

**GARDEN GROVE HOUSING AUTHORITY ANNUAL REPORT  
AS HOUSING AUTHORITY AND AS HOUSING SUCCESSOR  
FOR FISCAL YEAR 2022-2023 UNDER CALIFORNIA  
HEALTH AND SAFETY CODE SECTIONS 34176.1 AND 34328**

This Annual Report of the Garden Grove Housing Authority (Housing Authority) is prepared under the California Health and Safety Code (HSC)<sup>1</sup>, Division 24, Parts 1.8 and 1.85 (Dissolution Law), in particular Section 34176.1 as the housing successor, and under the California Housing Authorities Law, HSC Section 34200, *et seq.* (HAL), in particular Section 34328 as a housing authority (together, Report). The Dissolution Law and HAL respectively require preparation of an annual report on the housing successor and the housing authority's activities for the prior fiscal year. This Report details the Housing Authority's activities during Fiscal Year (FY) 2022-2023 and is intended to satisfy the requirements under both HSC Sections 34176.1 and 34328. More specifically, this Report details the Housing Authority's activities for FY 2022-2023, including the information required about the Low and Moderate Income Housing Asset Fund (LMIHAF) and other information under Section 34176.1(f). A copy of the Report, in this draft form, has been provided to the City Council, as governing body, and to the Housing Authority by December 31, 2022 under Section 34176.1(f), and upon their joint review and action to file the Report after the CAFR (defined below) is anticipated to be completed at the open meeting January 2023, this Report will be posted on the City's website at <https://ggcity.org/> and thereafter appended to the City's annual update report prepared under Section 65400 of the Government Code.

This Report includes information prepared by City staff on behalf of the Housing Authority and data from the independent financial audit of the LMIHAF Financial Report for FY 2022-2023 that is a part of the City of Garden Grove's (City) Comprehensive Annual Financial Report (CAFR) prepared by Davis Farr LLP, which audit is separate from this Report and attached as Exhibit B hereto; further, this Report conforms with and is organized into sections I. through XIV., inclusive, under HSC Section 34176.1(f) of the Dissolution Law and Section 34328 of the HAL.

- I. **Amounts Received and Deposited Under 34191.4(b)(3)(A).** This section provides the total amount of funds paid to the City and the amount deposited into the LMIHAF allocable to 20% of the repayments on the reinstated City/Agency loan(s), if any, per Section 34191.4.
- II. **Amount Deposited into LMIHAF.** This section provides the total amount of funds deposited into the LMIHAF in FY 22-23 and itemized by amounts deposited in FY 22-23 for items listed on Recognized Obligation Payment Schedule (ROPS), amounts allocable to Section 34191.4 deposits, and other amounts deposited into the LMIHAF.
- III. **Ending Balance of LMIHAF.** This section provides a statement of the balance in the LMIHAF as of the close of FY 22-23. Any amounts deposited for items listed on the ROPS, and amounts allocable to Section 34191.4 deposits, must be distinguished from the other amounts deposited.
- IV. **Description of Expenditures and Encumbrances from LMIHAF.** This section provides a description of expenditures made and encumbrances committed from the LMIHAF during FY 2022-23. The expenditures/encumbrances are to be categorized, as and if applicable, among (A) administration for monitoring, preserving covenanted housing units, (B) homeless prevention and rapid rehousing services and (C) development of housing.

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<sup>1</sup> In this Report, all statutory references are to the Health and Safety Code unless otherwise stated.

- 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 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 development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.
- VII. Project Descriptions.** This section describes any project for which the Housing Successor receives or holds property tax revenue under the ROPS and the status of that project.
- VIII. Status of Compliance with Section 33334.16.** As and if applicable, 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 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 presents the information required by subparagraph (B) of paragraph (3) of subdivision (a) of Section 34176.1. In clarification, Section 34176.1(a)(3)(A)(B) and (D) describe and define certain thresholds by income category as to expenditures for development sourced from the LMIHAF. This section of the Report describes expenditures by the Housing Authority, as housing successor, for development that were sourced from the LMIHAF during FY 2022-2023 and in the context of the second five-year reporting period.
- XI. Senior Housing Test.** This section provides the percentage of deed-restricted rental housing units 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 10-year time period.
- 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.
- XIII. Inventory of Homeownership Units:** This section provides a summary of covenanted homeownership units assisted by the former redevelopment agency or the housing successor that include equity sharing and repayment provisions, including: (A) number of units; (B) number of units lost to the portfolio in the last fiscal year and the reason for those losses, and (C) any funds returned to the housing successor due to losses or repayments.

**XIV. Additional Information:** Housing Authority’s Activities for the Preceding Year FY 22-23 under HSC Section 34328.

This Report and the former Garden Grove Agency for Community Development’s (Former Agency) pre-dissolution Implementation Plans are to be made available to the public on the City’s website: <https://ggcity.org/econdev/redevelopment-agency-dissolution>.

**I. AMOUNT RECEIVED BY THE CITY PER HSC SECTION 34191.4**

**No funds (\$0)** were received during FY 22-23 by the City in repayment of reinstated City/Agency loans per Section 34191.4 in accordance with the ROPS process.

**II. AMOUNT DEPOSITED INTO LMIHAF**

A total of **\$1,240,775.25** was deposited into the LMIHAF during FY 22-23. This amount includes **\$1,000,000** in ERAF/SERAF repayments, **\$133,830.67** in interest, and **\$106,944.58** in miscellaneous revenue.

*(A total of \$50,000 was funded through the ROPS 22-23 process and held and expended for items listed on ROPS 22-23 that was attributable to professional services, including legal services, provided during the fiscal period of July 1, 2022 to June 30, 2023. Line Item 55 on ROPS 22-23 related to continued implementation of the Limon Judgments [term defined below in Section IX].)*

**III. ENDING BALANCE OF LMIHAF**

At the close of FY 22-23, the ending balance in the LMIHAF was **\$6,081,842.33** as reported in the LMIHAF audit that is part of the 2022-23 CAFR. It is noted that for ROPS 22-23, as amended, Line item 55, includes funds held for items listed and approved by DOF for ROPS 22-23, related to implementation of the *Limon* Judgments (See Section IX herein.)

**IV. DESCRIPTION OF EXPENDITURES AND ENCUMBRANCES FROM LMIHAF**

The following table describes expenditures and encumbrances from the LMIHAF by category:

Description	Fiscal Year 22-23
A. Monitoring & Administration Expenses (2022-23 CAFR)	\$84,196.12
B. Homeless Prevention & Rapid Rehousing Services Expenditures	\$81,152.07
C. Expenditures & Encumbrances for Development	\$3,000,000
➤ Expenditures on Low Income Units	
➤ Expenditures on Very-Low Income Units	
➤ Expenditures on Extremely-Low Income Units	
➤ Encumbrances for Acquisition of Land for Development of Housing	\$5,550,000
➤ Encumbrances for Rehabilitation and Reset of Affordable Housing Units	\$1,823,000
<b>TOTAL LMIHAF Expenditures/Encumbrances in FY 22-23</b>	<b><u>\$10,538,348.19</u></b>

The monitoring and administrative expenses incurred pursuant to Section 34176.1(a)(i) total less than five percent (<5%) of the statutory value of real property owned by the Housing Successor and of loans and grants receivable held by the Housing Successor.

The Housing Authority and City entered into that certain *Purchase and Sale Agreement* dated as of June 27, 2023 (PSA) under which the City agreed to sell, and the Housing Authority agreed to buy, certain real property located at 11390-11400 Stanford Avenue, Garden Grove, which is the northern portion of Assessor Parcel Number 090-154-57 for development of housing (Civic Center Parcel). Pursuant to the Surplus Land Act, Government Code Section 54220, *et seq.* (SLA), the State of California, Department of Housing and Community Development (HCD) has approved the City’s declaration by Resolution No. 9788-23 adopted on June 13, 2023 that the Civic Center Property is exempt surplus land under Section 54221 subsections (b)(1) and 54221(f)(1)(D), and thereby authorized the disposition pursuant to that PSA. The disposition will occur upon the parties’ compliance with certain regulatory requirements as set forth in the PSA; in connection with entering into the PSA, the Housing Authority remitted to the City the first installment payment of \$3,000,000 of the \$8,550,000 purchase price for the land. Reference is made to the PSA for specific terms and conditions.

**V. STATUTORY VALUE OF HOUSING 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 (HAT) approved by the Department of Finance (DOF) as listed in HAT 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 following provides the statutory value of assets owned by the Housing Successor (2022-23 CAFR).

Description	Ending Balance
<b>Statutory Value of Real Property Owned by Housing Authority</b>	<b>\$2,066,624.53<sup>2</sup></b>
<b>Value of Loans and Grants Receivable*</b>	<b>\$11,682,788.69</b>
<b>Total Value of Housing Successor Assets</b>	<b>\$13,749,413.22<sup>3</sup></b>

*\*This balance includes SERAF and ERAF loans totaling \$6,054,260.00 (which changed in prior fiscal years, based on the State of California, Department of Finance’s (DOF) determination of allowable notes receivable balances.) The total value of loans and grants receivable is gross of any allowance.*

<sup>2</sup> Pursuant to the PSA described in Section IV, the Civic Center Parcel will vest in the Housing Authority after the regulatory conditions are met, which is anticipated to occur by year-end but during FY 2023-2024; at such time the property will be listed as a housing asset owned by the Housing Authority albeit the PSA encumbered LMIHAF monies to make the initial installment payment described above.

<sup>3</sup> See footnote 2.; once the conditions in the PSA are met, escrow will close and the property will be vested in the Housing Authority and will be a housing asset.

**VI. DESCRIPTION OF TRANSFERS**

The Housing Successor did not make any LMIHAF transfers to other housing successor(s) under Section 34176.1(c)(2) during FY 22-23.

**VII. PROJECT DESCRIPTIONS**

Except as to the \$50,000 funded via ROPS 22-23, Line Item 55, related to continued implementation of the DOF-approved enforceable obligations referred to as the *Limon* Judgments (see Sections II and IX), the Housing Successor did not receive or hold property tax revenue pursuant to the ROPS process.

**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; nevertheless, this Report presents a status update on the status of real property, if and as applicable.

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, 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 on the HAT.

The following table provides a status update on the real property or properties housing asset(s) that were acquired prior to February 1, 2012 and compliance with five-year period that commenced on August 30, 2012, the date of the letter issued by DOF approving these properties as housing assets on the HAT:

Address of Property	Date of Acquisition	Deadline to Initiate Development Activity	Status of Housing Successor Activity
12291 Thackery Dr. (site B 2)	01/10/2008	04/29/2017	<p>The property located at 12291 Thackery Drive is part of the development site that is currently under a contract with the Developer, Kam Sang Company (New Age Garden Grove LLC). New Age is party to that certain <i>Amended and Restated Exclusive Negotiation Agreement (ENA)</i> with the City relating to an economic development project.</p> <p>Due to the COVID-19 worldwide pandemic, the New Age project was significantly delayed. However, the economic development project has been reinitiated and the parties re-engaged under the applicable agreements. The Housing Authority sold 12291 Thackery</p>

			<p>property to the City in September 2022 at appraised value and for economic development purposes.</p> <p>The parcel at 12291 Thackery Dr is part of the larger development site under the ENA negotiations for potential conveyance of a multi-parcel, assembled site to New Age Garden Grove LLC. However, the New Age project is the subject of pending litigation, albeit the sale of 12291 Thackery Dr was duly completed in September 2022.</p>
12602 Keel Ave.	04/25/1989	N/A	<p>This property is subject to an Affordable Housing Agreement (AHA) dated 6/25/1990 between the Orange County Community Housing Corporation (OCCHC) and the Former Agency (now Housing Successor). The AHA included a long-term ground lease of the property to OCCHC. The Housing Successor is the successor ground lessor and Orange County Community Housing Corporation is the ground lessee, and the property is subject to recorded affordable housing covenants.</p>

The following table provides a status update on the project(s) for property(ies), if any, that have been acquired by the Housing Successor using LMIHAF since dissolution on or after February 1, 2012:

Address of Property	Date of Acquisition	Deadline to Initiate Development Activity	Status of Housing Successor Activity
11391 Acacia Pkwy	12/17/19	N/A	<p>Property acquired for affordable housing purposes via an exchange between the City and Housing Successor in December 2019. This property is currently occupied by Acacia Adult day Services pursuant to lease.</p>

#### IX. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO HSC SECTION 33413

**Replacement Housing:** Whatever unmet obligation that existed according to the 2010-2014 Implementation Plan for Former Agency, if any, this obligation has been superseded and met pursuant to that certain *Stipulation to Substitute Party and for Entry of Interlocutory Judgment* approved by the Superior Court, County of Orange, State of California in the action *Marina Limon, et. al., v. Garden Grove Agency for Community Development*, Orange County Superior Court

Case No. 30-2009-00291597 (Original *Limon* Judgment), attached as Exhibit A. There were two lawsuits related to this matter, which resulted in judgments that are both enforceable obligations under the Dissolution Law: (i) a lawsuit filed against the former redevelopment agency pre-dissolution that resulted in the Original *Limon* Judgment), and (2) a second lawsuit filed post-dissolution by the Plaintiffs in the original legal action entitled *Marina Limon, et al v. State of California, et al.*, Sacramento Superior Court Case Number: 34-2014-80001994 (Writ Order to DOF), which together are referred to as the “*Limon* Judgments”. In implementation of the *Limon* Judgments, the Successor Agency to the Garden Grove Agency for Community Development (Successor Agency) in cooperation with the Housing Authority and the City have entered into, caused construction through completion, and continue to implement the 38 units of replacement housing required under the *Limon* Judgment through a series of subsidies, contracts and implementing instruments for: (i) Wesley Village a 47-unit, new construction senior and family affordable housing project and (ii) Sycamore Court, a 78-unit substantial rehabilitation multi-family project, both of which have recorded regulatory agreements with 55-year affordability covenants for tenancy and occupancy by qualified very low and low income households. During FYs 17-18, 18-19, 19-20, 20-21, 22-23, and 23-24, the Successor Agency, as well as the City and Housing Authority, have provided documentation to the plaintiffs’ counsels of such compliance with the replacement housing units pursuant to the *Limon* Judgments, but to date, plaintiffs’ counsel, for unstated reasons, have refused to cause the filing in the Superior Court of a full satisfaction of judgment affirming complete satisfaction of the Original *Limon* Judgment. Further, in compliance with the *Limon* Judgments, the plaintiffs and all former residents/tenants at the RV Park were part of the outreach about the availability of the *Limon* Replacement Units for tenancy at the time of initial occupancy of both projects upon completion and issuance of certificates of occupancy. In the past several years, financial issues exist related to the Wesley Village project that have necessitated negotiations toward restructure of the existing loans and provide additional loan(s) by the Housing Authority to ensure that the *Limon* Replacement Housing Units at Wesley Village remain in operation long-term in implementation of the Original *Limon* Judgment. The Successor Agency’s annual ROPS, in particular item 55, includes funding related to implementation of the *Limon* Judgments, including ROPS 18-19, 19-20, 20-21, 22-23, 22-23, current ROPS 23-24, and prospective ROPS 24-25, all to ensure that the *Limon* Replacement Housing Units at Wesley Village (and Sycamore Court) remain in operation long-term in implementation of the Original *Limon* Judgment.

**Inclusionary/Production Housing:** Whatever unmet obligation that existed according to the 2010-2014 Implementation Plan for the Former Agency, if any, this obligation has been superseded and has been met by performance, and continued performance, in accordance with the Original *Limon* Judgment (Exhibit A).

## **X. INCOME TEST**

Section 34176.1(a)(3)(A) provides: “The housing successor shall expend all funds remaining in the Low and Moderate Income Housing Asset Fund after the expenditures allowed pursuant to paragraphs (1) and (2) for the development of housing affordable to and occupied by households earning 80 percent or less of the area median income, with at least 30 percent of these remaining funds expended for the development of rental housing affordable to and occupied by households earning 30 percent or less of the area median income and no more than 20 percent of these remaining funds expended for the development of housing affordable to and occupied by households earning between 60 percent and 80 percent of the area median income.” Section 34176.1(a)(3)(B) provides: “If the housing successor fails to comply with the extremely low income requirement in any five-year report, then the housing successor shall ensure that at least 50 percent of these remaining funds expended in each fiscal year following the latest fiscal year following the report are expended for the development of rental housing affordable to, and

occupied by, households earning 30 percent or less of the area median income until the housing successor demonstrates compliance with the extremely low income requirement in an annual report described in subdivision (f).” The Housing Authority, as housing successor, reported previously on its expenditures for development sourced from the LMIHAF for the initial five-year reporting period of January 1, 2014 to “the annual report ... for 2019.” The term “development” is defined in Section 34176.1(a)(3)(D): “For purposes of this subdivision, ‘development’ means new construction, acquisition and rehabilitation, substantial rehabilitation as defined in Section 33413, the acquisition of long term affordability covenants on multifamily units as described in Section 33413, or the preservation of an assisted housing development that is eligible for prepayment or termination or for which within the expiration of rental restrictions is scheduled to occur within five years as those terms are defined in Section 65863.10 of the Government Code.”

The second five-year reporting period is in effect, and this section of the Report presents information for FY 2022-2023. In this regard, the Housing Authority’s expenditures and monies encumbered, as housing successor, sourced from the LMIHAF for development of housing will meet the income categories and thresholds described above during the second five-year period that ends June 30, 2024. During FY 2022-2023, the Housing Authority under its function as Housing Successor to the Former Garden Grove Agency for Community Development entered into the PSA described in Section IV. above to acquire the Civic Center Parcel for future development of affordable housing, which encumbered \$5,550,000 of LMIHAF and expended \$3,000,000 as an initial installment payment for the land. Additionally, the Housing Authority approved a preliminary Award Letter as an enforceable commitment of LMIHAF to the Orchard Grove Project in the amount of \$1,823,000 to implement the substantial rehabilitation and restructure of 55-year affordable housing covenants for the 78 units that comprise this “at-risk” housing project, including eight (8) units restricted as housing for occupancy by extremely low income households. The Developer received a reservation of 9% tax credits in the at-risk category, which project is anticipated to close financing by early February 2024.

See Section XII of this Report for updated information about proposed projects that are planned to be undertaken during the second five-year reporting period; the projects will include extremely low, very low, and low income housing units in compliance with the income-targeting requirements of HSC Section 34176.1.

## **XI. SENIOR HOUSING TEST**

The Housing Successor is 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 table on the next page presents information regarding the Housing Successor’s Senior Housing Test for the 10-year period of July 1, 2013 through June 30, 2023:

<b>Senior Housing Test</b>		<b>7/01/2012 – 6/30/22</b>
<b># of Assisted Senior Rental Units (Wesley Village - 16 of the 47 units are senior units, and 30 are family units, with one manager's unit)</b>		16
<b># of Total Assisted Rental Units (Wesley Village, Sycamore Court, and Stuart Drive Apartments)</b>		133
<b>Senior Housing Percentage</b>		12%

## **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 (i) one million dollars (\$1,000,000) or (ii) the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years (\$8,634,350), whichever is greater. The following provides the Excess Surplus test for the preceding Fiscal Years of the Housing Successor:

	<b>FY 18/19</b>	<b>FY 19/20</b>	<b>FY 20/21</b>	<b>FY 21/22</b>	<b>FY 22/23</b>
<b>Beginning Balance</b>	<b>\$730,829</b>	<b>\$597,475</b>	<b>\$4,075,333</b>	<b>\$7,410,990</b>	<b>\$8,334,904</b>
Add: Deposits	\$210,647	\$3,623,863	\$3,563,722	\$1,236,118	\$1,240,775
<b>(Less) Expenditures</b>	<b>(\$344,001)</b>	<b>(\$146,005)</b>	<b>(\$228,064)</b>	<b>(\$312,203)</b>	<b>(\$3,165,348)</b>
<b>(Less) Encumbrances</b>					<b>(\$7,373,000)<sup>4</sup></b>
<b>Ending Balance</b>	<b>\$597,475</b>	<b>\$4,075,333</b>	<b>\$7,410,990</b>	<b>\$8,334,904</b>	<b>(\$962,669)</b>

The LMIHAF does not have an Excess Surplus. As described in Section IV., during FY 22-23 the Housing Authority entered into the PSA for acquisition of the Civic Center Parcel for development of affordable housing. The total acquisition cost was \$8,550,000. The Housing Authority made an initial installment payment of \$3,000,000 in FY 22-23 and will make additional payment(s) in FY 23-24 and following fiscal years, pursuant to the PSA. In addition, the Housing Authority approved that certain *Preliminary Award Letter* on April 11, 2023 that committed \$1,823,000 in LMIHAF to the Orchard Grove Project. The Preliminary Award Letter provides the Developer an enforceable commitment of funds (both LMIHAF and Permanent Local Housing Allocation (PLHA) funds to implement the substantial rehabilitation and reset affordable housing covenants for 55 years for the Orchard Grove Project, consisting of 15 multifamily properties with a total of 78 apartment units. The project will include eight (8) extremely low income units, eight (8) newly

<sup>4</sup> The expenditure line includes the \$3,000,000 paid by the Housing Authority to the City as the initial installment payment; and the encumbrance line includes the balance of the purchase price due by the Housing Authority to the City for the Civic Center Parcel, all as set forth in the PSA and described in Section IV of this Report. Further, in connection with a Developer's application to TCAC for a substantial rehabilitation and at-risk affordable housing project, the Housing Authority agreed to and provided an "enforceable financial commitment" of Housing Authority LMIHAF Funds (\$1,823,000) (and while not the topic of this Report, the City also committed PLHA Funds (\$1,823,000), as described in Section X.)

dedicated ADA compliant units, along with 40% AMI Very Low, 50% AMI Very Low, and 60% AMI Low Income covenanted units.

Further, as of preparation of this Report, the City (with cooperation of the Housing Authority) issued a Request for Proposals for the development of affordable housing and permanent supportive housing projects. The City will review received proposals during FY 23-24 and select the project(s) that that best serve low income or at-risk populations within Garden Grove. Importantly, the City (with cooperation of the Housing Authority) is currently undertaking development and operation of a navigation center to serve the homeless. The Central Cities Navigation Center (CCNC) will be a year-round facility that will provide up to 100 beds for temporary housing to individuals, adults ages 18 and older experiencing homelessness. The CCNC is located in the City and is a collaborative project funded by and among the cities of Garden Grove, Fountain Valley and Westminster for long-term operation and services to persons who are homeless or at risk of homelessness.

### **XIII. INVENTORY OF HOMEOWNERSHIP UNITS**

This section provides an inventory of homeownership units assisted by the Former Agency or the Garden Grove Housing Authority, as Housing Successor, that are subject to covenants or restrictions or to an adopted program that protects the Former Agency’s investment of moneys from the former Low and Moderate Income Housing Fund (LMIHF) per HSC Section 33334.3(f). This inventory includes:

#### **A. Total units assisted by the Former Agency.**

1. The total number of homeownership units assisted by the former Agency: **55 units**

<b>Address</b>	<b># of Units</b>
13741 Clinton #76, Garden Grove, CA	1 Unit
10302 Malinda, Garden Grove, CA	1 Unit
12191 Stanford, Garden Grove, CA	1 Unit
12661 James, Garden Grove, CA	1 Unit
11761 Samuel, Garden Grove, CA	1 Unit
5742 Ludlow, Garden Grove, CA	1 Unit
13180 Ferndale, Garden Grove, CA	1 Unit
8861 Calico, Garden Grove, CA	1 Unit
8183 Larson #D, Garden Grove, CA	1 Unit
12631 Woodland, Garden Grove, CA	1 Unit
10119 Andy Reese, Garden Grove, CA	1 Unit
12582 Spinnaker, Garden Grove, CA	1 Unit
12372 Elmwood, Garden Grove, CA	1 Unit
9852 Orangewood, Garden Grove, CA	1 Unit

1360 River Drive, Norco, CA <sup>5</sup>	1 Unit
9611 Blanche, Garden Grove, CA	1 Unit
13421 Mickey, Garden Grove, CA	1 Unit
6732 Laurelton, Garden Grove, CA	1 Unit
10592 McKeen, Garden Grove, CA	1 Unit
14402 Ward, Garden Grove, CA	1 Unit
11682 MacDuff, Garden Grove, CA	1 Unit
6652 Belgrave, Garden Grove, CA	1 Unit
6662 Park, Garden Grove, CA	1 Unit
5452 Richmond, Garden Grove, CA	1 Unit
13096 Blackbird, Garden Grove, CA	1 Unit
11531 Faye, Garden Grove, CA	1 Unit
13582 Hope, Garden Grove, CA	1 Unit
11450 Brookhurst, Garden Grove, CA	1 Unit
13651 Havenwood, Garden Grove, CA	1 Unit
11291 Garden, Garden Grove, CA	1 Unit
Note: The following homeownership units were identified in further review of Garden Grove files, but had not been located or identified during preparation of the HAT in July 2012 that was submitted to and approved by the DOF or listed in the initial report prepared under HSC Section 34176.1(f)(13) relating to homeownership units assisted by the Former Agency, but are listed in this Report as each is an ownership unit assisted by the Former Agency prior to dissolution. Several of these loans have been paid off or the covenants expired, so are also listed in the tables that follow.	
11861 Winton St., Garden Grove, CA	1 Unit
12741-12831 Arbor Ct. & 12752-12852 Arbor Ct., Garden Grove, CA	17 Units
13143 Michael Monsoor Ct., Garden Grove, CA	1 Unit
10852 Sonoma Ln., Garden Grove, CA	1 Unit
13100 Mendocino Ln., Garden Grove, CA	1 Unit
10803 Sonoma Ln., Garden Grove, CA	1 Unit
10811 Sonoma Ln., Garden Grove, CA	1 Unit
10853 Sonoma Ln., Garden Grove, CA	1 Unit
10831 Sonoma Ln., Garden Grove, CA	1 Unit
<b>Total</b>	<b>55 Units</b>

## B. Summary of Lost Units.

1. The total number of homeownership units lost to the Housing Successor's portfolio between *February 1, 2012 up to June 30, 2023*, along with the reason or reasons for those losses: **35 units**

FY	Property Address	Units	Loss Date	Reason for Loss
11-12	11861 Winton St.	1	3/27/2012	Loan Repaid

<sup>5</sup> This address is outside of Garden Grove, but the original loan was issued in connection with the homebuyer's displacement and relocation by Garden Grove; thus, part of the relocation benefits included a homebuyer loan, which was paid off prior to dissolution of redevelopment.

13-14	9852 Orangewood Ave.	1	11/12/2013	Loan Repaid
14-15	12741-12831 & 12752-12852 Arbor Ct.	17	2014	Covenants Expired
14-15	10831 Sonoma Lane	1	5/8/2015	Loan Repaid
12-13	13741 Clinton #76	1	5/6/2013	Loan Repaid
17-18	10119 Andy Reese	1	9/18/2017	Loan Repaid
14-15	6732 Laurelton	1	3/17/2015	Loan Repaid
14-15	10592 McKeen	1	8/28/2014	Loan Repaid
15-16	6652 Belgrave	1	11/12/2015	Loan Repaid
13-14	11450 Brookhurst	1	3/31/2014	Loan Repaid
12-13	13651 Havenwood	1	6/18/2013	Loan Repaid
14-15	11291 Garden	1	8/11/2014	Loan Repaid
19-20	12661 James Avenue	1	8/27/2019	Loan Repaid
20-21	9611 Blanche, Garden Grove, CA	1	5/03/2021	Loan Repaid
21-22	10852 Sonoma Ln, Garden Grove, CA	1	12/08/2021	Loan Repaid
21-22	6662 Park, Garden Grove, CA	1	02/17/2022	Loan Repaid
22-23	11761 Samuel, Garden Grove, CA	1	05/23/2023	Loan Repaid
22-23	5452 Richmond, Garden Grove, CA	1	05/04/2023	Loan Repaid
22-23	11531 Faye, Garden Grove, CA	1	05/04/2023	Loan Repaid

**2. Total losses during FY 2022-23 (7/1/22 to 6/30/23): 3 units**

FY	Property Address	Units	Loss Date	Reason for Loss
22-23	11761 Samuel, Garden Grove, CA	1	05/23/2023	Loan Repaid
22-23	5452 Richmond, Garden Grove, CA	1	05/04/2023	Loan Repaid
22-23	11531 Faye, Garden Grove, CA	1	05/04/2023	Loan Repaid

**3.** Funds returned to the Housing Successor as part of an adopted program that protects the Former Agency's investment of moneys from the LMIHF. This includes repayments of all Single Family Rehabilitation and First Time Homebuyer loans including principal, interest, and equity sharing payments from February 1, 2012 to June 30, 2023. There were cumulative repayments since dissolution of **\$323,087.50** and repayments during FY 22-23 of **\$98,600.45**.

**C.** State whether the Housing Successor has contracted with any outside entity for the management of the units and, if so, the identity of the entity.

**1.** The City's Neighborhood Improvement Division administered a majority of the Former Agency's Single Family Rehabilitation Program and First Time Homebuyer Program. The Neighborhood Improvement Division does have an existing agreement with Amerinational Community Services, Inc., a Minnesota corporation (dba AmeriNat), relating to certain, but not all, aspects of administration of the Former Agency's Single Family Rehabilitation loans and First Time Homebuyer loans that provided second lien mortgages for homeownership units. These consulting services include assistance with oversight and administration of amortized loan payments, if any, due; with tracking and calculation of loan balances in the event of payoff; and, other administrative activities for these outstanding Single Family Rehab and First Time Homebuyer loans.

**XIV. ADDITIONAL INFORMATION ABOUT GARDEN GROVE HOUSING AUTHORITY'S ACTIVITIES FOR THE PRECEDING YEAR FY 22-23 PER HSC SECTION 34328**

The Housing Authority provides rental assistance to up to **2554** families per month, with **2362** Section 8 Housing Choice Vouchers, **117** Emergency Vouchers and **75** Mainstream Vouchers. The lease-up rate by month for FY 2022-23 is shown on the table:

MONTH	# OF UNIT LEASED		
	HCV	EHV	MAINSTREAM
Jul-22	2236	64	49
Aug-22	2236	75	52
Sep-22	2232	80	53
Oct-22	2240	83	54
Nov-22	2228	87	54
Dec-22	2222	90	56
Jan-23	2224	91	56
Feb-23	2224	93	58
Mar-23	2219	99	59
Apr-23	2222	101	59
May-23	2230	100	62
Jun-23	2240	103	62

During FY 2022-23, there was no termination of Section 8 portable vouchers for victims of domestic violence.

During FY 2022-2023, construction was completed for the substantial rehabilitation and tenanting of the ten (10) covenanted affordable housing units pursuant to that certain *HOME Investment Partnership Affordable Housing and Loan Agreement(11742 Stuart Drive)* entered into between the Housing Authority and American Family Housing, a California nonprofit public benefit corporation September 2021. The units are available to and occupied by qualified and eligible tenants including (i) one Very Low Income Household as to a 1-bedroom unit, (ii) eight Extremely Low Income Households as to five 2-bedroom units and three 1-bedroom units.

As discussed in Section XII of this Report, the Housing Authority continues to negotiate toward more affordable housing in the community, both new construction and acquisition/rehabilitation projects. And, the CCNC will be a vital part of the community and all three cities' efforts to address, alleviate, and hopefully end homelessness.

**EXHIBIT A**

**Original *Limon* Judgment**

*Limón, et al. v. Garden Grove Agency for Community Development*  
Case No. 30-2009-00291597

Stipulation to Substitute Party and for Entry of Interlocutory Judgment  
(attached)

**Exhibit B**

**2022-2023 Audit of LMIHAF**

(pending and to be inserted)

Note: At the time of preparation of this Report, the FY 2022-23 Comprehensive Annual Financial Report (CAFR) is still under final review by the City and its independent auditors. It is anticipated this document will be finalized in early 2023, at which time the City Council and Housing Authority jointly will receive and file the Report.

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**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CIVIL COMPLEX LITIGATION CENTER

**JUN 10 2014**

ALAN CARLSON, Clerk of the Court  
*Alan Carlson*  
BY B. ZUANICH

ELECTRONICALLY RECEIVED  
Superior Court of California,  
County of Orange  
06/09/2014 at 10:06:50 AM  
Clerk of the Superior Court  
By Olga Lopez, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ORANGE

MARINA LIMON, *et al.*,  
  
Plaintiffs and Petitioners,  
  
v.  
  
GARDEN GROVE AGENCY FOR  
COMMUNITY DEVELOPMENT, a municipal  
entity, *et al.*,  
  
Defendants and Respondents.  

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GARDEN GROVE MXD, LLC, and  
MCWHINNEY REAL ESTATE SERVICES,  
and DOES 21 through 40,  
  
Real Parties in Interest.

) Case No. 30-2009-00291597

) **JUDGMENT**

) Complaint Filed: August 10, 2009  
) Dept.: CX-102  
) Judge: Robert J. Moss

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IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

Judgment is entered in favor of Plaintiff Maria Malta and against Defendants pursuant to the terms stated below.

1. As used herein, the term "Low Income Households" shall have the meaning set forth in Health and Safety Code section 50079.5.

2. As used herein, the term "Very Low Income Households" shall have the meaning set forth in Health and Safety Code section 50105.

3. As used herein, the term "Low Income Rent" shall be rent affordable to lower income households as set forth in Health and Safety Code section 50053(b)(3).

4. As used herein, the term "Very Low Income Rent" shall be rent affordable to very low income households as set forth in Health and Safety Code section 50053(b)(2).

5. Within the timeframe described in Paragraph 9, below, the Successor Agency or, at its discretion, the Housing Successor (hereinafter "Successors"), shall develop replacement housing. Pursuant to this paragraph funds held in the Low and Moderate Income Housing Asset Fund, as defined in Health and Safety Code section 34176, shall be available for development of the replacement housing pursuant to this Judgment. The Successors shall develop or cause to be developed twenty five (25) additional new construction dwelling units as replacement housing for the Travel Country Recreational Vehicle Park ("Park") to address Plaintiff Malta's claims for development of replacement housing pursuant to Health and Safety Code section 33413. No less than twelve (12) of the units developed pursuant to this paragraph shall be covenanted to be leased at Very Low Income Rent and restricted to occupancy by Very Low Income Households; the balance of thirteen (13) units shall be covenanted to be leased at Low Income Rent and restricted to occupancy by Low Income Households.

6. In addition to the dwelling units described in Paragraph 6, within the timeframe described in Paragraph 9, below Successors shall develop or cause to be developed thirteen (13) additional dwelling units, either as new construction or Substantial Rehabilitation (as defined below), as replacement housing for the Park to address Plaintiff Malta's claims for development

1 of replacement housing pursuant to Health and Safety Code section 33413. No less  
2 than seven (7) of the units developed pursuant to this paragraph shall be covenanted to be leased  
3 at Very Low Income Rent and restricted to occupancy by Very Low Income Households; the  
4 balance of six (6) units shall be covenanted to be leased at Low Income Rent and restricted to  
5 occupancy by Low Income Households.

6 7. The Successors may reduce the number of dwelling units required to be developed  
7 pursuant to Paragraph 7 (but not Paragraph 6) by one dwelling unit for each dwelling unit offered  
8 to a household listed on Exhibit A hereto that is rejected by such household provided that a  
9 household's rejection of a unit under this section will not disqualify that household from  
10 eligibility under Paragraph 11. In order to reduce the unit count, (1) a displaced household must  
11 receive an offer of affordable replacement housing after a determination (provided to the  
12 displaced household in writing) by the operator of that housing that the displaced household  
13 is eligible for occupancy of the replacement housing with respect to all of its qualifications and  
14 restrictions, including but not limited to income, family size, rental history and credit score, (2)  
15 the offer of affordable housing must be either hand delivered to the displaced household as  
16 evidenced by a proof of personal service, or through regular and certified U.S. mail, and (3) the  
17 displaced household must be allowed ten (10) business days after receipt of the offer to accept or  
18 reject the offer.

19 8. The Successors shall develop, rehabilitate, construct or cause the development,  
20 rehabilitation or construction (as applicable) of the dwelling units described in Paragraphs 6 and  
21 7 ("Replacement Units") within four years from entry of judgment in this case.

22 9. "Substantial Rehabilitation" shall have the same meaning as contained in Health  
23 and Safety Code section 33413.

24 10. In accordance with Health and Safety Code section 33411.3, all residents displaced  
25 by the Redevelopment Agency shall have priority in occupancy of the Replacement Units  
26 developed pursuant to this Judgment. Successors shall provide for such priority in any agreement  
27

1 for development or administration of the Replacement Units, and shall maintain a list of eligible  
2 persons and families displaced by the Redevelopment Agency.

3 11. Pursuant to action of the California Legislature in Stats. 2012, Ch. 5 (Assembly  
4 Bill No. 26, 2011-2012 1st Ex. Sess.) (the "Dissolution Act"), effective June 29, 2011,  
5 redevelopment agencies throughout California began a dissolution process. The Dissolution Act  
6 provides that the city "that authorized the creation of each redevelopment agency" became the  
7 "successor agency" to that redevelopment agency, by operation of law, unless the designated  
8 successor entity elected not to serve as the successor agency. California Health and Safety Code  
9 sections 34173(a), (d). The Garden Grove City Council adopted resolutions electing to serve as  
10 the Successor Agency to the dissolved Redevelopment Agency pursuant to Health and Safety  
11 Code section 34173, and designating the Garden Grove Housing Authority as the Housing  
12 Successor pursuant to Health and Safety Code section 34176. City of Garden Grove Resolution  
13 Nos. 9072-11 (July 12, 2011) and 9089-12 (Jan 17, 2012). As prescribed by the Dissolution Act,  
14 the amounts the Successor Agency is obligated to pay pursuant to the terms of this Judgment shall  
15 be included as an enforceable obligation of the Successor Agency on each applicable Recognized  
16 Obligation Payment Schedule ("ROPS"), as defined in California Health and Safety Code section  
17 34171(h) and in accordance with Health and Safety Code section 34177(l), (m), and as set forth  
18 below.

19 12. The Successor Agency shall include in the ROPS due to be completed and  
20 approved by the oversight board of the Successor Agency no later than October 3, 2015 (ROPS  
21 2015-16B), amounts for Replacement Units that will be expended during the January 1, 2016  
22 through June 30, 2016 period. The amounts to be expended during this ROPS 2015-16B period  
23 shall be appropriate to complete development of the Replacement Units for occupancy within  
24 four years from entry of the Judgment.

25 13. The Successor Agency shall pay \$9,000 in attorneys' fees to counsel for Plaintiff  
26 Malta. The entire amount of attorneys' fees shall be placed on the ROPS due to be completed by  
27 the oversight board of the Successor Agency no later than October 3, 2014 (ROPS 2014-15B).

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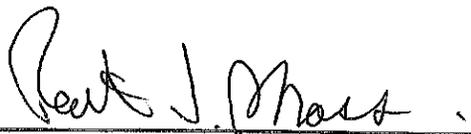
14. The obligations contained herein are obligations of the Garden Grove Agency for Community Development ("Redevelopment Agency"), now dissolved, prior to enactment of the Dissolution Act. The obligations set forth herein are not and under no circumstances shall they be construed as obligations of the City or Garden Grove Housing Authority other than in their roles as Successor Agency and Housing Successor, respectively. Consistent with Health and Safety Code § 34173(e), Successor Agency's liability for amounts owing pursuant to this Judgment shall be limited to the extent of the total sum of property tax revenues the Successor Agency and the Housing Successor receive pursuant to the ROPS process and the value of the assets received by the Successor Agency and the Housing Successor. The Successor Agency shall continue to list the obligations of this Judgment on each ROPS until all obligations required by the Judgment are satisfied.

15. The Court shall have continuing jurisdiction to enforce the terms of this settlement and Judgment pursuant to California Code of Civil Procedure section 664.6.

16. This Judgment represents the sole obligation among the parties hereto and all other causes of action and/or claims arising out of this action are dismissed with prejudice and forever waived.

IT IS SO ORDERED.

DATED: 6/10/15

  
\_\_\_\_\_  
HON. ROBERT J. MOSS  
