

2015

2015 Legislative Summary

Assembly Committee on Housing and Community Development

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LEGISLATIVE SUMMARY



Committee Members

Ed Chau, Chair
Marc Steinorth, Vice Chair
Autumn Burke
David Chiu
Beth Gaines
Patty Lopez
Kevin Mullin

Consultants:

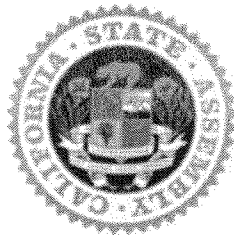
Lisa Engel
Rebecca Rabovsky

Secretary:

Despina Demas

ASSEMBLY COMMITTEE ON HOUSING
AND
COMMUNITY DEVELOPMENT

2015 LEGISLATIVE
SUMMARY



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1020 N STREET, SUITE 162
SACRAMENTO, CA 95814
(916) 319-2085
Fax (916) 319-3182
<http://ahcd.assembly.ca.gov>

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BUILDING STANDARDS

AB-723 (Rendon) - Plumbing fixtures: WaterSense standards.

This bill required the California Energy Commission, when setting plumbing fixture water efficiency standards, to consider the performance requirements established by the United States Environmental Protection Agency WaterSense standards. **Amended in Senate on June 23, 2015 - Rental property: Plumbing fixtures: replacement-** this bill requires that the lease or rental agreement of a single-family residential real property or any portion of a multifamily residential real property or commercial real property that is entered into, renewed, or amended after January 1, 2016, to contain a provision in which the property owner discloses his or her responsibility to replace all noncompliant plumbing fixtures with water-conserving plumbing fixtures on or before January 1, 2017, or January 1, 2019, respectively.

Status: Pending in the Senate Appropriations Committee

AB-1448 (Lopez) - Personal energy conservation: real property restrictions.

This bill requires a landlord to allow a tenant to use a clothesline or drying rack in the private area of a tenant's rental tenancy if certain conditions are met, including that the clothesline or drying rack will not interfere with the maintenance of the rental property. This bill also voids, or makes unenforceable, any provision of a governing document in a common interest development that prohibits an owner's ability to use a clothesline or drying rack in the owner's backyard.

Status: Chapter 602, Statutes of 2015

SB-7 (Wolk) - Housing: water meters: multiunit structures.

This bill requires, as of January 1, 2017, that individual water meters, also called submeters, be installed on all new multifamily residential units or mixed commercial and multifamily units and requires that landlords bill residents for the increment of water they use. Specifies rights and obligations between landlords and tenants.

Status: Failed passage on the Assembly Floor

SB-655 (Mitchell) - Housing standards: mold.

This bill adds visible mold growth, as determined by a health officer or a code enforcement officer, excluding the presence of mold that is minor and found on surfaces that can accumulate moisture as part of their properly functioning and intended use, to a list of substandard housing conditions.

Status: Chapter 720, Statutes of 2015

COMMON INTEREST DEVELOPMENTS

AB-349 (Gonzalez) - Common interest developments: property use and maintenance.

This bill makes the governing documents, architectural or landscaping guidelines, or policies of a common interest development (CID) void and unenforceable if they prohibit the use of artificial turf or any other synthetic surface that resembles grass. Prohibits a CID from requiring an owner of a separate interest to remove or reverse water-efficient landscaping measures, installed in response to a declaration of a state of emergency, upon the conclusion of the state of emergency.

Status: Chapter 266, Statutes of 2015

AB-596 (Daly) - Common interest developments: annual budget report.

This bill requires a homeowners association in a common interest development (CID) to disclose to the owners if the CID is an approved condominium project pursuant to Federal Housing Administration and Department of Veterans Affairs guidelines.

Status: Chapter 184, Statutes of 2015

AB-786 (Levine) - Common interest developments: property use and maintenance.

This bill clarifies that a homeowners association may only impose a fine or assessment against a homeowner for reducing or eliminating the watering of vegetation or lawns during a drought where, prior to the imposition of a fine or assessment, the homeowner receives recycled water from a retail water supplier and fails to use that recycled water for landscaping irrigation.

Status: Chapter 780, Statutes of 2015

HOMELESSNESS

AB-253 (Roger Hernández) - Mental health.

This bill requires specified government entities responsible for administering the Veterans Housing and Homeless Prevention Act of 2014 (VHHP) to give preference to applicants for funding from the VHHP for supportive housing projects, as specified. Requires the Governor to appoint two additional members to the Mental Health Services Oversight and Accountability Commission with mental health experience, as specified. Requires the Department of Health Care Services to post specified information from mental health plans to a dedicated Internet Web page and to notify appropriate committees of the Legislature, as specified.

Status: Pending in the Senate Transportation and Housing Committee

AB-388 (Chang) - Housing: homeless veterans: reports.

This bill requires the Department of Housing and Community Development, in collaboration with the Department of Veterans Affairs to include specified information relating to the effectiveness of the Veterans Housing and Homeless Prevention (VHHP) Bond Act of 2014 in an annual report, including information relating to the effectiveness of assisted projects in helping veterans occupying any supportive housing or transitional housing development that was issued funds pursuant to the VHHP.

Status: Chapter 692, Statutes of 2015

AB-870 (Cooley) - Homelessness: rapid re-housing.

This bill creates a rapid rehousing enhancement program within the Department of Housing and Community Development to award grants for counties and private nonprofit organizations that operate rapid rehousing programs.

Status: Pending in the Senate Inactive file

AB-1056 (Atkins) - Second Chance Program.

This bill enacts the “Second Chance Program,” which requires the Board of State and Community Corrections to administer a competitive grant program using savings resulting from the implementation of Proposition 47, the Safe Neighborhoods and Schools Act of 2014, and other fund sources, as specified. This bill also extends the sunset date on the Social Innovation Financing Program by two years, to January 1, 2022.

Status: Chapter 438, Statutes of 2015

AB-1403 (Maienschein) - Housing: joint powers agreement.

This bill, until January 1, 2024, allows one or more private, nonprofit 501(c)(3) corporations that provide services to homeless persons for the prevention of homelessness to form a joint powers agency, or enter into a joint powers agreement with one or more public agencies.

Status: Chapter 188, Statutes of 2015

HOUSING FINANCE

AB-2 (Alejo, Eduardo Garcia) - Community revitalization authority.

This bill allows local government officials to establish a Community Revitalization and Investment Authority and use property tax increment revenues to finance the implementation of a community revitalization plan within a community revitalization and investment area.

Status: Chapter 319, Statutes of 2015

AB-35 (Chiu, Atkins) - Income taxes: credits: low-income housing: allocation increase.

This bill modifies the existing Low-Income Housing Tax Credit program and increases the aggregate credit amount that may be annually allocated to low-income housing projects by \$100 million for calendar years 2016 through 2021, inclusive, as provided.

Status: Vetoed on October 10, 2015

Governor's veto message: To the Members of the California State Assembly:

I am returning the following nine bills without my signature:

Assembly Bill 35
Assembly Bill 88
Assembly Bill 99
Assembly Bill 428
Assembly Bill 437

Assembly Bill 515
Assembly Bill 931
Senate Bill 251
Senate Bill 377

Each of these bills creates a new tax credit or expands an existing tax credit.

Despite strong revenue performance over the past few years, the state's budget has remained precariously balanced due to unexpected costs and the provision of new services. Now, without the extension of the managed care organization tax that I called for in special session, next year's budget faces the prospect of over \$1 billion in cuts.

Given these financial uncertainties, I cannot support providing additional tax credits that will make balancing the state's budget even more difficult. Tax credits, like new spending on programs, need to be considered comprehensively as part of the budget deliberations.

Sincerely,

Edmund G. Brown Jr.

AB-90 (Chau, Atkins) - Federal Housing Trust Fund.

This bill designates the Department of Housing and Community Development as the agency responsible for administering the federal Housing Trust Fund pursuant to the federal Housing and Economic Recovery Act of 2008.

Status: Chapter 686, Statutes of 2015

AB-325 (Wood) - Community Development Block Grant Program: funds.

This bill makes specified changes to the Community Development Block Grant program application process.

Status: Chapter 397, Statutes of 2015

AB-1335 (Atkins) - Building Homes and Jobs Act.

This bill establishes the Building Homes and Jobs Act of 2015 to provide funding for affordable housing.

Status: Pending on the Assembly Floor.

SB-377 (Beall) - Income taxes: insurance taxes: credits: low-income housing: sale of credit.

This bill, beginning on or after January 1, 2016, and before January 1, 2026, would allow taxpayers to sell Low-Income Housing Tax (LIHT) credits, subject to certain requirements, and repeals the sunset date on provisions relating to the allocation of the federal and state LIHT credits to the partners of a partnership owning a low-income housing project.

Status: Vetoed on October 10, 2015. In Senate. Consideration of Governor's veto pending.

Governor's veto message: To the Members of the California State Senate:

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Sincerely,

Edmund G. Brown Jr.

LAND USE PLANNING

AB-744 (Chau, Quirk) - Planning and zoning: density bonuses.

This bill requires a local government, upon the request of a developer that receives a density bonus, to reduce the minimum parking requirements for a housing development, if it meets specified criteria.

Status: Chapter 699, Statutes of 2015

AB-1084 (Bonilla) - Jobs and housing.

This bill would delete provisions in existing law, that require the Department of Housing and Community Development to prepare a guidebook for use by certain public and private entities in the planning and development of a housing supply to meet the need created by employment growth, and requires the Assembly Office of Research to complete a study on the effectiveness of the guidebook.

Status: Pending in the Assembly Housing and Community Development Committee

AB-1316 (Lopez) - Housing elements.

This bill would require the planning agency to make the draft housing element or draft amendment to the element available to the public at least 30 days prior to the submission to the Department of Housing and Community Development.

Status: Pending in the Assembly Housing and Community Development Committee.

AB-1368 (Baker) - Housing element: discharged military personnel.

This bill would authorize a person discharged from service in the United States military to file his or her Department of Defense Certificate of Release or Discharge From Active Duty (DD 214) with the county recorder of his or her place of residence, and would require that the city or county in which the person resides be credited with the production of a new housing unit for the 2014–22 regional housing needs assessment cycle.

Status: Pending in the Assembly Local Government Committee

MISCELLANEOUS

AB-396 (Jones-Sawyer) - Rental housing discrimination: applications: criminal records.

This bill makes specified changes to when a landlord may inquire about a prospective tenant's criminal record.

Status: Pending in the Assembly Appropriations Committee

AB-668 (Gomez) - Property taxation: assessment: affordable housing.

This bill requires county assessors to consider a recorded contract with a tax-exempt non-profit corporation when valuing property for property tax assessment purposes. This bill adds to the list of enforceable use restrictions affecting assessed land value by adding a contract between a nonprofit corporation and a low-income homeowner as long as certain conditions are met.

Status: Chapter 698, Statutes of 2015

AB-1229 (Campos) - Senior Citizen Rent Increase Exemption Program.

This bill enacts the Senior Citizen Rent Increase Exemption Program (Program) to test whether the Program is a viable method to help California seniors remain in their homes.

Status: Pending in the Assembly Revenue and Taxation Committee

AB-1500 (Maienschein) - California Environmental Quality Act: priority housing projects: exemption.

This bill will exempt from CEQA any "priority housing project," as defined, if specified conditions are met.

Status: Pending in the Assembly Natural Resources Committee

AB-1516 (Committee on Housing and Community Development) - Housing.

This bill makes technical and non-controversial changes to sections of law relating to housing.

Status: Chapter 349, Statutes of 2015

SB-580 (Liu) - Surplus residential property: affordable housing: historic buildings.

This bill makes changes to the Roberti Act governing the sale of surplus properties in the State Route 710 corridor.

Status: Pending in the Senate Inactive File

SB-775 (Allen) - Tenancy: rent control: certification.

This bill amends the Petris Act to state that its rent level certification provisions do not apply to tenancies commencing on or after January 1, 1999, for which the owner of the property may establish initial rent under the Costa-Hawkins Rental Housing Act. This bill excepts from this exclusion a tenancy for which the property owner provides the local rent control agency with the tenancy's initial rent in writing signed under penalty of perjury, which creates a rebuttable presumption that the statement of the initial rent is correct.

Status: Pending in the Assembly Inactive File

MOBILEHOMES/MANUFACTURED HOUSING

AB-587 (Chau) - Mobilehomes: payments: nonpayment or late payments.

This bill creates a tax abatement program for mobilehome owners who cannot transfer title into their names due to delinquent taxes and fees that may have been incurred by prior owners.

Status: Pending in the Senate Transportation and Housing Committee

AB-682 (Williams) - Mobilehome park: electric and gas service: master-meter customers.

This bill authorizes a person to have specified alterations, conversions, and repairs made to a mobilehome without filing an application with the Department of Housing and Community Development.

Status: Chapter 581, Statutes of 2015

AB-999 (Daly) - Abandoned mobilehomes: disposal.

This bill establishes due process requirements for mobilehome park owners (park management) seeking to dispose of an abandoned mobilehome without first being required to pay any unpaid property taxes on the mobilehome.

Status: Chapter 376, Statutes of 2015

SB-244 (Vidak) - Mobilehomes: injunctions.

This bill eliminates the January 1, 2016 sunset date on the existing law authorizing the management of a mobilehome park to enjoin violations of park rules by seeking an injunction, rather than filing an unlawful detainer, thus making this authority permanent.

Status: Chapter 176, Statutes of 2015

SB-419 (McGuire) - Mobilehomes: homeowners: sale.

This bill amends the Mobilehome Residency Law (1) to authorize the seller of a mobilehome to display a "for sale" sign of a generally accepted yard-arm type design or L-frame design, (2) to allow for the display of an "open house" sign and the holding of an open house in accordance with park rules, (3) to require the management of a mobilehome

park, upon request, to provide in writing the information and standards management will use to review a prospective homeowner, and (4) to specify that park management may withhold approval of a prospective homeowner for reasons based upon fraud, deceit, or concealment of material facts.

Status: Chapter 288, Statutes of 2015

SB-434 (Allen) - Manufactured housing: vehicle license fee: property taxation.

This bill requires the assessor to notify the Department of Housing and Community Development (HCD), the legal owner, and each assessee whose manufactured home is to be placed on the local assessment role. This bill also requires HCD to transfer a manufactured home that is subject to the vehicle license fee to local property taxation when it is found that the home has been rebuilt and is no longer mobile.

Status: Pending in the Assembly Housing and Community Development Committee

REDEVELOPMENT

AB-204 (O'Donnell) - Redevelopment: County of Los Angeles.

This bill prohibits oversight boards in Los Angeles County from being consolidated into a single countywide oversight board unless a successor agency adopts a resolution dissolving the board. Requires oversight boards in the County of Los Angeles to continue to operate despite the July 1, 2016, date in existing law that allows only one single countywide oversight board in each county to wind down redevelopment activities.

Status: Pending in the Senate Inactive File

AB-654 (Brown) - Redevelopment: revenues from property tax override rates.

This bill enacts provisions that would allow revenues from a voter-approved property tax in support of a State Water Project to be allocated to the city or county whose voters approved the tax, in specified conditions.

Status: Pending in the Assembly Appropriations Committee

AB-712 (Mullin) - Redevelopment: successor agencies: Recognized Obligation Payment Schedule.

This bill would, commencing July 1, 2016, revise the timeline for the preparation of the required Recognized Obligation Payment Schedule to provide that the successor agency prepare a schedule for a 12-month fiscal period, with the first of these periods beginning July 1, 2016, and would authorize the Recognized Obligation Payment Schedule to be amended by the oversight board during a 12-month fiscal period if the amendment is approved at least 90 days before the date of the next property tax distribution.

Status: Pending in the Assembly Local Government Committee

AB-806 (Dodd) - Redevelopment: successor agencies to redevelopment agencies.

This bill makes various changes to provisions of law governing former redevelopment agencies.

This bill was amended July 13, 2015 out of the committee's jurisdiction.

AB-974 (Bloom) - Redevelopment dissolution: housing projects: bond proceeds.

This bill allows both successor agencies and housing successors to commit remaining proceeds from non-housing and housing redevelopment bonds, respectively, issued between January 1, 2011, and June 28, 2011, provided that the remaining proceeds are approved by the oversight board and used for projects that meet specific criteria.

Status: Pending in the Senate Inactive File

AB-1079 (Oberholte) - Successor agencies: due diligence review: finding of completion.

This bill would provide that the requirements of a due diligence review have been satisfied if specified conditions with respect to a transfer of assets are met, and would provide in that event, that the successor agency is entitled to a finding of completion by the Department of Finance.

Status: Pending in the Assembly Local Government Committee

AB-1080 (Oberholte) - Redevelopment: enforceable obligations: military base reuse.

This bill would authorize the Department of Finance to find that an agreement between a former redevelopment agency and a joint powers authority that was created to exercise the powers provided by the Military Base Reuse Authority Act is an enforceable obligation.

Status: Pending in the Assembly Local Government Committee

AB-1412 (Perea) - Redevelopment: successor agencies to redevelopment agencies.

This bill allows the successor agency to the City of San Joaquin's former redevelopment agency (RDA) to accelerate the repayment of loan debts owed by the former RDA to the city.

Status: Vetoed on September 22, 2015.

Governor's veto message: To the Members of the California State Assembly:

I am returning Assembly Bill 1412 without my signature.

This bill establishes a separate process to allow the successor agency to the City of San Joaquin's former redevelopment agency to repay a specific loan owed by the former redevelopment agency to the city.

Today, I have signed SB 107, which provides a more general process to facilitate successor agencies' repayment of loans which cities and counties made to their former redevelopment agencies. I believe this latter process is more appropriate and should be sufficient.

Sincerely,

Edmund G. Brown Jr.

SB-441 (Leno) - San Francisco redevelopment: housing.

This bill authorizes the successor agency to the redevelopment agency of the City and County of San Francisco to issue bonds or incur indebtedness to finance the affordable housing requirements of four designated projects.

Status: Pending in the Assembly Inactive File