



July 12, 2021

The Honorable Miguel Santiago
California State Assembly
State Capitol, Room 6027
P.O. Box 942849
Sacramento, CA 94249-0053

RE: AB 1304 (Santiago) – Affirmatively further fair housing: housing element: inventory of land – SUPPORT

Dear Assemblymember Santiago,

East Bay Housing Organizations (EBHO) is pleased to support AB 1304, which promises to strengthen requirements for cities and counties to affirmatively further fair housing (AFFH) through their housing elements. This obligation is instrumental to ensuring that localities are proactively working to analyze and dismantle historical and current practices that contribute to racial segregation and displacement of communities of color.

EBHO is a non-profit, member-driven organization with over 300 organizational and individual members. For 35 years, we have worked to preserve, protect, and create affordable housing opportunities for low-income communities in the East Bay by educating, advocating, organizing, and building coalitions. We believe that solutions to California's severe housing crisis must be comprehensive. As such, we support a multi-pronged effort based on the three principles of production of new housing, preservation of existing housing that is affordable, and protection of residents from unaffordable rent increases, eviction, displacement, and homelessness.

AB 1304 builds on your prior bill, AB 686, which required public agencies to advance AFFH in all housing and community development-related activities, including housing elements. AFFH means that government entities must take active steps to dismantle segregation, foster inclusive communities, create equal housing opportunities, address disinvestment in low-income neighborhoods, and protect residents from displacement.

Since the enactment of AB 686, it has become increasingly evident that there is a need for more explicit language related to AFFH requirements in housing element law. For example, some local governments have neglected to perform an historical analysis that quantifies the damage done by decades of land-use discrimination and exclusion.

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AB 1304 addresses these very issues and strengthens AB 686 by requiring that jurisdictions:

- show that their inventory of housing sites is consistent with AFFH
- take into account historical and current practices that contribute to racial segregation
- identify patterns of intra-city and intra-regional segregation; and
- state explicit goals, objectives, and policies related to AFFH.

The bill also clarifies that local agencies have a mandatory duty to comply with the AFFH provisions of AB 686 and AB 1304, and that these are enforceable by the courts. Together, these changes will help ensure that all local governments are thoroughly examining fair housing issues and taking concrete steps to address them in an equitable manner.

In order to develop solutions that align our communities towards the path of equity, all jurisdictions have a responsibility to examine their roles in perpetuating racial segregation. Without a comprehensive, transparent, and earnest analysis, it is impossible to correct course. AB 1304 will give all of our communities the tools to do so.

We thank you for introducing this bill and your continued leadership on fair housing and look forward to working with you to secure its passage.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Werth', with a long horizontal flourish extending to the right.

Alex Werth
Policy Manager