

AMENDED IN SENATE JUNE 17, 2008

AMENDED IN SENATE APRIL 28, 2008

AMENDED IN SENATE MARCH 13, 2008

AMENDED IN SENATE MARCH 4, 2008

AMENDED IN ASSEMBLY JANUARY 24, 2008

AMENDED IN ASSEMBLY APRIL 24, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 725

**Introduced by Assembly Members Lieber and DeVore
(Coauthors: Assembly Members Beall, Hancock, and Hayashi)**

February 22, 2007

An act to add Section 50455.7 to the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 725, as amended, Lieber. Housing: universal rental housing application.

Existing law requires the California State Housing Plan to include a housing strategy that coordinates housing assistance and activities of state and local agencies.

This bill, on and after November 1, 2009, would require specified rental housing providers to use and make available to prospective tenants, not-for-profit agencies, and others upon request, a universal rental housing application, to be developed by the Department of Housing and Community Development in coordination with specified governmental agencies, as provided. The bill would require the

department and specified governmental agencies to notify specified rental housing providers of the requirements of these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 50455.7 is added to the Health and Safety
2 Code, to read:
3 50455.7. (a) (1) On and after November 1, 2009, a rental
4 housing provider as specified in subdivision (b) shall use and make
5 available to prospective tenants, not-for-profit housing assistance
6 organizations, public agencies, and others upon request, a universal
7 rental housing application, to be developed by the department
8 under subdivision (c). Nothing in this section prevents a rental
9 housing provider from ~~requesting other reasonable~~ *lawfully*
10 *requesting other* information not contained in this application from
11 prospective tenants.
12 (2) The rental housing provider shall require a rental agent or
13 property manager to do both of the following:
14 (A) Make the application available to any person who requests
15 it, including, if requested, the accessible formats developed under
16 subdivision (d).
17 (B) Post, in a prominent place on the leasing agent’s or property
18 manager’s Internet Web site, if any, a link to the page on the
19 department’s Internet Web site containing the application and the
20 accessible formats.
21 (b) Subdivision (a) applies to a rental housing provider that has
22 received any of the following and whose rental housing units are
23 still subject to the rent restrictions pursuant thereto:
24 (1) A loan or grant from the department or the California
25 Housing Finance Agency.
26 (2) State or federal tax credits allocated by the Tax Credit
27 Allocation Committee.
28 (3) Tax-exempt bond authority allocated by the Debt Limit
29 Allocation Committee.
30 (c) By no later than August 1, 2009, and each time new
31 requirements or other changed circumstances require it, the
32 department shall develop and adopt a universal rental housing
33 application in coordination with the Tax Credit Allocation

1 Committee, the Debt Limit Allocation Committee, and the
2 California Housing Finance Agency.

3 (d) (1) The department shall develop the application in the
4 following accessible formats, in addition to the standard format:

5 (A) In plain English, with a large font.

6 (B) In plain English, with a large font and colored illustrations.

7 (2) Upon the request of the department, the State Council on
8 Developmental Disabilities shall advise and assist the department
9 in developing the accessible formats of the application required
10 under this subdivision.

11 (3) The application shall include this statement: “This
12 application is available, upon request, in plain English with large
13 print, and in plain English with large print and colored illustrations.
14 It also is available in an accessible, downloadable text file at (insert
15 the URL for the page on the department’s Internet Web site where
16 this format is posted).”

17 (e) The department shall make the application available for
18 public review and comment 45 days prior to adopting the
19 application.

20 (f) The information requested on the application form shall
21 include, but need not be limited to, all of the following:

22 (1) The name, age, and student status of each person who will
23 live in the household.

24 (2) All of the following regarding the applicant:

25 (A) Mailing address, contact telephone number, and any e-mail
26 address.

27 (B) The applicant’s physical address, if any.

28 (C) Not less than two years of housing history.

29 (D) Detailed income information, including, but not limited to,
30 all of the following that apply:

31 (i) Current employment income and information, and
32 employment history for the past five years.

33 (ii) The amounts of and information on any pension or retirement
34 benefits.

35 (iii) The amounts of and information on any child, spousal, or
36 family support income.

37 (E) Information on current assets and on any asset that was
38 disposed for less than fair market value within the past ~~five~~ *two*
39 years.

1 (F) The information required under the guidelines in the United
2 States Department of Housing and Urban Development Handbook
3 (HUD 4350.3, Rev. 1, Change 2).

4 (G) The information required on California Apartment
5 Association form 3.0-R, revised 1/08, "Application for Rent."

6 (H) The information required on the California Association of
7 Realtors form, "Application to Rent/Screening Fee" (C.A.R. Form
8 ~~LRA~~ LRA, Rev. 4/03), except that the application shall include
9 only the information required of the applicant, and shall not include
10 the screening fee.

11 ~~(I) The Southern California Cities Apartment Association form,
12 "Application to Rent."~~

13 *(I) The information required on the Apartment Association,
14 Southern California Cities form, "Application to Rent" (Rev. 1/08).*

15 (g) In designing the form, the department shall consider the
16 format that the Tax Credit Allocation Committee uses on the
17 following forms:

- 18 (1) Tenant Income Certification (February 2004).
- 19 (2) Tenant Income Certification Questionnaire.
- 20 (3) Employment Verification (September 2000).
- 21 (4) Student Verification (September 2000).
- 22 (5) Certification of Zero Income (September 2000).
- 23 (6) Under \$5,000 Asset Certification (September 2000).
- 24 (7) Child and Spousal Support (May 2007).
- 25 (8) Marital Separation Status Affidavit (May 2007).
- 26 (9) Student Financial Aid Verification (July 2006).

27 (h) The department shall post the application form and the
28 accessible formats developed under paragraph (1) of subdivision
29 (d) on its Internet Web site.

30 (i) The department, the Tax Credit Allocation Committee, the
31 Debt Limit Allocation Committee, and the California Housing
32 Finance Agency shall do both of the following:

33 (1) Notify the rental housing providers specified in subdivision
34 (b) of the requirements of this section after publishing the
35 application, and each time the department publishes a revised
36 application.

37 (2) Notify rental housing providers who receive the funds, tax
38 credits, or bond authority specified in subdivision (b) of the
39 requirements of this section when they receive the funds, tax
40 credits, or bond authority.

1 (j) The department shall release a request for proposal for the
2 development of the accessible formats required under subdivision
3 (d), including, but not limited to, at least one test with a focus
4 group of persons with diverse disabilities. The department shall
5 not accept any bid that is for more than five thousand dollars
6 (\$5,000). Any requirement under this section relating to the
7 accessible formats shall not apply if the department does not accept
8 a bid under this subdivision for the development of the formats.

9 (k) (1) *The department shall consider any subsequent changes*
10 *made to the forms listed in subparagraphs (G) to (I), inclusive, of*
11 *paragraph (2) of subdivision (f), but shall not be required to*
12 *include those changes in the application form developed under*
13 *this section.*

14 (2) *Nothing in this section shall be construed to require the*
15 *department to include any information in the application form*
16 *developed under this section that would be in violation of state or*
17 *federal law.*

18 ~~(k)~~

19 (l) The department's adoption of the universal rental housing
20 application and compliance with the other requirements of this
21 section shall not be subject to Chapter 3.5 (commencing with
22 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
23 Code. Nothing in this section shall authorize the department to
24 adopt or amend any regulation.