

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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June 2, 2025

Sandra Moberly, County Administrative Officer
County of Mono
1290 Tavern Road, Suite 138
P.O. Box 347
Mammoth Lakes, CA 93546

**RE: County of Mono 6th Cycle Housing Element Program Implementation
Requirements – Letter of Inquiry**

Dear Sandra Moberly:

The purpose of this letter is to inquire about the status of the County of Mono's (County) 6th Cycle Housing Element Implementation Programs, pursuant to Government Code section 65585, subdivision (i). The California Department of Housing and Community Development (HCD) sent the County a letter on March 11, 2020, finding the County's housing element in substantial compliance with Housing Element Law.¹ This was based on, among other reasons, the County's responsibility to complete Programs according to timeline commitments. As the commitment date has passed on many Programs, HCD requests that the County provide an update on the status and timeline of the implementation for the following:

- Program 1.2 (Promote Housing Development Opportunity): Due on January 1, 2023
- Program 1.3 (Tiny Homes): Due on January 1, 2023
- Program 1.6 (Fourplex Conditional Use Permit): Due on January 1, 2023
- Program 1.11 (Accessory Dwelling Units): Due on February 2, 2021
- Program 2.2 (County Owned Land): Due on January 1, 2022
- Program 2.3 (Reinstate the Housing Mitigation Ordinance): Due by 2020
- Program 2.4 (Policy on County's Participation): Due by 2021
- Program 2.9 (State Density Bonus Law): Due on November 5, 2020
- Program 2.11 (Manufactured Housing and ADUs): Due by 2020
- Program 2.12 (Single Room Occupancy): Due January 1, 2022
- Program 4.3 (Emergency Shelters): Due on January 1, 2020
- Program 4.6 (Transitional and Supportive Housing): Due on January 1, 2020
- Program 4.9 (Reasonable Accommodation Procedure): Due on December 31, 2000

¹ Gov. Code, § 65580 et seq.

Please note that HCD requested that the County provide corrected Annual Progress Report (APR) data for Housing Element Implementation programs on September 4, 2024. The County provided a revised APR to HCD on September 10, 2024; however, the program reporting (Table D) still does not reflect programs from the latest adopted housing element.

Consequences of Failure to Implement Programs

Government Code section 65585, subdivision (i), grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or State Housing Element Law. This includes failure to implement program actions included in the housing element. Failure to implement actions in the programs listed above by the statutory deadline means the County's housing element will no longer substantially comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance.

Various consequences may apply if the County does not have a housing element in compliance with State Housing Element Law, including ineligibility or delay in receiving certain state funds, referral to the California Office of the Attorney General, court-imposed financial penalties, the loss of local land use authority to a court-appointed agent, and the application of the "builder's remedy." (Gov. Code, (Gov. Code, §§ 65585, subds. (j), (l)(1), (i), 65589.5, subd. (d)(5).)

Conclusion

Housing elements are essential to developing a blueprint for growth and are a vital tool to address California's prolonged housing crisis. Accordingly, state law has established clear disincentives for local jurisdictions that fail to comply with State Housing Element Law. To ensure the County continues to meet the 6th cycle update requirements for a substantially compliant housing element, the County must submit any adopted ordinances or resolutions to HCD for review. (Gov. Code, § 65585.)

HCD will consider any written response before taking further action authorized by Government Code section 65585, subdivision (i), including issuance of a Corrective Action Letter and removal of HCD's finding of housing element compliance.

Please provide a written response to this inquiry by July 2, 2025. If you have any questions or would like to discuss the content of this letter, please contact Anthony Errichetto of our staff at Anthony.Errichetto@hcd.ca.gov.

Sincerely,



Melinda Coy
Proactive Housing Accountability Chief
Division of Housing Policy Development