



# REPORTS

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State of California

## MEMORANDUM

To Board of Directors

Date: February 22, 2006



Bruce D. Gilbertson, Director of Financing

From: CALIFORNIA HOUSING FINANCE AGENCY

**Subject:** REPORT OF BOND SALE AND INTEREST RATE SWAP AGREEMENTS  
HOME MORTGAGE REVENUE BONDS 2006 SERIES A

On February 2, 2006, the Agency delivered \$35,000,000 of Bonds under the Home Mortgage Revenue Bond Indenture (HMRB) to Merrill Lynch. The bonds are tax-exempt and were issued as variable rate demand obligations, with liquidity provided by Dexia Credit Local. Additional details of the bonds are outlined in the attached summary.

The HMRB 2006 Series A were issued pursuant to a co-operation agreement, dated January 1, 2006, between the Agency and the Southern California Home Finance Authority, a joint powers authority (SCHFA). Pursuant to the agreement the Agency agreed to structure, issue and sell \$35,000,000 of SCHFA's Single Family Mortgage Revenue Bonds 2006 Series A refunding bonds, enabling SCHFA to refund prior SCHFA bonds (in a like amount) and use the proceeds of the prior bonds to purchase the Agency's HMRB 2006 Series A, to ultimately make such amounts available to purchase the Agency's home mortgage loans within SCHFA's jurisdiction. In addition, pursuant to the agreement, the SCHFA agreed to apply to the California Debt Limit Allocation Committee (CDLAC) for a \$35,000,000 allocation of private activity volume cap at the March 15, 2005 meeting and request the allocation be transferred to the Agency.

The Agency expects that all the loans purchased with the HMRB Series A proceeds will be Interest Only Plus (IOP) loans with interest rates ranging from 5.25% to 5.75%. The Agency expects to be able to provide homes for approximately 130 families, with the proceeds.

The Agency entered into an interest rate swap agreement to provide a fixed rate cost of funds for the 2006 Series A Bonds. The swap is structured with declining notional amounts that match the expected amortization of the corresponding variable rate bonds. The Agency receives a variable rate of interest based on a percentage of the Bond Market Association (BMA) index. The BMA index is a tax-exempt index that allows the Agency to structure swaps and avoid risks related to future changes in tax law (tax risk). The interest rate swap was priced using new formulas based on historical performance of Agency variable rate bonds. Additional details of the Swaps are outlined in the attached summary.

## SUMMARY OF THE BONDS

BOND SERIES	2006 A
Par Amount	\$35,000,000
Type of Bonds (Tax-exempt)	VRDO
Tax Treatment	AMT
Maturities \$35,000,000, on	8/1/2035
Credit Rating Moody's S&P	*Aa2/VMIG-1 AA-/A-1+
Initial Interest Rate	2.83%
Liquidity Provider	Dexia Credit Local
Insurance Provider	N/A
Remarketing Agent	Merrill Lynch

## SUMMARY OF THE SWAPS

SERIES	2006 A
Notional Amounts	\$35,000,000.
Counterparties	MLDP
Effective Dates	2/2/06
Fixed Payor Rates	4.353%
Floating Rate Basis	97% of BMA
Reset Frequency	Daily
Average Life (yrs)	15.38
Maturity	8/1/2035

\*The 2006 Series A bonds were not reoffered to the public (and they are not rated), but instead were placed with and the assets are pledged to secure the SCHFA 2006 Series A Bonds which carry the rating of the HMRB indenture as shown above.

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State of California

## MEMORANDUM

**To:** Board of Directors

**Date:** February 22, 2006



**From:** Bruce D. Gilbertson, Director of Financing  
CALIFORNIA HOUSING FINANCE AGENCY

**Subject:** UPDATE ON VARIABLE RATE BONDS AND INTEREST RATE SWAPS

For a number of years the Agency has used variable rate debt as the primary issuance strategy in providing capital to support its programmatic goals. Most of our interest rate exposure from variable rate debt is hedged in the swap market. This strategy has enabled us to achieve a significantly lower cost of funds and a better match between assets and liabilities.

The following report describes our variable rate bond and interest rate swap positions as well as the related risks associated with this financing strategy. The report is divided into sections as follows:

- Variable Rate Debt Exposure
- Fixed-Payer Interest Rate Swaps
- Basis Risk and Basis Swaps
- Risk of Changes to Tax Law
- Amortization Risk
- Termination Risk
- Types of Variable Rate Debt
- Liquidity Providers
- Bond and Swap Terminology

**VARIABLE RATE DEBT EXPOSURE**

This report describes the variable rate bonds and notes of CalHFA and is organized programmatically by indenture as follows: HMRB (Home Mortgage Revenue Bonds--CalHFA's largest single family indenture), MHRB (Multifamily Housing Revenue Bonds III--CalHFA's largest multifamily indenture), HPB (Housing Program Bonds--CalHFA's newest indenture, used to finance the Agency's downpayment assistance loans), and DDB (Draw Down Bonds used to preserve tax-exempt authority.) The total amount of CalHFA variable rate debt is \$6.4 billion, 87% of our \$7.3 billion of total indebtedness as of February 2, 2006. As shown in the table below, our "net" variable rate exposure is \$679 million, 9.25% of our indebtedness. The net amount of variable rate bonds is the amount that is neither swapped to fixed rates nor directly backed by complementary variable rate loans or investments.

	VARIABLE RATE DEBT (\$ in millions)			
	Tied Directly to Variable Rate <u>Assets</u>	Swapped to <u>Fixed Rate</u>	Not Swapped or Tied to Variable Rate <u>Assets</u>	Total Variable Rate Debt
HMRB	\$3	\$3,727	\$516	\$4,246
MHRB	207	842	148	1,197
HPB	0	35	15	50
DDB	<u>919</u>	<u>0</u>	<u>0</u>	<u>919</u>
Total	\$1,129	\$4,604	\$679	\$6,412

One year ago our net exposure was \$890 million and 12% of our indebtedness. Two years ago it was \$1.1 billion and 15% of our indebtedness; three years ago it was \$688 million and 8.9%.

The \$679 million of net variable rate exposure (\$438 million taxable and \$241 million tax-exempt) is offset by the Agency's balance sheet and excess swap positions. While our current net exposure is not tied directly to variable rate assets, we have approximately \$556 million of other Agency funds invested in the State Treasurer's investment pool (SMIF) earning a variable rate of interest. From a risk management perspective, the \$556 million is a balance sheet hedge for the \$679 million of net variable rate exposure.

In order to maintain a certain level of confidence that the balance sheet hedge is effective, we have reviewed the historical interest rates earned on investments in the SMIF and LIBOR interest rate resets (most of our unhedged taxable bonds are index floaters that adjust at a spread to LIBOR). Using the data for the last ten years, we determined that there is a high degree of correlation between the two asset classes (SMIF and LIBOR) and that for every \$1 invested in SMIF we can potentially hedge \$1 of LIBOR-based debt.

The net variable rate exposure is further reduced by two other considerations: 1) as mentioned in the Amortization Risk section of this report, we have \$96 million notional amount of interest rate

swaps in excess of the original bonds they were to hedge, and 2) a portion of our unhedged exposure is tax-exempt debt which resets at the theoretical ratio of 65% of Libor. These two considerations serve to reduce the net variable rate exposure to \$532 million. As a result, the \$556 million of other Agency funds invested in SMIF effectively hedges more than 100% of our current net variable rate exposure.

In addition, taking unhedged variable rate exposure mitigates the amortization risk without the added cost of purchasing swap optionality. Our unhedged variable rate bonds are callable on any date and allow for bond redemption or loan recycling without the cost of par termination rights or special bond redemption provisions. In addition, taking unhedged variable rate exposure diversifies our interest rate risks by providing benefits when short-term interest rates rise slower than the market consensus. In a liability portfolio that is predominately hedged using long-dated swaps, the unhedged exposure balances the interest rate profile of the Agency's outstanding debt.

#### **FIXED-PAYER INTEREST RATE SWAPS**

Currently, we have a total of 123 "fixed-payer" swaps with twelve different counterparties for a combined notional amount of \$4.7 billion. All of these fixed-payer swaps are intended to establish synthetic fixed rate debt by converting our variable rate payment obligations to fixed rates. These interest rate swaps generate significant debt service savings in comparison to our alternative of issuing fixed-rate bonds. This savings allows us to continue to offer loan products with exceptionally low interest rates to multifamily sponsors and to first-time homebuyers. The table below provides a summary of our notional swap amounts.

#### FIXED PAYER INTEREST RATE SWAPS

(notional amounts)

(\$ in millions)

	<u>Tax-Exempt</u>	<u>Taxable</u>	<u>Totals</u>
HMRB	\$2,896	\$927	\$3,823
MHRB	842	0	842
HPB	<u>35</u>	<u>0</u>	<u>35</u>
<b>TOTALS</b>	<b>\$3,773</b>	<b>\$927</b>	<b>\$4,700</b>

The following table shows the diversification of our fixed payer swaps among the twelve firms acting as our swap counterparties. Note that our swaps with Lehman Brothers, Bear Stearns, and Goldman Sachs are with highly-rated structured subsidiaries that are special purpose vehicles used only for derivative products. We have chosen to use these subsidiaries because the senior credit of those firms is not as strong as that of the other firms. Note also that our most recent swaps with Merrill Lynch are either with their highly-rated structured subsidiary or we are benefiting from the credit of this triple-A structured subsidiary through a guarantee.

## SWAP COUNTERPARTIES

<u>Swap Counterparty</u>	<u>Credit Ratings</u>			<u>Notional Amounts Swapped</u> <u>(\$ in millions)</u>	<u>Number of Swaps</u>
	<u>Moody's</u>	<u>S &amp; P</u>	<u>Fitch</u>		
Merrill Lynch Capital Services Inc.					
Guaranteed by:					
Merrill Lynch & Co.	Aa3	A+	AA-	\$ 754.3	18
MLDP, AG	Aaa	AAA	AAA	301.9	12
Merrill Lynch					
Derivative Products, AG	Aaa	AAA	AAA	264.1	9
Citigroup Financial					
Products Inc.	Aa1	AA-	AA+	816.3	21
Bear Stearns					
Financial Products Inc.	Aaa	AAA	NR	763.2	11
				315.1 *	8 *
Lehman Brothers					
Derivative Products Inc.	Aaa	AAA <sup>t</sup>	NR	548.7	21
Goldman Sachs Mitsui Marine					
Derivative Products, L.P.	Aaa	AA+	NR	309.5	6
				335.7 *	5 *
AIG Financial Products Corp.	Aa1	AA+	NR	245.3	8
Bank of America, N.A.	Aa1	AA	AA	221.9	5
JP Morgan Chase Bank	Aa2	AA-	AA-	218.3	7
BNP Paribas	Aa2	AA	AA	98.5	2
Morgan Stanley					
Capital Services Inc	Aa3	A+	AA-	86.7	1
UBS AG	Aa2	AA+	AA+	<u>70.8</u>	<u>2</u>
				\$4,699.5	123

\* Basis Swaps (not included in totals)

With interest rate swaps, the “notional amount” (equal to the principal amount of the swapped bonds) itself is not at risk. Instead, the risk is that a counterparty would default and, because of market changes, the terms of the original swap could not be replicated without additional cost.

For all of our fixed-payer swaps, we receive floating rate payments from our counterparties in exchange for a fixed-rate obligation on our part. In today’s market, with low short-term rates, the net periodic payment owed under these swap agreements is from us to our counterparties. As an example, on our February 1, 2006 semiannual debt service payment date we made a total of \$29.6 million of net payments to our counterparties. Conversely, if short-term rates were to rise above the fixed rates of our swap agreements, then the net payment would run in the opposite direction, and we would be on the receiving end.

**BASIS RISK AND BASIS SWAPS**

Almost all of our swaps contain an element of what is referred to as “basis risk” – the risk that the floating rate component of the swap will not match the floating rate of the underlying bonds.

This risk arises because our swap floating rates are based on indexes, which consist of market-wide averages, while our bond floating rates are specific to our individual bond issues. The only exception is where our taxable floating rate bonds are index-based, as is the case of the taxable floaters we have sold to the Federal Home Loan Banks.

Periodically, the divergence between the two floating rates widens, as market conditions change. Some periodic divergence was expected when we entered into the swaps. In the past we entered into swaps at a ratio of 65% of LIBOR, the London Inter-Bank Offered Rate which is the index used to benchmark taxable floating rate debt. These percentage-of-LIBOR swaps have afforded us with excellent liquidity and great savings when the average BMA/LIBOR ratio was steady at 65%. As short-term rates fell to historic lows and with an increased market supply of tax-exempt variable rate bonds, the historic relationship between tax-exempt and taxable rates was not maintained. For example, the average BMA/LIBOR ratio was 77% in 2002, 84.3% in 2003, and 81.5% in 2004. Now that short-term rates have risen significantly, the ratio has begun to fall. In 2005, it averaged 72.5%, and is currently at 70.5%. The BMA (Bond Market Association) index is the index used to benchmark tax-exempt variable rates.

When the BMA/LIBOR ratio is very high the swap payment we receive falls short of our bond payment, and the all-in rate we experience is somewhat higher. The converse is true when the percentage is low. In response, we and our advisors looked for a better formula than a flat 65% of LIBOR. After considerable study of California tax-exempt variable rate history, we revised the formula in December of 2002 to 60% of LIBOR plus 0.26% which resulted in comparable fixed-rate economics but performed better when short-term rates were low and the BMA/LIBOR percentage was high. We have since amassed approximately \$2.1 billion of LIBOR-based swaps using this revised formula. Recently we looked at the formula again and after completing a statistical analysis of CalHFA variable rate bonds as compared to the BMA and LIBOR indexes and taking into consideration the changing market conditions, we've decided to have several different swap formulas to fit our different types of bonds: 64% of LIBOR plus 0.25% for AMT weekly resets; 62% of LIBOR plus 0.25% for AMT daily resets; 64% of LIBOR plus 0.17% for Non-AMT weekly resets; and 62% of LIBOR plus 0.17% for Non-AMT daily resets. We expect to use these new formulas for new swap transactions and we will continue to monitor the BMA/LIBOR relationship and the performance of the new swap formulas.

In addition, we currently have basis swaps for \$651 million of the older 65% of LIBOR swaps. The basis swaps provide us with better economics in low-rate environments by exchanging the 65% of LIBOR formula for alternative formulas that would alleviate the effects of the current high BMA/LIBOR ratio. As an example, we have saved \$1.3 million on our swap payments since entering into the basis swaps in February 2004. The following table shows the diversification of variable rate formulas used for determining the payments received from our interest rate swap counterparties.

**BASIS FOR VARIABLE RATE PAYMENTS  
RECEIVED FROM SWAP COUNTERPARTIES**

(notional amounts)

(\$ in millions)

	<u>Tax-Exempt</u>	<u>Taxable</u>	<u>Totals</u>
60% of LIBOR + 26bps	\$2,006	\$0	\$2,006
3 mo. LIBOR + spread	0	590	590
BMA – 15bps	490	0	490
Enhanced LIBOR <sup>1</sup>	336	0	336
Stepped % of LIBOR <sup>2</sup>	315	0	315
65% of LIBOR	297	0	297
1 mo. LIBOR	0	275	275
62% of LIBOR + 25bps	179	0	179
6 mo. LIBOR	0	62	62
97% of BMA	56	0	56
BMA – 20bps	36	0	36
64% of LIBOR	34	0	34
60% of LIBOR + 21bps	<u>23</u>	<u>0</u>	<u>23</u>
<b>TOTALS</b>	<b>\$3,772</b>	<b>\$927</b>	<b>\$4,699</b>

<sup>1</sup> Enhanced LIBOR – This formula is 50.6% of LIBOR plus 0.494% with the proviso that the end result can never be lower than 61.5% of LIBOR nor greater than 100% of LIBOR.

<sup>2</sup> Stepped % of LIBOR – This formula has seven incremental steps where at the low end of the spectrum the swap counterparty would pay us 85% of LIBOR if rates should fall below 1.25% and at the high end, they would pay 60% of LIBOR if rates are greater than 6.75%.

**RISK OF CHANGES TO TAX LAW**

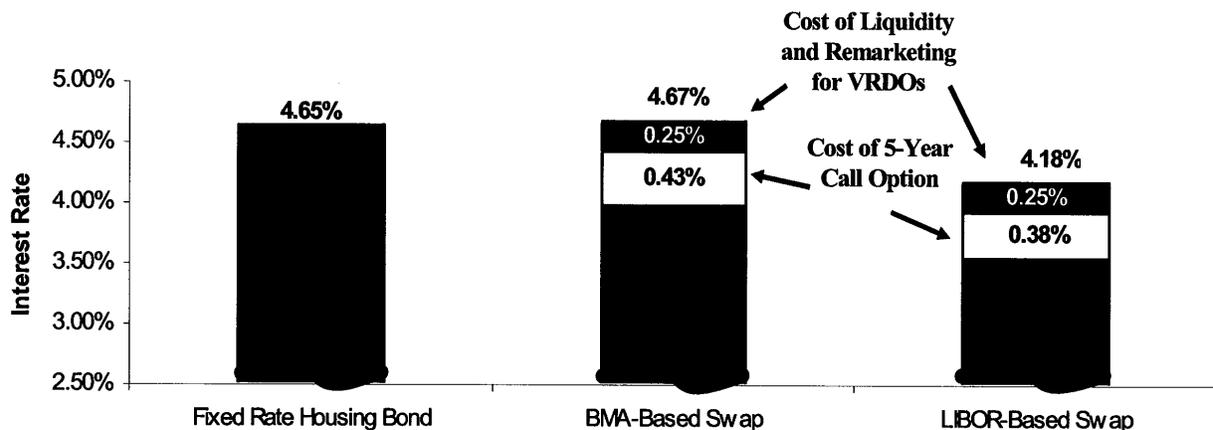
For an estimated \$3.2 billion of the \$3.8 billion of tax-exempt bonds swapped to a fixed rate, we remain exposed to certain tax-related risks, another form of basis risk. In return for significantly higher savings, we have chosen through these interest rate swaps to retain exposure to the risk of changes in tax laws that would lessen the advantage of tax-exempt bonds in comparison to

taxable securities. In these cases, if a tax law change were to result in tax-exempt rates being more comparable to taxable rates, the swap provider's payment to us would be less than the rate we would be paying on our bonds, again resulting in our all-in rate being higher.

We bear this same risk for \$423million of our tax-exempt variable rate bonds which we have not swapped to a fixed rate. Together, these two categories of variable rate bonds total \$3.6 billion, 49.2% of our \$7.3 billion of bonds outstanding. This risk of tax law changes is the same risk that investors take every time they purchase our fixed-rate tax-exempt bonds.

The following bar chart shows clearly that our ability to assume the risk of changes to tax laws is the “engine” that makes our interest rate swap strategy effective in today’s market. If the Agency was unable or unwilling to take this risk, our cost of funds would be significantly higher.

**Costs of Funds for Fixed-Rate Bonds and Synthetic Fixed-Rate Bonds  
(Variable Rate Bonds Swapped to Fixed)  
(All Rates as of February 16, 2006)**



BMA-Based Swap: BMA Index x 101%

LIBOR-Based Swap: 64% LIBOR + 25 bps

**AMORTIZATION RISK**

Our bonds are generally paid down (redeemed or paid at maturity) as our loans are prepaid. Our interest rate swaps amortize over their lives based on assumptions about the receipt of prepayments, and the single family transactions which include swapped bonds have generally been designed to accommodate prepayment rates between two and three times the “normal” rate. In other words, our interest rate swaps generally have had fixed amortization schedules that can be met under what we have believed were sufficiently wide ranges of prepayment speeds. Unfortunately, when market rates fell to unprecedented levels, we started receiving more prepayments than we ever expected.

Since January 1, 2002, we have received over \$5.8 billion of prepayments, including over \$1.4 billion in 2004 and \$1.1 billion in calendar year 2005. Of this amount, approximately \$1.8 billion is “excess” to swapped transactions we entered into. We have since recycled \$1.3 billion of the \$1.8 billion excess into new loans and have used \$166 million to cross-call high interest rate bonds.

With persistent high levels of prepayments, we have modified the structuring of new swaps by widening the band of expected prepayments. In addition, with the introduction of our interest only loan product we are structuring swap amortization schedules and acquiring swap par termination rights to coincide with the loan characteristics and expectations of borrower prepayment.

Also of interest is a \$96 million forced mismatch between the notional amount of certain of our swaps and the outstanding amount of the related bonds. This mismatch has occurred as a result of the interplay between our phenomenally high incidence of prepayments and the “10-year rule” of federal tax law. Under this rule, prepayments received 10 or more years beyond the date of the original issuance of bonds cannot be recycled into new loans and must be used to redeem tax-exempt bonds. In the case of these recent bond issues, a portion of the authority to issue them on a tax-exempt basis was related to older bonds.

While this mismatch has occurred (and will show up in the tables of this report), the small semiannual cost of the mismatch will be more than offset by the large interest cost savings from our “net” variable rate debt. In other words, while some of our bonds are “over-swapped”, there are significantly more than enough unswapped variable rate bonds to compensate for the mismatch. In addition, we will monitor the termination value of our “excess swap” position looking for opportunities to unwind these positions when market terminations would be at no cost or a positive value to us.

There are several strategies for dealing with excess prepayments: they may be reinvested, used for the redemption of other (unswapped) bonds, or recycled directly into new loans. Alternatively, we could make termination payments to our counterparties to reduce the notional amounts of the swaps, but this alternative appears to be the least attractive economically.

Currently we initially invest most of the excess prepayments with the financial institutions that originally provided us, for each transaction, with fixed-rate “float” agreements at what seem like

high rates today. Many of these agreements, however, were written to limit the amount of time that we could leave moneys on deposit; in these cases the investment of the excess is an interim step until we implement longer-term strategies.

In consultation with our financial advisors, we have determined that the best long-term strategy is to recycle the excess prepayments into new CalHFA loans. Of course, this means that we will be bearing the economic consequences of replacing old 7% to 8% loans that have paid off with new loans at rates that will be current at the time we recycle. With our February 1, 2006 transfer of loans from our warehouse line we have recycled a total of \$1.3 billion of excess prepayments over the past year and a half. This practice has resulted in reduced issuance activity in calendar years 2004 and 2005.

In addition we have begun a widespread strategy of reusing unrestricted loan prepayments to purchase new loans. We currently have more than \$2 billion of swap notional having a fixed payer rate below the weighted average interest rate of new loans being purchased. In today's market, this tremendous recycling opportunity reduces transaction costs related to new issuance and preserves for future use our swap par termination rights.

#### **TERMINATION RISK**

Termination risk is the risk that, for some reason, our interest rate swaps must be terminated prior to their scheduled maturity. Our swaps have a market value that is determined based on current interest rates. When current fixed rates are higher than the fixed rate of the swap, our swaps have a positive value to us (assuming, as is the case on all of our swaps today, that we are the payer of the fixed swap rate), and termination would result in a payment from the provider of the swap (our swap "counterparty") to us. Conversely, when current fixed rates are lower than the fixed rate of the swap, our swaps have a negative value to us, and termination would result in a payment from us to our counterparty.

Our swap documents allow for a number of termination "events", i.e., circumstances under which our swaps may be terminated early, or (to use the industry phrase) "unwound". One circumstance that would cause termination would be a payment default on the part of either counterparty. Another circumstance would be a sharp drop in either counterparty's credit ratings and, with it, an inability (or failure) of the troubled counterparty to post sufficient collateral to offset its credit problem. It should be noted that, if termination is required under the swap documents, the market determines the amount of the termination payment and who owes it to whom. Depending on the market, it may be that the party who has caused the termination is owed the termination payment.

As part of our strategy for protecting the agency when we entered the swap market in late 1999, we determined to choose only highly-creditworthy counterparties and to negotiate "asymmetrical" credit requirements in all of our swaps. These asymmetrical provisions impose higher credit standards on our counterparties than on the agency. For example, our counterparties may be required to collateralize their exposure to us when their credit ratings fall from double-A to the highest single-A category (A1/A+), whereas we need not collateralize until our ratings fall to the mid-single-A category (A2/A).

Monthly we monitor the termination value of our swap portfolio as it grows and as interest rates change. Over time, since we entered the swap market, interest rates have generally been falling. Growth in the portfolio combined with this downward trend in interest rates made our swap portfolio have a large negative value (to us), as shown in the table below.

Because termination is an unlikely event, the fact that our swap portfolio has a large negative value, while interesting, is not necessarily a matter of direct concern. We have no plans to terminate swaps early (except in cases where the swap notional is excess to the bonds being hedged or we negotiated "par" terminations when we entered into the swaps) and do not expect that credit events triggering termination will occur, either to us or to our counterparties.

The Government Accounting Standards Board does not require that our balance sheet be adjusted for the market value of our swaps, but it does require that this value be disclosed in the notes to our financial statements.

The table below shows the history of the fluctuating negative value of our swap portfolio for the past year.

#### TERMINATION VALUE HISTORY

<u>Date</u>	<u>Termination Value (\$ in millions)</u>
2/28/05	(\$231.0)
3/31/05	(\$199.1)
4/30/05	(\$252.8)
5/31/05	(\$296.7)
6/30/05	(\$306.9) <sup>1</sup>
7/31/05	(\$235.1)
8/31/05	(\$274.1)
9/30/05	(\$202.6)
10/31/05	(\$156.1)
11/30/05	(\$151.0)
12/31/05	(\$170.9)
1/31/06	(\$162.4)

It should be noted that during this period, the notional amount of our fixed-payer swaps has been increasing. When viewing the termination value, one should consider both the change in market conditions and the increasing notional amount.

<sup>1</sup> *As reported in our 2004/05 financial statements.*

**TYPES OF VARIABLE RATE DEBT**

The table below shows our variable rate debt sorted by type, i.e., whether auction rate, indexed rate, or variable rate demand obligations (VRDOs). Auction and indexed rate securities cannot be "put" back to us by investors; hence they typically bear higher rates of interest than do "puttable" bonds such as VRDOs.

**TYPES OF VARIABLE RATE DEBT**  
(*\$ in millions*)

	Auction Rate & Similar <u>Securities</u>	Indexed Rate <u>Bonds</u>	Variable Rate Demand <u>Obligations</u>	Total Variable Rate <u>Debt</u>
HMRB	\$165	\$1,133	\$2,948	\$4,246
MHRB	484	0	713	1,197
HPB	0	0	50	50
DDB	<u>0</u>	<u>919</u>	<u>0</u>	<u>919</u>
Total	\$649	\$2,052	\$3,711	\$6,412

**LIQUIDITY PROVIDERS**

The table below shows the financial institutions providing liquidity in the form of standby bond purchase agreements for our VRDOs. Under these agreements, if our variable rate bonds are put back to our remarketing agents and cannot be remarketed, these institutions are obligated to buy the bonds.

In January 2006 we requested proposals from liquidity banks to provide standby bond purchase agreements for our VRDOs issued under both the HMRB and MHRB indentures for a six month period ending July 2006. We received liquidity bids from 11 banks totaling in excess of \$2.9 billion. We have selected three banks to provide liquidity for two expected bond issuances under the HMRB indenture, and one expected issuance under the MHRB indenture. The three banks selected offered very attractive pricing for terms up to 15 years.

Likewise, in January 2006, we requested liquidity banks to identify new capacity for our HPB indenture. We received liquidity bids from six banks totaling in excess of \$1 billion. We have selected one bank to provide liquidity for one planned bond issuance under the HPB indenture. The bank selected offered very attractive pricing for a term up to 10 years.

LIQUIDITY PROVIDERS  
(*\$ in millions*)

<u>Financial Institution</u>	<u>\$ Amount of Bonds</u>	<u>Indenture</u>
Dexia Credit Local	\$865.3	HMRB
Lloyds TSB	468.9	HMRB
Fannie Mae	417.8	HMRB/MHRB
BNP Paribas	291.5	HMRB
Bank of Nova Scotia	232.0	HMRB
DEPFA Bank	185.6	MHRB
Bank of America	180.0	HMRB
Bayerische Landesbank	167.7	HMRB
JP Morgan Chase Bank	164.4	HMRB
Westdeutsche Landesbank	162.5	HMRB/MHRB
Landesbank Hessen-Thuringen	154.5	MHRB
KBC	112.8	HMRB
State Street Bank	98.1	HMRB
Bank of New York	91.1	HMRB
CalSTRS	69.7	HMRB/MHRB
Citibank N.A.	50.0	HPB
Total	\$3,711.9	

Unlike our interest rate swap agreements, our liquidity agreements do not run for the life of the related bonds. Instead, they are seldom offered for terms in excess of five years, and a portion of our agreements require annual renewal. We expect all renewals to take place as a matter of course; however, changes in credit ratings or pricing may result in substitutions of one bank for another from time to time.

**BOND AND SWAP TERMINOLOGY****BMA INDEX**

Bond Market Association Municipal Swap Index. A weekly index of short-term tax-exempt rates.

**COUNTERPARTY**

One of the participants in an interest rate swap

**DATED DATE**

Date from which first interest payment is calculated.

**DELAYED START SWAP**

A swap which delays the commencement of the exchange of interest rate payments until a later date.

**DELIVERY DATE, OR ISSUANCE DATE**

Date that bonds are actually delivered to the underwriters in exchange for the bond proceeds.

**GENERAL OBLIGATION BOND**

A type of security which is evidence of a debt secured by all revenues and assets of an organization.

**INDENTURE**

The legal instrument that describes the bonds and the pledge of assets and revenues to investors. The indenture often consists of a general indenture plus separate series indentures describing each issuance of bonds.

**INTEREST RATE CAP**

A financial instrument which pays the holder when market rates exceed the cap rate. The holder is paid the difference in rate between the cap rate and the market rate. Used to limit the interest rate exposure on variable rate debt.

**INTEREST RATE SWAP**

An exchange between two parties of interest rate exposures from floating to fixed rate or vice versa. A fixed-payer swap converts floating rate exposure to a fixed rate.

**LIBOR**

London Interbank Offered Rate. The interest rate highly rated international banks charge each other for borrowing U.S. dollars outside of the U.S. Taxable swaps often use LIBOR as a rate reference index. LIBOR swaps associated with tax-exempt bonds will use a percentage of LIBOR as a proxy for tax-exempt rates.

**MARK-TO-MARKET**

Valuation of securities or swaps to reflect the market values as of a certain date. Represents liquidation or termination value.

**MATURITY**

Date on which the principal amount of a bond is scheduled to be repaid.

**NOTIONAL AMOUNT**

The principal amount on which the exchanged swap interest payments are based.

**OFFICIAL STATEMENT**

The "prospectus" or disclosure document describing the bonds being offered to investors and the assets securing the bonds.

**PRICING DATE**

Date on which issuer agrees (orally) to sell the bonds to the underwriters at certain rates and terms.

**REDEMPTION**

Early repayment of the principal amount of the bond. Types of redemption: "special", "optional", and "sinking fund installment".

**REFUNDING**

Use of the proceeds of one bond issue to pay for the redemption or maturity of principal of another bond issue.

**REVENUE BOND (OR SPECIAL OBLIGATION BOND) (OR LIMITED OBLIGATION BOND)**

A type of security which is evidence of a debt secured by revenues from certain assets (loans) pledged to the payment of the debt.

**SALE DATE**

Date on which purchase contract is executed evidencing the oral agreement made on the pricing date.

**SERIAL BOND**

A bond with its entire principal amount due on a certain date, without scheduled sinking fund installment redemptions. Usually serial bonds are sold for any principal amounts to be repaid in early (10 or 15) years.

**SERIES OF BONDS**

An issuance of bonds under a general indenture with similar characteristics, such as delivery date or tax treatment. Example: "Name of Bonds", 1993 Series A. Each series of Bonds has its own series indenture.

**SWAP CALL OPTION**

The right (but not the obligation) to terminate a predetermined amount of swap notional amount, occurring or starting at a specific future date.

**SYNTHETIC FIXED RATE DEBT**

Converting variable rate debt into a fixed rate obligation through the use of fixed-payer interest rate swaps.

**SYNTHETIC FLOATING RATE DEBT**

Converting fixed rate debt into a floating rate obligation through the use of fixed-receiver interest rate swaps.

**TERM BOND**

A bond with a stated maturity, but which may be subject to redemption from sinking fund installments. Usually of longer maturity than serial bonds.

**VARIABLE RATE BOND**

A bond with periodic resets in its interest rate. Opposite of fixed rate bond.

State of California

## MEMORANDUM

To: CalHFA Board of Directors

Date: 22 February 2006

From: Di Richardson, Director of Legislation *DR*  
CALIFORNIA HOUSING FINANCE AGENCY

Subject: Legislative Report

Below you will find a list of bills that may be of interest to you. This Friday (February 24) is the deadline for introducing bills, and I expect we will see many more bills related to affordable housing introduced after that time. There is currently a great deal of discussion about bonds...the Governor's Infrastructure Bond Package does not currently include funding for housing. Bond measures introduced by both Speaker Nunez and President Pro Tempore Perata do include funding for affordable housing. This will clearly be an item hotly debated over the next few weeks. The Secretary of State has given the Legislature a March 10 deadline to pass a measure for the June ballot. Passage beyond that date will be for the November ballot.

### Bonds

**AB 1783** (Nunez) Infrastructure financing. (I-01/04/2006)  
**Status:** Introduced, no hearing date currently set.

#### Summary:

In its current form, this bill simply states it is the intent of the Legislature to enact the California Infrastructure, Improvement, Smart Growth, Economic Reinvestment, and Emergency Preparedness Financing Act of 2006, to provide for the financing of state and local government infrastructure through various funding sources, including bonds, fees, assessments, and other sources. The financing would be used to fund purposes such as transportation, flood control, safe water systems, environmental improvement, housing, hospital seismic safety repair, and emergency public safety communications equipment.

**SB 1024** (Perata) Public Works and improvements: bond measure. (A-01/26/2006)  
**Status:** Assembly Floor.

**Summary:**

Another infrastructure bond bill, recently amended to include a number of affordable housing programs that were also funded by Proposition 46 (those programs administered by CalHFA would include the Preservation Opportunity Program and the California Homebuyers Downpayment Assistance Program), although specific dollar amounts have not been included.

**CEQA**

**AB 1387** (Jones) **CEQA: residential infill projects.** (A-01/13/2006)  
**Status:** Senate Committee on Environmental Quality

**Summary:**

Would authorize local governments to approve residential projects in urban infill sites without having to mitigate for traffic impacts, if specified criteria are met.

**Landlord Tenant**

**SB 51** (Kuehl) **Real property: rentals.** (A-08/25/2005)  
**Status:** 01/26/2006-Motion to reconsider continued to next legislative day.  
**Current Location:** 08/25/2005-A RECONSIDERATION

**Summary:**

Would make permanent the requirement that property owners give tenants 60 days notice prior to eviction. This law expired January 1 of this year. The sponsors have not yet decided if they will pursue the bill and attempt to once again extend that date.

**Misc**

**AB 1433** (Emmerson) **Public finance contracts.** (A-08/25/2005)  
**Status:** Senate Committee on Environmental Quality

**Summary:**

This bill would provide that the approval, sale or issuance of conduit revenue bonds for the benefit of a 501(c)(3) by a state or local government or the approval of a bond-financed project for federal tax purposes or for other unrelated purposes does not constitute an approval for the purposes of CEQA. It would further specify that a project funded in whole, or in part by bonds must comply with any law or regulation otherwise pertaining to the approval, authorization, design, or construction of the project.

**AB 1561 (Umberg) State boards and commissions: member removal: failure to attend meetings. (A-01/23/2006)**

**Status:** Pending Committee Assignment in the Senate.

**Summary:**

This bill would specify that, with respect to state boards and commissions not governed by the California Constitution, if the member fails to attend three out of four consecutive, regularly scheduled meetings of the board or commission, with certain exceptions, the board or commission must notify the appointing authority, and the appointing authority would be authorized to remove the member.

