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
Branch:	State Multi-Family Programs Branch
Position Number:	401-104-5795-043 (PS 1078)
Classification:	Attorney III
Working Title:	Attorney III
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 III serves as an experienced attorney performing complex and sensitive legal work with broad discretion and minimal supervision. The Attorney III 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 III 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 III provides legal research, analysis, and advice to in-house clients on statutes, regulations, and policies governing HCD programs. Duties include drafting and reviewing legal instruments; negotiating agreements; and ensuring accuracy, legality, and consistency of work products. The Attorney III manages assigned matters independently, coordinates with program managers and external parties, as requested by clients, and escalates novel or high-risk issues to the Attorney Supervisor. The Attorney III 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 III provides legal guidance to the TU, which supports real estate and loan transactions involving HCD's affordable housing portfolio. Duties include advising on the negotiation, drafting, and review of transactional documents such as regulatory agreements, deeds of trust, promissory notes, amendments, subordination agreements, escrow instructions, and sponsor operating guaranties; reviewing ownership transfers, partnership changes, refinancing requests, and other asset-related transactions to preserve the state's investment in affordable housing; and providing counsel on statutes, regulations, and policies governing loan and grant restructures, including the Loan Portfolio Restructuring Program and Portfolio Reinvestment Program.

Compliance Resolution Program Unit. The Attorney III provides legal guidance to the CRP unit, which addresses compliance resolution and enforcement actions related to HCD's housing programs. Duties include advising on the drafting and memorialization of workout agreements through new loan documents, amendments, forbearance agreements, notices of default, settlement agreements, and related instruments; providing legal analysis to resolve regulatory violations and ensure consistent interpretation of program requirements; assisting in developing strategies to recoup funds when feasible; and supporting negotiations and legal strategy for complex matters involving foreclosures, receivership appointments, and bankruptcy proceedings.

20% *Legal Counsel and Assistance for HCD's Asset Management and Compliance Unit*. The Attorney III provides legal guidance to the AMC unit, which oversees long-term monitoring of affordable housing projects. Duties include advising on fiscal and occupancy compliance, reviewing project budgets and rent limits, and ensuring adherence to program requirements; supporting monitoring of special occupancy requirements (e.g., units reserved for homeless individuals, veterans, seniors, or other targeted populations); and assisting in developing policies and procedures to ensure statutory and regulatory compliance and strengthen long-term monitoring practices.

5% *Litigation & Third-Party Legal Instruments.* The Attorney III will act as a liaison, transferring matters that have arisen to the level of litigation to the Compliance and Litigation Branch. The Attorney III will advise on Public Records Act requests, third-party subpoenas, and preparing clients for depositions.

% 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.