:

- o The legislation only addressed one- to four-unit family dwellings and did not address damage to multifamily, commercial, and other properties, as well as public infrastructure.
- o The legislation would have established the United States Treasury as the "deep pocket" to cover all losses to private insurers which exceed specified formulas.

Federal hearings on the issue are expected to continue and to result in new congressional proposals in 1995.

In California, several bills were introduced in 1994 to mitigate the pending insurance crisis, but all failed passage. AB 1388 (McDonald) would have prohibited insurance companies from withdrawing from the earthquake insurance market without the consent of the Insurance Commissioner. SB 1587 (Roberti) would have prohibited an insurer from requiring additional deductibles for damage resulting from earthquake aftershocks. AB 1132 (Conroy) would have required all new earthquake insurance policies to be written by a state-operated earthquake underwriting pool and would have included a \$1 billion dollar cap on insurance company losses. SB 212 (Russell) contained language identical to AB 1132 and was never heard. The Department of Insurance, as well as the Insurance Commissioner, have scheduled hearings on earthquake insurance.

Disaster Prepayment Plans

In 1992, the Legislature repealed the California Residential Earthquake Recovery Program (CRER) less than two years after it was enacted in 1990. CRER, operated by the Department of Insurance, required all homeowner insurance policy holders to pay an earthquake surcharge of \$12 to \$60 per year to obtain up to \$15,000 for earthquake damage, with a \$1,000 to \$3,000 deductible. The repeal was based on the perception that the program was insolvent and expected revenues of \$313 million were insufficient to meet annual expected losses of \$359 million.

In the 1993-94 Legislative Session, Assembly Member Areias introduced AB 748 and AB 2613 which attempted to redraft the prepayment program. AB 748, a vehicle for prospective changes, was not heard by the Committee and dropped. AB 2613 contained numerous provisions aimed at strengthening weak points of the old CRER program. The bill would have shifted program administration from the Department of Insurance to HCD, increased required homeowner contributions for fiscal soundness, and limited payments from the fund to a pro-rata share of funds available at the time of a disaster. AB 2613, however, died in the Assembly Insurance Committee.

Once again, homeowner's insurance and earthquake coverage are certain to be significant topics in the 1995-96 Session.

1993-94 Legislation

The following is a brief description of disaster recovery bills heard in the 1993-94 Session:

AB 748 (Areias) - Earthquake Residential Recovery Program

Would have created CRER, administered by HCD.

Status: Died, Assembly Housing Committee.

AB 1677 (Hauser) - CALDAP Cost Containment

Makes a number of significant CALDAP changes relating to cost containment. The most significant of those changes are listed below:

1. Secondary Market for Disaster Loans: Authorizes the sale of the beneficiary interest of single-family, owner-occupied CALDAP loans. Any moneys obtained from the sale of these loans is to be deposited in CALDAP's fund.
2. Gap Financing: Authorizes CALDAP loans to be used as bridge loans while applicants are waiting for federal, private, or other state loans to become available.
3. Planning Ahead: Requires HCD to submit a deficiency request to the Department of Finance within 90 days after a disaster based on the preliminary damage estimates.
4. Owner-Occupied Housing:

- a. Increasing the Cap: Increases the maximum loan amount under the owner-occupied portion of CALDAP from \$30,000 to \$50,000. However, the bill eliminates the authority for the director of HCD to waive the statutory limitation when additional moneys are needed to correct serious, life-threatening violations which are required to be corrected prior to occupancy.
 - b. Setting Interest Rates: Repeals the existing statutory interest rate of three percent and, instead, authorizes HCD to set an interest rate which does not exceed the rate for veterans' home loans on the date the Governor declares the state of emergency.
 - c. Early Repayment: Authorizes HCD to provide incentives for early repayment.
 - d. Regulations: Requires HCD to adopt regulations establishing the terms and conditions under which a repair loan may be offered.
5. Existing Rental Housing Program: Makes a number of revisions to the existing rental housing program, including:
- a. Allocating Moneys: Revises the allocation system for CALDAP rental moneys to conform with HCD's existing California Housing Rehabilitation Program, including providing moneys through a competitive notice of funding availability with specific priorities.
 - b. Repayment: Provides an incentive for repayment by rental housing sponsors by authorizing the sponsor to retain one-half of the net cash flow.
 - c. Guidelines v. Regulations: Requires HCD to adopt regulations establishing the terms and conditions under which a repair loan may be offered.
6. New Rental Housing Program: Creates a new rental housing rehabilitation program specifically designed for "non-low-income" housing assistance. The program differs from the current rental program in the following ways:
- a. Rehabilitation of Commercial Space: Authorizes the use of rehabilitation moneys to repair all commercial, as well as residential, space in a mixed-use building. The previous program limited CALDAP moneys to only residential-related expenses.
 - b. Rental Rates: Eliminates a requirement that owners who accept CALDAP moneys agree to keep rents at pre-disaster levels for one year after rehabilitation. After one year, the rents may be increased pursuant to an inflation index prepared by HCD.
 - c. Term Loans: Requires that all loans shall be fully amortized.
 - d. Setting Interest Rates: Repeals the existing statutory interest rate of three percent and, instead, authorizes HCD to set an

interest rate which does not exceed the rate for veterans' home loans on the date the Governor declares the state of emergency.

- e. Early Repayment: Authorizes HCD to provide incentives for early repayment.
- f. Guidelines v. Regulations: Requires HCD to adopt regulations relative to the terms and conditions upon which repair loans are made.

The bill additionally makes a number of changes to existing HCD programs which are not related to seismic safety and disaster recovery. [For a description of these provisions, please refer to the Housing Finance section on Page 1.]

Status: Chapter 1105, Statutes of 1993.

AB 2613 (Areias) - Earthquake Residential Recovery Program

1. Would have created the California Homeowners' Earthquake Recovery Program (CHERP), administered by HCD, to assist homeowners in recovering from an earthquake when a state of emergency has been declared.
2. Would have provided coverage for single-family homes, duplexes when the owner occupies one unit, and the owner-occupied unit in a three or four-unit dwelling. CHERP does not cover mobilehomes, residential units within a community apartment project, a condominium project or stock cooperatives, property owned by a public entity, or property financed under the Cal-Vet Program.
3. Would have provided up to \$15,000 (minus a \$2,000 deductible) to reconstruct or rehabilitate a housing structure to minimum health and safety standards necessary to obtain a certificate of occupancy, including the cost of facilitating access to the dwelling by handicapped persons. Coverage would have not included personal property, outbuildings, walkways, patios, decks, swimming pools, spas, fences, satellite dishes, landscaping, or other decorative features not affecting habitability.
4. Would have required every homeowner to pay a \$25 to \$75 program fee to the county tax collector (with his/her real property taxes) for a state Earthquake Recovery Fund and would have authorized the fee to vary based upon location, type of construction, and age of the home. The fee would have reduced for retrofitted homes. The Director of HCD would have limited authority to annually adjust program fees to reflect changes in risk, the condition of the fund, and residential construction costs.
5. Would have exempted the state from liability for any payment in excess of the amount of money in the Earthquake Recovery Fund and would have required homeowners to be paid on a pro-rata basis if there are insufficient funds.

6. Would have authorized the sale of up to \$1 billion in revenue bonds to provide funds for the Earthquake Recovery Fund.
7. Would have excluded privately-insured losses from coverage.

Status: Failed passage, Assembly Committee on Insurance.

SB 634 (Craven) - Natural Disaster Repair Fraud (Urgency)

- o Establishes fines between \$500 to \$25,000 and/or authorizes imprisonment terms of up to one year for home improvement contractors who plan or scheme to defraud owners of residential or nonresidential structures in connection with structural repairs after a natural disaster.
- o Requires any person convicted of a felony violation for forgery, grand theft, or false pretenses to receive a one-year sentence enhancement in addition and consecutive to the prescribed penalty.
- o Authorizes a court to strike the additional one-year enhancement if the court determines that there are mitigating circumstances and states those circumstances on the record.
- o Requires a court to order any person convicted of a violation to make full restitution payment to the victim based upon the convicted person's ability to pay prior to imposing fines.

Status: Chapter 175, Statutes of 1994.

MOBILEHOMES/MANUFACTURED HOUSING

Mobilehome Parks

Mobilehomes parks are a popular source of affordable housing, especially for seniors and low- and moderate-income families. Statewide, there are 5,774 parks, with 464,788 spaces, housing an estimated 800,000 people.

The mobilehome park industry is facing many changes: few parks are being built; park owners and residents are locked in an internecine struggle of accusations, counter-accusations, lawsuits, and counter-lawsuits; residents are buying their parks through the conversion process and becoming park owners; and a growing number of land-lease manufactured home communities are being constructed which offer affordability without the problems of the park owner/resident relationship.

There are numerous problems with mobilehome parks. Most of the problems relate to friction between park owners and park residents. Park owners want returns on their investments; park residents want affordable housing and comfortable lifestyles. Park owners insist that high land costs, developer fees, government regulation, rent control (or the threat of it), and the existence of more profitable land-use alternatives make the prospects of owning a mobilehome park unattractive to investors. Mobilehome residents, however, have a very different view - they say they are exploited, tricked, and intimidated by unscrupulous park owners who enact extortionate rent increases, fail to maintain parks, and generally harass residents with park rule changes which damage their quality of life.

The age and location of many parks create other problems. Older mobilehome parks suffer from significant infrastructure deterioration: sewers, utilities, roads, and common areas need to be upgraded and replaced. As cities expand, the areas surrounding the parks are developed for industrial or commercial use. Park owners are tempted to sell their land to developers for higher profits, thereby displacing long-time residents. In either case, the financial impetus for mobilehome park owners to close their older parks and convert them to other uses is great. In addition, increased costs to park owners, coupled with the normal market forces of supply and demand, stimulate rent increases which often result in a financial "squeeze" for low- and moderate-income residents.

The number of senior-only parks continues to decline despite the protests of many senior park residents. The 1988 Fair Housing Amendments Act effectively eliminated "adults only" housing and allowed senior housing to exist only if it complied with specific standards. In 1988, 75 percent of mobilehome parks were either senior- or adult-only parks; by 1994, however, only 25 percent of parks restrict occupancy to seniors. This trend most likely will continue as park owners seek to avoid the bureaucratic and expensive requirements of the HUD regulations and expand the marketability of their spaces by converting to family parks.

New Directions For Manufactured Housing

For the last several decades, the manufactured housing industry has been quietly transforming itself - with quality improvements, imaginative designs, and legislative measures on both federal and state levels - from a narrow-niche builder of "trailers" or "mobilehomes" into a broad-band builder of a wide range of housing products. Many of these new housing products compete quality-for-quality and amenity-for-amenity with conventional site-built housing.

Although still the supplier of mobilehome park housing, the industry has been busy creating new markets for its new products. The industry is producing housing for inner-city infill lots; standard single-family subdivision developments; long-term, land-lease manufactured housing communities; and rural property. Approximately 40 percent of new manufactured homes sold each year are sited on individual lots in urban, suburban, or rural neighborhoods; the remaining 60 percent of new manufactured homes are sited in new manufactured housing communities and existing mobilehome parks.

The driving force behind the manufactured home industry is the affordability of its products. Through the efficiencies of factory and finance savings, manufactured housing is the most affordable type of housing available in California today. Construction costs average \$10 less per square foot than site-built construction. In 1992, the average cost per square foot for site-built construction was \$46.55, as compared to manufactured housing with an average per-foot cost of \$36.48. Many first-time homebuyers, seniors, and young families turn to manufactured housing and discover that they can purchase well-built, quality homes at affordable prices.

Legislation

This session, the Committee considered legislation relating to park rules and regulations, rent control, leases, manufactured housing construction standards, park conversions to resident ownership, health and safety, lawsuits, and utility and consumer problems. Agreement and compromise between park owners and residents resulted in a number of bills being passed by the Legislature and signed into law; however, other narrowly focused bills with polarized opposition either died in the Legislature or were vetoed.

Mobilehome Park Rent Control

Rent control for mobilehome parks is the most divisive issue between park owners and residents. The number of parks under rent control has been steadily increasing since the first mobilehome rent control ordinance was enacted in Vacaville in 1977. Throughout the state, 1,312 parks and 139,655 (approximately 30 percent of the total number of mobilehome spaces) spaces are under rent control of one form or another. According to the Western Mobilehome Association, the primary organization representing California park owners, 12 additional rent control ordinances were enacted during 1993 for a statewide total of 93 ordinances. There are no signs that the trend is slowing. Park residents continue to fight for more ordinances; park owners fight against them in city councils, the Legislature, and the courts.

Rent control ordinances can be classified in two basic varieties: vacancy control and vacancy decontrol. Under "vacancy control" when a resident vacates a space, the space rent is frozen and is not allowed to be increased for a new resident. Under "vacancy decontrol," rent is frozen until a resident vacates his/her space; the park owner can then raise the rent to market level for a new resident.

For now, residents appear to have the upper hand on the rent control battle following the landmark decision in a vacancy control case by the United States Supreme Court in Yee vs. Escondido. In Yee, the Court declared that a vacancy control ordinance when tested against the Fifth Amendment's "just compensation" clause was not a physical taking of a park owner's property; however, the Court left open the question of "regulatory taking." Park owners have since tested the "regulatory taking" question with other lawsuits, but have not succeeded in overturning the decision.

Park owners groups, however, struck back against Yee by qualifying a ballot initiative, the "Mobilehome Fairness And Rental Assistance Act." The initiative would prevent new mobilehome rent control ordinances from being enacted, impose various restrictions which weaken existing ordinances, and require park operators to offer limited rental assistance to a small portion of low-income residents. Resident groups dismissed the initiative as a fraud and battled park owner efforts to garner signatures to place the initiative on the ballot. Residents were successful in keeping the measure off the November 1994 ballot through a well-coordinated, grass roots information network and by picketing signature gatherers; park owners, however, have succeeded in placing the initiative on the June 1996 ballot.

Another front in the rent control battle is the issue of long-term leases. Since 1985, the Mobilehome Residency Law (MRL) has granted an exemption from rent control measures to long-term leases. The rationale for this exemption is that the parties have negotiated their own rental rates for extended periods and that, dealing at arms' length, they are the best judges of what constitutes fair rent increases during periods covered by leases. AB 673 and AB 3203 (V. Brown), Chapter 729, Statutes of 1994, resident-backed bills, attempted to overturn this exemption and allow a local rent control ordinance to supersede a long-term lease agreement. AB 673 was hotly opposed by the park owners and failed passage on the Senate floor in 1993; in 1994, AB 3203 was stripped of the long-term lease language in the Senate and amended to prohibit management from requiring park space improvements upon resale.

Perhaps the most dramatic rent-control bill of the 1993-94 Legislative Session was AB 157 (Conroy), which proposed to prohibit local jurisdictions from adopting and enforcing residential rent control ordinances. Prior to the bill's hearing, Committee members were showered by a blizzard of yellow postcards from residents opposed to this bill. After a brief hearing before the Committee where park owner groups voiced their concerns regarding rent control, the bill became a two-year bill and was dropped.

AB 746 (Ferguson), AB 3578 (Ferguson), AB 3585 (Ferguson), and SB 6 (Craven) were re-introductions of bills the Committee heard during the 1991-92 Legislative Session. AB 746, AB 3578, and AB 3585 proposed an exemption from rent control for any park space which is occupied by a mobilehome which is not

the principal residence of the owner. The goal of these bills was to limit the benefits of rent control to those who need it - the theory being that if a mobilehome is used as a "second" or "resort" home, the owner should not benefit from rent control. All three bills died in the Legislature. SB 6 permits park management to pass certain local government rent control related fees and costs through to only those tenants who benefit from rent control and not those tenants with long-term leases.

In summary, the Committee reviewed several bills this session which dealt with rent control in mobilehome parks. These bills reflect the continuing struggle between park residents who seek affordability in their chosen form of housing and park owners who want to receive returns on their investments consistent with what the market will bear. The following is a brief descriptions of 1993-94 rent control bills:

AB 122 (Andal) - Elimination of Local Rent Control

Would have prohibited local jurisdictions from adopting or enforcing mobilehome rent control measures. [The bill was never heard in its final form. Prior language in the bill related to mobilehome lien procedures.]

Status: Died, Senate Judiciary Committee.

AB 157 (Conroy) - Prohibition of Rent Control Ordinances

Would have prohibited local jurisdictions from adopting and enforcing residential rent control ordinances.

Status: Died, Assembly Committee on Housing and Community Development.

AB 673 (V. Brown) - Long-Term Leases/Rent Control

Would have provided that a local rent control ordinance would prevail over conflicting provisions of any agreements in excess of 12 months entered into after January 1, 1994.

Status: Failed passage, Senate Floor.

AB 746 (Ferguson) - Rent Control/Second Homes

Would have exempted mobilehomes which are not used as an owner's principal residence from the application of any mobilehome rent control ordinance.

Status: Failed passage, Assembly Floor.

AB 2959 (Ferguson) - Calculation of Base Rent

Would have provided that the last rental rate charged for a mobilehome space under a previous rental agreement which was exempt from rent control would be the base rent for the purpose of rent regulation and that the base rent be treated like any other base rent under the rent regulations.

Status: Failed passage, Assembly Committee on Housing and Community Development.

AB 3056 (Conroy) - Calculation of Fair Return

Would have required a mobilehome rent control jurisdiction which does not provide for vacancy decontrol to include reasonable expenses, fees, and other costs in any calculation used to determine a fair return to the owner of the property, as specified.

Status: Failed passage, Assembly Ways and Means Committee.

AB 3203 (V. Brown) - Space Repairs and Improvements

Prohibits park management from requiring repairs and improvements to a park space or property owned by the management, except for damage caused by the homeowner.

[Prior controversial language in the bill provided that the occupant or purchaser of a mobilehome is not an unlawful occupant of a mobilehome park, nor subject to eviction, if management failed or refused to offer the occupant or purchaser a month-to-month or long-term rental agreement.]

Status: Chapter 729, Statutes of 1994.

AB 3578 (Ferguson) - Restriction of Mobilehome Rent Control

Would have restricted mobilehome rent control to persons of low or very low incomes.

Status: Failed passage, Assembly Committee on Ways and Means.

AB 3585 (Ferguson) - Restriction of Mobilehome Rent Control

Would have restricted residential rent control to persons of low or very low incomes.

Status: Failed passage, Assembly Ways and Means Committee.

SB 6 (Craven) - Rent Control/Pass-Through Fees (Urgency)

Permits park management to pass certain local government rent control related fees and costs through to only those tenants who benefit from rent control and not tenants with long-term leases.

Status: Chapter 9, Statutes of 1993.

SB 1510 (Lewis) - Pass-Throughs/Park Rules

- o Clarifies the type of local, state, or federal government, as specified, which may charge fees or assessments for spaces under a mobilehome rent control ordinance after January 1, 1995.
- o Clarifies that acts of a park owner or park employee which are undertaken to fulfill a park owner's maintenance, management, and business operation responsibilities are not subject to park rules.

- o Requires park management to meet and consult with homeowners within 30 days of a written request regarding changes to existing park rules.

Status: Chapter 340, Statutes of 1994.

Rent and Leases

As with rent control, the process of enacting rent increases and specific details of lease agreements are equally volatile areas of disagreement and mistrust between park owners and residents.

In the 1993-94 Legislative Session, residents were successful in ensuring additional protection against sudden rent increases with AB 870 (Umberg), which increased the required notice of a rent increase from 60 to 90 days. Under the provision of SB 1386 (McCorquodale), some residents will be able to recover security deposits from park management when a park is sold.

Park owners claimed victory with the passage of AB 503 (Rainey), which allows park management a reasonable time to repair unforeseeable breakdowns in park common areas.

AB 503 (Rainey) - Park Defects/Reasonable Time To Repair

Provides that a mobilehome park rental agreement shall contain a provision which allows a park owner to have a reasonable time to repair a sudden or unforeseeable breakdown or deterioration in park common areas. In addition, the bill contains a provision which clarifies the process for delivering a termination-of-tenancy notice by mail.

Status: Chapter 666, Statutes of 1993.

AB 870 (Umberg) - Notice of Rent Increases

Expands the written notification period prior to a rent increase from 60 to 90 days.

Status: Chapter 448, Statutes of 1993.

AB 1052 (Conroy) - Rental Agreements/Pass-Throughs

Would have specified that rent chargeable under a rental agreement could include a pass-through of specified operating and capital costs provided that the rent is not governed by local rent control.

Status: Failed passage, Assembly Committee on Housing and Community Development.

AB 2074 (Ferguson) - Leases/In Writing

Would have specified that leases entered into for periods longer than 12 months must be in writing.

Status: Died, Assembly Committee on Housing and Community Development.

AB 2177 (Boland) - Leases/Duration

Prohibits local rent control ordinances from affecting long-term leases in manufactured home communities and newly constructed mobilehome parks.

Status: Chapter 858, Statutes of 1993.

AB 3566 (Bornstein) - Money Damages/Pass-Throughs

Prohibits "money damages" from being charged or imposed upon a homeowner when a court has assessed management for a violation of MRL. Further, the bill declares void any provision of a rental agreement entered into, renewed, or modified after January 1, 1995 which permits a fee or rental increase that reflects the cost of any money damages awarded against management.

Status: Chapter 1254, Statutes of 1994.

SB 251 (McCorquodale) - Security Deposits

Would have required the refund of security deposits, as specified, upon sale or transfer of a mobilehome park.

Status: Vetoed.

SB 1386 (McCorquodale) - Security Deposits

Requires security deposits collected prior to January 1, 1989 to be returned to specified mobilehome owners whenever a mobilehome park is sold.

Status: Chapter 119, Statutes of 1994.

Park Conversions To Resident Ownership

Residents are becoming park owners. Residents are taking control of their lives and reducing future rent increases by buying their parks and controlling them through various forms of ownership, such as nonprofit corporations, cooperatives, subdivisions, and condominiums. Park ownership provides residents with some certainty over their future. Housing costs are stabilized, and park rules can be tailored to suit residents' needs. Park residents, however, are usually unable to buy their parks without some kind of government assistance. Park purchase financing is obtained through a combination of private loans, local bond issues, or low-interest loans from the Mobilehome Park Resident Ownership Program (MPROP) operated by HCD.

The conversion process, however, is not without its problems. The Committee has received telephone calls from residents of converted parks who have complained about how their newly created resident boards are deciding issues. In addition, questions have developed regarding the methods, qualifications, fees, and disclosure policies of the limited pool (less than 20) of park conversion consultants who help residents negotiate the financial and legal

maze of the conversion process. SB 351 (Craven), in its original form, would have required conversion consultants to be registered with HCD; the language in the bill was later deleted when the bill became a budget vehicle.

Since 1985, 40 parks have converted to resident ownership with the assistance of HCD's MPROP Program. The program receives an estimated \$2.5 million per year from a \$5 per-section surcharge on residents' registration fees. These funds are used to make loans to resident organizations to finance mobilehome park acquisition and conversion costs, as well as to low-income residents to enable them to reduce their monthly housing costs associated with the conversion. Loans carry a three-percent, simple-interest rate. Conversion loans have a three-year term, while permanent blanket and individual loans have terms of up to 30 years.

Over the last few years, there have been various legislative attempts to obtain additional funding for MPROP, which receives more applications than it can fund. All recent funding efforts have failed. Legislation increasing the existing \$5 surcharge was opposed by park residents. In 1992, SB 501 (Craven), proposed a \$40 million mortgage revenue bond issue to support the program; the bill was vetoed. In the 1993-94 session, two Senate bills, SB 110 (Craven) and SB 131 (Roberti), sought to generate more money for the conversion process. SB 110 would have required a \$75 transfer fee to be paid to HCD upon each sale of a used manufactured home or mobilehome, generating an estimated \$3.5 million per year in park purchase funds; however, SB 110 was gutted and became a budget trailer bill. SB 131 (Roberti), a \$280 million housing bond issue which contained \$5 million for the MPROP Program, was also gutted and converted into a \$2 billion seismic safety bond issue.

Another bill, SB 664 (Craven), which was heard by the Assembly Committee on Revenue and Taxation and signed by the Governor, continued an existing property tax reassessment exemption, which has made many park conversions possible, to the Year 2000.

The following is a list of bills considered by the Committee relating to conversions:

SB 110 (Craven) - MPROP Funding/California Disaster Assistance Program

Requires a \$75 transfer fee to be paid to HCD upon each sale of a used manufactured home or mobilehome with funds dedicated to assisting residents purchase their parks. [This language was later stripped from the bill when it was amended into a budget vehicle that contained several changes to the California Natural Disaster Assistance Program.]

Status: Chapter 96, Statutes of 1994.

SB 960 (Craven) - Conversions/Notice to Residents

Permanently extends local agency notice requirements to applicants for the conversion of a mobilehome park to another use by deleting a sunset clause.

Status: Chapter 265, Statutes of 1993.

SB 1280 (Craven) - Sale of Park/Notice

Deletes the January 1, 1995 sunset clause which requires a park owner to notify a resident organization of his/her intent to sell a mobilehome park.

Status: Chapter 219, Statutes of 1994.

SB 1413 (Craven) - Rent Calculation Formulas/Conversions

Establishes an alternate formula for calculating the rents of very low-income mobilehome owners who reside in a park which is purchased by a non-profit organization with bonds issued by a redevelopment agency, housing authority, city, or county.

Status: Chapter 379, Statutes of 1994.

SB 1664 (Craven) - Eviction of Non-Purchasing Residents

Would have extended rent protections for non-purchasing residents in converted parks from four to five years.

Status: Died, Assembly Committee on Housing and Community Development.

Park Rules and Regulations

Under existing law, management is responsible for creating and enforcing the park rules and residents have the ability to defend their rights by filing civil suits. Management is able to amend rules with either a 60-day or six-month notice to residents; this arrangement provides immense power to management, but only token recognition to residents. Residents argue that since they are the ones who must live under these rules, they ought to have a larger role in creating them. Park owners contend that as property owners they have a right to control their property. Furthermore, park owners insist that most rules - such as those that keep a park neat, orderly, and quiet - are for the benefit of the residents.

In the past, the Committee has heard several bills sponsored by residents seeking a larger role in park rulemaking. In the 1991-92 Legislative Session, some significant bills were 2344 (Clute) and SB 1715 (Thompson). AB 2344 (Clute) would have granted residents the power to approve and veto certain rules which govern their park by creating a majority vote system; the bill failed passage in the Senate. SB 1715 (Thompson), which was vetoed, provided that mobilehome park rules, regulations, or rental agreement provisions which prohibit a mobilehome homeowner from leasing his/her mobilehome would be unenforceable if park management owns and rents mobilehomes in the park. In the 1993-94 Legislative Session, another subleasing bill, SB 1058 (Dills), was dropped.

The 1993-94 Legislative Session also produced its share of bills relating to park rules. AB 217 (O'Connell), Chapter 520, Statutes of 1993, requires park owners and management to comply with park rules to the same extent as residents, excluding subleasing and other limited exceptions. AB 285 (Aguiar), Chapter 102, Statutes of 1993, requires park management to meet and consult

with park homeowners prior to amending existing park rules. SB 1510 (Lewis), Chapter 340, Statutes of 1994, contains clean-up provisions to AB 217 and AB 285.

AB 217 (O'Connell) - Park Rules/Application to Management

Requires a mobilehome park owner, or any person employed by the park, to comply with all park rules and regulations to the same extent as residents and their guests. The bill contains exemptions on behalf of management from age requirements in senior parks, general maintenance duties, and subletting.

Status: Chapter 520, Statutes of 1993.

AB 285 (Aguiar) - Park Rules/Meet and Consult

Requires park management to meet and consult with park homeowners prior to amending existing park rules.

Status: Chapter 102, Statutes of 1993.

SB 1508 (Craven) - Liability Insurance

Prohibits a homeowner from being required to purchase liability insurance or post a bond in order to use the mobilehome park's common area facilities for any lawful purpose, including various specified political activities.

Status: Chapter 380, Statutes of 1994.

SB 1510 (Lewis) - Pass-Throughs/Park Rules

- o Clarifies the type of local, state, or federal government, as specified, which may charge fees or assessments for spaces under a mobilehome rent control ordinance after January 1, 1995.
- o Clarifies that acts of a park owner or park employee which are undertaken to fulfill a park owner's maintenance, management, and business operation responsibilities are not subject to park rules.
- o Requires park management to meet and consult with homeowners within 30 days of a written request regarding changes to existing park rules.

Status: Chapter 340, Statutes of 1994.

Manufactured Housing Purchase/Construction Standards

Manufactured housing is built to a federal pre-emptive standard. The state, however, has jurisdiction over manufactured housing installation, safety standards, and sales.

AB 247 (Hauser), Chapter 458, Statutes of 1993, attempted to open the market for manufactured housing by allowing licensed contractors to purchase

manufactured homes directly from the factory. Prior to this bill, only mobilehome dealers could purchase manufactured homes.

In response to the Northridge Earthquake which damaged over 5,000 mobilehomes, mobilehome seismic safety was addressed in SB 750 (Roberti). SB 750 requires all new manufactured homes to be tied to the ground to resist wind and seismic movements, with their supportive piers attached to the frames. Historically, a mobilehome was only required to be installed on a foundation consisting of either concrete cinder blocks stacked one on top of the other or a series of concrete or steel piers spaced at specific intervals which support the home with no required lateral bracing.

During the 1993-94 Legislative Session, the Committee heard several bills in this area ranging from manufactured home sales to removal of archaic safety requirements:

AB 247 (Hauser) - Manufactured Housing/Sales

Allows a general building contractor to purchase a manufactured home directly from the factory without a mobilehome dealer's license provided the contractor purchases five or more homes and installs them on permanent foundations within a single subdivision.

Status: Chapter 458, Statutes of 1993.

AB 765 (Goldsmith) - Manufactured Housing/Factory Built (Urgency)

Makes various definitional and clarifying changes to state law regarding the use of manufactured homes and factory-built housing.

[An authorization for an approved MPROP loan for a City of Escondido mobilehome park was inserted.]

Status: Chapter 413, Statutes of 1993.

SB 315 (Rosenthal) - Energy Standards

Would have required HCD, in consultation with the Energy Resources Conservation and Development Commission and the manufactured housing industry, to develop and implement cost-effective energy efficiency standards for manufactured housing in the event that national standards are not adopted by October 24, 1993.

[These provisions were inserted into SB 314 (McCorquodale) during the final days of the session. SB 314 was signed by the Governor and became Chapter 1159, Statutes of 1993.]

Status: Died, Senate Inactive File.

SB 421 (Craven) - Gas Appliances/Outdated Requirements

Authorizes the installation of replacement gas burning ovens, ranges, or clothes dryers in manufactured homes and mobilehomes even if those appliances are not specifically listed for use in a manufactured home or mobilehome.

Status: Chapter 244, Statutes of 1993.

SB 750 (Roberti) - Mobilehome Foundations

Requires, effective September 19, 1994, a manufactured home or mobilehome to be installed to meet 15-pound per foot horizontal wind loads with four additional tiedowns per section to resist the same wind forces in the longitudinal direction of the manufactured home or mobilehome as the total of those forces to be resisted in the transverse direction. In addition, the bill:

- o Requires concrete or steel piers, when used, to have mechanical connections to the home and its footings.
- o Authorizes a manufactured home or mobilehome to be installed in accordance with either the manufacturer's installation instructions, HCD regulations, or installations instructions signed by a licensed architect or engineer, as long as the installation is in compliance with the wind and seismic provisions of the bill.
- o Requires a manufactured home or mobilehome which needs to be reinstalled as a result of a natural disaster caused by wind or seismic forces to be re-installed in accordance with the requirements of this bill if federal funds are available to pay the increased costs.
- o Requires HCD to develop emergency regulations to implement the bill.
- o Exempts those manufactured homes or mobilehomes for which escrow has opened prior to the effective date of the bill.

Status: Chapter 240, Statutes of 1994.

SB 1414 (Craven) - Mobilehome Dealers

Authorizes mobilehome dealers to solicit and obtain listings, engage in multiple listings, or engage in payments pursuant to cooperative brokering and referral arrangements or agreements with real estate brokers.

Status: Chapter 669, Statutes of 1994.

Failure-To-Maintain Lawsuits

Lawsuits brought by resident groups against park owners for improper maintenance is a key area of disagreement between the two parties. Park owners claim that many of the residents' suits are encouraged by "greedy" attorneys who bring forward a multitude of frivolous claims and encourage park residents

to sue owners by promising a big payday when the suits are settled. Park residents, however, argue that in many cases the various deficiencies may have existed in the park for years prior to being corrected by management, and that it is the park owners' responsibility to regularly inspect parks and assure that the facilities for which residents are paying are maintained in good working order and condition.

In addition to AB 115 (Honeycutt) which was heard by the Committee, three other measures - AB 390 (Richter), AB 1109 (Hoge), and AB 3441 (Statham) supported by park owners - attempted to address resident-sponsored lawsuits. AB 390 required parties to submit to non-binding mediation. AB 1109 would have required an alleged violation to be brought to management's attention within 30 days and that any award money resulting from punitive or exemplary damages be deposited in a special fund for assisting residents in the purchase of their parks. AB 3441 would have authorized a court to consider a motion by a park owner to dismiss a failure-to-maintain suit unless the dispute is first submitted to alternative dispute resolution. All four bills died in the Assembly Judiciary Committee.

AB 115 (Honeycutt) - Lawsuits/Meet and Consult

Proposed to prohibit a mobilehome homeowner from filing a lawsuit against a park owner unless the homeowner had first either requested a meeting, or had met with, the park owner regarding the alleged violation.

Status: Failed passage, Assembly Judiciary Committee.

Miscellany

A number of bills were heard by the Committee on a broad range of issues important to mobilehome park residents, park owners, and manufacturers. An additional bill, SB 1349 (Wyman), Chapter 167, Statutes of 1994, which was heard by the Assembly Judiciary Committee, permits termination of tenancy in a recreational vehicle park upon a 30-day written notice.

AB 420 (Hauser) - Registration and Titling

Was the vehicle for prospective statutory changes to the Registration and Titling Program of HCD. [This bill was later amended by Assembly Member Takasugi to exclusively relate to real estate appraisers.]

Status: Died, Senate Business and Professions Committee.

AB 515 (Ferguson) - Eminent Domain

Would have prohibited a local agency from acquiring a mobilehome park by eminent domain if the park continues to be used as a mobilehome park.

Status: Failed passage, Assembly Floor.

AB 690 (V. Brown) - Disclosure on Park Sales

Would have required a park owner who is selling a park to complete a written transfer disclosure statement.

Status: Vetoed.

AB 1140 (Epple) - Water Meters

Requires a mobilehome park owner to disclose to a homeowner any condition where a water meter at the homeowner's site measures water used in park common areas.

Status: Chapter 147, Statutes of 1993.

AB 1897 (Bornstein) - Commercial Coaches/Building Standards

Requires HCD to adopt regulations containing requirements for the construction, alteration, or conversion of commercial coaches which are included in four specified uniform codes, and to make revisions to these model codes if necessary.

Status: Chapter 631, Statutes of 1993.

AB 3183 (Honeycutt) - Publicly Owned Recreational Vehicle Parks/Inspections

Proposed to include publicly owned recreational vehicle parks in any inspection program administered pursuant to the Mobilehome Park Act.

Status: Failed passage, Assembly Committee on Housing and Community Development.

AB 3735 (Bornstein) - Mobilehome Parks/Farmworker Housing

Provides that temporary or seasonal housing, as defined, for 12 or fewer agricultural employees in manufactured housing, mobilehomes, or recreational vehicles on land zoned for agricultural purposes does not fall within the definition of a mobilehome park, recreational vehicle park, or temporary recreational vehicle park.

Status: Chapter 896, Statutes of 1994.

SB 293 (Craven) - "For Sale" Signs

Expands the allowable size of a mobilehome "for sale" sign to 24-by-36 inches and allows for the placement of an A-frame or H-frame sign in front of a home.

Status: Chapter 329, Statutes of 1993.

SB 634 (Craven) - Natural Disaster Repair Fraud (Urgency)

- o Establishes fines of \$500 to \$25,000 and/or authorizes imprisonment terms of up to one year for home improvement contractors who plan or

scheme to defraud owners of residential or nonresidential structures in connection with structural repairs after a natural disaster.

- o Requires any person convicted of a felony violation for forgery, grand theft, or false pretenses to receive a one-year sentence enhancement in addition and consecutive to the prescribed penalty.
- o Authorizes a court to strike the additional one-year enhancement if the court determines that there are mitigating circumstances and states those circumstances on the record.
- o Requires a court to order any person convicted of a violation to make full restitution payment to the victim based upon the convicted person's ability to pay prior to imposing fines.

Status: Chapter 175, Statutes of 1994.

SB 1461 (Craven) - School Fees

Requires the management of a mobilehome park to disclose to a prospective resident in writing whether the applicant's manufactured home or mobilehome is subject to school facilities fees.

Establishes a specified procedure whereby low-income owners of manufactured homes or mobilehomes who are 55 and older may pay school fees over a 36-month period, as specified.

Status: Chapter 983, Statutes of 1994.

SB 1349 (Wyman) - Recreational Vehicle Parks/Termination of Tenancy

Permits termination of tenancy upon 30-day written notice without cause. [This bill was heard in the Assembly Judiciary Committee.]

Status: Chapter 167, Statutes of 1994.

SB 1663 (Craven) - Park Inspections

Extends the Mobilehome Park Inspection Program sunset date by two years and the fees which support the program; requires mobilehome parks to be inspected every seven years rather than every five years.

Status: Chapter 674, Statutes of 1994.

APPENDIX A

Revised: 11/30/94

Fiscal (f)/Nonfiscal (n)/Urgency (u)

**Assembly Committee On Housing And Community Development
1993-94 Committee Legislation**

Assemblyman Dan Hauser, Chairman

Consultants:

**Toni Symonds (TS) Daniel Carrigg (DC)
Steve Holloway (SH)**

Bill#	Author	Subject	Con	Amend	Action
AB 51f	Costa	Regional Housing Needs	TS	08/25/ 94	Chpt. 1235, Stat. of '94
AB 55n	Hauser	CIDs: Alternative Dispute Resolution*	SH	07/02 93	Chpt. 303, Stat. of '93
AB 67n	Hauser	Common Interest Developments	SH	06/23/ 94	Chpt. 245, Stat. of '94
AB 69f	Cannella	Castle Joint Powers Redevelopment Agency	TS	09/08/ 93	Chpt. 943, Stat. of '93
AB 115n	Honeycutt	Mobilehome Parks: Pre- requisites for Lawsuits	DC	06/02/ 93	Failed passage, Assm. Judiciary
AB 122n	Andal	Mobilehomes Parks: Rent Control	DC	02/02/ 94	Died, Sen. Judiciary
AB 154n	Alpert	CIDs: Notice of Suit	SH	05/03/ 94	Died, Sen. Judiciary
AB 157n	Conroy	Rent Control	SH	05/27/ 93	Died, Assm. Hous.
AB 175f	Polanco	Hazardous Substance Cleanup: Redevelopment Agencies	TS	07/26/ 93	Chpt. 163, Stat. of '93
AB 199n	Hauser	CIDs: Governing Document Amendments	SH		Chpt. 21, Stat. of '93

Bill#	Author	Subject	Con	Amend	Action
AB 210f	Hauser	Bond and Loan Insurance	TS	06/14/93	Died, Assm. W&M
AB 214un	WBrown	Bond and Loan Insurance	TS	07/12/93	Chpt. 115, Stat. of '93
AB 215un	WBrown	Cal. Housing & Jobs Investment Bond Act	SH	07/07/93	Chpt. 116, Stat. of '93
AB 217n	O'Connell	Mobilehome Parks	DC	08/31/93	Chpt. 520, Stat. of '93
AB 244uf	Boland	Real Estate: Continuing Education Requirements	SH	01/13/94	Chpt. 10, Stat. of '94
AB 247f	Hauser	Manufactured Homes: Contractors	DC	03/31/93	Chpt. 458, Stat. of '93
AB 264f	Costa	Rent Control	SH	06/30/93	Chpt. 843, Stat. of '93
AB 285n	Aguiar	Mobilehome Parks: Rule Changes	DC	06/10/93	Chpt. 102, Stat. of '93
AB 299f	Hoge	Department of Housing: Aliens	DC		Died, Assm. Hous.
AB 420n	Takasugi	Real Estate Appraisal	DC	06/20/94	Died, Sen. B&P
		[Former Hauser legislation relating to Manufactured Homes: Title]			
AB 503n	Rainey	Mobilehome Parks: Improvements	DC	08/26/93	Chpt. 666, Stat. of '93
AB 515n	Ferguson	Mobilehome Parks: Eminent Domain	SH		Failed passage, Assm. Floor
AB 530n	Hauser	CIDs: Enforcement of Restrictions	SH		Died, Assm. Hous.
AB 604n	Hauser	Historical Resources*	TS	09/08/93	Chpt. 672, Stat. of '93
AB 621uf	Napolitano	Redevelopment Agencies: Educational Revenue Augmentation Fund	TS	06/04/94	Chpt. 281, Stat. of '94
AB 673n	VBrown	Mobilehome Park Rental Agreements	SH	08/17/93	Failed pass., Sen. Floor
AB 690n	VBrown	Mobilehome Park Sales	DC	07/16/93	Vetoed

Bill#	Author	Subject	Con	Amend	Action
AB 691n	Richter	Redevelopment: Notices	TS		Died, Assm. Hous.
AB 746n	Ferguson	Mobilehome Parks: Rent Control	SH	01/27/ 94	Failed passage, Assm. Floor
AB 748f	Areias	California Residential Earthquake Recovery Act	TS		Died, Assm. Hous.
AB 764f	Goldsmith	Land Use: General Plans	TS	08/08/ 94	Failed passage, Sen. Appro.
AB 765uf	Goldsmith	California Factory-Built Housing Law	DC	08/31/ 93	Chpt. 413, Stat. of '93
AB 831n	Hauser	Rural Economic Development*	DC		Died, Assm. CP&GE
AB 832uf	Hauser	HOME Investment Partnership Act	TS	05/11/ 94	Chpt. 198, Stat. of '94
AB 870n	Umberg	Mobilehome Parks: Rent Increases	DC	08/17/ 93	Chpt. 448, Stat. of '93
AB 959f	Campbell	Swimming Pools: Safety	SH	01/03/ 94	Died, Assm. Hous.
AB 978f	Hauser	Redevelopment	TS	08/19/ 94	Died, Sen. Appro.
AB 981f	Hauser	Redevelopment: Historic Properties	TS	08/16/ 93	Vetoed
AB 984f	Hauser	Redevelopment: Project Area Committees	TS	08/30/ 93	Chpt. 1217, Stat. of '93
AB 1002f	Brulte	Redevelopment Agencies: Fiscal Statements	TS	06/22/ 93	Chpt. 476, Stat. of '93
AB 1023f	Baca	Norton Air Force Base: Project Area Committee	TS	08/17/ 93	Chpt. 968, Stat. of '93
AB 1052n	Conroy	Mobilehome Parks: Rent	SH	05/05/ 93	Failed passage, Assm. Hous.
AB 1059un	Murray	Redevelopment: Low & Moderate Income Housing Fund	TS	08/17/ 93	Chpt. 477, Stat. of '93
AB 1063f	Haynes	Unvented Heaters	DC	08/16/ 93	Failed pass., Sen. Loc. Gov.
AB 1097uf	Murray	Redevelopment Agencies	DC		Died, Assm. Hous.

Bill#	Author	Subject	Con	Amend	Action
AB 1124f	Hauser	Land Use: Multifamily Dwellings*	DC	08/17/93	Chpt. 969, Stat. of '93
AB 1138f	Knight	Accessibility Standards	DC	05/03/93	Chpt. 1220, Stat. of '93
AB 1140n	Epple	Mobilehomes	DC	05/18/93	Chpt. 147, Stat. of '93
AB 1202n	Hauser	Taxation*	DC	06/30/93	Chpt. 1148, Stat. of '93
AB 1251uf	Polanco	Redevelopment In-Lieu Payments to Taxing Agencies	SH	09/08/93	Chpt. 902, Stat. of '93
AB 1257f	BFriedman	Relocation Assistance Act	DC	08/16/93	Chpt. 851, Stat. of '93
AB 1281f	Archie-Hudson	Building Standards: Fire Safety	DC	04/25/94	Chpt. 498, Stat. of '94
AB 1290f	Isenberg	Community Redevelopment Law Reform Act of 1993	TS	09/08/93	Chpt. 942, Stat. of '93
AB 1320f	Costa	Housing: Rent Control	SH	08/08/94	Failed passage, Sen. Judiciary
AB 1409n	Morrow	Automatic Garage Door Openers	DC	09/01/93	Chpt. 802, Stat. of '93
AB 1472f	Hauser	Housing Program: Supportive Services	DC	07/16/93	Chpt. 1010, Stat. of '93
AB 1499f	Campbell	Housing Elements: Regional Housing Needs	TS	01/27/94	Failed passage, Assm. Floor
AB 1502f	Hauser	Relocation Assistance: Business & Farming Operations: Leases	DC	06/07/93	Chpt. 533, Stat. of '93
AB 1545n	Bornstein	CID Assessment Liens	SH	08/22/94	Vetoed
AB 1677f	Hauser	California Disaster Housing Repair Fund	TS	09/08/93	Chpt. 1105, Stat. of '93
AB 1684f	Hauser	Local Planning: Housing Elements	TS	08/31/94	Died, Sen. Loc. Gov.
AB 1703f	Goldsmith	Rental Housing Occupancy Standards	SH	04/20/93	Died, Assm. Hous.

Bill#	Author	Subject	Con	Amend	Action
AB 1736 <u>un</u>	Costa	Relocation of Residential Structures	SH	06/16/93	Chpt. 228, Stat. of '93
AB 1780f	Hauser	Building Standards: Review of Amendments	DC	06/08/94	Chpt. 249, Stat. of '94
AB 1793n	Hauser	CIDs: Discipline	SH		Died, Assm. Hous.
AB 1813n	McDonald	Redevelopment Agencies: Small Business	TS	09/08/93	Chpt. 1225, Stat. of '93
AB 1844f	TFriedman	State Housing Laws: Violations/Enforcement	DC	08/31/93	Vetoed
AB 1861f	Bowen	Housing Financial Assistance Recipients: Civil Liability	SH	04/19/93	Failed pass., Assm. Hous.
AB 1887n	Statham	Redevelopment: Shasta Dam Redevelopment Proj. [Former Hauser legislation relating to the Study of Redevelopment Finance]	TS	09/01/93	Chpt. 693, Stat. of '93
AB 1897f	Bornstein	Commercial Coaches: Safety Regulations	DC	08/31/93	Chpt. 631, Stat. of '93
AB 1988n	Moore	Redevelopment Agencies: Job Creation & Retention Expenditures	TS		Died, Assm. Hous.
AB 2003f	Bornstein	Local Housing Programs	SH	08/27/94	Chpt. 883, Stat. of '94
AB 2010 <u>un</u>	Brulte	Redevelopment Agencies: Actions	TS	08/17/94	Chpt. 326, Stat. of '94
AB 2011f	Polanco	Employee Housing	DC	08/31/93	Chpt. 952, Stat. of '93
AB 2012f	Polanco	Agricultural Employee Housing	DC		Died, Assm. Hous.
AB 2041 <u>un</u>	Honeycutt	City of Hesperia: Redevelopment Project Area	TS	05/25/94	Chpt. 111, Stat. of '94
AB 2045n	Bowen	Redevelopment: Los Angeles Air Force Base	TS		Died, Assm. Hous.
AB 2074n	Ferguson	Mobilehome Parks: Rental Agreements	SH		Died, Assm. Hous.
AB 2135f	Tucker	Redevelopment: Community Reinvestment Project Act	TS	06/07/93	Died, Assm. Inactive File

Bill#	Author	Subject	Con	Amend	Action
AB 2172f	Hauser	Land Use: Regional Housing Needs*	TS	09/08/93	Chpt. 695, Stat. of '93
AB 2177f	Boland	Land Use: Manufactured Housing	SH	07/16/93	Chpt. 858, Stat. of '93
AB 2182f	Lee	Insulation Material: Standards	DC	08/24/94	Vetoed
AB 2199f	WBrown	Civil Rights	SH	01/03/94	Died, Sen. Judiciary
AB 2206f	Bornstein	Enterprise Zones: Expansion	DC	08/26/94	Chpt. 853, Stat. of '94
AB 2254f	Areias	Interpretations of Building Standards	DC	07/15/93	Vetoed
AB 2324f	Caldera	Financial Institutions	SH	05/03/93	Chpt. 366, Stat. of '93
AB 2436n	Karnette	Redevelopment: Gang-Related Violent Crime	TS		Died, Assm. Hous.
AB 2459n	Bronshvag	Civil Law: Real Property	DC	08/22/94	Failed passage, Sen. Floor
AB 2551n	Hauser	Common Interest Development: Incorporation	SH	04/14/94	Chpt. 204, Stat. of '94
AB 2571n	Polanco	Employee Housing Act: Enforcement	DC	08/23/94	Chpt. 1250, Stat. of '94
AB 2607f	Hauser	Economic Development: Small Cities: Block Grants	DC	08/19/94	Chpt. 884, Stat. of '94
[Former Nolan legislation relating to Earthquake Assistance: Lawful Presence in the United States]					
AB 2613f	Areias	Residential Property: Earthquake Disaster Relief	TS	05/16/94	Failed passage, Assm. Insurance
AB 2690un	Isenberg	Redevelopment	TS		Died, Assm. Housing
AB 2703uf	Costa	Farmworker Housing Grant Program	DC	06/06/94	Chpt. 259, Stat. of '94
AB 2712n	Costa	Rent Control	SH		Died, Sen. Judiciary
AB 2770n	Cortese	Common Interest Developments: Reserve Funds	SH	08/24/94	Chpt. 885, Stat. of '94

Bill#	Author	Subject	Con	Amend	Action
AB 2959n	Ferguson	Mobilehomes: Rent Control	SH		Failed passage, Assm. Hous.
AB 3056f	Conroy	Rent Control	SH	04/20/94	Failed passage, Assm. W&M
AB 3107n	Ferguson	Mobilehome Park: Definition	SH		Died, Assm. Hous.
AB 3152f	Bates	Land Use: Transit Village Development Act of 1994	TS	08/25/94	Chpt. 780, Stat. of '94
AB 3154n	Bustamante	Migrant Farm Labor Centers	DC	06/30/94	Chpt. 371, Stat. of '94
AB 3183n	Honeycutt	Recreational Vehicle Parks: Regulation	SH	03/08/94	Failed passage, Assm. Hous.
AB 3198f	Hauser	Zoning: Residential: Second Units	DC	08/17/94	Chpt. 580, Stat. of '94
AB 3203n	VBrown	Mobilehome Parks: Sale	SH	08/22/94	Chpt. 729, Stat. of '94
AB 3228f	Haynes	Heaters: Gas Logs	DC	08/08/94	Failed passage, Sen. Floor
AB 3253n	Bornstein	Redevelopment: County of Riverside	TS	05/04/94	Died, Assm. Hous.
AB 3257uf	Bornstein	Elections: Housing Bond Measure [Former legislation relating to Manufactured Homes]	TS/ DC	08/12/ 94	Chpt. 313, Stat. of '94
AB 3327f	Hauser	Housing: Seismic Safety*	TS	04/04/94	Failed passage, Assm. Loc. Gov.
AB 3381n	Martinez	Redevelopment: Law Enforcement Programs	TS		Failed passage, Assm. Floor
AB 3561n	Speier	Transitional Housing: Shelters/Battered Women	TS	05/18/94	Died, Sen. Loc. Gov.
AB 3566n	Bornstein	Mobilehome Parks: Park Costs	SH	08/26/94	Chpt. 1254, Stat. of '94
AB 3578f	Ferguson	Mobilehome Parks: Rentals: Rent Control	SH	05/17/94	Failed passage, Assm. W&M
AB 3584n	Cortese	Unreinforced Mansony Buildings: Seismic Safety	SH		Died, Assm. Hous.

Bill#	Author	Subject	Con	Amend	Action
AB 3585f	Ferguson	Residential Rent Control	SH	04/28/ 94	Failed passage, Assm. W&M
AB 3641n	Goldsmith	Real Property: Depart- ment of Housing: Actions	SH	05/09/ 94	Died, Assm. Hous.
AB 3651f	Hauser	California Tax Credit Allocation Committee	SH	08/11/ 94	Chpt. 1164, Stat. of '94
AB 3718f	Ducheny	Community College Districts: Property Tax Revenues	TS	08/26/ 94	Chpt. 1003 Stat. of '94
[Former Tucker legislation relating to Redevelopment: Seismic Rehabilitation]					
AB 3725n	Housing	Mortgage Guaranty Insurance	TS	04/26/ 94	Died, Assm. Hous.
AB 3728n	Woodruff	Redevelopment: Territor- ial Jurisdiction: City Incorporation	TS		Died, Assm. Hous.
AB 3735f	Bornstein	Land Use: Mobilehome Parks: Housing Develop- ment Approval Process	DC	08/22/ 94	Chpt. 896, Stat. of '94
AB 3750 <u>un</u>	TFriedman	Redevelopment: Disaster Areas	TS	08/08/ 94	Vetoed
AB 3769f	Weggeland	March Air Force Base Redevelopment Project Area	TS	08/25/ 94	Chpt. 1170, Stat. of '94
AB 3819 <u>uf</u>	WBrown	Fire Safety: Roofing Materials	DC	08/17/ 94	Chpt. 843, Stat. of '94
ACA 8n	Hauser	Property Tax Exemptions*	DC	06/30 93	Res. Chpt. 92, Stat. of '93
ACR 73n	Hauser	Homeless Awareness Month*	DC		Res. Chpt. 112, Stat. of '93
ACR 116n	Hauser	Homebuyer Education Month*	SH		Res. Chpt. 22, Stat. of '94
SB 6 <u>u</u>	Craven	Mobilehomes: Rent Control	SH		Chpt. 9, Stat. of '93
SB 101f	Bergeson	Infrastructure Financing	SH	08/26/ 94	Chpt. 749, Stat. of '94
SB 110f	Campbell	Disaster Relief: Cal. Disaster Housing Repair Fund	DC	08/25/ 93	Chpt. 96, Stat. of '94

[Former Craven legislation relating to the Mobilehome Park Purchase Fund]

Bill#	Author	Subject	Con	Amend	Action
SB 131 <u>uf</u>	Roberti	Earthquake Relief & Seismic Retrofit Bond Act of 1994	SH	03/14/ 94	Chpt. 15, Stat. of '94
SB 132 <u>uf</u>	Roberti	Public Safety & Local Law Enforcement 2000 Bond Act [Former legislation relating to Housing Programs]	TS	06/08/ 94	Died, Assm. Pub. Safety
SB 137 <u>un</u>	Wright	Discrimination	SH	06/07/ 93	Chpt. 830, Stat. of '93
SB 197n	Marks	Building Standards	DC	01/24/ 94	Died, Assm. Hous.
SB 209n	Lewis	Mobilehome Parks: Removal of Vehicles	DC		Chpt. 32, Stat. of '93
SB 251n	McCorquodale	Mobilehome Park Security Deposits	DC	06/17/ 93	Vetoed
SB 293n	Craven	Mobilehome Parks: For Sale Signs	DC	06/22/ 93	Chpt. 329, Stat. of '93
SB 315f	Rosenthal	Manufactured Housing: Energy Efficiency Standards	DC	06/22/ 93	Died, Sen. Inactive File
SB 348f	Maddy	Local Government Finance: Rural County Relief & Local Public Safety Ser. [Former legislation relating to Castle Joint Powers Redevelopment Agency]	TS	08/29/ 94	Died, Sen. Unfinished Business
SB 388f	Rosenthal	Emergency Housing & Assistance Program	DC	09/03/ 93	Chpt. 1022, Stat. of '93
SB 421f	Craven	Manufactured Housing: Gas Burning Appliances	DC		Chpt. 244, Stat. of '93
SB 467 <u>uf</u>	Hill	Redevelopment Agencies: Educational Revenue Augmentation Fund	TS	08/30/ 93	Chpt. 566, Stat. of '93
SB 634 <u>uf</u>	Craven	Construction: Crimes	DC	06/20/ 94	Chpt. 175, Stat. of '94
SB 667f	---	Highways: Seismic Retrofit Program	TS	06/30/ 94	Chpt. 100, Stat. of '94
SB 709f	Watson	Economic Development: Cal. Conservation Corps Urban Youth & Restora- tion Act of 1994	TS	08/26/ 94	Died, Sen. Unfinished Business

Bill#	Author	Subject	Con	Amend	Action
SB 732un	Bergeson	Community Redevelopment Law Reform Act of 1993	TS	08/16/ 94	Chpt. 936, Stat. of '94
SB 750n	Roberti	Mobilehomes: Design & Seismic Requirements [Former Bergeson legislation relating to Redevelopment Agencies]	DC	05/26/ 94	Chpt. 240, Stat. of '94
SB 900uf	Mello	Redevelopment: Fort Ord	TS	05/16/ 94	Chpt. 87, Stat. of '94
SB 915uf	Johnston	Redevelopment: Mather Air Force Base Redevelop- ment Project Area	TS	09/09/ 93	Chpt. 944, Stat. of '93
SB 960f	Craven	Mobilehome Parks: Change of Use	DC		Chpt. 265, Stat. of '93
SB 1035f	Thompson	Mare Island Redevelopment Project Area	TS	08/23/ 94	Chpt. 1168, Stat. of '94
SB 1041f	Craven	California Housing Finance Agency	SH	08/16/ 93	Chpt. 649, Stat. of '93
SB 1280n	Craven	Mobilehomes	DC	04/20/ 94	Chpt. 219, Stat. of '94
SB 1377n	Petris	Civil Law: Real Estate Transfers	TS	08/09/ 94	Chpt. 817, Stat. of '94
SB 1386n	McCorquodale	Mobilehome Park: Security Deposits	DC	05/17/ 94	Chpt. 119, Stat. of '94
SB 1387f	Thompson	Cal. Economic Develop- ment Financing Authority	SH	08/31/ 94	Chpt. 753, Stat. of '94
SB 1413n	Craven	Resident-Controlled Mobilehome Parks	DC	07/07/ 94	Chpt. 379, Stat. of '94
SB 1414f	Craven	Mobilehomes: Purchase Documents: Real Estate Brokers	DC	08/26/ 94	Chpt. 669, Stat. of '94
SB 1434f	Maddy	State Departments & Agencies: Civil Rights Enforcement	SH		Failed passage, Assm. Hous.
SB 1461f	Craven	Mobilehomes: School District Fees	DC	08/19/ 94	Chpt. 983, Stat. of '94
SB 1508n	Craven	Mobilehome Parks: Access to Common Area Facilities	DC	07/07/ 94	Chpt. 380, Stat. of '94

Bill#	Author	Subject	Con	Amend	Action
SB 1510n	Lewis	Mobilehomes	DC	06/30/ 94	Chpt. 340, Stat. of '94
SB 1515n	Hughes	Redevelopment Agencies: Graffiti Eradication	TS	07/07/ 94	Chpt. 381, Stat. of '94
SB 1553n	Alquist	Solar Energy: Restrictions	SH	07/07/ 94	Chpt. 382, Stat. of '94
SB 1560n	Mello	Civil Rights: Senior Housing	SH	07/07/ 94	Chpt. 464, Stat. of '94
SB 1600f	Mello	Redevelopment Agency of Fort Ord	TS	08/26/ 94	Chpt. 1169, Stat. of '94
SB 1663f	Craven	Mobilehome Parks: Inspections	DC	07/07/ 94	Chpt. 674, Stat. of '94
SB 1664n	Craven	Mobilehome Parks: Nonpurchasing Residents	DC	04/14/ 94	Died, Assm. Hous.
SB 1777f	Thompson	Fire Protection: Emergency Procedure Info.	SH	08/12/ 94	Chpt. 1292, Stat. of '94
SB 1839f	Bergeson	Local Planning: Housing Elements	TS	08/08/ 94	Died, Assm. Hous.
SB 1873f	Petris	Buildings: ABS Pipe	SH	07/07/ 94	Chpt. 990, Stat. of '94
SB 1988n	Alquist	Earthquake Safety	DC	08/24/ 94	Chpt. 1219, Stat. of '94
SB 2072n	Calderon	Common Interest Developments: Liability	SH		Chpt. 833, Stat. of '94

*Denotes non-Committee legislation staffed by Committee staff.

11/30/94

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

1993-94 BILLS HEARD BY TOPIC

BUILDING STANDARDS

AB 959	Campbell	Swimming Pools: Safety	Died, Assm. Housing
AB 1063	Haynes	Unvented Heaters	Failed passage, Sen. Local Government
AB 1138	Knight	Accessibility Standards: Persons with Disabilities	Chpt. 1220, Stat. of '93
AB 1281	Archie-Hudson	Building Standards: Fire Safety	Chpt. 498, Stat. of '94
AB 1409	Morrow	Automatic Garage Door Openers	Chpt. 802, Stat. of '93
AB 1780	Hauser	Building Standards: Review of Amendments	Chpt. 249, Stat. of '94
AB 1844	TFriedman	State Housing Law: Violations: Enforcement	Vetoed
AB 2182	Lee	Insulation Material: Standards	Vetoed
AB 2254	Areias	State Building Standards: Interpretations of Building Standards	Vetoed
AB 3228	Haynes	Heaters: Gas Logs	Failed passage, Sen. Flr.
AB 3819	WBrown	Fire Safety: Roofing Materials (Urgency)	Chpt. 843, Stat. of '94
SB 197	Marks	Building Standards	Died, Assm. Housing
SB 1777	Thompson	Fire Protection: Emergency Procedure Information	Chpt. 1292, Stat. of '94
SB 1873	Petris	Buildings: ABS Pipe	Chpt. 990, Stat. of '94
SB 1988	Alquist	Earthquake Safety	Chpt. 1219, Stat. of '94

COMMON INTEREST DEVELOPMENTS

AB 67	Hauser	Common Interest Developments	Chpt. 245, Stat. of '94
AB 154	Alpert	Common Interest Developments: Notice of Suit	Died, Sen. Judiciary
AB 199	Hauser	Common Interest Development: Governing Document Amendments	Chpt. 21, Stat. of '93
AB 530	Hauser	Common Interest Developments: Enforcement of Restrictions	Died, Assm. Housing
AB 1545	Bornstein	Common Interest Development Assessment Liens	Vetoed
AB 1793	Hauser	Common Interest Developments: Discipline	Died, Assm. Housing
AB 2551	Hauser	Common Interest Developments: Incorporation	Chpt. 204, Stat. of '94
AB 2770	Cortese	Common Interest Developments: Reserve Funds	Chpt. 885, Stat. of '94

APPENDIX B

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COMMON INTEREST DEVELOPMENTS (Continued)

SB 1553	Alquist	Solar Energy: Restrictions	Chpt. 382, Stat. of '94
SB 2072	Calderon	Common Interest Development: Liability	Chpt. 833, Stat. of '94

FARMWORKER

AB 2011	Polanco	Employee Housing	Chpt. 952, Stat. of '93
AB 2012	Polanco	Housing: Agricultural Employee Housing	Died, Assm. Housing
AB 2571	Polanco	Employee Housing Act: Enforcement	Chpt. 1250, Stat. of '94
AB 2703	Costa	Housing: Farmworker Housing Grant Program (Urgency)	Chpt. 259, Stat. of '94
AB 3154	Bustamante	Housing: Migrant Farm Labor Centers	Chpt. 371, Stat. of '94

HOMELESS PROGRAMS

SB 388	Rosenthal	Housing: Emergency Housing and Assistance Program	Chpt. 1022, Stat. of '93
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HOUSING DISCRIMINATION

AB 1703	Goldsmith	Housing: Rental Housing Occupancy Standards	Died, Assm. Housing
AB 2199	WBrown	Civil Rights	Died, Sen. Judiciary
SB 137	Wright	Discrimination (Urgency)	Chpt. 830, Stat. of '93
SB 1434	Maddy	State Department and Agencies: Civil Rights Enforcement	Failed passage, Assm. Hous.
SB 1560	Mello	Civil Rights: Senior Housing	Chpt. 464, Stat. of '94

HOUSING FINANCE

AB 210	WBrown	Housing: Bond and Loan Insurance	Died, Assm. W&M
AB 214	WBrown	Housing: Bond and Loan Insurance (Urgency)	Chpt. 115, Stat. of '93
AB 215	WBrown	Housing: First-Time Home Buyers: California Housing Loan Insurance Fund: California Housing and Job Investment Bond Act (Urgency)	Chpt. 116, Stat. of '93
AB 244	Boland	Real Estate: Continuing Education Requirements (Urgency)	Chpt. 10, Stat. of '94
AB 247	Hauser	Housing: Manufactured Homes: Contractors	Chpt. 458, Stat. of '93

HOUSING FINANCE (Continued)

AB 299	Hoge	Housing: Department of Housing and Community Development: Aliens	Died, Assm. Housing
AB 832	Hauser	Housing: Farmworker Housing Grant Fund: Supportive Services: Community Development Block Grant Funds: HOME Investment Partnership Act (Urgency)	Chpt. 198, Stat. of '94
AB 1257	BFriedman	Housing: Relocation Assistance Act: Compensation to Displaced Persons	Chpt. 851, Stat. of '93
AB 1472	Hauser	Housing Program: Supportive Services	Chpt. 1010, Stat. of '93
AB 1502	Hauser	Relocation Assistance: Business and Farm Operations: Leases	Chpt. 533, Stat. of '93
AB 1736	Costa	Housing: State Housing Law: Relocation of Residential Structures (Urgency)	Chpt. 288, Stat. of '93
AB 1861	Bowen	Housing Financial Assistance Recipients: Civil Liability	Failed passage, Assm. Hous.
AB 2003	Bornstein	Housing: Local Housing Programs	Chpt. 883, Stat. of '94
AB 2324	Caldera	Housing: Financial Institutions	Chpt. 366, Stat. of '93
AB 2607	Hauser	Economic Development: Small Cities: Block Grants	Chpt. 884, Stat. of '94
AB 3257	Bornstein	Elections: Housing Bond Measure [Former Legislation Relating to Manufactured Homes] (Urgency)	Chpt. 313, Stat. of '94
AB 3641	Goldsmith	Real Property: Department of Housing: Actions	Died, Assm. Housing
AB 3651	Hauser	California Tax Credit Allocation Committee	Chpt. 1164, Stat. of '94
AB 3725	Housing	Mortgage Guaranty Insurance	Died, Assm. Housing
SB 101	Bergeson	Infrastructure Financing	Chpt. 749, Stat. of '94
SB 131	Roberti	Earthquake Relief and Seismic Retrofit Bond Act of 1994 (Urgency)	Chpt. 15, Stat. of '94
SB 132	Roberti	Public Safety and Local Law Enforcement 2000 Bond Act [Former Legislation Relating to Housing Programs] (Urgency)	Died, Assm. Pub. Safety
SB 1041	Craven	Housing: California Housing Finance Agency	Chpt. 649, Stat. of '93
SB 1377	Petris	Civil Law: Real Estate Transfers	Chpt. 817, Stat. of '94
SB 1387	Thompson	Economic Development: California Economic Development Financing Authority	Chpt. 753, Stat. of '94

HOUSING, NATURAL DISASTER ASSISTANCE AND PREPAREDNESS

AB 748	Areias	Housing: California Residential Earthquake Recovery Act	Died, Assm. Housing
AB 1677	Hauser	Housing: California Disaster Housing Repair Fund: Mobilehome Park Financing	Chpt. 1105, Stat. of '93
AB 2613	Areias	Residential Property: Earthquake Disaster Relief	Failed passage, Assm. Insurance
AB 3584	Cortese	Buildings: Unreinforced Masonry Buildings: Seismic Safety	Died, Assm. Housing
SB 110	Campbell	Disaster Relief: California Disaster Housing Repair Fund [Former Craven Legislation Relating to the Mobilehome Park Purchase Fund]	Chpt. 96, Stat. of '94
SB 634	Craven	Construction: Crimes [Former Legislation Relating to Mobilehome Parks: Acquisition by Residents] (Urgency)	Chpt. 175, Stat. of '94
SB 667	---	Highways: Seismic Retrofit Program	Chpt. 100, Stat. of '94
SB 750	Roberti	Manufactured Homes and Mobilehomes: Design and Seismic Requirements [Former Bergeson Legislation Relating to Redevelopment Agencies]	Chpt. 240, Stat. of '94

LAND USE PLANNING

AB 51	Costa	Regional Housing Needs	Chpt. 1235, Stat. of '94
AB 764	Goldsmith	Land Use: General Plans	Failed passage, Sen. Appro.
AB 1499	Campbell	Housing Elements: Regional Housing Needs: Regional Affordable Housing Needs Mandates Reimbursement Fund	Failed passage, Assm. Flr.
AB 1684	Hauser	Local Planning: Housing Elements	Died, Sen. Loc. Gov.
AB 2206	Bornstein	Enterprise Zones: Expansion [Former Legislation Relating to Land Use: Density Bonuses]	Chpt. 853, Stat. of '94
AB 3198	Hauser	Zoning: Residential: Second Units	Chpt. 580, Stat. of '94
SB 1839	Bergeson	Local Planning: Housing Elements	Died, Assm. Housing

MOBILEHOMES

AB 115	Honeycutt	Mobilehome Parks: Prerequisites for Lawsuits Against	Failed passage, Assm. Jud.
AB 122	Andal	Mobilehomes: Mobilehome Parks: Rent Control	Died, Sen. Judiciary
AB 217	O'Connell	Mobilehome Parks	Chpt. 520, Stat. of '93
AB 285	Aguiar	Mobilehome Parks: Rule Changes: Prerequisites for Lawsuits	Chpt. 102, Stat. of '93

MOBILEHOMES (Continued)

AB 420	Takasugi	Real Estate Appraisal [Former Hauser Legislation Relating Manufactured Homes: Titles]	Died, Sen. B&P
AB 503	Rainey	Mobilehome Parks: Improvements: Notice	Chpt. 666, Stat. of '93
AB 515	Ferguson	Mobilehome Parks: Acquisition by Eminent Domain	Failed passage, Assm. Floor
AB 690	VBrown	Mobilehome Park Sales	Vetoed
AB 765	Goldsmith	Housing: State Housing Law: Mobilehome Parks Act: California Factory-Built Housing Law (Urgency)	Chpt. 413, Stat. of '93
AB 870	Umberg	Mobilehome Parks: Rent Increases	Chpt. 448, Stat. of '93
AB 1052	Conroy	Mobilehome Parks: Rents	Failed passage, Assm. Hous.
AB 1140	Epple	Mobilehomes	Chpt. 147, Stat. of '93
AB 1897	Bornstein	Commercial Coaches: Safety Regulations	Chpt. 631, Stat. of '93
AB 2074	Ferguson	Mobilehome Parks: Rental Agreements	Died, Assm. Housing
AB 2177	Boland	Land Use: Manufactured Housing	Chpt. 858, Stat. of '93
AB 2459	Bronshvag	Civil Law: Real Property	Failed passage, Sen. Flr.
AB 3107	Ferguson	Mobilehome Park: Definition	Died, Assm. Housing
AB 3183	Honeycutt	Recreational Vehicle Parks: Regulation	Failed passage, Assm. Housing
AB 3203	VBrown	Mobilehome Parks: Sale	Chpt. 729, Stat. of '94
AB 3257	Bornstein	Elections: Housing Bond Measure [Former Legislation Relating to Manufactured Homes] (Urgency)	Chpt. 313, Stat. of '94
AB 3566	Bornstein	Mobilehome Parks: Park Costs	Chpt. 1254, Stat. of '94
AB 3735	Bornstein	Land Use: Mobilehome Parks: Housing Development Approval Process	Chpt. 896, Stat. of '94
SB 110	Campbell	Disaster Relief: California Disaster Housing Repair Fund [Former Craven Legislation Relating to the Mobilehome Park Purchase Fund]	Chpt. 96, Stat. of '94
SB 209	Lewis	Mobilehome Parks: Removal of Vehicles	Chpt. 32, Stat. of '93
SB 251	McCorquodale	Mobilehome Park Security Deposits	Vetoed
SB 293	Craven	Mobilehome Parks: For-Sale Signs	Chpt. 329, Stat. of '93
SB 315	Rosenthal	Manufactured Housing: Energy Efficiency Standards	Died, Sen. Inactive File
SB 421	Craven	Manufactured Housing: Gas Burning Appliances	Chpt. 244, Stat. of '93
SB 634	Craven	Construction: Crimes [Former Legislation Relating to Mobilehome Parks: Acquisition by Residents] (Urgency)	Chpt. 175, Stat. of '94
SB 960	Craven	Mobilehome Parks: Change of Use	Chpt. 265, Stat. of '93
SB 1280	Craven	Mobilehomes	Chpt. 219, Stat. of '94
SB 1386	McCorquodale	Mobilehome Park: Security Deposits	Chpt. 119, Stat. of '94

MOBILEHOMES (Continued)

SB 1413	Craven	Housing: Redevelopment Agencies: Local Revenue Bonds: Loans to Nonprofit Organizations for Housing: Mobilehomes: Resident-Controlled Mobilehome Parks	Chpt. 379, Stat. of '94
SB 1414	Craven	Mobilehomes: Purchase Documents: Real Estate Brokers	Chpt. 669, Stat. of '94
SB 1461	Craven	Mobilehomes: School District Fees	Chpt. 983, Stat. of '94
SB 1508	Craven	Mobilehome Parks: Access to Common Area Facilities	Chpt. 380, Stat. of '94
SB 1510	Lewis	Mobilehomes	Chpt. 340, Stat. of '94
SB 1663	Craven	Mobilehome Parks: Inspections	Chpt. 674, Stat. of '94
SB 1664	Craven	Subdivisions: Mobilehome Parks: Nonpurchasing Residents	Died, Assm. Housing

REDEVELOPMENT

AB 69	Cannella	Military Base Closure Redevelopment Agencies: Castle Joint Powers Redevelopment Agency	Chpt. 943, Stat. of '93
AB 175	Polanco	Hazardous Substance Cleanup: Redevelopment Agencies	Chpt. 163, Stat. of '93
AB 621	Napolitano	Local Agencies: Redevelopment Agencies: Educational Revenue Augmentation Fund (Urgency)	Chpt. 281, Stat. of '94
AB 691	Richter	Redevelopment: Notices	Died, Assm. Housing
AB 978	Hauser	Redevelopment	Died, Sen. Appropriations
AB 981	Hauser	Redevelopment: Historic Properties	Vetoed
AB 984	Hauser	Redevelopment: Project Area Committees	Chpt. 1217, Stat. of '93
AB 1002	Brulte	Redevelopment Agencies: Fiscal Statements	Chpt. 476, Stat. of '93
AB 1023	Baca	Redevelopment: Norton Air Force Base: Project Area Committee	Chpt. 968, Stat. of '93
AB 1059	Murray	Redevelopment Agencies: Low and Moderate Income Housing Fund (Urgency)	Chpt. 477, Stat. of '93
AB 1097	Murray	Redevelopment Agencies (Urgency)	Died, Assm. Housing
AB 1251	Polanco	Redevelopment In-Lieu Payments to Taxing Agencies: Debt Instruments (Urgency)	Chpt. 902, Stat. of '93
AB 1290	Isenberg	Redevelopment: Community Redevelopment Law Reform Act of 1993	Chpt. 942, Stat. of '93
AB 1813	McDonald	Redevelopment Agencies: Small Businesses	Chpt. 1225, Stat. of '93
AB 1887	Statham	Redevelopment: Shasta Dam Redevelopment Project [Former Hauser Legislation Relating to the Study of Redevelopment]	Chpt. 693, Stat. of '93
AB 1988	Moore	Redevelopment Agencies: Job Creation and Retention Expenditures	Died, Assm. Housing
AB 2010	Brulte	Redevelopment Agencies: Actions (Urgency)	Chpt. 326, Stat. of '94

REDEVELOPMENT (Continued)

AB 2041	Honeycutt	City of Hesperia: Redevelopment Project Area (Urgency)	Chpt. 111, Stat. of '94
AB 2045	Bowen	Redevelopment: Los Angeles Air Force Base	Died, Assm. Housing
AB 2135	Tucker	Redevelopment: Community Reinvestment Project Act	Died, Assm. Inactive File
AB 2436	Karnette	Redevelopment: Gang-Related Violent Crime: Illegal Trafficking in Controlled Substances	Died, Assm. Housing
AB 2690	Isenberg	Redevelopment (Urgency)	Died, Assm. Housing
AB 3152	Bates	Land Use: Transit Village Development Planning Act of 1994	Chpt. 780, Stat. of '93
AB 3253	Bornstein	Redevelopment: County of Riverside	Died, Assm. Housing
AB 3381	Martinez	Redevelopment: Law Enforcement Programs	Failed passage, Assm. Flr.
AB 3561	Speier	Housing: Redevelopment Agencies: Transitional Housing and Shelters for Battered Women: San Mateo County	Died, Sen. Loc. Gov.
AB 3718	Ducheny	Community College Districts: Property Tax Revenues [Former Tucker Legislation Relating to Redevelopment: Seismic Rehabilitation]	Chpt. 1003, Stat. of '94
AB 3728	Woodruff	Redevelopment: Territorial Jurisdiction: City Incorporation	Died, Assm. Housing
AB 3750	TFriedman	Redevelopment: Disaster Areas (Urgency)	Vetoed
AB 3769	Weggeland	March Air Force Base Redevelopment Project Area	Chpt. 1170, Stat. of '94
SB 348	Maddy	Local Government Finance: Rural County Relief and Local Public Safety Service [Former Legislation Relating to the Castle Joint Powers REdevelopment Agency	Died, Senate Unfinished Business
SB 467	Hill	Redevelopment Agencies: Allocations to the Educational Revenue Augmentation Fund (Urgency)	Chpt. 566, Stat. of '93
SB 709	Watson	Economic Development: California Conservation Corps Urban Youth and Restoration Act of 1994	Died, Sen. Unfinished Business
SB 732	Bergeson	Community Redevelopment Law Reform Act of 1993 (Urgency)	Chpt. 936, Stat. of '94
SB 750	Roberti	Manufactured Homes and Mobilehomes: Design and Seismic Requirements [Former Bergeson Legislation Relating to Redevelopment Agencies]	Chpt. 240, Stat. of '94
SB 900	Mello	Redevelopment: Fort Ord (Urgency)	Chpt. 87, Stat. of '94
SB 915	Johnston	Redevelopment: Military Base Closure Redevelopment Agencies: Mather Air Force Base Redevelopment Project Area (Urgency)	Chpt. 944, Stat. of '94
SB 1035	Thompson	Mare Island Redevelopment Project Area	Chpt. 1168, Stat. of '94

REDEVELOPMENT (Continued)

SB 1515	Hughes	Redevelopment Agencies: Graffiti Eradication	Chpt. 381, Stat. of '94
SB 1600	Mello	Redevelopment: Fort Ord Reuse Plan: Redevelopment Agency of Fort Ord	Chpt. 1169, Stat. of '94

RENT CONTROL

AB 157	Conroy	Housing: Rent Control	Died, Assm. Housing
AB 264	Costa	Rent Control	Chpt. 843, Stat. of '93
AB 673	VBrown	Mobilehome Park Rental Agreements: Exemption from Rent Controls	Failed passage, Sen. Floor
AB 746	Ferguson	Mobilehome Parks: Rent Control	Failed passage, Assm. Floor
AB 1320	Richter	Housing: Rent Control	Failed passage, Sen. Jud.
AB 2712	Costa	Rent Control	Died, Sen. Judiciary
AB 2959	Ferguson	Mobilehomes: Rent Control	Failed passage, Assm. Hous.
AB 3056	Conroy	Rent Control	Failed passage, Assm. W&M
AB 3578	Ferguson	Mobilehome Parks: Rentals: Rent Control	Failed passage, Assm. W&M
AB 3585	Ferguson	Residential Rent Control	Failed passage, Assm. W&M
SB 6	Craven	Mobilehomes: Rent Control (Urgency)	Chpt. 9, Stat. of '93

NOTES

