

RESOLUTION NO. 2010-308

Adopted by the Sacramento City Council

June 10, 2010

AUTHORIZATION FOR SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY TO APPLY FOR, ACCEPT AND ADMINISTER THE 2009 CALHOME PROGRAM IN THE NAME OF AND ON BEHALF OF THE CITY OF SACRAMENTO

BACKGROUND

- A. The City of Sacramento, a political subdivision of the State of California, desires to apply for and receive an allocation of funds through the CalHome Program.
- B. The California Department of Housing and Community Development ("HCD") has issued a Notice of Funding Availability ("NOFA") for the CalHome Program established by Chapter 84, Statutes of 2000 (SB1656 Alarcon) and codified in Chapter 6 (commencing with Section 59650) of Part 2 of Division 31 of the Health and Safety Code (the "statute"). Pursuant to the statute, HCD is authorized to approve funding allocations utilizing monies made available by the State legislature to the CalHome Program, subject to the terms and conditions of the statute and the CalHome Program Regulations adopted by HCD in April 2004; and
- C. The City, by its agent, the Sacramento Housing and Redevelopment Agency, ("Agency") wishes to submit an application to obtain from HCD an allocation of CalHome funds in the amount of \$1,500,000.
- D. The proposed action is approval of Agency's submission of an application for funds to be used under the statutory requirements of the CalHome Program to provide purchasing assistance to low-income home buyers for purchase of single family homes which have previously been constructed or are in projects that have already been reviewed under CEQA, approved and are under construction. The action does not commit to any specific project which may result in potentially significant impacts on the environment. As such, the proposed action does not constitute a project under CEQA per Guidelines Section 15378(b) (4). The National Environmental Policy Act (NEPA) does not apply.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The foregoing findings are true and correct and hereby adopted.
- Section 2. The City delegates authority to the Agency to submit an application to HCD on behalf of and in the name of the City of Sacramento to the CalHome Program in response to the NOFA issued on April 19, 2010 which will request a funding allocation in the amount of \$1,500,000 to support existing homeownership programs in the City of Sacramento for low-and very low-income households.

- Section 3. The City delegates authority to the Agency to receive funding from HCD in the amount of \$1,500,000 on behalf of and in the name of the City and to administer CalHome funds in accordance with the CalHome program rules and regulations and to allocate such funds to the First-Time Homebuyer (FTHB) Mortgage Assistance and the Owner-Occupied Rehabilitation Programs.
- Section 4. The City authorizes the Agency to execute, on behalf of itself and the City, all instruments necessary or required by HCD for participation in the CalHome Program.
- Section 5. The City, for itself and the Agency, adopts the CalHome First-Time Homebuyer Mortgage Assistance Program Guidelines (Exhibit A) and the CalHome Owner-Occupied Rehabilitation Program Guidelines (Exhibit B). The Agency may make technical changes to the guidelines as necessary for program implementation.
- Section 6. Upon CalHome funding approval, the Agency may amend its Budget to incorporate the CalHome funding of up to \$1,500,000 for the First-Time Homebuyer Mortgage Assistance and the Owner-Occupied Rehabilitation programs.

Table of Contents

Exhibit A - CalHome FTHB Program Guidelines

Exhibit B - CalHome Rehab Program Guidelines

Adopted by the City of Sacramento City Council on June 10, 2010 by the following vote:

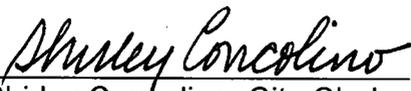
Ayes: Councilmembers Cohn, Fong, McCarty, Pannell, Sheedy, Tretheway, Waters,
and Mayor Johnson.

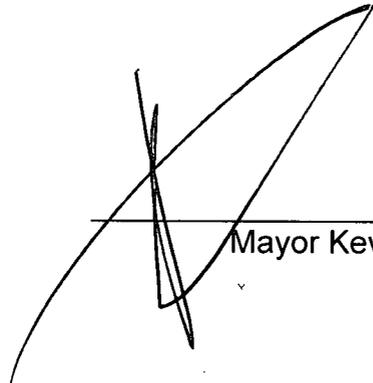
Noes: None.

Abstain: None.

Absent: Councilmember Hammond.

Attest:


Shirley Concolino, City Clerk



Mayor Kevin Johnson



Exhibit A

Fact Sheet

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CalHome First-Time Homebuyer Mortgage Assistance Program 2010 CONTRACT PROGRAM GUIDELINES

CalHome Program	Sacramento Housing and Redevelopment Agency has an allocation of State CalHome funds available for mortgage assistance to qualified borrowers. This funding is administered in accordance with guidelines adopted by the State Department of Housing and Community Development (HCD). Funds are provided to qualified households in the form of 30-year, deferred-payment second mortgages. The CalHome First-Time Homebuyer Mortgage Assistance loan helps buyers purchase homes by providing financial assistance to reduce the amount of the first mortgage and to pay non-recurring closing costs.
Maximum Loan Amount	The maximum loan shall not exceed the required amount of assistance needed to make the unit affordable to the homebuyer and to pay <u>non-recurring</u> closing costs. The assistance will be calculated as follows:
	The amount of assistance will be calculated at 20 percent of the purchase price up to a maximum of \$40,000.
Interest Rate	Three percent fixed rate, simple. Principal and interest shall be deferred for the term of the loan.
Term	30 years
Max CLTV	The loan-to-value ratio for the CalHome Program loan, when combined with all other indebtedness to be secured by the property, shall not exceed 100 percent of the sales price plus a maximum of up to five percent of the sales price to cover actual closing costs.
Use of Funds	Funds may be used for down payment, mortgage assistance and non-recurring closing costs.
Applicant Eligibility First-Time Home Buyer	<p>The applicant must be a first-time homebuyer which means a borrower(s) who has not owned a home during the three-year period prior to the purchase of a home with CalHome assistance. Applicant's Federal income tax returns will be used to verify compliance.</p> <p>The CalHome Regulation Section 7716(m) contains a provision for individuals who meet the definition of a displaced homemaker or single parent, or individuals who have owned a mobile home not permanently affixed to a permanent foundation to be considered eligible for the program.</p>
Applicant Eligibility Household Income	The qualifying income of CalHome applicant household must not exceed 80 percent of County median income for the size of the household. As of March 19, 2009, the eligible income limits are:

	<p style="text-align: center;">Household Size</p> <p style="text-align: center;">1-person 2-person 3-person 4-person 5-person 6-person</p>	<p style="text-align: center;">80 percent of County median</p> <p style="text-align: center;">\$40,800 \$46,600 \$52,450 \$58,250 \$62,900 \$67,550</p>
Qualifying Income	<p>Qualifying income is calculated by totaling gross income for all persons 18 years of age or older who will occupy the residence. The income is annualized forward over a twelve-month period. Income includes all salaries, wages, overtime and bonuses before payroll deductions. It also includes earnings from interest on savings and checking accounts, dividends, the full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, public assistance, alimony, child support or regular gifts. Interest income, actual or imputed, from assets over \$5,000 will be included in qualifying income.</p>	
Eligibility vs. Lender Income	<p>For program eligibility, the total annual income includes income of <u>all adult members of the household</u>.</p> <p>For <u>underwriting purposes</u>, the lender shall use standard industry methods for determining the <u>borrower's annual gross income</u>. Note that the gross income figure calculated for income-eligibility purposes may vary substantially from the annual income a lender will use to underwrite the first mortgage.</p>	
Housing Debt Ratio	<p>With the CalHome assistance, the homebuyer's monthly housing costs are to be affordable as evidenced by a monthly housing cost ratio of no less than 28 percent of the borrower's gross monthly income and no more than 38 percent of the borrower's gross monthly income. The total debt ratio may be determined by the lender's underwriting guidelines. On FHA insured loans, ratios are 29/41. These cannot be exceeded unless there are significant compensating factors.</p>	
Underwriting	<p>The first mortgage lender will perform the loan underwriting using established credit guidelines for the particular loan program as determined by industry standards. The Agency will provide oversight of this function and may require credit explanations or payoff of collection accounts if deemed necessary and prudent. Prior bankruptcies or foreclosures may be permitted with evidence of reestablished credit if allowed by lender's credit guidelines.</p> <p>There may be no outstanding unpaid judgments or involuntary liens at the time the CalHome loan is recorded.</p>	
First Mortgage Restrictions	<p>Borrower shall obtain the maximum first lien mortgage loan with a term and interest rate from a mortgage lender consistent with affordable housing costs outlined above.</p> <p>The term of the loan shall be a minimum of 30 years.</p> <p>Mortgage loans shall not include provisions for negative amortization, principal increases, balloon payments or deferred interest. Adjustable Rate Loans (ARM's) and Graduated Payment Loans (GPM's) are not allowed.</p> <p>The first mortgage may be an FHA loan, conventional loan, or CalHFA</p>	

	<p>financing.</p> <p>Fees and charges to the borrower for the first mortgage loan shall be reasonable and must be approved by the CalHome lender.</p> <p>The first mortgage lender is required to collect and manage impound accounts for payment of taxes, assessments and hazard insurance according to the lender's requirements.</p>
Subordinate Financing to the CalHome Loan	<p>Homebuyer mortgage assistance loans subordinate to the CalHome Program Loan are allowed provided the combined loan-to-value ratio does not exceed 100 percent of the sales price plus a maximum of up to five percent of the sales price to cover actual non-recurring closing costs.</p> <p>Subordinate financing loans shall defer all principal and interest payments for the term of the CalHome Program loan. No balloon payments are allowed prior to the maturity date of the CalHome loan.</p>
Escrow Prohibitions	<p>Cash transactions and oral agreements outside of escrow are prohibited. Cash out of escrow to the borrower is limited to the amount deposited into escrow by the borrower and not needed for any lender-required minimum down payment.</p>
Eligible Properties Maximum Sales Price	<p>Single family residences (including condominiums and half-plexes) in eligible areas of the City and County of Sacramento.</p> <p>The maximum allowable sales price of the assisted unit cannot exceed the HUD 203(b) mortgage limit for the area which is \$580,000 for 2009 as announced in HUD Mortgagee Letter 2009-50.</p>
Eligible Areas	<p>In the City of Sacramento, the CalHome Program is limited to properties located in "qualified census tracts" and/or redevelopment areas. See below for the list of "qualified census tracts" and Agency redevelopment areas.</p> <p>In the County of Sacramento, the CalHome program is available only within the unincorporated areas of the County. The program is not available in Citrus Heights, Elk Grove, Galt, Folsom, Isleton or Rancho Cordova.</p>
Qualified Census Tracts	<p>The "qualified census tracts" are: 0005.00, 0006.00, 0007.00, 0010.00, 0011.00, 0012.00, 0018.00, 0020.00, 0021.00, 0022.00, 0027.00, 0028.00, 0032.01, 0036.00, 0037.00, 0041.00, 0042.02, 0042.03, 0043.00, 0044.01, 044.02, 0045.00, 0048.01, 0049.03, 0049.05, 0052.01, 0053.00, 0055.02, 0062.02, 0063.00, 0064.00, 0065.00, 0066.00, 0067.02, 0068.00, 0069.00, 0070.01.</p>
Redevelopment Areas	<p>Alkali Flat, Army Depot, Del Paso Heights, Franklin Blvd., North Sacramento, Oak Park, Stockton Blvd., and 65th Street Redevelopment Areas. Please see SHRA web site at www.shra.org, or call for maps of these areas.</p>
Repayment of CalHome Loan	<p>Loans shall be repayable upon sale or transfer of the property, when the property ceases to be owner-occupied, or upon the CalHome Program Loan maturity date.</p>
Hardship	<p>However, if it is determined by the recipient that repayment of the CalHome Program loan at the maturity date causes a hardship to the borrower, the borrower has two options:</p> <p>(A) Amending the note and deed of trust to defer repayment of the amount</p>

	<p>due at loan maturity, that is the original principal and the accrued interest, for up to an additional 30 years (at zero percent additional interest), this may be offered one time, or</p> <p>(B) Converting the debt at loan maturity, that is the original principal balance and any accrued interest, to an amortized loan, repayable in 15 years at zero percent additional interest.</p>
Refinancing	Refinancing may be allowed subject to the provisions of the Agency loan servicing /subordination policy. In general, "cash out" refinancing is prohibited by Agency policy.
Reuse Account	When CalHome loans are repaid, the funds are deposited into a "CalHome Reuse Account". Loans funded from this reuse account are not limited to properties in qualified census tracts or redevelopment areas.
Homebuyer Education	<p>All CalHome homebuyers must attend an 8 hour HUD approved course of homebuyer education classes. The homebuyer education requirement may be met by taking the following classes:</p> <p>Sacramento Home Loan Counseling Center</p> <ul style="list-style-type: none"> • Course 1 –The Home Buying Process • Course 2 – Credit & Money Management • Course 3 - Home Maintenance/Good Neighbor; OR <p>NeighborWorks Homeownership Center</p> <ul style="list-style-type: none"> • Preparing for Homeownership – 8 hour course
Application Procedures	To apply for the program, please contact any of the lenders on the Agency Approved Lender List. For additional information or questions call (916) 440-1393, or visit our web site at www.shra.org .



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Fact Sheet

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CalHome Owner-Occupied Rehabilitation Program 2010 CONTRACT PROGRAM GUIDELINES

CalHome Program	The CalHome Owner-Occupied Rehabilitation loan is a deferred payment home rehabilitation loan designed for low-income homeowners whose homes are in need of repair. This includes single-family homes as well as manufactured (or mobile) homes.
Minimum Loan Amount	\$ 10,000 – single family dwellings \$ 2,000 – manufactured housing
Maximum Loan Amount	The maximum loan shall not exceed the required amount of assistance needed to fund costs associated with eligible improvements, but will not exceed: \$54,000 – single-family dwellings \$25,000 – manufactured housing
Interest Rate	Three percent fixed rate, simple. Principal and interest payments shall be deferred for the term of the loan.
Maximum CLTV	The loan-to-value ratio for an owner-occupied rehabilitation loan, when combined with all other indebtedness shall not exceed: 100 percent of the after-rehabilitation value for single-family homes 90 percent of the after-rehabilitation value for manufactured housing No financing, junior or senior to the CalHome loan, may have a balloon payment due before the maturity date of the CalHome loan.
Maximum Total Debt Ratios	Not applicable
Credit Standards	Per Agency Credit Matrix and Underwriting Guidelines
Term	20 years – single family dwellings 20 year forgivable loan – manufactured housing (located in a mobile home park and not permanently affixed to a foundation).
Forgivable Loan Manufactured Housing Only	The loan shall be due and payable in 20 years, with 10 percent of the original principal and accrued interest to be forgiven annually for each year beyond the 10 th year that the home is owned and continuously occupied by the borrower.
Refinancing	Refinancing may be allowed subject to Agency subordination policy. Refinancing will not be allowed on manufactured housing.
Repayment	Loans shall be repayable upon sale or transfer of the property, when the property ceases to be owner-occupied, or upon the CalHome Program Loan maturity date.

<p>Hardship Single Family Dwellings</p>	<p>However, if it is determined by the Agency that repayment of the CalHome Program loan at the maturity date would cause a hardship to the borrower, the borrower may have two options:</p> <p>(A) Amending the note and deed of trust to defer repayment of the amount due at loan maturity, that is the original principal and accrued interest, for up to an additional 30 years (at zero percent additional interest). This may be offered one time, or</p> <p>(B) Converting the debt at loan maturity, that is the original principal balance and any accrued interest to an amortized loan, repayable in 15 years at zero percent additional interest.</p>	
<p>Eligible Applicants</p>	<p>Owner-occupants* of single-family homes or manufactured housing in the City and County of Sacramento who are defined as low-income based on household income not exceeding 80 percent of County median income for the size of the household. As of March 19, 2009, the eligible income limits are:</p>	
	<p>Household Size</p> <p>1-person</p> <p>2-person</p> <p>3-person</p> <p>4-person</p> <p>5-person</p> <p>6-person</p>	<p>80 percent of County median</p> <p>\$40,800</p> <p>\$46,600</p> <p>\$52,450</p> <p>\$58,250</p> <p>\$62,900</p> <p>\$67,550</p>
	<p>(*verified by public record review and physical inspection of the home)</p>	
<p>Qualifying Income</p>	<p>Qualifying income is calculated by totaling gross income for all persons 18 years of age or older who will occupy the residence. The income is annualized forward over a twelve-month period. Income includes all salaries, wages, overtime and bonuses before payroll deductions. It also includes earnings from interest on savings and checking accounts, dividends, the full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, public assistance, alimony, child support or regular gifts. Interest income, actual or imputed, from assets over \$5,000 will be included in qualifying income.</p>	
<p>Eligible Properties</p>	<p>Single-family homes or manufactured homes in eligible areas of the City and County of Sacramento, whose after rehabilitation value does not exceed the HUD 203(b) mortgage limit for the area which is \$580,000 for 2009 as announced in HUD Mortgage Letter 2009-50.</p>	
<p>Eligible Areas</p>	<p>In the City of Sacramento, the CalHome Program is limited to properties located in "qualified census tracts" and/or redevelopment areas. See below for list of "qualified census tracts" and Agency redevelopment areas.</p> <p>In the County of Sacramento, the CalHome program is available only within the unincorporated areas of the County. The program is not available in Citrus Heights, Elk Grove, Galt, Folsom, Isleton or Rancho Cordova.</p>	
<p>Qualified Census Tracts</p>	<p>The "qualified census tracts" are: 0005.00, 0006.00, 0007.00, 0010.00, 0011.00, 0012.00, 0018.00, 0020.00, 0021.00, 0022.00, 0027.00, 0028.00, 0032.01, 0036.00, 0037.00, 0041.00, 0042.02, 0042.03,</p>	

	0043.00, 0044.01, 0044.02, 0045.00, 0048.01, 0049.03, 0049.05, 0052.01, 0053.00, 0055.02, 0062.02, 0063.00, 0064.00, 0065.00, 0066.00, 0067.02, 0068.00, 0069.00, 0070.01.
Redevelopment Areas	Alkali Flat, Army Depot, Del Paso Heights, Franklin Blvd., North Sacramento, Oak Park, Stockton Blvd., and 65 th Street Redevelopment Areas. Please see the SHRA web site at www.shra.org , or call for maps of these areas.
Eligible Repairs	<p>Funds may be used to finance real property improvements that substantially protect or improve the basic livability or utility of the single-family property. Improvements must meet the Agency Property Rehabilitation Standards. General property improvements (GPI) may be included subject to the limitations of the Agency Property Rehabilitation Standards. Rehabilitation includes reconstruction and room additions to prevent overcrowding.</p> <p>Repairs on manufactured homes include any repairs and improvements necessary to correct any condition causing the home to be substandard pursuant to CCR, Title 25, Section 1704. Improvements must meet the Agency Property Rehabilitation Standards.</p>
Reuse Account	When CalHome loans are repaid, the funds are deposited into a "CalHome Reuse Account". Loans funded from this reuse account are not limited to properties in qualified census tracts or redevelopment areas.
Application Procedure	Contact our office for an application. A written loan application must be submitted to our office to start the application procedure. For additional information, please call (916) 440-1393, or visit our web site at www.shra.org



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