

TO: All Interested Parties

FROM: Ed Chau, Chair  
Assembly Committee on Housing and Community Development

DATE: December 2013

SUBJECT: 2013 Legislative Summary

Attached is the 2013 Legislative Summary of the Assembly Committee on Housing and Community Development during the 2013-2014 Regular Session. The summary includes legislation relating to building standards, common interest developments, homelessness, housing finance, land use, manufactured homes and mobilehomes, and redevelopment.

Do not hesitate to contact the committee if you need further information at (916) 319-2085.

## **BUILDING STANDARDS**

### **AB 1092 (Levine): Electric vehicle charging infrastructure (Chapter 410, Statutes of 2013).**

This bill requires the California Building Standards Commission to adopt mandatory standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development in the next triennial edition of the California Building Standards Code.

### **SB 750 (Wolk): Water meters: multiunit structures.**

This bill would mandate that water purveyors adopt policies requiring that newly constructed multiunit residential structures or mixed use residential and commercial structures that apply for water connections after January 1, 2014, to have, as a condition of new water service, submeters that measure the water supplied to each individual dwelling unit.

**Failed passage in the Assembly Water, Parks, & Wildlife Committee;  
reconsideration granted.**

## **COMMON INTEREST DEVELOPMENTS**

### **AB 968 (Gordon): Elections.**

This bill would establish an alternative voting process for electing the board of directors of a homeowners association in a common interested development with 15 units or less.

**Pending in the Senate Transportation and Housing Committee.**

### **AB 1360 (Torres): Electronic voting.**

This bill would allow a homeowners association in a common interest development to conduct an election via electronic voting.

**Pending in the Senate Judiciary Committee.**

### **SB 752 (Roth): Commercial and Industrial common interest developments (Chapter 605, Statutes of 2013).**

This bill establishes the Commercial and Industrial Common Interest Development (CID) Act to govern the regulation of commercial and industrial CIDs within the Davis Stirling Common Interest Development Act.

## HOMELESSNESS

### **AB 639 (John A. Pérez): Veterans Housing and Homeless Prevention Bond Act of 2014 (Chapter 727, Statutes of 2013).**

This bill authorizes the issuance of \$600 million in general obligation bonds to fund the acquisition, construction, rehabilitation, and preservation of multifamily supportive housing, affordable transitional housing, affordable rental housing, and related facilities for veterans and their families, if approved by the voters in the June, 2014, statewide election.

### **AB 998 (Fong): Interagency Council on Homelessness.**

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

**Held under submission in the Assembly Appropriations Committee.**

## HOUSING FINANCE

### **AB 523 (Ammiano): Department of Housing and Community Development loans.**

This bill would allow the Department of Housing and Community Development to reduce the interest rate on any loan it has issued to a rental housing development under specified conditions.

**Pending in the Senate Inactive File.**

### **AB 532 (Gordon): Local Housing Trust Fund (Chapter 769, Statutes of 2013).**

This bill deletes the requirement that funds in the Local Housing Trust Fund Matching Grant program for newly-formed local housing trust funds revert to the Self-Help Housing Fund and continuously appropriates the funds to the Local Housing Trust Fund Matching Grant program for new and existing local housing trust funds.

### **AB 637 (Atkins): Housing assistance (Chapter 770, Statutes of 2013)**

This bill adds housing developments of five units or more that serve low- and moderate-income families or individuals to the possible uses for funding from the Residential Development Loan Program operated by the California Housing Finance Agency.

**AB 873 (Chau): Housing: emergency housing and assistance funding (Chapter 488, Statutes of 2013).**

This bill establishes new eligible uses and priorities for funding under the Emergency Housing and Assistance Program, with an added focus on providing permanent supportive housing for homeless families and individuals.

**AB 952 (Atkins): Low-income housing tax credits (Chapter 771, Statutes of 2013).**

This bill makes changes to the state Low-Income Housing Tax Credit Program by allowing the Tax Credit Allocation Committee (TCAC) to award state LIHTCs to developments in a Qualified Census Tract (QCT) or a Difficult to Develop Area (DDA) if the project is also receiving federal LIHTC under the certain conditions.

**AB 984 (Chau): California Housing Finance Agency (Chapter 82, Statutes of 2013).**

This bill adds two positions to the board of directors of the California Housing Finance Agency, allows the agency to make grants to homebuyers for energy improvements, and makes changes to the California Homebuyer Downpayment Assistance Program to comply with changes in federal law.

**AB 1109 (Bonilla): Emergency housing and assistance (Chapter 495, Statutes of 2013).**

This bill allows a loan recipient under the capital development component of the Emergency Housing and Assistance Program to transition a property from an emergency shelter or transitional housing to permanent supportive housing that serves people who are homeless, or at risk of homelessness, and still have the loan deferred and forgiven at the end of the loan term.

**SB 391 (DeSaulnier): California Homes and Jobs Act of 2013.**

This bill would establish the California Homes and Jobs Act of 2013 to provide funding for affordable housing.

**Referred to suspense in the Assembly Appropriations Committee.**

## **LAND USE**

### **AB 116 (Bocanegra): Subdivision maps: expiration dates (Chapter 62, Statutes of 2013).**

This bill provides an automatic 24-month extension for subdivision maps approved after January 1, 2000 that have not yet expired, and specifies a process for the approval of the extension of maps approved before January 1, 2000.

### **AB 325 (Alejo): Planning: cause of actions time limitations (Chapter 767, Statutes of 2013).**

This bill revises the time limits for a party to initiate a challenge to certain city or county actions, including the adoption or amendment of a housing element, if the challenge is brought “in support of or to encourage or facilitate the development of housing that would increase the community's supply of [affordable] housing.”

### **AB 716 (Quirk-Silva): Infrastructure planning and funding.**

This bill would expand the Five-Year Infrastructure plan that was submitted as part of the budget to include housing and priorities for the coordination of investment and would require the Strategic Growth Council to hold a public hearing on the bill prior to its submission to the Legislature.

### **Held under submission in the Senate Appropriations Committee.**

### **AB 873 (Torres) as introduced: Land use, general plan: housing element.**

This bill would clarify the definition of supportive housing for purpose of Housing Element Law.

### **The bill was amended July 2, 2013 (Chau) relative to emergency housing and assistance funding.**

**AB 1024 (Torres) as introduced: Real property divided lands [amended into AB 569 (Chau)].**

This bill would have revised the time limits for a party to initiate a challenge to certain city or county actions, including the adoption or amendment of a housing element, if the challenge is brought “in support of or to encourage or facilitate the development of housing that would increase the community's supply of [affordable] housing.”

**This bill was amended September 6, 2013 (Gonzalez), out of the committee's jurisdiction.**

**AB 1051 (Bocanegra): Housing: Sustainable Communities for All Program.**

This bill would establish the Sustainable Communities for All Program, to begin operations on January 1, 2015, with the goal of equitably implementing SB 375 (Steinberg), Chapter 728, Statutes of 2008, by providing transportation and housing choices that allow lower-income Californians to drive less and reduce household costs.

**Held under submission in the Assembly Appropriations Committee.**

**AB 1229 (Atkins): Zoning regulations.**

This bill would expressly authorize the legislative body of a city or county to establish inclusionary housing requirements as a condition of development.

**Vetoed October 13, 2013, Governor Edmund G. Brown, Jr.'s veto message:**

This bill would supersede the holding of *Palmer v. City of Los Angeles* and allow local governments to require inclusionary housing in new residential development projects.

As Mayor of Oakland, I saw how difficult it can be to attract development to low and middle income communities. Requiring developers to include below-market units in their projects can exacerbate these challenges, even while not meaningfully increasing the amount of affordable housing in a given community.

The California Supreme Court is currently considering when a city may insist on inclusionary housing in new developments. I would like the benefit of the Supreme Court's thinking before we make legislative adjustments in this area.

**SB 359 (Corbett) as introduced: CEQA exemption: housing projects.**

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

**This bill was amended September 6, 2013, out of the committee's jurisdiction.**

**SB 628 (Beall): Infrastructure financing: transit priority projects.**

This bill would allow a city or county to create an infrastructure financing district to implement a transit priority project without having to hold an election and requires the local entity to use 25% of the tax increment revenues for affordable housing.

**Withdrawn from engrossing and enrolling; held at the Senate Desk.**

**MANUFACTURED HOMES AND MOBILEHOMES**

**AB 253 (Levine): Floating home marinas conversion: subdivision map requirements (Chapter 432, Statutes of 2013).**

This bill extends the same subdivision requirements that apply to the conversion of mobilehome parks to floating home marinas.

**AB 379 (Brown): Manufactured housing removal (Chapter 137, Statutes of 2013).**

This bill makes technical and clarifying changes to the law relative to the installation and removal of manufactured housing.

**AB 692 (Torres): Mobilehomes loans.**

This bill would expand the allowable purposes of loans the state Department of Housing and Community Development makes from the Mobilehome Park Purchase Fund to include those to rehabilitate a mobilehome park's infrastructure.

**Pending in the Senate Appropriations Committee.**

**SB 510 (Jackson): Subdivisions rental mobilehome park conversion (Chapter 373, Statutes of 2013).**

This bill allows local agencies to consider the level of support among existing homeowners when deciding whether to approve a subdivision map for the conversion of a rental mobilehome park to resident ownership.

**REDEVELOPMENT**

**AB 427 (Mullin) as introduced: Local government: Polanco Redevelopment Act.**

This bill would have specified that a successor agency or successor housing entity may implement hazardous cleanup pursuant to the Polanco Redevelopment Act, with regard to enforceable obligations, including brownfield cleanup.

**This bill was amended April 22, 2013, out of the committee's jurisdiction.**

**AB 564 (Mullin): Community redevelopment: successor agencies.**

This bill would have prohibited the Department of Finance, once a finding of completion is issued, from future modification or reversal of an action of approval by an oversight board for specified enforceable obligations of a successor agency.

**Vetoed October 13, 2013, Governor Edmund G. Brown, Jr.'s veto message:**

This bill makes policy changes that are contrary to the letter and intent of current law. These changes would severely limit the state's ability to ensure that Successor Agencies fulfill their obligation to wind down redevelopment affairs in an expeditious manner.

**AB 981 (Bloom): Community redevelopment: redevelopment dissolution.**

This bill would allow successor agencies greater flexibility to use bond obligations proceeds issued prior to January 1, 2011 and June 28, 2011.

**Held under submission in the Assembly Appropriations Committee.**



**AB 1080 (Alejo): Community Revitalization and Investment Authorities.**

This bill would allow local governments to establish a Community Revitalization and Investment Authority in a disadvantaged community to fund specified activities and would allow the Authority to collect tax increment.

**Held under submission in the Senate Appropriations Committee.**

**AB 1175 (Bocanegra): Public employee benefits: postemployment health care.**

This bill would provide a process for administering the retirement benefits of employees of the redevelopment agency of the City of Los Angeles.

**Pending in the Senate Governance and Finance Committee.**

**AB 1320 (Bloom): Allocation of property tax pass through payments.**

This bill would allow schools to continue to receive property taxes, equal to the amount they would have received in passthrough payments if redevelopment agencies still existed, and does not count those property taxes toward the Proposition 98 funding formula.

**Two year bill pending in the Assembly Local Government Committee.**

**SB 1 (Steinberg): Sustainable Communities Investment Authority.**

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

**Pending in the Senate Inactive File.**

**SB 133 (DeSaulnier): Low and Moderate Income Housing Fund.**

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

**Pending in the Senate Inactive File.**

**SB 341 (DeSaulnier): Housing successor (Chapter 796, Statutes of 2013).**

This bill revises the activities required for entities that assumed the housing functions of a former redevelopment agency.

**SB 470 (Wright): Community development: economic opportunity (Chapter 659, Statutes of 2013).**

This bill creates a process for a city, county, or city, and county to sell or lease properties that are returned to them as part of the long-range property management plan of a former redevelopment agency for an economic development purpose.

**SB 684 (Hill): Redevelopment agency project areas: advertising displays (Chapter 544, Statutes of 2013).**

This bill, recasts the redevelopment agency exemption to the Outdoor Advertising Act (OAA) to reflect the elimination of redevelopment agencies.

**MISCELLANEOUS**

**SB 196 (Cannella): Utility rates: mobilehomes and apartment buildings (Chapter 201, Statutes of 2013).**

This bill allows the management in mobilehome parks and apartments that are master-metered to post the Web site address of the current utility rate schedule as an alternative to posting the actual rate schedule.

**SB 416 (Liu): Surplus residential property (Chapter 468, Statutes of 2013).**

This bill makes a number of changes to the Roberti Act governing the sale of surplus properties in the State Route (SR) 710 corridor.

**SB 488 (Hueso) as amended: Substandard housing regulations (Chapter 89, Statutes of 2013).**

This bill authorizes local code enforcement officers to determine an infestation of insects, vermin, or rodents and lack of adequate garbage and rubbish storage and removal facilities for purposes of deeming a building to be substandard.

**SB 745 (Committee on Transportation and Housing): Omnibus bill (Chapter 183, Statutes of 2013).**

This bill makes technical and non-controversial changes to various sections of the law dealing with housing.

## **Two Year Assembly Bills Referred to the Committee**

### **AB 495 (Campos): Community investment.**

This bill would establish the California Community Investment Initiative within the Governor's Office of Business and Economic Development to encourage private sector investment in low-income neighborhoods to improve the economic, environmental, and social conditions for current residents.

### **AB 569 (Chau) as amended September 12, 2013: Real property: divided lands.**

This bill would make several changes to the law to assist in the development and finance of cooperative housing.

### **AB 585 (Fox): Homeless veterans' assistance pilot program.**

The bill would establish the Homeless Veterans' Housing Assistance Pilot Program administered by the Department of Veterans' Affairs, in consultation with the Department of Housing and Community Development, in up to four counties that agree to participate and would appropriate \$5 million from the General Fund for the program.

### **AB 645 (Torres): Dwelling safety: smoke detectors.**

This bill would delete the requirement and would have extended to January 1, 2015, the date by which smoke detectors need to have certain features to be approved and listed by the State Fire Marshal.

### **AB 690 (Campos): Jobs and education financing districts: voter approval.**

This bill would create Jobs and Education Financing Districts, without voter approval, and would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to nontaxing authority or powers only. The bill would authorize a district to implement hazardous cleanup pursuant to the Polanco Redevelopment Act.

### **AB 745 (Levine): Land use: housing element.**

This bill would authorize a city or county to request the appropriate council of governments to adjust a density to be deemed appropriate if it is inconsistent with the city's or county's existing density.

**AB 746 (Levine): Smoking prohibition in multifamily dwellings.**

This bill would prohibit smoking cigarettes or other tobacco products in all new or existing multifamily dwellings except in designated areas

**Failed passage; reconsideration granted.**

**AB 967 (Hueso): Substandard housing regulations (amended into SB 488 (Hueso)).**

This bill would allow, in addition to a health officer, a local enforcement agency to inspect units for pest infestations to the extent that it endangers the health welfare of the occupants.

**AB 1037 (V. Manuel Pérez): Employee housing: agricultural land use.**

This bill would designate as an agricultural land use any employee housing consisting of no more than 36 beds in a group quarters, 12 units or spaces designed for use by single families or households, or 48 units or spaces operated by a governmental or nonprofit agency and designed for use by single families or households.

**AB 1205 (Wieckowski): Mobilehomes Residency Law Mediation Act.**

This bill would enact the Mobilehome Residency Law Mediation Act within the Mobilehome Residency Law to establish a mediation program for alleged violations of the law.

**AB 1343 (Bonilla): Local government general plan: housing element.**

This bill would instead require the housing element to identify adequate sites for housing, including, but not limited to, rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.