

FINDING OF EMERGENCY
CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE (CDLAC)

Evidence of Substantial Progress

Pursuant to Title 1 CCR section 52(b), the California Debt Limit Allocation Committee (the “Committee”) hereby asserts that it has made substantial progress and has proceeded with diligence to comply with Government Code §11346.1(e) by undertaking these readopting activities. After issuing an RFP, CDLAC has signed a contract with a strategic planning consultant who will assist with CDLAC regulations and converting all outstanding emergency regulation packages to permanent via the Certificate of Compliance process. The consultant has already begun working with CDLAC and outlined a plan to complete this process. Equally, CDLAC has entered into a contract agreement with Esper (<https://www.esper.com/>) that will provide CDLAC with software assistant in bringing all CDLAC regulations current and permanent. The end goal is to make all of CDLAC regulations current, viable and efficient via the Certificate of Compliance process.

Incorporation by Reference

Pursuant to 1 CCR sec. 52(c), CDLAC hereby incorporates by reference the following document from the initial emergency file, OAL file numbers: 2020-1204-01EE, 2020-0211-01E and 2021-0120-01E.

The California Debt Limit Allocation Committee has complied with the requirements to provide notice of proposed rulemaking action pursuant to Government code section 11346.1(a) (2).

Authority and Reference

Authority: Section 8869.94, California Government Code. Section 8869.94 of the Code authorizes the Committee to adopt regulations relating to an allocation system to administer the state unified volume ceiling as emergency regulations and instructs the Office of Administrative Law to consider such regulations to be “necessary for the immediate preservation of the public peace, health and safety or general welfare.”

Reference: California Government Code Sections 8869.80-8869.94 8869.82, 8869.84, 8869.84(c), 8869.85(a), 8869.85(b), and 8869.87.

Statement of Reasons/Informative Digest

List of regulations to be re-adopted:

- Title 4, Section 5000, Definitions
- Title 4, Section 5180, Application Process

The Committee is authorized to adopt regulations relating to an allocation system to administer the state unified volume ceiling as emergency regulations (California Government Code 8869.94).

FINDING OF EMERGENCY
CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE (CDLAC)

During open rounds, CDLAC staff communicate with the applicants to help provide sufficient application information to recommend a project to the committee. In competitive rounds, CDLAC staff communication with applicants is limited. CDLAC recognizes that all application items may be available from the applicant that may not have been initially received and therefore, with these items available at hand, 1 business day should be sufficient time to accommodate identified application deficiencies and provide a complete application for the applicants and allow CDLAC staff to execute a complete project review. CDLAC is proposing changes to Title 4, § 5180 to allow 1 additional time for applicants to cure any identified application deficiencies.

In collaboration with the changes to Section 5180 CDLAC is proposing changes to Title 4, § 5000 to maintain existing language.

Additional changes to Section 5180 were made in prior emergency adoptions to incorporate the current existing language.

**Other Matters Prescribed by Statutes Applicable to the Specific State Agency
or to any Specific Regulation or Class of Regulations**

No other matters are prescribed by statute applicable to the Committee or to any specific regulation or class of regulation pursuant to Section 11346.1(b) or 11346.5(a)(4) of the California Government Code pertaining to the Emergency Regulations or to the Committee.

Mandate on Local Agencies or School Districts

The Executive Director of the Committee has determined that the Emergency Regulations do not impose a mandate on local agencies or school districts.

Fiscal Impact

The Executive Director of the Committee has determined that the Emergency Regulations do not impose any additional cost or savings requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the California Government Code, any other non-discretionary cost or savings to any local agency or any cost or savings in federal funding to the State. Pursuant to the State Administrative Manual Section 6680, a Fiscal Impact Statement (Form 399) is submitted.

Application for and participation in CDLAC's Programs is discretionary and the proposed revisions pertain to program eligibility, compliance and administration issues. Neither the proposed revisions nor the CDLAC Regulations as a whole require any person or entity to take any action, make any monetary expenditure, or refrain from taking any action or making any expenditure. The proposed revisions will not have an effect on the creation or elimination of jobs within the State of California, the creation of new businesses or the elimination of existing business within the State of California, the

FINDING OF EMERGENCY
CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE (CDLAC)

expansion of businesses currently doing business within the State of California, or on small businesses.

Creation or Elimination of Jobs within the State of California

The proposed revisions will not have an effect on the creation or elimination of jobs within the State of California. Application for and participation in CDLAC's Programs is discretionary and the proposed revisions pertain to program eligibility, compliance and administration issues. Neither the proposed revisions nor the CDLAC Regulations as a whole require any person or entity to take any action, make any monetary expenditure, or refrain from taking any action or making any expenditure.

Creation of New or Elimination of Existing Businesses Within the State of California

The proposed revisions will not have an effect on the creation of new businesses or the elimination of existing business within the State of California, the expansion of businesses currently doing business within the State of California, or on small businesses. The California School Financing Authority maintains that its facility funding programs do not have any private sector cost impacts.

Benefits of the Regulations

The benefits derived by these proposed regulations include the fair, efficient and equitable administration of the Qualified Residential Rental Project (QRRP) Program in compliance with state and federal law.

Fiscal Impact Estimates

Cost or savings to any State agency: **None**

Cost to any local agency or school district that is required to be reimbursed Part 7 (commencing with Section 17500) of Division 4: **None**

Other nondiscretionary cost or savings imposed on local agencies: **None**

Cost or savings in federal funding to the State: **None**