Lowden, Jennifer S@DOT

From: yoyoshi [redacted]
Sent: Thursday, July 31, 2014 4:44 PM
To: Affordable Sales Program@DOT
Subject: Written Comment Response to Govt Code 54235-54238.7
Attachments: caltrans reglation reponse 73114.rtf

The attached letter, addressed to Mr. Brent Green, is regarding the Government Code pursuant to the Notice of Proposed Action filed with the Office of Administrative Law, published 5/30/14.

from: Rose Mary Luna-Mariscal, 3715 Sheffield Ave, Los Angeles, CA 90032, (323) 225-1842

July 27, 2014

Brent L. Green
Chief Division of Right of Way and Land Surveys
ATTN: Affordable Sales Program
California Department of Transportation
1120 N Street, MS 37
Sacramento, CA 95814

Dear Mr. Green,

I have been a tenant at [redacted] since September, 1971. In the years following my tenancy, I understood Caltrans would only do emergency repairs for plumbing, roofing and electrical and accepted the take "as is" condition of the property. I painted, screened, fumigated, landscaped, replaced missing doors, plastered and anything else needed to make it a safe/clean dwelling.

There were yearly inspections and I was on an affordable rent rate. Although the State was very slow in repairing problems (I had no heat at all for the first winter) I remained with the idea I would possibly have the opportunity to be the owner one day if given the chance. A rental agent explained to me the price would be calculated by the Caltrans purchase price of the property plus costs of expenses for maintenance repairs and rehabilitation, minus the sum of all rents paid by me. It appears Caltrans has strayed from this formula.

The Roberti Bill was encouraging to the tenants by allowing people of moderate or low income to afford buying a home. Information I read on the Caltrans website doesn't seem to be in line with the intention Senator Roberti to provide affordable housing. I question why potential buyers of these state houses would have a 30 year covenant? I doubt if I would live another 30 years....or that a house like mine, circa 1920, would still exist in 2045

I find it hard to understand why these regulations governing sales of Caltrans homes are written to keep Caltrans as the backup owner if for some reason the tenants are found to be in violation of the rules for 30 years following purchase. I have read the Government Code Sections 54235-54238.7 and do not see the specific 30 year covenant. The purpose of that assembly bill authored by Senator Roberti was to "preserve, upgrade, and expand the supply of housing" and preserve neighborhoods available to low/moderate incomes. It appears by selling the homes, Caltrans will continue to keep watch and oversee repairs that should have been done by Caltrans since they took possession in the 60's.

I would appreciate answers to the following

- If the mortgage is much higher than the rental rate, are we to pay the difference?
- If I need a co-signer to qualify for a loan, does that co-signer need to reside with me?
- I have had many needed repairs ignored for over 6years...termites eating through floor boards in my son's room since before 2008; electrical wiring still with original cloth wrap; shaky foundation since flood in 1997 left unchecked or reinforced. Is Caltrans passing the cost of these repairs to me?
- Since I may not live to see the end of the 30yr covenant, can I leave the property to my heirs?
- How can a home that is almost 100 years old, not need "improvements" to make it safe, secure in earthquake territory?
- How is a bank going to be a lender if Caltrans has so many restrictions placed by the covenant?

I am very concerned that the proposed Regulations are being written against the original intention of the Roberti Bill and the restrictions imposed to the buyers by a 30 year covenant will make it very difficult to maintain and improve the property that has been so poorly managed/damaged by Caltrans' neglect.

I will appreciate a response to this letter and hope Caltrans takes into consideration the length of time I have occupied and cared for this property as it were my own.

Sincerely,

Rose Mary Luna-Mariscal
[redacted]