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RESOLUTION 05-13

RESOLUTION APPROVING PROPOSED AMENDMENTS TO REGULATIONS

WHEREAS, the California Housing Finance Agency (the "Agency") through its Board of Directors (the "Board") is authorized to adopt and, where appropriate, to amend or repeal regulations; and

WHEREAS, the Board has determined that the proposed amendments to certain Agency regulations, as attached hereto, are necessary and appropriate for adoption by the Agency,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors as follows:

1. The attached amendments to the Agency's regulations, incorporated herein by reference, concerning Title 25, Division 2, Chapter 1, Article 1, § 10001 of the California Code of Regulations (the Conflict of Interest Code of the Agency) are hereby approved.

2. The staff is directed to give public notice, conduct any required public hearing and take such other action as may be necessary or proper for the adoption by the Agency of such amended regulations including submission of such amendments to the Fair Political Practices Commission and the Office of Administrative Law. The staff is authorized to make non-material revisions to these amendments, without further Board approval, as may be appropriate in the course of promulgating these amendments.

I hereby certify that this is a true and correct copy of Resolution 05-13 adopted at a duly constituted meeting of the Board of Directors of the Agency held on March 22, 2005, at Sacramento, California.

ATTEST: 
Secretary

Title 25, Division 2, Chapter 1, Article 1, § 10001 of the California Code of Regulations shall be amended to read as follows:

§ 10001. General Provisions.

The Political Reform Act, Government Code sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the California Housing Finance Agency (the Agency).

Designated employees shall file statements of economic interests with the ~~agency~~ Agency, ~~who~~ which will make the statements available for public inspection and reproduction. (Govt. Code Section 81008). Upon receipt of the statements of Board Members and the Executive Director, the ~~agency~~ Agency shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the ~~agency~~ Agency.

Note: Authority cited: Sections 87300 and 87304, Government Code. Reference: Sections 87300, et seq., Government Code.

History

1. Repealer of chapter 1 (article 1, sections 10001-10006) and new chapter 1 (article 1, sections 10001-10011) filed 8-12-77; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 4-20-77 (Register 77, No. 37). For prior history, see Registers 75, No. 49; and 76, No. 20.
2. Repealer of article 1 (sections 10001-10011 and Exhibits A and B) and new article 1 (section 10001 and Appendix) filed 2-26-81; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 12-1-80 (Register 81, No. 9).
3. Amendment of Appendix filed 6-14-84; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 5-7-84 (Register 84, No. 24).
4. Amendment of Appendix refiled 10-4-84; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 5-7-84 (Register 84, No. 40).
5. Amendment of section 10001 and Appendix filed 1-30-91; operative 3-1-91. Approved by Fair Political Practices Commission 12-6-90 (Register 91, No. 14).
6. Amendment of section and Appendix filed 4-18-96; operative 5-18-96. Approved by Fair Political Practices Commission 2-8-96 (Register 96, No. 16).

Title 25, Division 2, Chapter 1, Article 1, § 10001 of the California Code of Regulations shall be amended to read as follows:

7. Amendment of section and Appendix filed 7-28-97; operative 8-27-97. Approved by Fair Political Practices Commission 6-4-97 (Register 97, No. 31).

**Conflict of Interest Code of the
California Housing Finance Agency**

Appendix

*Designated
Employees*

*Assigned
Disclosure
Category*

Persons holding the following positions
and/or the following classifications are
"designated employees":

Board of Directors

Board Members (All members of the Board other than the State Treasurer) 1, 2, 3

Executive Director

Executive Director 1, 2, 3
 Chief Deputy Director 1, 2, 3
 Legislative Coordinator Director of Legislation 1, 2, 3

Administration

~~Director, Administration~~ Director of Administration 1, 2, 3
~~Data Processing Manager II~~ 1, 2, 3
~~Systems Software Specialist I~~ 1, 2, 3
~~Staff Programmer Analyst~~ 1, 2, 3
~~Associate Programmer Analyst~~ 1, 2, 3
 Chief of Administrative Services 1, 2, 3
Staff Services Manager I (Business Services) 3
 Business Services Officer 1, 2, 3

Information Technology

Chief Information Officer 2, 3
Staff Information Systems Analyst (Specialist) 3

Marketing

Director of Marketing (Staff Services Manager III) 1, 2, 3
~~Assistant Director of Marketing~~ 1, 2, 3
~~Assistant for Marketing and Communications~~ 1, 2, 3

Title 25, Division 2, Chapter 1, Article 1, § 10001 of the California Code of Regulations shall be amended to read as follows:

Legal

General Counsel	1, 2, 3
Staff Counsel IV	1, 2, 3
Staff Counsel III	1, 2, 3
Staff Counsel	1, 2, 3

Financing

Director of Financing	1, 2, 3
Risk Manager	1, 2, 3
Housing Finance Chief (Financing)	1, 2, 3
Financing Officer	1, 2, 3
Financial Specialist <u>Financing Specialist</u>	1, 2, 3
Financing Associate	1, 2, 3

Fiscal Services

Comptroller	1, 2, 3
Mortgage Loan Accounting Administrator	1, 2, 3
Loan Servicing Manager	1, 2, 3
Accounting Administrator III	1, 2, 3
Accounting Administrator II	3
Housing Finance Officer (Single Family)	1, 2, 3
Housing Finance Specialist (Single Family)	1, 2, 3

Programs

Director of Programs	1, 2, 3
Deputy Program Director (Rental) ⁺	1, 2, 3
Housing Finance Chief (Rental, Single Family, Management Services) ⁺	1, 2, 3
Supervising Design Officer ⁺	1, 2, 3
Supervising Estimator ⁺	1, 2, 3
Housing Finance Officer (Rental, Single Family, and Management Services)	1, 2, 3
Senior Design Officer	1, 2, 3
Senior Estimator	1, 2, 3
Associate Design Officer	1, 2, 3
Senior Housing Construction Inspector	1, 2, 3
Housing Construction Inspector	1, 2, 3
Housing Maintenance Inspector	1, 2, 3
Housing Finance Specialist (Rental, Single Family, Management Services, and General) ⁺	1, 2, 3
Housing Finance Associate (Rental, Single Family, Management Services, and General) ⁺	1, 2, 3
Policy and New Product Development Administrator	1, 2, 3

Homeownership

Director of Homeownership	1, 2, 3
Deputy Program Director (Rental)	1, 2, 3
Housing Finance Chief (Single Family)	1, 2, 3
Housing Finance Officer (Single Family)	1, 2, 3
Housing Finance Specialist (Single Family)	1, 2, 3

Title 25, Division 2, Chapter 1, Article 1, § 10001 of the California Code of Regulations shall be amended to read as follows:

Multifamily

Director of Multifamily	1, 2, 3
Deputy Program Director (Rental)	1, 2, 3
Housing Finance Chief (Rental, Construction Services)	1, 2, 3
Supervising Design Officer	1, 2, 3
Senior Design Officer	1, 2, 3
Senior Estimator	1, 2, 3
Senior Housing Construction Inspector	1, 2, 3
Housing Construction Inspector	1, 2, 3
Housing Finance Officer (Rental, Construction Services)	1, 2, 3
Housing Finance Specialist (Rental, Construction Services)	1, 2, 3
Chief, Special Lending Programs (CEA II)	1, 2, 3

Asset Management

Director of Asset Management	1, 2, 3
Housing Finance Chief (Management Services)	1, 2, 3
Housing Finance Officer (Management Services)	1, 2, 3
Housing Finance Specialist (Management Services)	1, 2, 3
Housing Maintenance Inspector	1, 2, 3

Insurance Fund Mortgage Insurance Services

Director of Insurance	1, 2, 3
Mortgage Insurance Officer	1, 2, 3
Mortgage Insurance Specialist	1, 2, 3
Mortgage Insurance Supervisor	1, 2, 3
Mortgage Insurance Representative II	1, 2, 3
Mortgage Insurance Representative I	1, 2, 3
Mortgage Insurance Marketing Representative	1, 2, 3
Housing Finance Chief (Homeownership)	1, 2, 3
Housing Finance Officer (Homeownership)	1, 2, 3
Housing Finance Specialist (Homeownership)	1, 2, 3

Consultants

Consultant	1, 2, 3
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With respect to Consultants, the General Counsel of the Agency may determine in writing that a particular consultant, although a “designated employee,” is hired to perform a range of duties that are is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination A copy of the written determination is a public record and shall be retained and made available for public inspection in the same manner and location as this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

Title 25, Division 2, Chapter 1, Article 1, § 10001 of the California Code of Regulations shall be amended to read as follows:

Disclosure Categories

Category 1

Designated employees in Category 1 must report:
Any interest All investments and interests in real property located within the State of California.

Category 2

Designated employees in Category 2 must report:

~~(a) Investments in any business entity:~~

~~(1) Defined to be a "housing sponsor," "limited-dividend housing sponsor," or "qualified mortgage lender" by part 1, chapter 2 of the Zenovich-Moscone-Chacon Housing and Home Finance Act (the Act); or~~

~~(2) Which is an insurance company, title company, escrow company, real estate firm, brokerage firm, building or construction contractor or subcontractor, or other insuring, realty, financial or contracting entity which provides or plans to provide work or services to, or to be approved by, the Agency.~~

~~(b) Each source of income, provided that the income was furnished by or on behalf of any person or entity:~~

~~(1) Defined to be a "housing sponsor," "limited-dividend housing sponsor," or "qualified mortgage lender" by part 1, chapter 2 of the Act; or~~

~~(2) Which is an insurance company, title company, escrow company, real estate firm, brokerage firm, building or construction contractor or subcontractor, or other insuring, realty, financial, or contracting entity which provides or plans to provide work or services to, or to be approved by, the Agency.~~

~~(c) Business positions in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management in any business entity:~~

~~(1) Defined to be a "housing sponsor," "limited-dividend housing sponsor," or "qualified mortgage lender" by part 1, chapter 2 of the Act; or~~

~~(2) Which is an insurance company, title company, escrow company, real estate firm, brokerage firm, building or construction contractor or subcontractor, or other insuring, realty, financial or contracting entity which provides or plans to provide work or services to, or to be approved by, the Agency.~~

All investments and business positions in, and sources of income from, any person or entity which is (i) defined to be a "housing sponsor," "limited-dividend housing sponsor," or "qualified mortgage lender" by part 1, chapter 2, of the Zenovich-Moscone-Chacon Housing and Home Finance Act (chapter 2 commences at section 50050 of the California Health and Safety Code) or which is (ii) a financial services company, information technology company, law firm, mortgage bank, investment bank, real estate services company, brokerage company, insurance company, title company, escrow company, building or construction contractor or subcontractor, that contracts with or otherwise does business with the Agency, or which is soliciting, or plans to solicit, a contract or other business from the Agency.

Title 25, Division 2, Chapter 1, Article 1, § 10001 of the California Code of Regulations shall be amended to read as follows:

Category 3

Designated employees in Category 3 must report:

All investments sources of income from and investments and/or business positions in any business entity or sources of income of the type which, within the last two years, has contracted with the Agency or with the State of California to provide services, supplies, materials, machinery or equipment to the Agency, or which has otherwise done business with the Agency.