

# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

**Jurisdiction** City of Sunnyvale

**Reporting Period** 1/1/2016 - 12/31/2016

**Table A**

### Annual Building Activity Report Summary - New Construction Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information									Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure  R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
Sandalwood	5+	O	0	1	12	88	101	101	NA	Inc	NA
Arques Place	5+	O	0	0	1	22	23	23	NA	Inc	NA
Found8tion	5+	O	0	0	4	24	28	28	NA	Inc	NA
Classics @ Maude	5+	O	0	0	1	10	11	11	NA	Inc	NA
Classics @ Evelyn Place	5+	O	0	0	5	37	42	42	NA	Inc	NA
(9) Total of <b>Moderate and Above Moderate</b> from Table A3								42			
(10) Total by income Table A/A3				1	25	221	247	205			
(11) Total <b>Extremely Low-Income</b> Units*											

\* Note: These fields are voluntary

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**Table A2**  
**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c )(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

**Table A3**  
**Annual building Activity Report Summary for Above Moderate-Income Units**  
**(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for <b>Moderate</b>	0	0	0	2	0	2	
No. of Units Permitted for <b>Above Moderate</b>	31	2	7	0	0	40	

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**Reporting Period**      1/1/2016 - 12/31/2016

**Table B**

### Regional Housing Needs Allocation Progress

#### Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2015	2016									Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	1,640	43	0								43	1,597
	Non-deed restricted		0	0								0	
Low	Deed Restricted	906	0	1								1	905
	Non-deed restricted		0	0								0	
Moderate	Deed Restricted	932	18	23								41	889
	Non-deed restricted		0	2								2	
Above Moderate		1,974	796	221								1,017	957
Total RHNA by COG. Enter allocation number:		5,452	857	247								1,104	4,348
Total Units   ► ► ►													
Remaining Need for RHNA Period   ► ► ► ► ►													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

City of Sunnyvale 2016 APR  
**Table C Program Implementation Status**

**Housing Programs Progress Report** (Government Code Section 65583): Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

<b>Program Description</b> <i>(By Housing Element Program Name)</i>	<b>Objective</b>	<b>Timeframe in H.E.</b>	<b>Status of Program Implementation</b>
<b>BMR Housing Program</b>	Continue to implement BMR Home Ownership Program. Review and refine BMR program guidelines and codes periodically as needed to accommodate changing market conditions and improve overall program effectiveness.	Ongoing: 2015-2023	Continuing to implement BMR Home Ownership Program. In calendar year 2016, 23 BMR homes were sold.
<b>First Time Home Buyer Program</b>	Continue to implement FTHB Program; aim to assist 5-10 homebuyers per year, or as demand warrants.	Ongoing: 2015-2023	Continuing to implement FTHB Program. In calendar year 2016, three home buyers were assisted. The other 20 BMR buyers did not require a BMR loan.
<b>Affordable Housing Development Assistance</b>	Provide financial and regulatory assistance for new affordable housing development, using available funds.	Ongoing: 2015-2023 (Annual NoFA issuance)	Provided several loans and/or commitments in 2016: <ul style="list-style-type: none"> <li>• Benner Plaza, 66-unit new construction at 460 Persian Dr.: \$5M HMF bridge loan; \$600,000 HOME loan</li> <li>• Committed \$6M to Orchard Gardens redevelopment project (25 net new units, 87 total units)</li> <li>• Issued RFP for City-owned housing site (75-100 new units)</li> </ul>
<b>Density Bonus Provisions</b>	Educate developers about density bonus incentives using outreach materials provided online and/or at the One-Stop Center. Promote use of density bonus in discussions with applicants and share the City's density bonus calculator tool with interested developers.	Ongoing: 2015-2023	Ongoing. Density bonus calculator developed several years ago makes it easier for developers and staff to analyze various options available under State law. Most density bonus units (Affordable Rental Units or ARUs) permitted to date are affordable to VLI tenants.  In 2016, 20 ARUs completed/leased (5 at Ironworks, 5 at 481 Mathilda and 10 at EnCasa). Another 42 ARUs are nearing completion in 3 projects.

City of Sunnyvale 2016 APR  
**Table C Program Implementation Status**

**Housing Programs Progress Report** (Government Code Section 65583): Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

<b>Home Improvement Program</b>	Continue to operate the Home Improvement Program to assist lower-income households with funding for housing rehabilitation and minor improvements. Assist a total of 15-20 households per year, or as demand warrants.	Ongoing: 2015-2023	Program continues to operate successfully; 19 households were assisted in FY 2015/16; several additional projects are currently in progress.
<b>Multi-Family Rental Property Rehabilitation</b>	Continue to offer below-market rate financing for rehabilitation of affordable rental units, using funding sources available for this purpose. Provide rehabilitation financing to one or more properties during the planning period.	Ongoing: 2015-2023	Rehab projects in 2016: <ul style="list-style-type: none"> <li>• Crescent Terrace, a 48-unit senior project, is nearly completed (City loan of \$1.05M in HOME and CDBG funds);</li> <li>• Stoney Pine Apartments, a 21-unit special needs project, \$403,000 BIF loan committed, in progress;</li> <li>• Morse Ct. (35 apartments) completed in early 2016; City provided HMF loan of \$1M.</li> </ul>
<b>Multi-family Rental Property Acquisition and/or Preservation</b>	Assist in acquisition and/or preservation, alone or in combination with rehabilitation assistance, of at least one multi-family rental property during the planning period.	Enter into first funding agreement by 2017; other thereafter as feasible	Eight Trees Apartments, a 24-unit acquisition/rehab/preservation project: \$600,000 urgent rehab loan provided; \$2.6M request pending (HMF) for consideration in 2017;
<b>Neighborhood Preservation Program</b>	Continue to implement the Neighborhood Preservation Program, with affordable housing support from the Housing Division.	Ongoing: 2015-2023	Housing staff provides ongoing support to the Neighborhood Preservation Program as needed.
<b>Preservation of Assisted Rental Housing</b>	Maintain contact with owner of Life's Garden and offer financial and other assistance to maintain the affordability of the at-risk units.	Completed by 2017	Preservation/rehabilitation of this property is nearing completion. The City held a "TEFRA" hearing in March 2016 to enable the project to apply for 4% tax credits to fund the project.
<b>Section 8 Rental Assistance</b>	Support the Housing Authority in its efforts to maintain adequate federal funding for Section 8. Refer residents to the Housing Authority for Section 8 and related information. Encourage landlords to participate in the program.	Ongoing: 2015-2023	Ongoing. Staff coordinated with HA on several projects in 2016, including Grove Garden, Onizuka Crossing, Benner Plaza, and other mutual efforts.

City of Sunnyvale 2016 APR  
**Table C Program Implementation Status**

**Housing Programs Progress Report** (Government Code Section 65583): Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

<b>Anti-Displacement Provisions</b>	Consider developing an anti-displacement policy applicable to redevelopment or major renovation of larger rental properties. Conduct outreach on the topic with interested stakeholders before developing proposed provisions.	Begin program by 2016	Background research completed in 2016. Outreach process to begin in late 2017/early 2018 after completion of ADU study.
<b>Mobile Home Park Preservation</b>	Continue to implement current mobile home park protections and maintain mobile home park zones. In the event of mobile home park closure, enforce the Mobile Home Park Conversion requirements to provide relocation assistance to park residents.	Ongoing: 2015-2023	Ongoing. Nick's Trailer Ct. closed in mid-2016. Blue Bonnet MHP applied for conversion in early 2016, first hearing occurred in late 2016. Neither park was subject to City's park preservation policies (zoned for other uses). Blue Bonnet Council hearing to occur in March 2017. Other parks continue to be protected by MHP-exclusive zoning and related city policies.
<b>Foreclosure Prevention</b>	Provide information and referrals about available foreclosure services and related information through City public outreach channels.	Ongoing: 2015-2023	Ongoing. No cases in 2016.
<b>Condominium Conversion Regulations</b>	Continue to provide tenant protections through implementation of the City's condominium conversion regulations.	Ongoing: 2015-2023	Ongoing. No applications received in 2016.
<b>Consider Modifications to Development Standards for Accessory Dwelling Units (ADU's)</b>	Conduct outreach, complete analysis of ADU standards and possible modifications, and provide recommendations for public, stakeholder, and Council consideration.	Begin program by 2017	New state laws (AB 2299 and SB 1069) passed in late 2016 required cities to amend codes to streamline ADU permitting. Staff completed ADU analysis in 2016, processed code changes required by new laws, and will implement outreach in 2017 to consider further reducing minimum lot size and/or other changes to further streamline ADU permitting and handle any technical corrections required by new HCD guidelines.
<b>Retooling the Zoning Code</b>	Complete the Retooling project by providing a final draft of the Zoning Code for Council consideration by the end of 2015.	Complete project by 2016	Project will be completed in 2017 (some delay from initial schedule due to very high volume of permitting activity/Planning workload in past several years).

City of Sunnyvale 2016 APR  
**Table C Program Implementation Status**

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<b>Residential Sites Inventory</b>	Maintain current inventory of potential residential and mixed use sites; provide to developers with information on incentives.	Ongoing: 2015-2023	Ongoing; information is in online Housing Element and other website content; also available at One-Stop Permit Center.
<b>Minimum Densities</b>	Inform developers of policy to develop to at least 75% of General Plan density.	Ongoing: 2015-2023	Ongoing. Planning staff reviews development applications to ensure that proposed projects meet this standard; this information is also highlighted in reports to Planning Commission.
<b>Downtown Specific Plan</b>	Encourage provision of affordable housing by requiring BMR units to be provided on-site or within the boundaries of the Specific Plan, and by promoting density bonus incentives.	Ongoing: 2015-2023	Ongoing. Several projects in DSP with BMRs and/or ARUs: Mathilda Villas, Ironworks, 481 Mathilda, Sunnyvale Town Center
<b>Accessory Living Units</b>	Facilitate the development of new accessory living units by making information about how to obtain permits for them available to the public.	Ongoing: 2015-2023	Ongoing. Information is available online and at One-Stop Permit Center.
<b>Housing Policies for Priority Development Areas</b>	Consider developing specific housing policies for designated PDAs in the City through preparation of specific plans or station area plans.	Begin program by 2017	2 PDAs: Lawrence Station Area Plan (LSAP) adopted in 2017 includes housing incentives; El Camino Real Specific Plan (update in process) will include new housing policies.
<b>Fair Housing Program</b>	Contract with qualified fair housing agencies to provide fair housing services to the extent funding is available. Provide fair housing brochures at City facilities and fair housing information on the City's website, with links to HUD fair housing page. Participate in the Santa Clara County Fair Housing Task Force.	Ongoing: 2015-2023	Ongoing. <ul style="list-style-type: none"> <li>• City provided CDBG grants to Law Foundation for fair housing services in 2016</li> <li>• In April 2016 staff hosted a Fair Housing workshop.</li> <li>• Housing staff maintains webpage with current fair housing information and resources;</li> <li>• Brochures and posters provided at City and partner agency facilities.</li> </ul>

City of Sunnyvale 2016 APR  
**Table C Program Implementation Status**

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<b>Accessible Housing</b>	Maintain procedures for reasonable accommodations in codes and permitting. Adopt accessibility updates to codes as needed. Provide grants for accessibility improvements for eligible households, and provide CDBG funds for accessibility improvements to pedestrian facilities as needed in residential neighborhoods.	Ongoing: 2015-2023	<ul style="list-style-type: none"> <li>City codes are updated; reasonable accommodation procedures are available to Planning/Building permit applicants.</li> <li>City operates Home Access Grant program.</li> <li>City provided CDBG funding for accessibility retrofits of pedestrian facilities in FY 15/16.</li> </ul>
<b>Programs to Address Homelessness</b>	Provide funding for programs that seek to prevent and end homelessness and provide supportive services, such as the TBRA and WorkFirst Sunnyvale programs. Offer financing for permanent supportive housing and projects that reserve units for homeless applicants.	Ongoing: 2015-2023	<p>City continues to provide significant funding for these programs:</p> <ul style="list-style-type: none"> <li>WorkFirst Sunnyvale</li> <li>TBRA</li> <li>Homelessness Prevention and Rapid Re-housing (HPRR)</li> <li>Supportive Services</li> </ul> <p>In 2016, City financing provided to project with 13 homeless units (Benner Plaza).</p>
<b>Special Needs Housing Development Assistance</b>	Include priority for special needs units in all City notices of funding availability for new housing construction, rehabilitation, and/or preservation projects. Aim to assist in the development of one new project with some units reserved for special needs tenants. Encourage developers to include advocacy groups in marketing and leasing efforts related to newly available units.	Begin program by 2016	<ul style="list-style-type: none"> <li>This priority noted in RFPs.</li> <li>Orchard Gardens will include 43 units for special needs tenants in partnership with local advocacy group and service providers.</li> <li>Benner Plaza will include 3 units for special needs tenants.</li> <li>Block 15 project preliminary concept includes 25% of units for special needs tenants</li> </ul>
<b>Housing for Large Families and Single-Parent Households</b>	Encourage rental developers to include units with three or more bedrooms, and to provide family-friendly common areas, open space and amenities such as on-site child care. Inform developers of the density bonus incentives for qualifying projects with child care facilities.	Ongoing: 2015-2023	Ongoing.
<b>Sustainability and Green Building</b>	Continue the City's comprehensive sustainability and green building programs.	Ongoing: 2015-2023	Ongoing. City offers a 5% density bonus for projects meeting green building standards. City's Green Building program to be updated in 2018.



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***Housing Element Implementation***  
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<b>Jurisdiction</b>	City of Sunnyvale
<b>Reporting Period</b>	1/1/2016 - 12/31/2016

**General Comments:**

**Appendix A:**  
**City of Sunnyvale Housing Successor Agency**  
**Annual Report on the**  
**Low-Moderate Income Housing Asset Fund (LMIHAF)**  
**FY 2015-16**

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), covering the fiscal year that ended on June 30, 2016. This Report sets forth certain details of the City of Sunnyvale Housing Successor Agency's activities during Fiscal Year 2015-16 (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 independent financial audit of the Low and Moderate Income Housing Asset Fund, which is a part of the City of Sunnyvale Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2015-16, prepared by Tim Kirby, Finance Director, which includes the Independent Auditor's Report (Audit) prepared by MGO Certified Public Accountants, which Audit is separate from this annual summary Report. This Report conforms with and is organized into sections I through XI, inclusive, pursuant to Section 34176.1(f) of the Dissolution Law:

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

**City of Sunnyvale Housing Successor Agency**

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)  
FY 2015/16

- VII. **Project Descriptions:** This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS and the status of that project.
- VIII. **Status of Compliance with Section 33334.16:** This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.
- IX. **Description of Outstanding Obligations under Section 33413:** This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that 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.
- X. **Income Test:** This section provides the information required by Section 34176.1 (a)(3)(B), or a description of expenditures by income restriction for five year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met. However, reporting of the Income Test is not required until 2019.
- XI. **Senior Housing Test:** This section provides the percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former redevelopment Agency, and its host jurisdiction within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, its former Redevelopment Agency and its host jurisdiction within the same time period. For this Report, the ten-year period reviewed is January 1, 2006 through December 31, 2015.
- XII. **Excess Surplus Test:** This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.

This Report is to be provided annually to the Housing Successor's governing body within six months of the end of each fiscal year, and to the State Department of Housing and Community Development no later than April 1 of the year following the close of the fiscal year. In addition, this Report and the former redevelopment agency's pre-dissolution Implementation Plans are made available to the public on the City's website: [Sunnyvale.ca.gov](http://Sunnyvale.ca.gov).

**I. AMOUNT RECEIVED PURSUANT TO SECTION 34191.4(3)(A)**

In FY 15/16 no funds were deposited pursuant to the ROPS (\$0).

**II. AMOUNT DEPOSITED INTO LMIHAF**

In FY 15/16, a total of \$3,316 was deposited into the LMIHAF during the Fiscal Year, consisting of interest income on funds deposited previously.

**III. ENDING BALANCE OF LMIHAF**

At the end of FY 15/16, on June 30, 2016, the balance in the LMIHAF was \$198,883.

**City of Sunnyvale Housing Successor Agency**

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)  
FY 2015/16

**IV. DESCRIPTION OF EXPENDITURES FROM LMIHAF**

In FY 2015/16 the HSA spent a total of \$198,883 from the LMIHAF: \$190,131 on the Homeless Prevention and Rapid Re-housing (HPRR) Program, and \$8,752 on HSA administrative expenses. This was slightly less than the total amount budgeted for that year, which was \$250,000 for the HPRR Program and \$22,677 for administrative expenses. The HPRR Program was implemented through a contract with Sunnyvale Community Services (SCS), a local non-profit agency, which had expended a total of \$190,131 on the HPRR Program by the end of FY 2015/16. The remaining balance on the contract was carried over to the following fiscal year and was expended in full by December 2016.

**V. STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR IN LMIHAF**

Under the Dissolution Law and for purposes of this Report, the “statutory value of real property” means the value of properties formerly held by the former redevelopment agency as listed on the housing asset transfer schedule approved by the 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 property(ies) purchased by the Housing Successor. Further, the value of loans and grants receivable is included in these reported assets held in the LMIHAF.

The Housing Successor Agency has no assets according to the above definition. For details, please see the due diligence [report](#) available on the Successor Agency website.

**VI. DESCRIPTION OF TRANSFERS**

The Housing Successor Agency did not make any LMIHAF transfers to other Housing Successor(s) under Section 34176.1(c)(2) during the Fiscal Year. The Housing Successor Agency has no assets according to the above definition. For details, please see the due diligence [report](#) available on the Successor Agency website.

**VII. PROJECT DESCRIPTIONS**

The Housing Successor Agency had no projects in FY 15/16.

**VIII. 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; however, this Report presents a status update on the project related to such real property.

With respect to interests in real property acquired by the former redevelopment agency prior to February 1, 2012, the time periods described in Section 33334.16 shall be deemed to have commenced on the date that the Department of Finance approved the property as a housing asset in the LMIHAF; thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor in the LMIHAF, if any 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.

The Housing Successor does not own any real property.

**City of Sunnyvale Housing Successor Agency**

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)

FY 2015/16

**IX. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO SECTION 33413**

Replacement Housing: The former RDA did not incur any Section 33413(a) replacement housing obligations nor transfer any such obligations to the Housing Successor. Various plans and reports of the former Redevelopment Agency are posted on the Redevelopment Successor Agency Oversight Board's website at [Sunnyvale.ca.gov](http://Sunnyvale.ca.gov).

Inclusionary/Production Housing. The former RDA did not incur any Section 33413(a) inclusionary/production housing obligations nor transfer any such obligations to the Housing Successor. Various plans and reports of the former Redevelopment Agency are posted on the Redevelopment Successor Agency Oversight Board's website at [Sunnyvale.ca.gov](http://Sunnyvale.ca.gov).

The Housing Successor has no outstanding or unmet obligations pursuant to Section 33413.

**X. EXTREMELY LOW INCOME TEST**

Section 34176.1(a)(3)(B) requires that the Housing Successor spend at least 30% of the LMIHAF to assist in development of rental housing affordable to and occupied by extremely low income (ELI) households, which are households with incomes that do not exceed 30% of the AMI. If the Housing Successor fails to comply with this ELI requirement in any five-year reporting period, then it must annually spend at least 50% of the funds remaining in the LMIHAF following that reporting period on rental housing affordable to ELI households, until it demonstrates compliance with the ELI requirement. This information is not required to be reported until 2019 for the 2014 – 2019 period.

The Housing Successor did not assist the development of any affordable rental housing projects due to the relatively low fund balance in FY 2015/16, which is not typically enough to assist a new development project. Once a larger amount has accrued to the fund, the HAS will prioritize ELI housing as required.

**XI. SENIOR HOUSING TEST**

The senior housing test is based on the percentage of deed-restricted affordable rental units assisted by the Housing Successor, the former redevelopment agency and/or the City within the previous 10 years that are restricted to seniors. If the senior units' percentage exceeds 50% of the total number of deed-restricted affordable units assisted during this time period, the Housing Successor cannot spend LMIHAF funds on assisting additional senior rental units until the Housing Successor or City assists, and construction has commenced, on enough all-age deed-restricted rental units to bring the all-age units share up to at least 50% of the total deed-restricted rental units assisted by the Housing Successor during that ten-year period.

The table on the following page provides the results of the Housing Successor's Senior Housing Test for the 10 year period of 2006-2015:

**City of Sunnyvale Housing Successor Agency**

Annual Report on the Low-Moderate Income Housing Asset Fund (LMIHAF)

FY 2015/16

**City-Assisted Rental Units, 2006-2015 (Calendar Years)**

Total Assisted Senior Units	227
Total Assisted Units	635
<b>Senior Housing Percentage</b>	<b>35.7%</b>

***Note:** "Total assisted units" counts deed-restricted, standard rental dwelling units only; does not count single-family homes assisted with rehabilitation loans or grants, inclusionary housing units that did not receive City subsidies, or City-assisted homeless shelters or transitional housing units, pursuant to guidance of Successor Agency legal counsel.*

**XII. EXCESS SURPLUS TEST**

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

The Housing Successor had a balance of \$244,503 at the end of FY 15/16, which did not constitute an excess surplus according to the above definition.