



**Sonoma County Community Development Commission**  
**Sonoma County Housing Authority**

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Commission*

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**MEMORANDUM**

**Date:** March 20, 2024

**To:** Community Development Committee (CD Committee)

**From:** Laurie Dinwiddie, Community Development Program Specialist

**Subject:** Calendar Year 2023 Update on Affordable Housing Compliance Monitoring

**Background**

The Sonoma County Community Development Commission (Commission) conducts desk and onsite monitoring for all affordable housing units and developments that have a restrictive covenant or funding agreement that require certain units to be affordable to lower income households. Desk monitoring is completed annually and includes a comprehensive review of the affordable restricted unit occupancy, a summary of data such as unit bedroom count, household size and income, and rental amounts and income certifications. This information is reviewed to verify that the properties are in compliance with the terms of the affordable housing agreements. For 2023, desktop monitoring included the review of 118 projects which included more than 2,700 restricted units.

Historically, the Commission staff performed onsite monitoring of rental developments that had federal HOME Investment Partnership Program (HOME) funding agreements since it is the only funding or development incentive program that had a specific requirement to conduct it on a periodic basis. Those onsite monitoring visits had been occurring on a once every three-year schedule, according to the HOME requirements, other than during a U.S. Department of Housing and Urban Development (HUD) HOME program suspension issued from April 2020 through December 2021 to prevent the spread of COVID.

In December of 2021, the Board of Supervisors approved the Commission amendments to the Affordable Housing Compliance Monitoring Policies (Policies) to add and include all rental developments that had any form of regulatory affordable housing agreement with Sonoma County or the Commission in the onsite monitoring three-year schedule, in addition to the HOME units. The Board approval of the amended Policies included the approval of the addition of one new full-time equivalent staff position to support the expanded responsibilities, and in May of 2023, this new position was onboarded.

In April 2023 all the rental developments monitored by the Commission were notified onsite monitoring would begin on the new three-year cycle, and the onsite monitoring was initiated.



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An onsite monitoring visit consists of following steps:

- Coordination of onsite monitoring appointment with site management or property owner/owner's representative;
- Opening conference onsite with the owner or owner's representative;
- Review of relevant tenant files selected at random and other related documents;
- Physical inspection of restricted affordable units;
- Inspection of the physical condition of the common areas, buildings, and grounds;
- Closing conference with owner or owner's representative to review any preliminary findings;
- Draft site visit report issued with request for corrections of deficiencies within a specified period of time (generally two weeks);
- Once all items are addressed and deemed in compliance, the final site visit report is issued.

For the calendar year 2023, the Commission staff conducted onsite monitoring visits at 21 rental developments and 2 shelter sites. The 21 rental developments represent a total of 1,647 rental units of which 596 have affordability restrictions. A total of 19 of the 21 rental developments were restricted by other non-HOME funding or local development incentives so it was the first time they had an onsite monitoring visit from the Commission. During these visits, 165 tenant files were reviewed, and 115 physical units were inspected. The tenant files and units selected represent a minimum of 10% of the total affordable units in developments that consist of 11 or more units, and all the affordable units in developments with 10 or less units. They are a randomly selected representation of the units with affordability restrictions covering a variety of unit sizes, household sizes as well as both existing and new tenants. The other two sites visited were congregate shelters and included a total of 78 beds.

This compliance monitoring serves many important purposes. A brief recap of compliance issues discovered during the file monitoring includes rent overcharges, out of date tenant income documentation, discrepancy of information from the physical tenant file to rent roll information submitted by a development in other annual desktop monitoring by the Commission, lack of understanding of layered funding sources and requirements by the site managers in determining household income and rent, or leases missing required information. Deficiencies observed in the physical unit inspections included items such as non-working stoves, trip hazards, flammable items stored inappropriately, mold in bathroom and bedrooms, loose handrails on stairways, access hazards, clogged fan vents, leaking toilets and a development wide fire system that had not had its annual safety inspection for over two years.

As noted earlier, when a correction or deficiency is noted in the Draft Site Visit Report, the development is given a timeframe to make the needed corrections. With many items, this is sufficient, however if it is an issue that requires parts to be ordered or third-party workers to make the needed repairs, the timeframe would be increased based on conversation with the development. Commission staff tracks these due dates and follows up until the items are corrected and deemed in compliance. In almost all cases where deficiencies are noted or corrections needed, the properties work to address the items to bring them into compliance. In

very limited circumstances, as a last resort, after exhausting all available remedies to support a development to come into compliance, certain matters of noncompliance with the terms of their regulatory agreements are referred to County Counsel for further action.

Commission staff have also used this increased monitoring as an opportunity to review internal processes and develop enhancements to both the traditional desktop monitoring and the onsite monitoring inspections to ensure that the onsite monitoring visits are more effective by adding items to the review checklist including the affordable unit waitlists, preventative maintenance schedules, and tenant affirmative marketing and management plans. Overall, the affordable housing monitoring has had very beneficial results helping to ensure lower income households have equitable access, affordable rents, and safe and habitable units.