Introduction

The Central Valley Health Policy at Fresno State has created this report to: 1) understand how housing built in the City of Fresno between 2010 and 2017 has been distributed, and to analyze how race/ethnicity, housing and place intersect in this process and; 2) to understand what data are available on housing in the City of Fresno as well as the limitations of those data and; 3) share recommendations based on these findings.

Section 1: Maps of Housing in the City of Fresno by Income

The following maps illustrate two sets of data points: 1) Extremely Low and Very Low-Income, and Low-income (EL-LI) housing and, 2) Moderate and Above Moderate (M-AM) housing, as defined by the California Department of Housing and Community Development (HCD) and utilized in the documentation and reporting processes related to the Fresno as Regional Housing Needs Allocation (RHNA) report.

Defined by the HCD and applied by the RHNA, Extremely Low Income is defined as household incomes up to 30 percent of the area median income (AMI), and Very Low Income is defined as 31-50 percent of the AMI. Low Income is defined as 51-80 percent of the AMI. Moderate Income is defined as 81-120 percent of the AMI and Above Moderate Income is defined as greater than 120 percent of the AMI.

In our own scan of the properties claimed by the City in the Housing Element, years 2010-2017, we attempted to locate and map each unit, documenting the number of units discovered in the table below.

<table>
<thead>
<tr>
<th>Source</th>
<th>Extremely Low Income and Very Low Income</th>
<th>Low-Income</th>
<th>Moderate Income</th>
<th>Above Moderate Income</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>FGPHE Table 3-4</td>
<td>616</td>
<td>504</td>
<td>63</td>
<td>92</td>
<td>1,275</td>
</tr>
<tr>
<td>CVHPI Exploratory Scan</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2,155</td>
<td>2,155</td>
</tr>
<tr>
<td>TOTAL</td>
<td>616</td>
<td>504</td>
<td>63</td>
<td>2,247</td>
<td>3,430</td>
</tr>
</tbody>
</table>

Table 1: RHNA and Exploratory Scan Units
Extremely Low and Low Income Housing in the City of Fresno

The first set of data points are black dots and represent extremely low and low-income housing as indicated by table 3-4 in the 2017 revised City of Fresno Housing Element Annual Progress Report (HEAPR), years 2010 through 2017, as credited toward the RHNA. It should be noted that each of these locations are multi-family housing structures. The City of Fresno is mandated to report the locations of EL-LI housing to the CDHCD in monthly and yearly reports.

Moderate and Above Moderate Income Housing in the City of Fresno

The second set of data points are blue and represent the tentative findings of an exploratory scan of single-family housing developments built in the City of Fresno between 2010 and 2017, meant to represent where M-AM housing is possibly located, as indicated by the HEAPR. It should be noted that each of the locations represented on the map are housing developments that represent single-family housing units.

Research staff at the Central Valley Health Policy Institute (CVHPI) performed this scan by utilizing real estate databases Redfin (http://www.redfin.com) and Zillow (http://www.zillow.com), searching for houses built between the years 2010 and 2017. Unlike EL-LI housing, the City of Fresno is not mandated to report the locations of M-AM housing to the HCD.

Race/Ethnicity by Census Tract in the City of Fresno

In combination with both sets of previously defined data points, the following maps of the City of Fresno are shaded by race/ethnicity, as defined by the 2014 American Community Survey, by percent, with the legends for the maps located in the top-left corner of each of the following maps.

Map 1: EL-LI and A-AM Housing, Race/Ethnicity by Census Tract, Black or African American

Map 1: Map was compiled using the Healthy City mapping tool. RACE/ETHNICITY % - BLACK OR AFRICAN AMERICAN. Source information: ACS Five Year Estimates, 2014. Source notes: Percent; HISPANIC OR LATINO AND RACE - Total population - Not Hispanic or Latino - Black or African American alone. Larger map available in Appendix D.
Map 2: EL-LI and A-AM Housing, Race/Ethnicity by Census Tract, Hispanic or Latino

Map 3: EL-LI and A-AM Housing, Race/Ethnicity by Census Tract, White
Map Interpretations: EL-LI/A-AM and Race/Ethnicity in Housing

Across the three maps is demonstrated a consistent visualization of how race/ethnicity and housing has developed in the City of Fresno. EL-LI housing is concentrated in census tracts reporting high percentages of Black or African American, and Hispanic or Latino populations, and low counts of white populations.

Inversely, A-AM housing is located primarily in census tracts reporting high percentages of white populations, and low percentages of Black or African American, and low or moderate Hispanic or Latino populations.

These maps, illustrating how housing has been distributed throughout the City of Fresno from 2010 to 2017, are consistent with literature that finds people of color in Fresno to be most highly concentrated in the central (downtown), southwest and southeast quadrants (Pacheco-Werner, et al. 2018). It should be noted that these areas also include regions that have faced systematic disinvestment and housing segregation based on race/ethnicity dating back to the early twentieth century (Pacheco-Werner, et al. 2018). Aside from historical discriminatory housing practices, these areas in south Fresno also face high levels of pollution, as well as higher hospitalization rates for chronic health conditions, such as asthma and diabetes (Valley Health Snapshot: Fresno 2014), which makes the distribution of housing in Fresno by race/ethnicity and income particularly worthy of study.

These maps are also consistent with the relationship between income and race/ethnicity in the City of Fresno, demonstrating that poverty in Fresno’s census tracts, including concentrated poverty in which census tract populations report more than 40 percent of households below the federal poverty level, occur more frequently in census tracts reporting high percentages of Black or African American populations, and Hispanic or Latino populations (Valley Health Snapshot: Fresno, 2014). From this limited data, as explained in the section below, the placement of housing in the City of Fresno does not appear to be evenly distributed by income or race/ethnicity given available data.

Challenges and Limitations in Mapping Data

The locations of EL-LI housing provided in Table 3-4 of the Fresno General Plan Housing Element (FGPHE) are primarily defined by project name, whose street addresses may not be listed or may be inconsistent over time. Therefore, we found no direct source with which to confirm or validate the exact locations of EL-LI housing in Fresno. Where street address locations are given, inconsistencies in these addresses exist in the data; thus, it is important to take these inconsistencies into consideration when viewing the maps.

As the City of Fresno is not mandated to report the locations of A-AM housing, it became necessary to perform an exploratory search to discover these locations, which also limits the ability to confirm or validate A-AM housing locations. This also means that the exploratory scan is limited, may contain missing data, along with the possibility that databases utilized to obtain housing locations contain inaccuracies.
Section 2: Review of Public Data Regarding the City of Fresno’s Units Credited to the RHNA

In reviewing the housing documents for this report, the data fell into three categories: 1) documents that contained pertinent data; 2) documents that contained pertinent data but lacked clarity and, 3) documents that failed to produce data. In synthesizing the data across documents, we found that there is also a need to compare information across projects to better assess how Fresno is meeting housing demands and upholding fair housing policies, such as affordable housing, as well as discover the enforcement mechanisms for those policies. Table 2 contains such a comparison, between the Iron Bird Lofts and the Parc Grove Commons projects.

CVHPI completed the following tasks for this comparison:

- Compiled all relevant public documents for Iron Bird Lofts and Parc Grove Commons
- Traced data flow, starting from the FGPHE, to demonstrate what information is available in terms of: number of units, number of units by affordability, funding sources, how affordability is defined
- Developed visual or flow of text, such as a table, that describes the information given in each document
- Identified any inconsistencies in information

Table 2: Iron Bird and Parc Grove Commons Project Summaries

<table>
<thead>
<tr>
<th>Iron Bird Lofts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Information:</strong></td>
</tr>
<tr>
<td><strong>How was the project identified?</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Total Units</strong></td>
</tr>
<tr>
<td><strong>Units by Affordability</strong></td>
</tr>
</tbody>
</table>
### What were the funding sources?

City AHSRF (Affordable Housing Special Revenue Fund Program)/RDA (Redevelopment Agency) (Housing Element Annual Progress Report, 2010; Declaration of Restrictions, 2009; and Declaration of Covenants and Restrictions, 2011)

### How much public funding was received?

$1.2 million in gap financing from RDA (Redevelopment Agency of the City of Fresno Recommended Budget for Fiscal Year 2010-2011)

“Pursuant to Disposition and Development Agreement ("DDA" OR "Agreement") by and between Agency and Owner dated April 16, 2007, Agency has provided to Owner financial assistance in the amount of approximately Four Hundred Thousand Dollars ($400,000.00) in loan funds and Eight Hundred Thousand Dollars ($800,000.00) in grant funds (the “Agency Assistance” (Declaration of Restrictions, 2009 and Declaration of Covenants and Restrictions, 2011)

City AHSRF was indicated in the documents as another funding source but amount was not specified.

### How much private funding was received?

This information could not be located in the documents.

### Is affordability defined?

Income Requirements: for Affordable Housing Units: an annual household income that is not
| **Who enforces affordability? Is affordability monitored?** | | **This information could not be located in the documents.** |
| **Does the project contain multiple phases and/or properties?** | | **This information is uncertain. One CCR contained several parcels with individual APNs. (Declaration of Restrictions, 2009)** |

| **Parc Grove Commons** |
| **Property Information:** | **Information Available** | **Information Unclear** | **No Information Found** |
| **How was the project identified?** | Project names (Fresno General Plan 2015-2023 Housing Element, 2017; City of Fresno Annual Element Progress Report, 2010; and City of Fresno Annual Element Progress Report, 2011) | | |

greater than 120% of the most recent annual median income calculated and published by HUD for the Fresno Metropolitan Statistical Area applicable to such household’s size, and at an affordable price/rental consistent with the applicable California Redevelopment Law.

Affordability Period enforceable for 55 years (Declaration of Restrictions, 2009 and Declaration of Covenants and Restrictions, 2011)
<p>| <strong>Total Units</strong> | Parc Grove Commons: 215 (Fresno General Plan 2015-2023 Housing Element, 2017 and City of Fresno Annual Element Progress Report, 2010) Parc Grove Commons NW: 147 (Fresno General Plan 2015-2023 Housing Element, 2017; City of Fresno Annual Element Progress Report, 2011; and City of Fresno Annual Element Progress Report, 2013) |  |
| <strong>What were the funding sources?</strong> | Parc Grove Commons: HOME (HOME Investment Partnerships Program)/RDA (Redevelopment Agency)/LIHTC (The Low-Income Housing Tax Credit)/PBV/L PH (City of Fresno Annual Element Progress Report, 2010) Parc Grove Commons NW: HA (Housing Authority)/LIHTC (Low-Income Housing Tax Credit) (City of Fresno Annual Element Progress Report, 2011) | Parc Grove Commons: Team was unable to verify the acronym for L PH and if PBV was the acronym for Project Based Voucher. |</p>
<table>
<thead>
<tr>
<th><strong>How much public funds was received?</strong></th>
<th><strong>How much private funds was received?</strong></th>
<th><strong>Is affordability defined?</strong></th>
</tr>
</thead>
</table>
| This information could not be located in the documents. | This information could not be located in the documents. | There are RDA affordability restrictions on 16 units (Affordable Rental Housing) for a period of 55 years.  

**Income Requirements:**  
The annual household income cannot be greater than sixty percent (60%) of the most recent annual median income calculated and published by HUD for the Fresno Metropolitan Statistical Area  

“Each of the sixteen (16) Units constituting Affordable Housing upon the Property may be leased only to (a) natural person(s), of which nine (9) Units, containing a total of twenty (20) bedrooms, whose annual household income at the time of initial occupancy is not greater than 30% four (4) Units, containing a total of twelve (12) bedrooms, whose annual household income at the time of initial occupancy is not greater than 50%, and three (3) Units, containing a total of six (6) bedrooms, whose annual household income at the time of initial occupancy is not greater than 50% of the most...
<table>
<thead>
<tr>
<th><strong>Who enforces affordability? Is affordability monitored?</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>This information could not be located in the documents.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Does the project contain multiple phases and/or properties?</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>This information is unclear. The team came across the following names: Parc Grove Commons, Parc Grove Commons II Apartments, Parc Grove Commons Northwest, and Parc Grove Commons South. One document identified three parcels (North, Center, and South) with individual APNs. (Statement of Covenants Affecting Land Development to Create Mutual Easements and Reciprocal Uses for Conditional Use Permit Application, 2010)</td>
<td></td>
</tr>
</tbody>
</table>
Details, Discrepancies, and Challenges in Public Document Data

In researching the Iron Bird Lofts and Parc Grove Commons projects, table 3-4 from the FGPHE was used (“Credit Towards the Unaccommodated 2008-2013 RHNA.”). Here, there were challenges to understanding the RHNA rollover process based on what appears to be discrepancies of units in table 3-4. For example, credit towards the unaccommodated RHNA for the Parc Grove Commons Northwest project appear to be accounted for twice, in 2011 and then 2013. Whether it is a counting error (double counting), or there are multiple phases to these projects, remains uncertain. For Parc Grove Commons Northwest, 75 very low-income units, 72 low-income units, and a total of 147 units were reported in 2011. Then, in 2013, 121 very low-income units, 26 low-income units, and a total of 147 units were reported. The team was unable to verify why units for Parc Grove Commons Northwest were reported in the 2011 and 2013 APRs.

Next, the City of Fresno’s Annual Progress Reports on these projects (2010, 2011, 2013), in Table A (“Annual Building Activity Report Summary- New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects”) were reviewed. Table A, which identifies projects that contain new construction for very low, low, and mixed-income projects, did not include the APNs for Iron Bird or Parc Grove Commons. It was also a challenge to conduct further research on specialized funding programs. For example, the team was unable to find any information on the City Affordable Housing Special Revenue Fund (AHSRF) program, which was listed as one of the assistance programs for Iron Bird.

Fresno Housing Authority and Redevelopment Agency reports and documents were also reviewed as well as the Covenants, Conditions, and Restrictions (CCRs) documents. For Iron Bird, the CCRs did not reveal any inconsistencies in regard to the total number of units and the number of units by affordability. Here, it was verified that this project received AHSRF funds and Redevelopment Agency funds. In regard to Parc Grove Commons, finding the APN was more difficult and thus so were the CCRs. Among the CCRs reviewed, few were useful.

However, in the CCRs it was revealed that Parc Grove Commons consists of three parcels that have individual APNs (South Parcel, Central Parcel, and North Parcel). Despite this, it not possible to determine whether the North Parcel refers to Parc Grove Commons Northwest as it reported in other documents. It should be noted that no CCRs retrieved by CVHPI contained information on Parc Grove Commons Northwest specifically, which made it especially difficult to determine the following items: total units, number of units by affordability, funding sources, and how affordability was defined. As a result, for Parc Grove Commons, the team is unable to conclude if there are inconsistencies when comparing the CCRs to the APRs and Housing Elements.
Section 3: Challenges and Recommendations on How to Approach Evaluating Fair Housing in Fresno

Challenges and Obstacles to Obtaining Housing Data

The primary challenge to evaluating fair housing in Fresno is locating the APNs and/or physical addresses of the Regional Housing Needs Allocation (RHNA) permitted units from 2010-2017 in the moderate and above moderate-income categories for the City of Fresno. While the HCD requires cities to identify projects that are extremely low and very low income, low income, and mixed income, there is no standard requirement to identify street addresses of such projects or other location identifying information such as an assessor’s parcel number (APN).

Regarding the City’s documentation of its housing activities, the FGPHE and its Annual Progress Reports were the first key sources reviewed. The FGPHE includes the unaccommodated lower-income RHNA credits that have rolled over from the previous planning period to the current one. This is a particular challenge to understand, as the rollover process for the Table 3-4 “Credit Towards the Unaccommodated 2008-2013 RHNA” was retroactively corrected for discrepancies of units by the City. For example, credit towards the unaccommodated RHNA for the Parc Grove Commons NW project appear to be counted twice, in 2011 and then 2013. This is also the case for Sierra Gateway, which appears in 2011 and then 2013 as well. Whether these entries are counting errors, or there are multiple phases to these multi-structure projects, remains uncertain. It is also important to note that throughout the research process, it was challenging to understand and follow the names of projects that consisted of more than one phase or property, which made it even more difficult to find APNs for these projects.

Another challenge was to review and understand the Annual Progress Reports (APRs), including changes made to the RHNA permitted units issued by affordability and the City’s style of documenting public fund sources. The 2017 APR notes, “The RHNA numbers have been changed from the previous year Annual Report to reflect the RHNA numbers in the 2015-2023 Housing Element adopted in April 2017.” The APRs identify projects that contain new construction for only very low, low, and mixed-income projects (Table A Annual Building Activity Report Summary- New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects). Table A contains a list of the acronyms of the names of the assistance programs for each project; however, there is inconsistency regarding project names through the APRs and the Covenants, Conditions, and Restrictions (CCRs). It was also a challenge to conduct further research on specialized funding programs. For example, no information could be found regarding the City Affordable Housing Special Revenue Fund program.

Recommendations for Next Steps

We recommend that Pro-Forma requests be made for projects that have received public funds between the years 2010 and 2017. Identifying the recipients of these loans and determining the amounts of each loan, in concert with repayment records, will provide further information about which builders are receiving local, state, and federal funds for projects, how often they are receiving those funds and paying each back, along with their responsibilities toward the monitoring and enforcement of affordability covenants in the City of Fresno.

As discussed in previous meetings, we propose that together with Central California Legal Services, a search and request for funds to perform a more extensive study on housing and affordability by income,
race/ethnicity, and place, be made to better understand how these variables intersect in the City of Fresno.
Section 4: Glossary and References

Glossary

Bylaws: If CC&Rs cover the “what” of the HOA, the bylaws cover the “how”. Your community bylaws establish the structure of day-to-day governance of your homeowner’s association. This includes things like:

- Frequency of HOA board elections
- Process for nominating and electing new board members
- Number of members that serve at one time
- Length of board member service terms
- Meeting frequency and quorum requirements
- Duties and responsibilities of board members

Covenants, Conditions, and Restrictions (CC&Rs): this is a legally binding document that is officially recorded and filed with your state. Your CC&Rs cover the rights and obligations of the homeowner’s association to its members and vice versa. CC&Rs often cover legal issues such as:

- Property-use restriction
- Clearly defined maintenance obligations for the HOA and individual members
- Mechanisms for rule enforcement and dispute resolution
- Lender protection provisions
- Assessment obligations
- Insurance obligations

Because this record is kept on file with the state, it is difficult to amend and requires a vote by the membership to make any changes.

Department of Housing and Community Development (HCD): provides leadership, policies, and programs to preserve and expand safe and affordable housing opportunities (Department of Housing & Community Development (HCD), 2017).

HCD has several roles in the regional housing needs allocation process. HCD allocates shares statewide housing need, by income category, to councils of government, including the Fresno Council of Governments (Fresno COG) and advises councils of governments in the preparation of the regional housing needs allocation region (Fresno County Regional Housing Needs Allocation Plan, 2013).

For the purposes of the Housing Element, the State Department of Housing and Community Development (HCD) have established five income groups based on Area Median Income (AMI):

- Extremely Low Income: up to 30 percent of AMI
- Very Low Income: 31-50 percent of AMI
- Low Income: 51-80 percent of AMI
- Moderate Income: 81- 120 percent AMI
Above Moderate Income: >120 percent AMI

In State and federal regulations, the AMI refers to the median income for the Metropolitan Statistical Area. For the city of Fresno, this area refers to the county of Fresno. County Median Income as published by HCD must be used to establish income groups for the purpose of the Housing Element (Fresno General Plan 2015-2023 Housing Element, 2015).

**Extremely Low Income Test:** Section 34176.1(a)(3)(B) requires that the Housing Successor must require at least 30% of the Low and Moderate Income Housing Asset Fund (LMIHAF) to be expended for the development of rental 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, 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 demonstrate compliance with the Extremely-Low Income requirement. This information is not required to be reported until 2019 for the 2014-2019 period (Housing Successor to the Redevelopment Agency Annual Report, 2013).

**Fresno Housing Authority** (Fresno Housing) is committed to innovation in housing and services for low-income households throughout the city and county. The Housing Authority:

- Promotes and supports quality housing and services that are accessible to low- and very-low-income residents and that help to build strong communities
- Emphasizes the value of good design in its developments and the importance of creating places that support vibrant and engaged communities
- Increases and improves the supply of quality affordable housing
- Strives to create a common voice and to build leadership that can articulate the housing needs of Fresno’s communities, and finds ways to ensure that these needs are understood and met
- Develops materials about housing issues and options that can be understood by a broad cross-section of the population and assures that its information is sensitive to the economic, cultural, and ethnic diversity of Fresno County (Mission and Values, 2017).

The Fresno Housing Authority is a public agency, established through federal and state legislation, that helps more than 18,000 low- and moderate-income households (including families, singles, seniors and the disabled) afford safe, quality housing. In its effort to create and sustain engaged communities, Fresno Housing Authority administers a wide range of affordable housing and homeless programs and resources. These programs are funded by the U.S. Office of Housing and Urban Development (HUD), the U.S. Department of Agriculture, and the State of California. Additional support is provided by Fresno County and local social service agencies and organizations (Programs, 2017).

**Housing Element:** this has been a required element of the general plan since 1969. Its purpose is to address the way local jurisdictions attain State housing goals. Housing element must identify existing and projected housing needs of all income levels, resources available to meet those needs, existing constraints, and quantifiable objectives for the construction, conservation, and rehabilitation of housing units (Fresno Council of Governments, 2014).

**Loan Management Set-Aside (LMSA):** “The LMSA Program was developed by HUD primarily to provide financial assistance in the form of rental subsidies to multifamily properties subject to FHA insured
mortgage loans which are in immediate or potential financial difficulty; and thereby to reduce the volume of mortgage loan defaults as well as claims for FHA mortgage insurance benefits from private lenders holding the FHA insured mortgage loans on such projects. HUD also provides rental assistance under the LMSA Program to properties subject to mortgage loans held by FHA. HUD is authorized to make a commitment of LMSA assistance to a mortgaged property for a maximum fifteen year period; such assistance to be made” (Section 8 Program Background Information, 2017).

**Low Income Housing Tax Credit (LIHTC):** “The Low Income Housing Tax Credit (LIHTC) Program was created by the Tax Reform Act of 1986 to help as an alternate method of funding housing development or rehabilitation of existing housing for low- and moderate-income households...New tax credits must be used for new construction, rehabilitation, or acquisition and rehabilitation, and projects must also meet the following requirements:

- Twenty percent or more of the residential units in the project are both rent restricted and occupied by individuals whose income is 50 percent or less of area median gross income or 40 percent or more of the residential units in the project are both rent restricted and occupied by individuals whose income is 60 percent or less of area median gross income.
- Properties receiving tax credits must remain affordable for up to 55 years.” (Fresno General Plan 2015-2023 Housing Element, 2017).

**Low and Moderate Income Housing Asset Fund (LMIHAF):**

“Existing law authorizes the city, county, or city and county that created a former redevelopment agency to elect to retain the housing assets and functions previously performed by the former redevelopment agency. Existing law requires the housing successor to maintain any funds transferred to it, together with any funds generated from housing assets in a separate **Low and Moderate Income Housing Asset Fund** to be used in accordance with applicable housing-related provisions of the Community Redevelopment Law, except as specified. Existing law requires the housing successor to expend funds received from the successor agency to meet its enforceable obligations, and for specified administrative and monitoring costs relating to ensuring the long-term affordability of units subject to affordability restrictions. The housing successor may then expend a specified amount per fiscal year for homeless prevention and rapid rehousing services, including specified types of services described in that provision, and must use all funds remaining thereafter for the development of affordable housing, as specified.” (AB-346 Redevelopment: housing successor..., 2017).

**Multifamily Housing Program (MHP):** “Assist the new construction, rehabilitation and preservation of permanent and transitional rental housing for lower income households. New construction, rehabilitation, or acquisition and rehabilitation of permanent or transitional rental housing, and the conversion of nonresidential structures to rental housing. Projects are not eligible if construction has commenced as of the application date, or if they are receiving 9 percent federal low-income housing tax credits. MHP funds will be provided for post-construction permanent financing only. Eligible costs include the cost of child care, after-school care, and social service facilities integrally linked to the assisted housing units; real property acquisition; refinancing to retain affordable rents; necessary on-site and off-site improvements; reasonable fees and consulting costs; and capitalized reserves.” (Multi-House Housing Program, 2017).

**Regional Housing Needs Allocation:** California General Plan law requires each city and county to have land zoned to accommodate its fair share of the regional housing need. HCD allocates a numeric
Regional housing goal to the Fresno Council of Governments (FCOG). FCOG is then mandated to distribute the numerical goal among the 15 cities in the region and the County. This share for the FCOG region is known as the Regional Housing Needs Allocation (RHNA). The major goal of the RHNA process is to ensure a fair distribution of new housing construction among cities in the region and the County so that every community may plan for a mix of housing types for all economic segments (California Department of Housing and Community Development, 2017).

The current RHNA for the FCOG region covers an 11-year planning period (January 1, 2013 to December 31, 2023) and is divided into four income categories: very low, low moderate, and above moderate. As determined by FCOG, the City of Fresno allocation is 23,565 new housing units during this planning cycle, with the units divided among the income categories (Fresno General Plan 2015-2023 Housing Element, 2017).

**Regional Housing Needs Allocation Plan:** Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California’s local governments meet this requirement by adopting housing plans as part of their “general plan” (also required by the state). General plans serve as the local government’s "blueprint" for how the city and/or county will grow and develop and include seven elements: land use, transportation, conservation, noise, open space, safety, and housing. The law mandating that housing be included as an element of each jurisdiction’s general plan is known as “housing-element law” (California Department of Housing and Community Development, 2017).

The Regional Housing Needs Allocation (RHNA) Plan is a state required document that determines the number of housing unit’s cities and counties must plan for in their housing element section of the general plan. First the Department of Housing and Community Development or HCD allocates RHNA units to us here at Fresno COG for the whole county (Fresno Council of Governments, 2014).

**Section 202 Supportive Housing for the Elderly Program:** “HUD provides capital advances to finance the construction, rehabilitation or acquisition with or without rehabilitation of structures that will serve as supportive housing for very low-income elderly persons, including the frail elderly, and provides rent subsidies for the projects to help make them affordable.” (Section 202 Supportive Housing for the Elderly Program, 2017).

**Section 8 (Housing Choice Voucher Program):** “rental subsidies for eligible tenant families (including single persons) residing in newly constructed, rehabilitated and existing rental and cooperative apartment projects.”

“The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market. Since housing assistance is provided on behalf of the family or individual, participants are able to find their own housing, including single-family homes, townhouses and apartments (Section 8 Program Background Information, 2017).

The participant is free to choose any housing that meets the requirements of the program and is not limited to units located in subsidized housing projects. Housing choice vouchers are administered locally by public housing agencies (PHAs). The PHAs receive federal funds from the U.S. Department of Housing and Urban Development (HUD) to administer the voucher program” (Section 8 Program Background Information, 2017).”

**Section 811 Supportive Housing for Persons with Disabilities:** “Through the Section 811 Supportive Housing for Persons with Disabilities program, HUD provides funding to develop and subsidize rental
housing with the availability of supportive services for very low- and extremely low-income adults with disabilities” (Section 811 Supportive Housing for Persons with Disabilities, 2017).

**Senior Housing Test:** The Housing Successor is to calculate the percentage of units 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 (Housing Successor to the Redevelopment Agency Annual Report, 2013).

**The California Tax Credit Allocation Committee (CTCAC):**
CTCAC administers the federal and state Low-Income Housing Tax Credit Programs. Both programs were created to promote private investment in affordable rental housing for low-income Californians (California Tax Credit Allocation Committee, 2017).

**The Development and Resource Management Department (DARM):** is focused on property development, neighborhood revitalization, and resource management throughout the City. It is organized into the following functional units: (1) Development Services, including Current Planning and Building Safety Services; (2) Placemaking Services, including Long Range Planning, Historic Preservation, Downtown Development, and Parking Services; (3) Neighborhood Services including Code Enforcement, Community Revitalization, Rental Housing, federal entitlement programs, and Sustainability Initiatives (Mayor’s Adopted Fiscal Year 2018 Adopted Budget, 2017).

**The HOME Investment Partnerships Program (HOME) (homebuyer, rental, homeowner rehabilitation):** “provides formula grants to States and localities that communities use - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. HOME funds are awarded annually as formula grants to participating jurisdictions (PJs).The program’s flexibility allows States and local governments to use HOME funds for grants, direct loans, loan guarantees or other forms of credit enhancements, or rental assistance or security deposits (HOME Investment Partnerships Program, 2017).

The City’s plan for preserving at-risk units (those that could convert from affordable low-income to market-rate housing)

- “Under the Low Income Housing Preservation and Residential Homeownership Act (LIHPRHA) in the event such notice is given, the City will assist with an application for possible funding from housing programs to preserve the units. The City of Fresno continues to support tax credit applications and uses its HOME Program funds to assist with gap financing. The City has also been proactive in creating community revitalization areas to make tax credit applications more competitive.
- The Housing and Community Development Division works with owners and interested community agencies to maintain the city’s affordable housing stock. This could be in the form of subsidies, assignment and assumption, direct
purchase and resale to an interested non-profit housing organization, the provision of technical assistance, or a combination of methods aimed at preserving affordable housing.” (Fresno General Plan 2015-2023 Housing Element, 2017).
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Appendix A: Public Information Request Documents

City of Fresno’s Reporting of Public Funds used for New Construction

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(Source: exhibit A from City of Fresno public records request)

<table>
<thead>
<tr>
<th>Project Name/Identifier</th>
<th>Unit Category</th>
<th>Renter/Ownder</th>
<th>Very-Low Income</th>
<th>Low Income</th>
<th>Moderate Income</th>
<th>Above Moderate Income</th>
<th>Total Units Per Project</th>
<th>Est. # Infill Units</th>
<th>Assistance Programs for Each Project</th>
<th>Deed Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Van Ness/Mildreda</td>
<td>MF</td>
<td>R</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>15</td>
<td>20</td>
<td>20</td>
<td>HOME/RDA</td>
<td></td>
</tr>
<tr>
<td>Parc Grove Commons</td>
<td>MF</td>
<td>R</td>
<td>67</td>
<td>146</td>
<td>0</td>
<td>2</td>
<td>21</td>
<td>215</td>
<td>HOME/RDA/LIHTC/PBV/LPH</td>
<td>Deed</td>
</tr>
<tr>
<td>Trinity</td>
<td>MF</td>
<td>SRO</td>
<td>20</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>20</td>
<td>HUD/CALHFA/AHP/LIHTC/HACF</td>
<td>Deed</td>
</tr>
<tr>
<td>Iron Bird Lofts</td>
<td>MF</td>
<td>R</td>
<td>0</td>
<td>0</td>
<td>16</td>
<td>0</td>
<td>16</td>
<td>16</td>
<td>City AHSRF/RDA</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Program</th>
<th>Objective</th>
<th>HE Timeframe</th>
<th>Status of Program Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transitional and Supportive Housing 2.1.13</td>
<td>Identify funds and support construction of 100 transitional housing units</td>
<td>Yr 1-5</td>
<td>The City has identified $950,000 in HOME Program funds for the Housing Authority’s Renaissance at Santa Clara Project, a 71 unit single room occupancy project anticipated to house primarily homeless individuals.</td>
</tr>
<tr>
<td>Other Infill Housing 2.1.5</td>
<td>Acquisition of sites and construction of 300 affordable housing units</td>
<td>Yr 1-5</td>
<td>During the planning period, the Redevelopment Agency, through the Board-Up Program of the Community Housing Partnership Program with the Housing Authority, completed major rehabilitation and sale of 3 affordable housing units.</td>
</tr>
</tbody>
</table>

Table C: Program Implementation Status (2010)
Identified New Construction Projects, Status Updates
(Source: exhibit A from City of Fresno public records request)
| Other Extremely Low- and Very Low-Income Housing 2.1.17 | **Provide financial assistance for the construction of 1,000 units** | Yr 1-5 | There were no extremely low and/or very low-income project application received during the 2010 plan period. |
Appendix B: CCR Summaries (Private/Developer)

Brio on Broadway

Background: A Pursuant to an Owner Participation Agreement by and between Agency and Owner dated March 9, 2011 (the “OPA”), Agency has provided to Owner financial assistance in the amount of One Million Eight Hundred Thousand Eighty Dollars ($1,888,000,000) in Agency Loan funds (the “Agency Assistance”), for the purpose of assisting Owner in the acquisition of real property and the construction of a “for rent” residential complex thereon wherein forty four percent, but now fewer than twelve (12), of the residential units shall be rented to Moderate Income households, on that certain real property located in the City of Fresno...

- Lender: Redevelopment Agency of the City of Fresno
- Owner: FFDA Properties, LLC

Restrictive Covenants:
From the date of recordation of this Agreement until the expiration of the Affordability period, the twelve (12) Affordable Units funded under the OPA are to be used as Moderate Income Affordable Rental Housing and affordable replacement dwellings as provided for in the OPA and this Agreement Owner agrees to file a recordable document setting for the Project Completion Date and the Affordability Period as and when determined by the Agency Unless otherwise provided in the Agreement, the term “Affordable rental Housing” shall include without limitation compliance with the following requirements

Affordability: The Affordable Units on the Property are held and will be held, transferred, encumbered, used, sold, conveyed and occupied subject to the covenants, restrictions, and limitations set forth in this Agreement, all of which are in furtherance of the Project, the Agency’s Community Redevelopment Law and Plan Area obligations including Agency’s obligations set forth at California Health & Safety Code sections 33334 2 et seq and 33413 (a) with respect to Housing Set Aside Funds and replacement dwelling units at affordable rent within the jurisdiction of the Agency All of the restrictions, covenants and limitations will run with the land and will be binding on all parties having or acquiring any right, title or interest in the Affordable Units upon the property or any part thereof, will inure to the benefit of the Agency, and will be enforceable by it. Any purchaser under a contract or sale or other transferee of an interest covering any right, title or interest in any part of the Affordably Units upon the Property, by accepting a deed or a contract of sale or agreement of purchase, accepts the document subject to, and agrees to be bound by, any and all restrictions, covenants, and limitations set forth in this Agreement until the date that is fifty-five (55) years following the “Project Completion Date” set forth in the Agency’s Certificate of Completion.

Nondiscrimination There shall be no nondiscrimination against nor segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, ancestry, or handicap in the sale, transfer, use, occupancy, tenure, or enjoyment of any of the Property, nor shall Owner or any person claiming under the Owner, establish or permit any practice of discrimination or segregation with reference to the selection, location, number, use or occupancy of owners or vendees of the Property.
**Income Requirements**: Each of the twelve (12) units constituting Moderate Income Affordable Rental Housing upon the Property may be leased only to (a) natural person(s) whose annual household income at the time of initial occupancy is not greater than one hundred twenty person (120%) of the most recent annual median income calculated and published by HUD for the Fresno Metropolitan Statistical Area applicable to such household’s size, and at an affordable rent for Moderate Income households, consistent with the applicable California Redevelopment Law, including California Health & Safety Code Section 50053(b)(3) (collectively, the “Moderate-Income Requirements”)

**Waiver**: Neither Owner nor any future owner of the Property may exempt itself from liability for failure to comply with the Restrictions required in this Agreement

**HUD Restrictive Covenants on Affordability:**

**Process if covenants are changed:**

**Amendments**: This Agreement shall be amended only by a written instrument executed by the parties hereto or their successors in the title, and duly recorded in the real property records of the County of Fresno

Restrictions, as such may be amended or supplemented from time to time...

**Process for when property is sold:**

**Acceptance and Ratification**: All present and future owners of the Property and other persons claiming by, through, or under them shall be subject to and shall comply with the above Restrictions. The acceptance of a deed of conveyance to the Property shall constitute an agreement that the Restrictions, as such may be amended or supplemented from time to time, is accepted and ratified by such future owners, tenant or occupant, and such Restrictions shall be a covenant running with the land and shall bind any person having at any time any interest or estate in the Property, all as though such Restrictions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof

**Process if covenants are not followed:**

**Injunctive Relief and Recapture**: Should any of the twelve (12) Affordable Units constituting Moderate Income Affordable rental Housing upon the Property not continue, at the time of initial occupancy, to satisfy the Moderate-income Requirements, then, during the Affordability Period, such Unit(s) shall be made available for subsequent lease only to Households that qualify as a very low-income Household, as defined in California Health & Safety Code Section 50105, for use as the Household’s principal residence

**Enforcement of Restrictions**: Without waiver or limitation, the Agency shall be entitled to injunctive or other equitable relief against any violation or attempted violation of this Agreement, including the restrictions, and shall, in addition, be entitled to damages for any injuries or losses resulting from any violations thereof

(Source: Regulatory Agreement and Declaration of Covenants and Restrictions, 2011)

**Fultonia West/Cedar Heights Scattered Site**

**Background**: In March 2015, the Partnership [Fultonia West/Cedar Heights Scattered Site, LP] acquired certain parcel of real property located at 541-545 N. Fulton Street (the “Fultonia West Property” and 4532 W Hamilton Avenue (the “Cedar Heights Property” together with the Fultonia West Property, the “Property”) located in the City of Fresno, California:
The Partnership acquired ownership of the Fultonia West Property from TFS Investments, LLC by that certain Grant Deed dated March 10, 2015 and recorded March 17, 2015 as Instrument No. 2015-0031529, Official Records;  
The Partnership acquired ownership of the Cedar Heights Property from the Housing Authority of the City of Fresno, California (“HACF”) by the certain Grant Deed dated March 11, 2015 and recorded March 17, 2015 as Instrument No. 2015-0031530, Official Records;  
(Source: DOC-2018-0008280, Amendment Agreement, Modification and Subordination)

- Provider of Funds: City of Fresno (HUD)
- Owner: Fultonia West Property from TFS Investments, LLC

Restrictive Covenants:
The DECLARANT for itself and its successor(s) on title covenants and agrees that from the date the project is entered into IDIS as complete, until the expiration of the Affordability Period, it shall cause the Affordable housing units to be used as rental affordable housing to Low-Income Households with an income of eighty percent (80%), or less, of area median income. The DECLARANT further agrees to file a recordable document setting forth the Project Completion Date when determined by the CITY. Unless otherwise provided in the Agreement, the term Affordable Housing shall include, without limitation, compliance with the following requirements:

Nondiscrimination. There shall be no nondiscrimination against nor segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, ancestry, or handicap in the sale, transfer, use, occupancy, tenure, or enjoyment of any of the Property, nor shall DECLARANT establish or permit any practice of discrimination or segregation with reference to the selection, location, number, use or occupancy of owners or vendees of the Project and/or Property.

Household Income Requirements. The eleven (11) HOME Units constituting the Project may be leased only to natural person(s) whose annual Household income at the time of lease execution is not greater than eighty percent (80%) of the most recent annual median income calculated and published by HUD for the FMSA applicable to such household’s size.

Waiver. Neither DECLARANT nor any future owner of the Property may exempt itself from liability for failure to comply with the Covenant and Restriction required in this Declaration; provided however, that upon the transfer of the Property, the transferring owner may be released from the liability hereunder, upon the CITY’S written consent of such transfer, which consent shall not be unreasonably withheld, conditioned or delayed.

HUD Restrictive Covenants on Affordability:
WHEREAS, pursuant to a certain City of Fresno HOME Investment Partnerships Agreement dated September 17, 2013 as amended by the Restated and Superseding HOME Investment Partnership Program Agreement dated June 27, 2014, incorporated herein by reference (as amended, “HOME Agreement”) and instruments reference therein, DECLARANT [Fultonia West/Cedar Heights Scattered Site, LP] agrees to agrees to utilize and the CITY agrees to provide, certain HOME funds from the United States Department of Housing and Urban Development (“HUD”), to DECLARANT and DECLARANT agrees to construct forty-five (45) rental housing units (the “Project”) of which eleven (11) will be HOME-assisted units and reserved as Affordable Housing units available for Low-income households earning eighty percent (80%), or below, of the area median income for the Fresno Metropolitan Area (“FMSA”); and
WHEREAS, the HOME regulations promulgated by HUD, including without limitation 24 C.F.R 92.252; 24 and the HOME Agreement impose certain affordability requirements upon property owned by the DECLARANT, which affordability restrictions shall be enforceable for a fifty-five (55) year period; and

Process if covenants are changed:
Amendment. No amendment or modification of this Declaration shall be permitted without the prior written consent of the CITY and DECLARANT.

Process for when property is sold:
WHEREAS, these restrictions are intended to bid DECLARANT, and all purchasers of the Property and their successors

Acceptance and Ratification. All present and future owners of the Property and other persons claiming by, through, or under them shall be subject to and shall comply with the Covenant and Restriction. The acceptance of a deed of conveyance to the Property shall constitute an agreement that the Covenant and Restriction, as such may be amended or supplemented from time to time, are accepted and ratified by such future owners, tenant or occupant, and such Covenant and Restriction shall be a covenant running with the land and shall bind any person having at any time any interest or estate in the Property, all as though such Covenant and Restriction were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof

Process if covenants are not followed:
Enforcement of Restrictions. Without waiver or limitation, the CITY shall be entitled to injunctive or other equitable relief against any violation or attempted violation of any Covenant and Restriction.

(Source: Declaration of Restrictions, 2015)

Iron Bird Lofts
Background:
THIS DECLARATION OF COVENANTS AND RESTRICTIONS (“Agreement”) is dated for reference April 16, 2007, by and between the REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, a public body, corporate and politic (“Agency”), and Fulton Plaza, LLC, a California limited liability company (“Owner”).

Pursuant to the Disposition and Development Agreement (“DDA” or “Agreement”) by the between Agency and Owner dated April 16, 2007, Agency has provided to Owner financial assistance in the amount of approximately Four Hundred Thousand Dollars ($400,00.00) in loan funds and Eight Hundred Thousand Dollars ($800,000.00) in grant funds (the “AGENCY aSSISTANCE”), FOR THE PURPOSE OF ASSISTING Owner in the acquisition of real property and the development of a residential apartment complex thereon wherein twenty percent of the units shall be rented to moderate income households, on that certain real property located in the City of Fresno...

(Source: Declaration of Covenants and Restrictions, 2011)

This Amendment to the Declaration of Covenants and Condition (“Amendment”) is made as of February 1, 2013, by the FULTON PLAZA, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY (“Borrower”) and the CITY OF FRESNO, A MUNICIPAL CORPORATION, IN ITS CAPACITY AS HOUSING SUCCESSOR TO THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO (“Agency”)...

WHEREAS, Borrower has received a loan from the Agency, which Agency is requiring certain restrictions be recorded against the Project, and
WHEREAS, Agency conveyed to Borrower by Grant Deed recorded June 30, 2008...and Borrower entered into that certain Declaration of Covenants and Restrictions (collectively, the “Restrictive Covenants”) with respect to the Project, dated as of May 3, 2011...

WHEREAS, HUD is requiring that the lien and covenants of the Restrictive Covenants be subordinated to the lien, covenants, and enforcement of the Security Instrument, and

WHEREAS, the Agency has agreed to subordinate the Restrictive Covenants to the lien of the Mortgage Loan in accordance with the terms of this Amendment
(Source: Amendment to Declaration of Covenants and Conditions, 2013)

- Lender: Greystone Funding Corporation, Housing Successor to the Redevelopment Agency of the City of Fresno (HUD funds)
- Owner/Borrower: Fulton Plaza, LLC

Restrictive Covenants:

HUD Requirements. The HUD Rider to Restrictive Covenants, attached hereto as Exhibit A, incorporated by reference into Restrictive Covenants for such time as the Project is subject to a mortgage, deed of trust or security instrument insured or held by the Secretary of Housing and Urban Development (“HUD”), or its successors or assigns

Affordability:

WHEREAS, Pursuant to a certain Affordable Housing Special Revenue Fund Program Agreement dated August 10, 2009 incorporated herein, (“Agreement”) and instruments referenced therein, Declarant agrees to utilize and CITY agrees to provide certain Program Funds from the CITY of Fresno Affordable Housing Special Revenue Funds to Declarant for a certain Affordable Housing Project (the “Project”) upon the Property, with no less than sixteen (16) of the proposed Units to be preserved as moderate-Income Affordable Housing for households earning 80% to 120% or below the area median income for the Fresno MSA, subject to the terms and conditions set forth in the Agreement; and

WHEREAS, the Program Plan(s) and requirements promulgated by the CITY, impose certain affordability requirements upon property benefited thereby, which affordability restrictions shall be enforceable for fifty-five (55) year period running from recordation of the Notice of Completion (the “Affordability Period”).
(Source: Declaration of Restrictions, 2009)

Nondiscrimination There shall be no discrimination against nor segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, ancestry, or handicap in the sale, transfer, use, occupancy, tenure, or enjoyment of any of the Property, nor shall Developer or any person claiming under the Developer, establish or permit any practice of discrimination or segregation with reference to the selection, location, number, use or occupancy of owners or vendees of the Property.

Income Requirements. Each of the 16 Units constituting Affordable Housing upon the Property may be sold or leased only to (a) natural person(s) whose annual household income at the time of initial occupancy is not greater than 120% of the most recent annual median income calculated and published
by HUD for the Fresno Metropolitan Statistical Area applicable to such household’s size, and at an affordable price/rental consistent with the applicable California Redevelopment Law

**Waiver.** Neither Owner nor any future owner of the Property may exempt itself from liability for failure to comply with the Restrictions required in this Agreement
(Source: Declaration of Covenants and Restrictions, 2011)

**HUD Restrictive Covenants on Affordability:**

**Process if covenants are changed:**
**Amendments** No amendment or modification of this Declaration shall be permitted without prior written consent of CITY.
(Source: Declaration of Restrictions, 2009)
For so long as the Mortgage Loan is outstanding, Borrower and Agency shall not further amend the Restrictive Covenants without HUD’s proper written consent
(Source: Amendment to Declaration of Covenants and Conditions, 2013, #0030322)

**Process for when property is sold:**
**Acceptance and Ratification.** All present and future owners of the Property and other persons claiming by, through, or under them shall be subject to and shall comply with the above Restrictions. The acceptance of a deed of conveyance to the Property shall constitute an agreement that the Restrictions, as such may be amended or supplemented from time to time, is accepted and ratified by such future owners, tenant or occupant, and such Restrictions shall be a covenant running with the land and shall bind any person having at any time any interest or estate in the Property, all as though such Restrictions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

**Process if covenants are not followed:**
**Injunctive Relief and Recapture** Should any of the (16) Affordable Units constituting Affordable Housing upon the Property not continue to be, at the time of initial occupancy, the principal residence of a Household that qualifies as a low-income or moderate-income Household, during the period of Affordability, such Unit(s) shall be made available for subsequent lease only to Households that qualify as a low-income or moderate-income for use as the Household’s principal residence.

**Enforcement of Restrictions** Without waiver or limitation, the Agency shall be entitled to injunctive or other equitable relief against any violation or attempted violation of the Restrictions, and shall, in addition, be entitled to damages for any injuries or losses resulting from any violations thereof.
(Source: Declaration of Covenants and Restrictions, 2011)
Appendix C: Maps

Map 1: EL-LI and A-AM Housing, Race/Ethnicity by Census Tract, Black or African American
Map 2: EL-LI and A-AM Housing, Race/Ethnicity by Census Tract, Hispanic or Latino
Map 3: EL-LI and A-AM Housing, Race/Ethnicity by Census Tract, White