

AMENDED IN SENATE JULY 7, 2008  
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**

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

February 22, 2007

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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 or before April 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 to convene a first meeting of a working group consisting of specified governmental agencies and private associations, as provided as specified, to draft a uniform subsidized affordable housing application, and would require the department to take other specified actions upon the development of a uniform application. 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. *It is the intent of the Legislature to create a*
- 2     *uniform affordable housing rental application, including two*
- 3     *formats accessible to people with disabilities, to benefit both of*
- 4     *the following:*
- 5     (i) *Low- and moderate-income housing applicants, by allowing*
- 6     *them to fill out and copy a single application that they can use to*
- 7     *apply for multiple affordable housing opportunities.*
- 8     (ii) *Subsidized housing providers, by allowing them to collect*
- 9     *all the information that they typically request, including all the*
- 10    *information that state and federal funding agencies require them*
- 11    *to gather, on a single application.*
- 12    SEC. 2. *Section 50455.7 is added to the Health and Safety*
- 13    *Code, to read:*
- 14    50455.7. (a) (1) *On or before April 1, 2009, the department*
- 15    *shall convene a first meeting of a working group to draft a uniform*
- 16    *subsidized affordable housing application. The department shall*
- 17    *invite organizations representing subsidized affordable housing*
- 18    *providers, including, but not limited to, the Affordable Housing*
- 19    *Management Association of Northern California; the Affordable*
- 20    *Housing Management Association-Pacific Southwest; the Aging*
- 21    *Services of California; the Apartment Association, Southern*
- 22    *California Cities; the California Apartment Association; the*
- 23    *California Association of Realtors; the California Housing*
- 24    *Consortium; Housing California; the Non-Profit Housing*
- 25    *Association of Northern California; and the Southern California*
- 26    *Association of Nonprofit Housing.*

1 (2) *The working group may organize itself as it chooses and*  
2 *schedule future meetings.*

3 (3) *Nothing in this section shall require the department to*  
4 *participate in the working group or to pay the travel or other*  
5 *expenses of any person attending any meeting of the working*  
6 *group.*

7 (b) *If the working group develops a draft uniform application,*  
8 *the department shall do each of the following:*

9 (1) *Review the draft for compliance with state and federal legal*  
10 *requirements and department policy and, if the draft does not*  
11 *comply, return it to the working group to make the necessary*  
12 *changes.*

13 (2) *Add the following statement to the application:*

14  
15 *“This uniform application is available in a downloadable text*  
16 *file format and in formats accessible to people with disabilities at*  
17 *[insert the URL of the page on the department’s Internet Web site*  
18 *where the application is posted].”*

19  
20 (3) *Provide the completed uniform application to the State*  
21 *Council on Developmental Disabilities, which shall do all of the*  
22 *following:*

23 (A) *Select a contractor, to be paid an amount not to exceed five*  
24 *thousand dollars (\$5,000), to develop two accessible formats of*  
25 *the uniform application as follows:*

26 (i) *One application in plain English, with a large font.*

27 (ii) *One application in plain English, with a large font and color*  
28 *illustrations.*

29 (B) *Require the contractor to conduct at least one test with a*  
30 *focus group of persons with diverse disabilities.*

31 (C) *Review and approve the accessible formats developed by*  
32 *the contractor and provide them to the department.*

33 (4) *Post the application in a downloadable text file format,*  
34 *including, but not limited to, in the formats accessible to people*  
35 *with disabilities, on the department’s Internet Web site.*

36 (5) *Reconvene the working group in the future as necessary to*  
37 *draft revisions in the uniform application to comply with changes*  
38 *in law or in the requirements of federal or state funding agencies.*

39 (c) *After the department completes all the requirements of*  
40 *subdivision (b), the department, the California Tax Credit*

1 Allocation Committee, and the California Housing Finance Agency  
2 shall do each of the following:

3 (1) Inform current and future recipients of state affordable  
4 housing subsidies of the existence of the uniform application,  
5 including, but not limited to, all of the following:

6 (A) The accessible formats of the uniform application.

7 (B) Where the application is located on the Internet Web site.

8 (C) The goals of the uniform application, as declared in Section  
9 1 of the act that enacts this section.

10 (2) Consider awarding additional points to future funding  
11 applicants who agree to distribute and accept the uniform  
12 application.

13 (d) Nothing in this section shall require a housing provider to  
14 use the uniform application or shall prevent a housing provider  
15 from requesting additional information from rental applicants.

16 (e) Any requirement of this section relating to the accessible  
17 formats shall be inapplicable if the State Council on Developmental  
18 Disabilities does not produce the accessible formats because of  
19 the financial limitation of subparagraph (A) of paragraph (3) of  
20 subdivision (b).

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

27 SECTION 1. Section 50455.7 is added to the Health and Safety  
28 Code, to read:

29 50455.7. ~~(a) (1) On and after November 1, 2009, a rental  
30 housing provider as specified in subdivision (b) shall use and make  
31 available to prospective tenants, not-for-profit housing assistance  
32 organizations, public agencies, and others upon request, a universal  
33 rental housing application, to be developed by the department  
34 under subdivision (c). Nothing in this section prevents a rental  
35 housing provider from lawfully requesting other information not  
36 contained in this application from prospective tenants.~~

37 ~~(2) The rental housing provider shall require a rental agent or  
38 property manager to do both of the following:~~

1     ~~(A) Make the application available to any person who requests~~  
2 ~~it, including, if requested, the accessible formats developed under~~  
3 ~~subdivision (d).~~

4     ~~(B) Post, in a prominent place on the leasing agent's or property~~  
5 ~~manager's Internet Web site, if any, a link to the page on the~~  
6 ~~department's Internet Web site containing the application and the~~  
7 ~~accessible formats.~~

8     ~~(b) Subdivision (a) applies to a rental housing provider that has~~  
9 ~~received any of the following and whose rental housing units are~~  
10 ~~still subject to the rent restrictions pursuant thereto:~~

11     ~~(1) A loan or grant from the department or the California~~  
12 ~~Housing Finance Agency.~~

13     ~~(2) State or federal tax credits allocated by the Tax Credit~~  
14 ~~Allocation Committee.~~

15     ~~(3) Tax-exempt bond authority allocated by the Debt Limit~~  
16 ~~Allocation Committee.~~

17     ~~(e) By no later than August 1, 2009, and each time new~~  
18 ~~requirements or other changed circumstances require it, the~~  
19 ~~department shall develop and adopt a universal rental housing~~  
20 ~~application in coordination with the Tax Credit Allocation~~  
21 ~~Committee, the Debt Limit Allocation Committee, and the~~  
22 ~~California Housing Finance Agency.~~

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

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

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

27     ~~(2) Upon the request of the department, the State Council on~~  
28 ~~Developmental Disabilities shall advise and assist the department~~  
29 ~~in developing the accessible formats of the application required~~  
30 ~~under this subdivision.~~

31     ~~(3) The application shall include this statement: "This~~  
32 ~~application is available, upon request, in plain English with large~~  
33 ~~print, and in plain English with large print and colored illustrations.~~  
34 ~~It also is available in an accessible, downloadable text file at (insert~~  
35 ~~the URL for the page on the department's Internet Web site where~~  
36 ~~this format is posted)."~~

37     ~~(e) The department shall make the application available for~~  
38 ~~public review and comment 45 days prior to adopting the~~  
39 ~~application.~~

- 1     ~~(f) The information requested on the application form shall~~  
2 ~~include, but need not be limited to, all of the following:~~
- 3     ~~(1) The name, age, and student status of each person who will~~  
4 ~~live in the household.~~
- 5     ~~(2) All of the following regarding the applicant:~~
- 6     ~~(A) Mailing address, contact telephone number, and any e-mail~~  
7 ~~address.~~
- 8     ~~(B) The applicant's physical address, if any.~~
- 9     ~~(C) Not less than two years of housing history.~~
- 10    ~~(D) Detailed income information, including, but not limited to,~~  
11 ~~all of the following that apply:~~
- 12    ~~(i) Current employment income and information, and~~  
13 ~~employment history for the past five years.~~
- 14    ~~(ii) The amounts of and information on any pension or retirement~~  
15 ~~benefits.~~
- 16    ~~(iii) The amounts of and information on any child, spousal, or~~  
17 ~~family support income.~~
- 18    ~~(E) Information on current assets and on any asset that was~~  
19 ~~disposed for less than fair market value within the past two years.~~
- 20    ~~(F) The information required under the guidelines in the United~~  
21 ~~States Department of Housing and Urban Development Handbook~~  
22 ~~(HUD 4350.3, Rev. 1, Change 2).~~
- 23    ~~(G) The information required on California Apartment~~  
24 ~~Association form 3.0-R, revised 1/08, "Application for Rent."~~
- 25    ~~(H) The information required on the California Association of~~  
26 ~~Realtors form, "Application to Rent/Screening Fee" (C.A.R. Form~~  
27 ~~LRA, Rev. 4/03), except that the application shall include only the~~  
28 ~~information required of the applicant, and shall not include the~~  
29 ~~screening fee.~~
- 30    ~~(I) The information required on the Apartment Association,~~  
31 ~~Southern California Cities form, "Application to Rent" (Rev. 1/08).~~
- 32    ~~(g) In designing the form, the department shall consider the~~  
33 ~~format that the Tax Credit Allocation Committee uses on the~~  
34 ~~following forms:~~
- 35    ~~(1) Tenant Income Certification (February 2004).~~  
36    ~~(2) Tenant Income Certification Questionnaire.~~  
37    ~~(3) Employment Verification (September 2000).~~  
38    ~~(4) Student Verification (September 2000).~~  
39    ~~(5) Certification of Zero Income (September 2000).~~  
40    ~~(6) Under \$5,000 Asset Certification (September 2000).~~

1 ~~(7) Child and Spousal Support (May 2007).~~

2 ~~(8) Marital Separation Status Affidavit (May 2007).~~

3 ~~(9) Student Financial Aid Verification (July 2006).~~

4 ~~(h) The department shall post the application form and the~~  
5 ~~accessible formats developed under paragraph (1) of subdivision~~  
6 ~~(d) on its Internet Web site.~~

7 ~~(i) The department, the Tax Credit Allocation Committee, the~~  
8 ~~Debt Limit Allocation Committee, and the California Housing~~  
9 ~~Finance Agency shall do both of the following:~~

10 ~~(1) Notify the rental housing providers specified in subdivision~~  
11 ~~(b) of the requirements of this section after publishing the~~  
12 ~~application, and each time the department publishes a revised~~  
13 ~~application.~~

14 ~~(2) Notify rental housing providers who receive the funds, tax~~  
15 ~~credits, or bond authority specified in subdivision (b) of the~~  
16 ~~requirements of this section when they receive the funds, tax~~  
17 ~~credits, or bond authority.~~

18 ~~(j) The department shall release a request for proposal for the~~  
19 ~~development of the accessible formats required under subdivision~~  
20 ~~(d), including, but not limited to, at least one test with a focus~~  
21 ~~group of persons with diverse disabilities. The department shall~~  
22 ~~not accept any bid that is for more than five thousand dollars~~  
23 ~~(\$5,000). Any requirement under this section relating to the~~  
24 ~~accessible formats shall not apply if the department does not accept~~  
25 ~~a bid under this subdivision for the development of the formats.~~

26 ~~(k) (1) The department shall consider any subsequent changes~~  
27 ~~made to the forms listed in subparagraphs (G) to (I), inclusive, of~~  
28 ~~paragraph (2) of subdivision (f), but shall not be required to include~~  
29 ~~those changes in the application form developed under this section.~~

30 ~~(2) Nothing in this section shall be construed to require the~~  
31 ~~department to include any information in the application form~~  
32 ~~developed under this section that would be in violation of state or~~  
33 ~~federal law.~~

34 ~~(l) The department's adoption of the universal rental housing~~  
35 ~~application and compliance with the other requirements of this~~  
36 ~~section shall not be subject to Chapter 3.5 (commencing with~~  
37 ~~Section 11340) of Part 1 of Division 3 of Title 2 of the Government~~

- 1 ~~Code. Nothing in this section shall authorize the department to~~
- 2 ~~adopt or amend any regulation.~~

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