

**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](http://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 Property at the corner of Highland Springs Road and Sun Lakes Boulevard (APN 419-140-041).**

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 property located at the corner of Highland Springs Road and Sun Lakes Boulevard in the City of Banning (City).

The letter and documents that you provided establish that a Resolution declaring the property at APN 491-140-041 to be surplus was issued on April 14, 2020 (Note: The Resolution incorrectly lists the first three digits of the APN as "491" instead of "419") and a Notice of Availability (NOA) identifying APN 419-140-041 was sent to all the required entities November 3, 2020. After the required 60-day period, no affordable housing entity expressed interest in purchasing the property. You have also enclosed a draft affordability covenant to be recorded against the property.

According to the SLA, Government Code 54221(b)(1), property must be declared surplus prior to taking an action to dispose of the property. The City declared the property at APN 491-140-041 to be surplus but advertised for sale the property located at APN 419-140-041. Unfortunately, the property at APN 419-140-041 was not declared surplus and therefore cannot be disposed of under the SLA.

City of Banning

HCD determines that a Resolution declaring the property at APN 419-140-041 to be surplus land must be issued by the City before the City may take action to dispose of the property.

The City or its representatives may send any questions to [publiclands@hcd.ca.gov](mailto:publiclands@hcd.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Megan".

Megan Kirkeby  
Deputy Director  
Housing Policy Development