

AI Implementation Status as of September 2020

Impediment #1: Inadequate supply of affordable housing available to lower-income and minority households.				
	Recommendation	Responsible Agency/Program	Resources Available/Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
1-1	Promote increased housing supply for all income levels.	HCD (HPD): Continued administration of the Regional Housing Need Allocation (RHNA) process and State Housing Element Law.	<p>The Department continues to seek additional staffing resources while also identifying opportunities for streamlined review of housing elements.</p> <p>See also recommendations 1-3, 2-2 and 4-1 below.</p>	<p>Timeframe: Ongoing - 6th Cycle RHNA updates began in 2019.</p> <p>Status: The housing element contains information about the availability of sites and infrastructure to accommodate new housing needs and requires an analysis of governmental constraints to the production and preservation of housing. Housing element law requires cities and counties to have land-use plans and regulatory policies that facilitate the development of a range of housing types to meet the needs of all income groups, and must be developed with public input and participation as it serves as the basis for land-use and assistance programs to address local, regional and state housing needs.</p> <p>As of September 2020, there were 12 jurisdictions with 5th Cycle Housing Elements out of compliance. For the 5th Housing Element cycle overall permits for above moderate income units exceeded the RHNA allocation, while only 11 percent of very-low income units were permitted. HCD continues to work with and provide technical assistance to the remaining noncompliant jurisdictions to assist them in adopting housing elements that are compliant with State Housing Element Law.</p>

1-2	Make funds available to benefit low and moderate-income households for construction, rehabilitation, preservation and rental and mortgage subsidies.	HCD (HPD and DFA) through administration of existing state, federal and bond funded programs.	Use existing funding sources and staffing.	<p>Timeframe: Ongoing</p> <p>Status: For the Department's Program award info, see https://www.hcd.ca.gov/grants-funding/active-funding/index.shtml.</p> <p>In response to the COVID-19 health emergency, the state launched Homekey, making \$600 million available in grant funding available to convert units into interim or permanent, long-term housing for persons experiencing homelessness who are at high risk for serious illness and are impacted by COVID-19.</p> <p>The Department continues to work with several different stakeholder groups to address the specific housing needs of particular populations of low-income households, including but not limited to individuals experiencing or at risk of homelessness, persons with disabilities, veterans, and members of BIPOC communities.</p>
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1-3	Provide technical assistance and enhance available resources for local governments and individuals on State planning laws promoting the siting of and zoning for a variety of housing types including multifamily housing, emergency shelters, residential care facilities and accessible housing and land use related impediments to fair housing.	HCD (HPD).		<p>Timeframe: Ongoing.</p> <p>Status: HCD provides technical assistance to jurisdictions regarding anti-discrimination issues under AB 72 authority.</p> <p>In 2019 the Department entered into a Memorandum of Understanding with the California Department of Fair Employment and Housing (DFEH) to partner on fair housing enforcement and education. During the fiscal year HCD staff were provided with fair housing training. The Department's website includes information to assist jurisdictions in updating local housing elements through its Building Blocks webpage.</p> <p>The Department launched the Housing Element Open Data Project which provides information about a local government's policies to promote the development of housing and permitting activity. The three components of this project include:</p> <ul style="list-style-type: none"> -Housing Element Implementation Status Spreadsheet: Summary of multiple information points including housing element compliance status, SB 2 emergency shelter zoning status, and rezoning requirements; -Housing Element Sites Category: Catalog of the housing element sites inventories from local governments that have adopted housing elements found in compliance by HCD; -Annual Progress Report Permit Summary: Summary of the housing units, by income, reported as permitted in the APRs submitted to HCD.
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Impediment #2: Community resistance to development of multi-family rental housing and housing for lower-income or minority households.

	Recommendation	Responsible Agency/Program	Resources Available/Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
2-1	Collect and disseminate information on resources to combat NIMBYism (Not in My Backyard).	HCD (HPD)	Existing Resources.	Timeframe: Ongoing Status: AB 72 provided HCD with new enforcement and accountability powers related to discriminatory practices that inhibit the development of housing for persons and families of very low, low, moderate, and middle incomes. Staff regularly receive, research, and process complaints regarding fair housing issues under AB 72.
2-2	Continue to review local jurisdictions' housing elements for compliance with State housing element law, including an analysis of governmental constraints to the development of housing for the disabled other special needs groups and provide technical assistance in developing effective programs to remove or mitigate identified constraints.	HCD (HPD) through implementation of State housing element law and statutory requirements including but not limited to Senate Bill (SB) 520, SB 812 and SB 2.		Timeframe: Ongoing Status: All 539 jurisdictions in California are required to include a housing element within their general plans. Housing elements are required to be updated periodically (either every 5 years or every 8 years) and must be reviewed by HCD to determine compliance or noncompliance with State Housing Element Law (Article 10.6 of the Government Code).

Impediment #3: Shortage of subsidies and strategies to promote affordable, accessible housing for low, very low, and extremely low-income households, including protected classes.

	Recommendation	Responsible Agency/Program	Resources Available/Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
3-1	Support efforts to establish a statewide permanent source of revenue for affordable housing development and preservation.	HCD and CalHFA	Absorbable with Existing Resources.	<p>Timeframe: Ongoing</p> <p>Status: Senate Bill 2 (SB 2) was passed in September 2017, which provides for a \$75 fee on certain real estate recording documents on an ongoing basis. SB 2 is being used as a permanent source of funds for affordable housing via the Permanent Local Housing Allocation (PLHA) program. The department released a Notice of Funding Availability in February 2020 for PLHA, which offers a variety of activities designed to increase the affordable housing supply in California.</p> <p>Additionally, the Legislature passed and California voters approved Senate Bill 3 (2017)/Proposition 1 (2018), known as the Veterans and Affordable Housing Bond Act of 2018. This bill authorizes the issuance of bonds in the amount of \$1.5 billion for the state’s Multifamily Housing Program (MHP). While not a permanent source, the MHP will provide a consistent source of funding for affordable housing throughout the ensuing years as remaining funds that are not allocated underneath SB 3 will revert to the MHP program.</p> <p>See additional information on these and other bills on the Department’s website at http://www.hcd.ca.gov/policy-research/lhp.shtml.</p>

3-2	Promote housing opportunities for persons with disabilities and special needs populations.	HCD	Absorbable with existing resources.	<p>Timeframe: Ongoing.</p> <p>Status: Three efforts noted below.</p> <ol style="list-style-type: none"> 1) The Veterans Housing and Homelessness Prevention Program (VHHP) incentivizes developers to partner with Local Continuums of Care, the federal Veterans Administration, and others in developing "low-barrier" housing practices that target supportive housing to Veterans most in need who are least likely to access and maintain housing on their own. In 2019 approximately \$75 million in VHHP funding was made available. See https://www.hcd.ca.gov/grants-funding/active-funding/vhhp.shtml#awarded for more information. 2) No Place Like Home (NPLH) includes up to \$2 billion in bond proceeds towards the development of permanent supportive housing for persons who are in need of mental health services and are experiencing homelessness, chronic homelessness, or who are at risk of chronic homelessness. 3) The Department continues to implement the Section 811 Project Rental Assistance program in collaboration with the State Department of Health Care Services (DHCS), California Department of Developmental Services (DDS), California Housing Finance Agency (CalHFA), and TCAC. The program provides project-based rental assistance to affordable housing projects to serve persons ages 18-61 exiting long-term care facilities, such as nursing homes, as well as persons at-risk of returning to these settings due to loss of housing. For more information, see https://www.calhfa.ca.gov/multifamily/section811/factsheet/index.htm.
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3-3	Monitor and support efforts to develop local funding resources to replace loss of redevelopment funds.	HCD	Absorbable with Existing Resources.	Timeframe: Ongoing Status: See update in Action 3-1 above.
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Impediment #4: Communities lack sufficient awareness of potential fair housing impediments, and ways to address those impediments.

	Recommendation	Responsible Program	Resources Available/ Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
4-1	Provide technical assistance and materials to assess fair housing implications of local ordinances, zoning requirements, building codes, and development standards and recommend actions to mitigate impediments to fair housing.	HCD (HPD)		Status: On-going collaboration between Department staff and DFEH to provide technical assistance to jurisdictions and stakeholders.
4-2	Through the housing element review process, monitor fair housing program implementation at the local level.	HCD (HPD)	Existing Resources.	Status: Starting in 2021, Housing Elements submitted to the Department will be required to include an assessment of fair housing within the jurisdiction. Staff are working to prepare tools and technical assistance for jurisdictions to complete the assessment. In 2020, staff released a memo to address forthcoming changes: https://www.hcd.ca.gov/community-development/housing-element/docs/Sites_inventory_memo_final06102020.pdf
4-3	Provide training to jurisdictions on AI related topics, including, but not limited to: <ul style="list-style-type: none"> • overall AI implementation responsibilities, • fair housing laws, • assistance to persons of Limited English Proficiency, and • NIMBY issues. 	HCD (CDBG, HOME, and HPD) in coordination with HUD	Existing Resources.	Timeframe: Ongoing. Status: Training materials to date are located at: http://www.hcd.ca.gov/policy-research/plans-reports/index.shtml#aifh

4-4	Make Limited English Proficiency (LEP) resources and referrals available on the HCD website to facilitate expansion of local resources and notifications in multiple languages.	HCD (HPD)	Existing Resources.	<p>Timeframe: Ongoing.</p> <p>Status: The Department continues to offer translation services as necessary including publication of notices in English and Spanish. HCD website does include Spanish translations of several of our most used documents at https://www.hcd.ca.gov/servicios-bilingues.shtml. Website has been updated to include translation referral service information.</p>
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Impediment #5: Limited Coordination on Fair Housing Issues among State fair housing enforcement agencies.

	Recommendation	Responsible Program	Resources Available/ Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
5-1	Increase training on fair housing issues for HCD program and policy staff to strengthen general knowledge for all staff and expertise for designated fair housing specialists.	HCD in coordination with DFEH.	Existing Resources.	See items 4-1 and 4-2.
5-2	To increase cooperation among State fair housing enforcement agencies convene a bi-annual meeting of State fair housing enforcement agencies to discuss opportunities for increased cooperation and coordination.	HCD in coordination with DFEH.	Existing Resources.	See items 4-1 and 4-2.

Impediment #6: Local development standards and their implementation, e.g. zoning, building or design standards, may constrain development of housing opportunities for minority and low-income households.

	Recommendation	Responsible Program	Resources Available/Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
6-1	Encourage city and county planning departments to implement land use policies which encourage fair housing and the construction of housing affordable to lower-income families and workers through the administration of State housing element law.	HCD (HPD)	Existing Resources.	<p>Timeframe: Ongoing</p> <p>Status: HCD's Housing Policy Division has begun reviewing the 6th cycle of Housing Element Updates which include land use policies and programs supporting fair housing and construction of housing affordable to lower income households.</p> <p>See also information provided under Action 4-1 and 4-2.</p>

Impediment #7: Low-income households may be at risk of displacement in areas subject to strong new development pressure or activity.

	Recommendation	Responsible Program	Resources Available/Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
7-1	Provide technical assistance for anti-displacement strategies and efforts to increase or preserve affordability in existing neighborhoods and neighborhoods at risk of gentrification.	HCD: (HOME and HPD).	Given limited and uncertain resources, will implement to the extent feasible based on available future resources.	<p>Timeframe: Ongoing</p> <p>Status: Ongoing through Housing Element reviews. Also coordinating with California Housing Partnership Corporation to expand technical assistance resources to address preservation issues. In 2019, HCD expanded preservation efforts through outreach, data collection and pilots, and certifying qualifying entities. Additional information is available at: https://www.hcd.ca.gov/policy-research/preserving-existing-affordable-housing.shtml.</p>

Impediment #8: Inadequate access for minority households to housing outside of areas of minority concentration.

	Recommendation	Responsible Program	Resources Available/Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
8-1	Encourage more single-family housing acquisition with CDBG funds through the use of incentives such as application rating points.	HCD (CDBG)	Absorbable within existing resources.	Timeframe: Implementation to begin in 2013 Status: CDBG: 2017 NOFA included State Objective points to applicants that implemented Disaster Resiliency Long-Term Planning or Fair Housing Outreach. These objectives provide incentives to jurisdictions that implement long range disaster resiliency planning and promote additional public access to decision-making processes and program implementation for all segments of the community.
8-3	Assign application rating points to increase competitiveness to HOME projects not located in areas of minority concentration.	HCD (HOME)	Absorbable within existing resources.	Timeframe: Ongoing Status: HOME continues to award application rating points to new construction and rehab projects that are not sited in areas of minority concentration. The projects which receive these points and are awarded funds will finish construction beginning in 2015 and years following. (First non-minority concentration points awarded in 2012.)
8-4	Track siting of HOME activities relative to minority concentration (Jurisdiction siting practices over time).	HCD (HOME)	Absorbable within existing resources.	Timeframe: Ongoing Status: HOME Minority Concentration data is available on the Federal Plans and Reports webpage .

8-5	Consider ways to increase applications from inactive jurisdictions, including but not limited to individual meetings to discuss what particular barriers to participation exist for the locality.	HCD (HOME and CDBG)		<p>Timeframe: Ongoing.</p> <p>Status: As part of the 2020-24 Consolidated Plan Citizen Participation and Outreach activities, HCD staff convened 12 focus groups across the state (in West Sacramento, Redding, Visalia, Arcata, El Centro and Sacramento) in July and August 2019, asking Californians from rural communities to share their opinions on housing, community needs and homelessness challenges within their neighborhoods. Focus group participants – advocates, community organizers, nonprofit service providers, developers, affordable-housing investors, and finance professionals, among others – provided suggestions that will help inform ongoing planning for federal housing and community development funds.</p>
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Impediment #9: Minorities are being underserved by the State CDBG and HOME Programs in some instances.

	Recommendation	Responsible Program	Resources Available/ Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
9-1	Require affirmative marketing analysis for CDBG housing, public services, and microenterprise activities in order to outreach to those least likely to apply.	HCD (CDBG).		Timeframe: This project will be initiated along with implementation of HCD's 2020 AI.
9-2	Encourage more infrastructure projects in areas of greatest need.	HCD (CDBG).		Timeframe: Implementation began in 2013. Status: Ongoing
9-3	Develop affirmative marketing procedures for HOME activities that currently do not have them (i.e. first-time homebuyer, owner-occupied rehabilitation, and tenant-based rental assistance programs) to facilitate outreach to those least likely to apply. Continue affirmative marketing procedures for project activities.	HCD (HOME).		Timeframe: Ongoing Status: Have implemented new affirmative marketing procedures for HOME first-time homebuyer, owner-occupied rehabilitation, and tenant-based rental assistance activities. See: HOME Management Memo 14-02 for more information. Continue to do Affirmative Marketing for project activities. See Affirmative Marketing materials under "HOME Monitoring/Asset Management Resources" at: http://www.hcd.ca.gov/financial-assistance/home-investment-partnerships-program/
9-4	Revise application scoring method so communities are scored based on jurisdictional-wide poverty rate, rather than poverty rates for a target area.	HCD (CDBG).	Absorbable within existing resources.	Timeframe: Began with 2012 NOFA. Status: Implemented.

Impediment #10: Inadequate access to employment opportunities, transportation, public and social services infrastructure to support increased housing opportunities for lower income, minority and disabled households.

	Recommendation	Responsible Program	Resources Available/ Required	Timeframe: July 1, 2019 – June 30, 2020 Status Update
10-1	Provide training in HUD Section 3 requirements, and require funded jurisdictions to submit Section 3 implementation plans.	HCD (CDBG and HOME).		Timeframe: Completed training in 2013. Made available on our website Section 3 sample implementation documents. See: Implementation Materials
10-2	Convene working group of local jurisdictions and developers in rural areas to address improving the siting of housing and access to jobs, transportation, and social services.	HCD (CDBG, HOME, HPD) in coordination with rural and fair housing advocacy organizations.	Existing Resources.	<p>Timeframe Delayed</p> <p>Status: While the working group of local jurisdictions and developers as initially proposed has not been convened due to funding and staffing constraints, the Department has undertaken several complementary efforts which will inform future AFH efforts. These efforts include the following:</p> <ul style="list-style-type: none"> • Statewide Housing Plan update: The Department released the Statewide Housing Plan (SHP) in 2018, which provides an overview of State housing-related needs and challenges, and offers statewide strategies to address these challenges and attain the State's housing and planning goals. • Rural Policy Paper: The Rural Policy Paper examines how policy shifts, economic trends, and shrinking resources have put rural communities under increasing pressure to meet housing and community development needs. The Department released a rural component as part of the Statewide Housing Plan released in 2018.

