

APPENDIX K
EVALUATION CHECKLISTS FOR PROJECTS CREDITED UNDER ALTERNATIVE
ADEQUATE SITES PROVISIONS

Ashland Village

Preservation: Expiring project under the Below-Market-Interest-Rate Program under Section 221(d)(3) of the National Housing Act (12 U.S.C. Sec. 1715l(d)(3) and (5)).

| GENERAL REQUIREMENTS <i>Note: If you cannot answer “yes” to all of the general requirements questions listed below, your jurisdiction is not eligible to utilize the alternate adequate sites program provisions set forth in Government Code Section 65583.1(c).</i> | | Comments |
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| 65583.1(c)(4) Is the local government providing, or will it provide “committed assistance” within the first 2 years of the planning period? See the definition of “committed assistance” on page 4. | Yes | Both the Housing and Community Development Department and the Redevelopment Agency provided funding commitments to the Project. HCD issued \$18,000,000 Multi-Family Mortgage Revenue Bonds for this project. |
| 65583.1(c)(1)(A) Has the local government identified the specific source of “committed assistance” funds? If yes: specify the amount and date when funds will be dedicated through a (legally enforceable agreement). | Yes | HOME Funds were committed by the Board of Supervisors in a Contract for \$740,000 and approval to issue bonds on (9/30/08). Redevelopment Funds were committed by the Board of the Redevelopment Agency for \$6.5 million on (11/06/07). |
| 65583.1(c)(3) Has at least some portion of the regional share housing need for very low-income (VL) or low-income (L) households been met in the current or previous planning period? Specify the number of affordable units permitted/constructed in the previous period. Specify the number affordable units permitted/constructed in the current period and document how affordability was established. | Yes | Affordable Units in the Previous Planning Period: 643 Affordable Units in the Current Planning Period: 418 <ul style="list-style-type: none"> Ashland Village: 142 units. Recorded Regulatory Agreements for the 142 units are held by: Federal Housing and Urban Development (Section 8), State Housing and Community Development Department (MHP), the Tax Credit Allocation Committee (Tax Credits), and the California Debt Limited Allocation Committee (Multi-Family Mortgage Revenue Bonds – issued by the County). Local County Department and Redevelopment Agency is regulating less than 49% of these units due to Article 34 issues. Siena Pointe Apartments: 109 units in total; however, 99 are subsidized. Recorded Regulatory Agreements are held by: the Tax Credit Allocation Committee |

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| | | <p>and the California Debt Limited Allocation Committee.</p> <ul style="list-style-type: none"> • Hayward Village: 151 units. Recorded Regulatory Agreements are held by: the Tax Credit Allocation Committee and the California Debt Limited Allocation Committee. • 13 Secondary Units. Although these units are unrestricted, the Alameda County Zoning Ordinance restricts secondary units to no more than 640 square feet. While there is no requirement that these units be rented, the units are comparable to studio apartments in the vicinity. Studio apartments currently rent for less than \$1,000 a month which according to the 2009 HUD Income limits could be affordable to a two person household with an annual income up to \$35,700. |
| 65583.1(c)(1)(B) Indicate the total number of units to be assisted with committed assistance funds and specify funding source. | | 7 units assisted with HOME funding, 70 units assisted with Redevelopment Housing Set Aside, 142 units assisted with County issued Multi-Family Mortgage Revenue Bond Financing |
| 65583.1(c)(1)(B) Will the funds be sufficient to develop the identified units at affordable costs or rents? | Yes | Project was complete in April 2010, the funds were sufficient to complete the project |
| 65583.1(c)(1)(C) Do the identified units meet the substantial rehabilitation, conversion, or preservation requirements as defined? Which option? | Yes | Ashland Village was an expiring Section 8 project, sold by a private landlord to Eden Housing, an established local non-profit, which negotiated a new Section 8 Housing Assistance Program agreement with HUD as part of the development process. |

| PRESERVATION OF AFFORDABLE UNITS (65583.1(c)(2)(C)) | | Comments |
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| Include reference to specific program action in housing element. | | The "Preservation of At Risk Housing" program described in the County's Housing Plan (Chapter IV). |
| 65583.1(c)(2)(C)(i) Will affordability and occupancy restrictions be maintained for at least 40 years? | Yes | The property is restricted with a 59 year Regulatory Agreement. |
| 65583.1(c)(2)(C)(ii) Are the units located within an "assisted housing development" as defined in Government Code Section 65863.10(a)(3)? See definition on page 4. | Yes | Expiring project under the Below-Market-Interest-Rate Program under Section 221(d)(3) of the National Housing Act (12 |

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| | | U.S.C. Sec. 1715l(d)(3) and (5)). |
| 65583.1(c)(2)(C)(iii) Did the city/county, via the public hearing process, find that the units are eligible and are reasonably expected to convert to market rate during the next 5 years, due to termination of subsidies, prepayment, or expiration of use? | Yes | The Redevelopment Agency held a public hearing that determined the units were eligible on 3/18/08. |
| 65583.1(c)(2)(C)(iv) Will units be decent, safe, and sanitary upon occupancy? | Yes | Yes, the units met local codes when they were completed. |
| 65583.1(c)(2)(C)(v) Were the units affordable to very low- and low-income households at the time the units were identified for preservation? | Yes | Yes, the units were affordable to very low and low income households at the time the project came up for sale. |

Substantial Rehabilitation

| GENERAL REQUIREMENTS Note: If you cannot answer “yes” to all of the general requirements questions listed below, your jurisdiction is not eligible to utilize the alternate adequate sites program provisions set forth in Government Code Section 65583.1(c). | | Comments |
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| 65583.1(c)(4) Is the local government providing, or will it provide “committed assistance” within the first 2 years of the planning period? See the definition of “committed assistance” on page 4. | Yes | The Housing and Community Development Department provided local HOME and Housing Trust Fund monies to the Project and issued \$11,441,000 Multi-Family Mortgage Revenue Bonds). |
| 65583.1(c)(1)(A) Has the local government identified the specific source of “committed assistance” funds? If yes: specify the amount and date when funds will be dedicated through a (legally enforceable agreement). | Yes | The Housing and Community Development Department provided local HOME, CDBG and Housing Trust Fund monies to the Project (\$2,742,165), and issued \$11,441,000 of Multi-Family Mortgage Revenue Bonds for the acquisition and rehabilitation of the property. The majority of funds were committed to this project after January 1, 2007. Construction began in February 2007. |
| 65583.1(c)(3) Has at least some portion of the regional share housing need for very low-income (VL) or low-income (L) households been met in the current or previous planning period? Specify the number of affordable units permitted/constructed in the previous period. Specify the number affordable units permitted/constructed in the current period and document how affordability was established. | Yes | Affordable Units in the Previous Planning Period: 643 Affordable Units in the Current Planning Period: 418 <ul style="list-style-type: none"> • Ashland Village: 142 units. Recorded Regulatory Agreements for the 142 units are held by: Federal Housing and Urban Development (Section 8), State Housing and Community Development Department (MHP), the Tax Credit Allocation Committee (Tax Credits), and the California Debt Limited Allocation Committee (Multi-Family Mortgage Revenue Bonds – issued by the County). Local County Department and Redevelopment Agency is regulating less than 49% of these units due to Article 34 issues. • Siena Pointe Apartments: 109 units in total; however, 99 are subsidized. Recorded Regulatory Agreements are held by: the Tax Credit Allocation Committee and the California Debt Limited |

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| | | <p>Allocation Committee.</p> <ul style="list-style-type: none"> • Hayward Village: 151 units. Recorded Regulatory Agreements are held by: the Tax Credit Allocation Committee and the California Debt Limited Allocation Committee. • 13 Secondary Units. Although these units are unrestricted, the Alameda County Zoning Ordinance restricts secondary units to no more than 640 square feet. While there is no requirement that these units be rented, the units are comparable to studio apartments in the vicinity. Studio apartments currently rent for less than \$1,000 a month which according to the 2009 HUD Income limits could be affordable to a two person household with an annual income up to \$35,700. |
| 65583.1(c)(1)(B) Indicate the total number of units to be assisted with committed assistance funds and specify funding source. | | 109 units were funded under this project with the following funding sources: 109 units assisted with County issued Multi-Family Mortgage Revenue Bond Financing, 11 units assisted with HOME funding, 55 units assisted with Affordable Housing Trust Fund. Although funding was given for 109 units, 99 are restricted. |
| 65583.1(c)(1)(B) Will the funds be sufficient to develop the identified units at affordable costs or rents? | Yes | Project was complete in April 2009, the funds were sufficient to complete the project |
| 65583.1(c)(1)(C) Do the identified units meet the substantial rehabilitation, conversion, or preservation requirements as defined? | Yes | Substantial Rehabilitation |

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| <i>SUBSTANTIAL REHABILITATION (65583.1(c)(2)(A))</i> | | |
| Include reference to specific program action in the housing element. | | The “Affordable Housing Development” program described in the County’s Housing Plan (Chapter IV). |
| 65583.1(c)(2)(A) Will the rehabilitation result in a net increase in the number of housing units available and affordable to very low- and lower-income households? If so, how many units? | Yes | The property is restricted with a 59 year Regulatory Agreement which covers these income restrictions: # of VLI units 33 # of LI units 66 |
| 65583.1(c)(2)(A)(i) (I) Are units at imminent risk of loss to affordable housing stock? | Yes | |

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| 65583.1(c)(2)(A)(i) (II) Is the local government providing relocation assistance consistent with Health and Safety Code Section 17975, including rent and moving expenses equivalent to four (4) months, to those occupants permanently or temporarily displaced? | Yes | The County provided funding to cover the total project costs, which included a relocation plan and budget. |
| 65583.1(c)(2)(A)(i) (III) Will tenants will have the right to reoccupy units? | Yes | |
| 65583.1(c)(2)(A)(i) (IV) Have the units been determined to be unfit for human habitation due the at least four (4) of the following violations? (a) Termination, extended interruption or serious defects of gas, water or electric utility systems provided such interruptions or termination is not caused by the tenant's failure to pay such gas, water or electric bills. (b) Serious defects or lack of adequate space and water heating. (c) Serious rodent, vermin or insect infestation. (d) Severe deterioration, rendering significant portions of the structure unsafe or unsanitary. (e) Inadequate numbers of garbage receptacles or service. (f) Unsanitary conditions affecting a significant portion of the structure as a result of faulty plumbing or sewage disposal. (g) Inoperable hallway lighting. | Yes | There were four separate buildings, with 109 units. Overall, the project had issues with items number B, C, D, E, F and G. Not all units had all problems, some had multiple violations while others had only one violation. For instance, only one building had (with 40 units in it) had central hallways with no operable lights. Overall, the full project had issues with all of these items. |
| 65583.1(c)(2)(A)(ii) Will affordability and occupancy restrictions be maintained for at least 20 years? | Yes | The project has a 59-year Regulatory Agreement recorded against it. |
| 65583.1(c)(2)(A)(iii) Note: Prior to occupancy of the rehabilitated units, the local government must issue a certificate that finds the units comply with all local and State building and health and safety requirements. | | The project received a certificate of occupancy prior to tenants moving back in after the rehab. |