State of California
California Housing and Homelessness Agency
California Department of Housing and Community Development

DUTY STATEMENT

Division:	Legal Affairs Division
Unit:	Loan Restructuring & Compliance
Position Number:	401-104-5780-012 (PS 2292)
Classification:	Attorney IV
Working Title:	Attorney IV
HQ Location:	HCD Headquarters, Sacramento
Incumbent:	Vacant
Effective Date:	TBD

Department Statement: You are a valued member of the Department's team. You are expected to work cooperatively with team members and others to enable the Department to provide the highest level of service possible. Your creativity and ingenuity are encouraged. Your efforts to maintain regular attendance and treat others fairly, honestly, and with respect are critical to the success of the Department's mission.

Job Summary: Under the general direction of the Attorney Supervisor (AS), the Attorney IV performs advanced journey-level legal work involving novel theories, emerging areas of law, and matters of precedential significance. Independently leads complex negotiations, litigation, and strategic legal issues, and may act in a lead capacity over other attorneys and staff. The Attorney IV serves as a highly experienced attorney performing the most complex and sensitive legal work with broad discretion and minimal supervision. The Attorney IV provides legal counsel and transactional support for HCD programs, including, but not limited to, the Portfolio Restructuring and Compliance (PRC) branch and the Asset Management and Compliance (AMC) unit. The Attorney IV independently manages complex assignments, including loan closings, portfolio restructures, compliance resolution, and litigation support, and collaborates with program staff, executive leadership, and external stakeholders to ensure legal compliance and protect the Department's interests.

% of Time **Essential Functions:**

35% *Legal Counsel to In-House Clients.* The Attorney IV serves as the department's recognized expert in complex and specialized areas of law, providing advanced legal research, analysis, and strategic advice to in-house clients on statutes, regulations, and policies governing HCD programs. This role independently performs the most difficult and sensitive legal work, including drafting and reviewing intricate legal instruments, negotiating high-stakes agreements, and ensuring accuracy, legality, and consistency of work products. The Attorney IV manages matters of the greatest complexity, often involving innovative legal theories, and coordinates with program leadership, external stakeholders, and

high-level officials. The position may require advising other public agencies and handling issues that could be appealed to the highest courts. Acting in a lead capacity, the Attorney IV provides guidance to other attorneys and staff, demonstrates fairness and impartiality, fosters effective working relationships, and actively supports the Department's EEO objectives to maintain a fair and equitable work environment.

35% *Legal Counsel and Assistance for HCD's Portfolio Restructuring and Compliance Branch*. The Attorney III provides legal services for the PRC branch, including the Transactions Unit (TU) and Compliance Resolution Program (CRP) unit.

Transactions Unit. The Attorney IV serves as the department's leading expert in complex real estate and financial transactions involving HCD's affordable housing portfolio. This role independently handles the most difficult and sensitive transactional matters, providing advanced legal guidance on negotiation, drafting, and review of intricate documents such as regulatory agreements, deeds of trust, promissory notes, amendments, subordination agreements, escrow instructions, and sponsor operating guaranties. The Attorney IV oversees and advises on ownership transfers, partnership changes, refinancing requests, and other asset-related transactions to safeguard the state's investment in affordable housing. Additionally, the Attorney IV provides authoritative counsel on statutes, regulations, and policies governing loan and grant restructures, including programs such as the Loan Portfolio Restructuring Program and Portfolio Reinvestment Program. Work at this level often involves innovative legal theories, coordination with high-level officials, and leadership over attorneys and staff engaged in transactional work.

Compliance Resolution Program Unit. The Attorney IV serves as the department's foremost expert in compliance resolution and enforcement actions related to HCD's housing programs. This role independently manages the most complex and sensitive legal matters, providing advanced guidance on drafting and memorializing intricate workout agreements through new loan documents, amendments, forbearance agreements, notices of default, settlement agreements, and related instruments. The Attorney IV delivers authoritative legal analysis to resolve regulatory violations, ensures consistent interpretation of program requirements, and develops innovative strategies to recoup funds when feasible. Additionally, the Attorney IV leads negotiations and formulates legal strategies for high-stakes matters involving foreclosures, receivership appointments, and bankruptcy proceedings. Work at this level requires coordination with high-level officials, application of advanced legal theories, and leadership over attorneys and staff engaged in compliance and enforcement activities.

20% *Legal Counsel and Assistance for HCD's Asset Management and Compliance Unit*. The Attorney IV serves as the department's leading expert in legal matters related to long-term monitoring and compliance of affordable housing projects. This role independently handles the most complex and sensitive issues, providing

advanced legal guidance on fiscal and occupancy compliance, reviewing project budgets and rent limits, and ensuring strict adherence to statutory and regulatory requirements. The Attorney IV supports oversight of specialized occupancy requirements (e.g., units reserved for homeless individuals, veterans, seniors, or other targeted populations) and develops innovative policies and procedures to strengthen compliance and long-term monitoring practices. Work at this level involves applying advanced legal theories, coordinating with high-level officials, and acting in a lead capacity over attorneys and staff engaged in asset management and compliance activities.

5% *Litigation & Third-Party Legal Instruments.* The Attorney IV will act as a liaison, transferring the most complex and high-risk matters that have arisen to the level of litigation to the Compliance and Litigation Branch. Additionally, the Attorney IV advises on Public Records Act requests, third-party subpoenas, and prepares clients for depositions. Work at this level requires innovative legal theories, coordination with high-level officials, and leadership over attorneys and staff engaged in litigation support.

% of Time **Marginal Functions:**

5% *Marginal Functions*. Other job-related duties as assigned or required.

Special Requirements: (Define all that apply)

Travel: Up to 5% statewide travel may be required.

Supervision Exercised: None.

Conflict of Interest (COI): Form 700 reporting required.

Background Check: The position requires a DOJ/FBI Live Scan approval as a condition of employment.

Bilingual, specify language: None

License/Certification: California Bar License.

Medical Clearance: None

Other, please specify: None

Physical Requirements: The position requires the ability to sit, stand, read, communicate, and work on a computer for extended periods.

Working Conditions (In Office): The incumbent works in an office setting that is air conditioned and may be in a high-rise building with elevator access, cubicle, or office with natural and artificial lighting.

Working Conditions (Telework): The incumbent is required to maintain safe working conditions at the approved alternate work location and abide by the Departments Ergonomic Program guidelines and agrees to maintain a distraction-free remote work environment.

Administrative Responsibility: The incumbent advises Executive leadership on both specific and general policy issues affecting Departmental programs and will support the Department's capacity to obtain funds to manage programs in support of the Department's mission and policies.

Personal Contacts: The incumbent will interact on an ongoing basis with program staff, supervisors, managers and deputy directors. The incumbent will interact with counsel representing other governmental entities (local, state, and federal level), grantees, borrowers and lenders on department projects.

Consequence of Error: The incumbent will be required to exercise expert judgment, and offer expert consultation to multiple levels of employees within the Department. Lapses in judgment could result in improper information being implemented into the PS HCM system, errors within the PeopleSoft programming, employees having incorrect leave taken from their leave balances causing staff to have over payments. Development of poor departmental policy recommendations which could reflect badly against executive management.

Diversity, Equity, and Inclusion: All employees at HCD are expected to uphold the values of diversity, equity, and inclusion (DEI), which includes being committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences feel welcomed and can thrive. Staff are expected to be respectful of differences, treat others with respect, encourage others to participate, foster innovations, and stay committed to all DEI efforts in the workplace.

Equal Employment Opportunity: All HCD employees are expected to conduct themselves in a professional manner that demonstrates respect for all employees and others they come in contact with during work hours, during work-related activities, and anytime they represent the Department. Additionally, all HCD employees are responsible for promoting a safe and secure work environment, free from discrimination, harassment, inappropriate conduct, or retaliation.

I certify this duty statement represents an accurate description of the essential functions of this position. I have discussed the duties and have provided a copy of this duty statement to the employee named above.

Employee Name: _____ Date: _____

Employee Signature: _____

I confirm that this duty statement accurately describes the main duties of this position. I have discussed the duties and given a copy of this statement to the team member mentioned above.

Supervisor Name: _____ Date: _____

Supervisor Signature: _____

*Please return the signed original duty statement to the Human Resources Branch to be filed in the Official Personnel File.