

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



September 8, 2021

James Wurtz, Economic Development Manager
City Manager's Office
City of Banning
99 E. Ramsey Street
Banning, CA 92220

Dear James Wurtz:

RE: Written Comments Regarding the City of Banning's Surplus Land Disposition Documentation for the Properties at 200 S. Hathaway Street (APNs 532-130-011, 012 & 018; 532-150-002, 003, 004; 541-240-009; 541-250-009 and 532-180-034).

Thank you for submitting your surplus land documentation for review by the Department of Housing and Community Development (HCD). We received your documentation on August 9, 2021. This letter constitutes HCD's initial written comments, pursuant to Government Code section 54230.5(b)(2)(C) of the Surplus Land Act (SLA), for the properties located at 200 South Hathaway Street in the City of Banning (City).

The letter and documents that you provided establish that a Resolution declaring the properties to be surplus was issued on May 25, 2021 and a NOA identifying APNs 532-130-011, 012 & 018; 532-150-002 & 003; 541-240-009; 541-250-009 and 532-180-034 was sent to all the required entities June 1, 2021. The NOA also identified properties at APNs 532-150-004 and 532-140-003. These two APNs were not declared surplus in your Resolution. After the required 60-day period, no affordable housing entity expressed interest in purchasing any of the properties.

HCD determines that you have met all the requirements under the SLA for the purposes of disposing of the surplus land located at 200 South Hathaway Street identified by APNs 532-130-011, 012 & 018; 532-150-002 & 003; 541-240-009; 541-250-009 and 532-180-034. The City is permitted to proceed with the sale of those properties.

HCD does not authorize the sale of the two properties located at APNs 532-150-004 and 532-140-003. Since these properties were not listed on the Resolution, they have not properly been declared surplus property. In order to proceed with the sale of these properties the Resolution must be updated and resubmitted to HCD or a separate resolution and noticing will be needed for these APNs.

City of Banning

You have also enclosed draft affordability covenants to be recorded against the properties. The covenants must be amended to accurately reflect the approved dispositions before filing. The draft you submitted includes the property at APN 532-130-011 twice. If you move forward with the approved disposition, that is the only correction needed to the covenant. However, if you decide to update the Resolution to include APNs 532-150-004 and 532-140-003 and resubmit to HCD, the covenant would need to be updated to include APNs 532-150-004 and 532-140-003.

The City or its representatives may send any questions to publiclands@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan Kirkeby', with a small dot at the end of the signature.

Megan Kirkeby
Deputy Director
Housing Policy Development