

**POWAY HOUSING SUCCESSOR ANNUAL REPORT
REGARDING THE LOW- AND MODERATE-INCOME HOUSING ASSET FUND
FOR FISCAL YEAR 2020-2021
PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(f)
FOR THE
POWAY HOUSING AUTHORITY**

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 May 17, 2022. This Report sets forth certain details of the Poway Housing Authority, in its capacity as Housing Successor to the dissolved Poway Redevelopment Agency, activities during Fiscal Year 2020-21 (Fiscal Year). 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 Poway Housing Authority Basic Financial Statements and Independent Auditor's Report for Fiscal Year 2020-21 as prepared by Davis Farr, LLP, which Audit is separate from this annual summary report; further, this report conforms with and is organized into sections I. through XII., inclusive, pursuant to the Dissolution Law:

I. 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.

II. 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.

III. Description of Expenditures from LMIHAF: This section provides a categorized description of the expenditures made from the LMIHAF during the Fiscal Year.

IV. 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 of these two amounts.

V. Description of Transfers: This section describes transfers pursuant to Health and Safety Code Section 34176.1(c)(2), 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 agricultural employees or special needs housing.

- VI. 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.
- VII. 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, the Housing Successor must provide a status update on the project. The Poway Housing Successor has acquired two properties since February 1, 2012.
- VIII. Description of Outstanding Obligations under Section 33413:** This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remained 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's plans to meet unmet obligations, if any.
- IX. Income Test:** This section provides the information required by Section 34176.1(a)(3)(B), or a description of expenditures by income restriction for five-year period, with the time period beginning January 1, 2014, and whether the statutory thresholds have been met.
- X. 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 January 1, 2011 to December 31, 2021.
- XI. 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.
- XII. Inventory of Homeownership Units:** This section provides a summary of covenanted 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 monies from the Low- and Moderate-Income Housing Fund pursuant to subdivision (f) of Section 33334.3. Inventory shall include the following: a) the number of those units; b) in the first report pursuant to this subdivision, the number of units lost to the portfolio after February 1, 2012, and the reason or reasons for those losses. For all subsequent reports, the number of the units lost to the portfolio in the last fiscal year and the reason for those losses; c) any funds returned to the housing successor as part of an adopted program that protects the former redevelopment agency's investment of moneys from the Low- and Moderate-Income Housing Fund; and d) whether the housing successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity.

I. AMOUNT DEPOSITED INTO LMIHAF

A total of \$368,684 was deposited into the LMIHAF during the Fiscal Year.

II. ENDING BALANCE OF LMIHAF

At the close of the Fiscal Year, the ending balance in the LMIHAF was \$3,961,462 none of which is being held for items listed on the ROPS. This includes \$3,497,983 in cash and investments, and \$490,634 in housing loans receivable, less \$27,155 in liabilities. The \$490,634 is due from the Successor Agency and represents the Housing Authority's 20% of the former Redevelopment Agency's loan balance, and repayment is subject to approval by the California Department of Finance.

III. DESCRIPTION OF EXPENDITURES FROM LMIHAF

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

Fiscal Year 2020-21	
Monitoring & Administration Expenditures	\$20,291
Homeless Prevention & Rapid Rehousing Expenditures	\$0
Housing Development Expenditures	\$1,352,408
Total LMIHAF Expenditures in Fiscal Year	\$1,372,699

IV. STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR

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 Department of Finance 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 purchase price of properties purchased by the Housing Successor. Further, the value of loans and grants receivable are included in these reported assets held in the LMIHAF.

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

Fiscal Year 2020-21	
Cash and Cash Equivalents	\$3,497,983
Statutory Value of Real Property Owned by Housing Authority	\$13,917,824
Value of Loans and Grants Receivable	\$490,634
Total Value of Housing Successor Assets	\$17,906,441

V. 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.

VI. PROJECT DESCRIPTIONS

The Housing Successor did not receive and did not hold property tax revenue pursuant to the ROPS.

VII. STATUS OF COMPLIANCE WITH SECTION 33334.16

Section 34176.1 provides that Section 33334.16 does not apply to interests in real property acquired by the Housing Successor on or after February 1, 2012.

With respect to interests in real property acquired by the former redevelopment agency *prior* to February 1, 2012, and transferred to the Successor Agency pursuant to Health and Safety Code Section 34176, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the Department of Finance (DOF) approved the property as a housing asset on the Housing Asset Transfer Form; thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor, 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 the DOF approved such property as a housing asset. Poway's Housing Assets Transfer Form was approved by the DOF on August 31, 2012.

The following provides a status update on the real property housing assets that were acquired by the former redevelopment agency prior to February 1, 2012, and transferred to the Housing Successor on February 1, 2012, and compliance with the five-year period to commence development activities.

APN	Street Address	Date of Purchase	Size	Status
27546061	12674 Monte Vista Rd	02/22/2000	2.06 Acres	Housing Authority is in the process of completing an RFP to choose a developer to build an affordable community for developmentally disabled adults and veterans.
32119028	Twin Peaks Rd	11/03/2004	2.15 Acres	Vacant land. Occasionally leased for non-housing use.
31423026	13424 Scots Way	08/27/2002	0.70 Acres	Vacant land. Due to access issues, development options are actively being evaluated.
31421418	14048 Sycamore Ave	06/30/2005	0.32 Acres	Vacant land. Development options are being evaluated.
31710151 & 52	Floodway adjacent to the Solara Affordable Housing Development	08/27/2004	2.15 Acres	Vacant land (remnant parcel from development of adjacent Solara affordable housing development). Property is in the floodway and cannot be developed.

The following provides a status update on real property housing assets that were acquired by the Housing Successor after February 1, 2012.

APN	Street Address	Date of Purchase	Size	Status
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31723222 & 36	12207 & 12237 Old Pomerado Road	01/9/2018	1.07 Acres	Future affordable housing site. Funds for future demolition of the site are budgeted.
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VIII. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO SECTION 33413

Replacement Housing: According to the 2010-2014 Implementation Plan for the former redevelopment agency, no Section 33413(a) replacement housing obligations were transferred to the Housing Successor. Furthermore, the Housing Successor has not caused the demolition of any units and no new replacement housing obligations have been created.

Inclusionary/Production Housing. According to the 2010-2014 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 Implementation Plans are posted on the City’s website at <http://poway.org/207/Affordable-Housing>.

IX. EXTREMELY LOW-INCOME TEST

This section provides the information required by Section 34176.1(a)(3)(B), or a description of expenditures by income restriction for five-year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met.

Section 34176.1(a)(3)(B) requires that the Housing Successor must require at least 30% of the LMIHAF, after expenditures allowed pursuant to Code section 34176.1(a)(1) and (2,) to be expended for development of housing affordable to, and occupied by, households earning 30% or less of the AMI. If the Housing Successor fails to comply with the extremely low income requirement in any five year report beginning with the five year report to be issued in 2019, then the Housing Successor shall ensure that at least 50% of these remaining LMIHAF funds expended in each fiscal year following the latest fiscal year following the five year report are expended for the development of rental housing affordable to, and occupied by, households earning 30% or less of the area AMI until the housing successor demonstrates compliance with the extremely low-income requirement in an annual report. This information is not required to be reported until 2024 for the 2020 – 2024 reporting period.

X. SENIOR HOUSING TEST

The Housing Successor is required 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 until 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 units. The following

provides the Housing Successor's Senior Housing Test for the 10-year period of January 1, 2011 through December 31, 2021:

Housing Test		2011-2021
# of Assisted Senior Rental Units		43
# of Total Assisted Rental Units		246
Senior Housing Percentage		17%

XI. EXCESS SURPLUS TEST

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

The LMIHAF was created on February 1, 2012. The current uncommitted balance of \$3,405,644 on deposit in the LMIHAF does not exceed the sum of the annual deposits made in the preceding four fiscal years of \$3,678,581.

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

	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21	Total FY18-21
Beginning Balance	\$1,987,448	\$2,117,450	\$1,586,131	\$4,438,922	
Add: Deposits	\$184,553	\$240,904	\$2,884,440	\$368,684	\$3,678,581
Transfers In	\$820,000	-	-	-	
(Less) Expenditures	\$(54,552)	\$(772,223)	\$(31,649)	\$(1,372,699)	
Transfers Out	(\$820,000)	-	-	-	
Ending Balance	\$2,117,450	\$1,586,131	\$4,438,922	\$3,343,907	
(Less) Commitments	\$(814,113)	\$(77,366)	\$(81,783)	\$(29,263)	
Uncommitted Balance	\$1,303,337	\$1,508,765	\$4,357,139	\$3,405,644	

XII. HOMEOWNERSHIP UNITS

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 monies from the LMIHAF pursuant to Section 33334.3(f). The inventory for the Housing Successor is as follows:

Current Inventory	Number of Units
Restricted Homeownership Units as of 12/31/2021	30
Add: Restricted Homeowner Units Added by Housing Successor (January 1, 2021 through December 31, 2021)	0
(Less): Restricted Homeowner Units Lost to Portfolio (January 1, 2021 through December 31, 2021)	0

Additionally, no inventory was lost in 2021. A total of \$0 was returned to the Housing Successor

as a result of the restrictions adopted to protect the former redevelopment agency's investment in LMIHAF monies and the Housing Successor did not contract with an outside entity for the management of the ownership portfolio.