

**HOUSING SUCCESSOR ANNUAL REPORT  
REGARDING THE  
LOW AND MODERATE INCOME HOUSING ASSET FUND  
FOR FISCAL YEAR 2021/22  
PURSUANT TO  
CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(F)  
FOR THE  
HOUSING AUTHORITY OF THE CITY OF HUNTINGTON BEACH**

This Housing Successor Annual Report (Report) regarding the Low and Moderate Income Housing Asset Fund (LMIHAF) has been prepared pursuant to California Health and Safety Code Section 34176.1(f) and is dated as of December 31, 2022. This Report sets forth certain details of the Housing Authority of the City of Huntington Beach (Housing Successor) activities during the twelve-month period ending June 30, 2022. The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under part 1.85, Division 24 of the California Health and Safety Code, in particular, Sections 34176 and 34176.1 (Dissolution Law).

The following Report is based upon information prepared by Housing Successor staff and information contained within the independent financial audit of the Low and Moderate Income Housing Asset Fund (Annual Comprehensive Financial Report, or 'ACFR') for the twelve-month period ending June 30, 2022 (Fiscal Year) as prepared by City of Huntington Beach Finance Department. The ACFR is separate from this annual summary Report; further this Report conforms with and is organized into sections I through XII, inclusive, pursuant to Section 34176.1(f) of the Dissolution Law.

- I. Amounts Received and Deposited Pursuant to 34191.4(b)(3)(A):** This section provides the total amount of funds paid to the Housing Successor and the amount deposited into the LMIHAF allocable to 20% of the repayments on reinstated City/Agency loans per Section 34191.4.
- II. Amount Deposited into LMIHAF:** This section provides the total amount of funds deposited into the LMIHAF during the Fiscal Year. Any amounts deposited for items listed on the Recognized Obligation Payment Schedule (ROPS) must be distinguished from the other amounts deposited.
- III. Ending Balance of LMIHAF:** This section provides a statement of the balance in the LMIHAF as of the close of the Fiscal Year. Any amounts deposited for items listed on the ROPS must be distinguished from the other amounts deposited.
- IV. Description of Expenditures from LMIHAF:** This section provides a description of the expenditures made from the LMIHAF during the Fiscal Year. The expenditures are to be categorized.
- V. Statutory Value of Assets Owned by Housing Successor:** This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum these of these two amounts.
- VI. Description of Transfers:** This section describes transfers, if any, to another housing successor agency made in previous Fiscal Year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for the development of transit priority projects, permanent supportive housing, housing for agriculture employees or special needs housing.

- VII. Project Descriptions:** This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS and the status of that project.
- VIII. Status of Compliance with section 33334.16:** This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.
- IX. Description of Outstanding Obligations under Section 33413:** This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remain outstanding prior to dissolution of the former redevelopment agency as of February 1, 2012 along with the Housing Successor's progress in meeting those prior obligations, if any, of the former redevelopment agency and how the Housing Successor plans to meet unmet obligations, if any.
- X. Income Test:** This section provides the information required by Section 34176.1(a)(3)(B), or a description of expenditures by income restriction for a five-year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met. This information is not required to be reported until 2024 for the FY 2019/20 – FY 2023/24 reporting period.
- XI. Senior Housing Test:** This section provides the percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former redevelopment Agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, its former Redevelopment Agency and its host jurisdiction within the same time period. For this Report the ten year period reviewed is July 1, 2012 through June 30, 2022.
- XII. Excess Surplus Test:** This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.
- XIII. Inventory of Homeownership Units:** This section provides a summary of covenanted homeownership units assisted by the former redevelopment agency or the housing successor that include an equity sharing and repayment provisions, including (a) number of units; (b) number of units lost to the portfolio in the last fiscal year and the reason for those losses, and (c) any funds returned to the housing successor pursuant to losses or repayments.

This Report is to be provided to the Housing Successor's governing body by December 31, 2022. In addition, this Report, ACFR and the former redevelopment agency's pre-dissolution Implementation Plans are to be made available to the public on the City's website.

#### **I. Amounts Received and Deposited Pursuant to 34191.4(B)(3)(A)**

The former redevelopment agency and City did not enter into any loans that are to be repaid.

#### **II. Amount Deposited into LMIHAF**

A total of \$1,540,222 was deposited into the LMIHAF during the Fiscal Year, of which none of the funds deposited into the LMIHAF were held for items listed on the ROPS.

The deposits are allocated as follows:

	<b>FY 2021/22 Totals</b>	<b>% of Total</b>
Payment from Loans <sup>1</sup>	\$1,486,440	97%
Interest Income	39,549	3%
Other Income	14,233	<1%
<b>Total LMIHAF Deposits</b>	<b>\$1,540,222</b>	<b>100%</b>

### III. Ending Balance of LMIHAF

At the close of the Fiscal Year, the ending balance in the LMIHAF was \$21,308,610, of which \$4,755,095 is available. None of the funds were held for items listed on the ROPS.

### IV. Description of Expenditure from LMIHAF

The following is a description of expenditures from the LMIHAF by category:

	<b>FY 2021/22</b>
Monitoring & Administration Expenditures	\$55,431
Homeless Prevention & Rapid Rehousing Services Expenditures	\$3,674
Housing Development Expenditures	
➤ Expenditures on Low Income Units <sup>2</sup>	\$67,080
➤ Expenditures on Very-Low Income Units <sup>3</sup>	156,520
➤ Expenditures on Extremely-Low Income Units	
Total Housing Development Expenditures	\$223,600
<b>Total LMIHAF Expenditures</b>	<b>\$282,706</b>

The Housing Successor is allowed to spend up to the greater of \$200,000 or 5% of the value of the Housing Assets Portfolio (defined and calculated in Section V), which totals \$745,585, on Monitoring and Administration Expenditures. Therefore, the Housing Successor is only using approximately 7% of the maximum allowable \$745,585 for Monitoring and Administration Expenditures.

### V. Statutory Value of Assets Owned by Housing Successor in LMIHAF

Under the Dissolution Law and for purposes of this Report, the “statutory value of real property” means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer schedule approved by the State Department of Finance (DOF) as listed in such schedule under Section 34176(a)(2), the value of the properties transferred to the Housing Successor pursuant to Section 34181(f), and the purposes price of property(ies) purchased by the Housing Successor. Further, the value of loans and grants receivable is included in these reported assets held in the LMIHAF.

<sup>1</sup> Includes \$900,000 in HOME loan payments resulting from the loan restructure that occurred in February 2022.

<sup>2</sup> The Housing Successor made a \$223,600 payment on the Emerald Cove bonds. Approximately 30% of the payment is attributed to low income units. This expenditure is not to be included in the Income Targeting Test (Section X).

<sup>3</sup> Approximately 70% of the Emerald Cove bond payment is attributed to very-low income units. This expenditure is not to be included in the Income Targeting Test (Section X).

The following provides the statutory value of assets owned by the Housing Successor:

	<b>As of End of FY 2021/22</b>
Statutory Value of Real Property Owned by Housing Successor	\$6,979,846
Value of Loans and Grants Receivables	7,931,852
<b>Total Value of Housing Assets</b>	<b>\$14,911,698</b>

**VI. Description of Transfers**

The Housing Successor did not make any LMIHAF transfers to other Housing Successor(s) under Section 34176.1(c)(2) during the Fiscal Year.

**VII. Project Descriptions**

The Housing Successor does not receive or hold property tax revenue pursuant to the ROPS.

**VIII. Status of Compliance with Section 33334.16**

With respect to interests in real property acquired by the former redevelopment agency prior to February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the DOF approved the property as a housing asset in the LMIHAF; thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor in the LMIHAF, the Housing Successor must initiate activities consistent with the development of the real property for the purpose for which it was acquired within five years of the date of the DOF approved such property as a housing asset.

The following provides a status update on the real property or properties housing asset(s) that were acquired prior to February 1, 2012 and compliance with five-year period:

Address	Date Approved by DOF as Housing Asset	Development Activity	Status of Activity
Bowen Court 1968-82 Lake Street	2/1/2002	N/A	The property is encumbered with a ground lease that expires in 2062.

The following property was acquired by the Housing Successor using LMIHAF on or after February 1, 2012:

Address	Date Acquired by Housing Successor	Development Activity	Status of Activity
15311-15323 Pipeline Lane	5/8/2019	N/A	The Housing Authority sold the property for \$2,667,000, of which \$781,000 was deposited back into the LMIHAF account.
17631 Cameron Lane	8/19/2020	On June 7, 2022, the City Council approved entering into an Exclusive Negotiating Agreement with Jamboree Housing Corporation to determine the feasibility for developing a mixed-use project	The Housing Authority entered into a Purchase and Sale Agreement on 3/16/2020 to purchase the property for \$3,041,669, of which \$50,000 in LMIHAF money was paid in FY 2019/20 as a deposit. The property closed escrow in early FY 2020/21 and is the current site of a temporary homeless shelter (Navigation Center).

		consisting of a homeless shelter, affordable housing, and ancillary uses.	
17642 Beach Blvd	01/05/2021	On June 7, 2022, the City Council approved entering into an Exclusive Negotiating Agreement with Jamboree Housing Corporation to determine the feasibility for developing a mixed-use project consisting of a homeless shelter, affordable housing, and ancillary uses.	The Housing Authority entered into an Option Agreement to purchase the Site for \$3,053,177 on 01/05/2021. The property closed escrow in FY 2020/21 and is the current site of a temporary homeless shelter (Navigation Center).

**IX. Description of Outstanding Obligations Pursuant to Section 33413**

**Replacement Housing:** According to the 2009-2014 Implementation Plan for the former redevelopment agency, no Section 33413(a) replacement housing obligations were transferred to the Housing Successor.

**Inclusionary / Production Housing:** According to the 2009-2014 Implementation Plan for the former redevelopment agency, no Section 33413(b) inclusionary/production housing obligations were transferred to the Housing Successor.

The former redevelopment agency’s 2009-2014 Implementation Plan is posted on the City’s website.

**X. Income Targeting Test**

Section 34176.1(a)(3)(A) states that all funds remaining after the monitoring and administration and homeless prevention and rapid rehousing services expenditures are deducted must be used for the development of housing affordable to and occupied by households earning 80% or less of the area median income (AMI), with at least 30% of these remaining funds expended for the development of rental housing affordable to and occupied by households earning 30% or less of the AMI and no more than 20% of these remaining funds expended for the development of housing affordable to and occupied by households earning between 60% and 80% of the AMI. The Housing Successor must demonstrate in the 2019 annual report, and every five years thereafter, that the Housing Successor’s expenditures from January 1, 2014 through the end of the latest fiscal year covered in the report comply with these requirements.

If the Housing Successor fails to comply with the Extremely-Low Income requirement in any five-year period, then the Housing Successor must ensure that at least 50% of the funds remaining in the LMIHAF be expended in each fiscal year following the latest fiscal year following the report on households earning 30% or less of the AMI until the Housing Successor demonstrates compliance with the Extremely-Low Income requirement.

If the Housing Successor exceeds the expenditure limit for households earning between 60% and 80% of the AMI in any five-year report, the Housing Successor shall not expend any of the remaining funds for

households earning between 60% and 80% of the AMI until the Housing Successor demonstrates compliance with this limitation in an annual report.

For purposes of this calculation, “development” means new construction, acquisition and rehabilitation, substantial rehabilitation as defined in Section 33413, acquisition of long-term affordability covenants on multifamily units as described in Section 33413, or the preservation of an assisted housing development that is eligible for prepayment or termination or for which within the expiration of rental restrictions is scheduled to occur within five years.

The FY 2018/19 Summary Report found the Housing Successor to be in compliance with the Income Targeting Test for the period of January 1, 2014 through FY 2018/19 (First Reporting Period). This information is not required to be reported again until 2024 for the Second Reporting Period, or FY 2019/20 through FY 2023/24.

**XI. Senior Housing Test**

The Housing Successor is to calculate the percentage of units of deed-restricted rental housing restricted to seniors and assisted by the Housing Successor, the former redevelopment agency and/or the City within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted by the Housing Successor, the former redevelopment agency and/or City within the same time period. If this percentage exceeds 50%, then the Housing Successor cannot expend future funds in the LMIHAF to assist additional senior housing units the Housing Successor or City assists and construction has commenced on a number of restricted rental units that is equal to 50% of the total amount of deed-restricted rental unit.

The following summarizes the number of deed-restricted rental housing units produced by the former-redevelopment agency and Housing Successor over the past 10 years (July 1, 2012 – June 30, 2022):

<b>Project Name</b>	<b>Year Built</b>	<b># of Senior Units</b>	<b># of Non-Senior Units</b>	<b>Total # of Units</b>
Oceana	2016	0	48	48
OCCHC - Barton	2016	0	4	4
OCCHC – 11 <sup>th</sup> Street	2017	0	4	4
<b>Total Units</b>		<b>0</b>	<b>56</b>	<b>56</b>

The following provides the Housing Successor’s Senior Housing Test for the 10-year period of July 1, 2011 to June 30, 2021:

	<b>FY 2021/22</b>
# of Assisted Senior Rental Units	0
# of Total Assisted Rental Units	56
<b>Senior Housing Percentage</b>	<b>0%</b>

As illustrated above, the Housing Successor is in compliance with the Senior Housing Test.

**XII. Excess Surplus Test**

Excess Surplus is defined in Section 34176.1(d) as an unencumbered amount in the account that exceeds 1) the greater of one million dollars (\$1,000,000) or 2) the aggregate amount deposited into the account during the Housing Successor’s preceding four Fiscal Years, whichever is greater.

The following provides the Excess Surplus test for the preceding four Fiscal Years:

<b>Available Housing Funds – FY 2021/22</b>	
LMIHAF Balance FY 2021/22	\$21,308,610
(Less) Accounts Receivables	(1,644,206)
Add: Accounts Payable	2,389
(Less) Notes and Loans	(7,931,852)
(Less) Land	(6,979,847)
<b>Available Housing Funds – FY 2021/22</b>	<b>\$4,755,095</b>

<b>Limitation on Available Housing Funds FY 2021/22</b>	
Greater of:	
➤ Base Amount	\$1,000,000
➤ Four Years of Deposits	
FY 2017/18	98,736
FY 2018/19	977,593
FY 2019/20	6,518,471
FY 2020/21	996,679
Total Deposits	\$8,591,479
<b>Limitation on Available Housing Funds</b>	<b>\$8,591,479</b>

A total \$8,591,479 has been deposited into the account during the previous four fiscal years while the ending available cash balance in the account is \$4,755,095. Therefore, the LMIHAF does not have Excess Surplus.

### **XIII. Homeownership**

The Housing Successor is to provide an inventory of homeownership units assisted by the former redevelopment agency or the Housing Successor that are subject to covenants or restrictions or to an adopted program that protects the former redevelopment agency’s investment of moneys from the LMIHAF pursuant to Section 33334.3(f).

The inventory for the Housing Successor is as follows:

- The following summarizes the current inventory of the Housing Successor’s homeownership portfolio:

	<b># of Units</b>
Restricted homeownership units as of June 30, 2021	34
Add: Restricted homeownership units added by Housing Successor (July 1, 2021 through June 30, 2022)	0
(Less) Restricted homeownership units lost to portfolio (July 1, 2021 – June 30, 2022)	0
<b>Housing Successor Homeownership Portfolio as of June 30, 2022</b>	<b>34</b>

- The Housing Successor has not contracted with an outside entity for the management of the ownership portfolio.