



June 17, 2021

Governor Gavin Newsom
State Capitol, Suite 1173
Sacramento, CA, 95814

Senate President Pro Tempore Toni Atkins
State Capitol, Room 205
Sacramento, CA 95814

Assembly Speaker Anthony Rendon
State Capitol, Room 219
Sacramento, CA 95814

Re: Minimum Standards for Equity in Housing Production Legislation: Five Principles

Dear Governor Newsom, President Atkins, and Speaker Rendon:

Thank you for your continued leadership and commitment to resolving California's deeply entrenched housing crisis. The undersigned groups represent a broad coalition of equity, housing, and environmental justice groups working in all corners of the state to advance strategies to keep all Californians safely and stably housed in healthy communities.

As organizations dedicated to finding housing solutions for low-income and disadvantaged communities across California and uplifting the voices of those communities, we understand the profound need for housing production policies that are centered on the needs and lived experience of the most vulnerable in our state. People with low incomes lack access to safe, stable, affordable homes in every corner of California. The state needs 1.2 million additional homes affordable to households with very low incomes (those earning less than half of the area median income) just to meet current needs. This shortage of affordable and habitable housing is one of the primary drivers of homelessness, economic distress, and health inequities for individuals and families throughout the state.

Achieving housing for all in California will require bold and transformative approaches beyond simply ramping up existing production models, including building social housing at scale; taking existing housing off the private speculative market and converting it to permanent affordability; expanding community land trusts and other forms of community-based housing ownership; and fully protecting all renters from untenable rent increases, unjust evictions, unsafe living conditions, and harassment.

As California works to increase housing production - one of many pressing housing issues the state must tackle - we urge that these efforts be carefully crafted to ensure that they advance, rather than undermine, recent successes in prioritizing the creation and preservation of affordable housing and the ultimate goal of an affordable home for every Californian. Such policies must also be designed in a way that does not displace existing communities, undermine local housing production policies created with the input of vulnerable communities, or fail to protect and advance the well-being of the communities they are designed to serve.

Therefore, as advocates working in and with vulnerable communities across the state, with considerable experience and expertise in advancing policies to increase housing production in a way that is supportive of such communities, **we call for all proposed policies designed to promote housing production to adhere to the following Five Principles to ensure that Housing Production Legislation meets Minimum Standards for Equity:**

1. Protect low-income families and communities vulnerable to displacement, particularly communities of color.
2. Respect the voices of those who have been historically disenfranchised by safeguarding and strengthening public participation and self-determination in vulnerable communities and for lower-income residents and people of color.
3. Preserve and strengthen existing state and local policies that promote housing development for those most in need at the bottom of the income spectrum, affirmatively further fair housing, and advance housing opportunities in all regions of the state.
4. Ensure all policies that create value for landowners or developers recapture a significant portion of that value in the form of affordable homes for lower-income people and/or equivalent financial resources dedicated to affordable housing production.
5. Ensure that land use planning, siting, and investment decisions protect and advance public health, housing, and environmental justice and do not further concentrate polluting land uses in disadvantaged and BIPOC communities.

We emphasize that these are *minimum* standards for housing production policies -- essentially a do-no-harm framework.

The state's housing affordability crisis is entrenched in structural and racial inequality, and it will take much more than simple "supply and demand" to address it. Because of inequities in educational opportunities, workplace discrimination, police violence, intergenerational wealth accumulation, and other systems, Black, Indigenous, and Latinx people are more likely to be low-wage workers, more likely to be rent burdened, and more likely to live near deadly and toxic sources of pollution. People of color also continue to face discrimination in housing. Black people represent only 6.5% of the state's population, but account for nearly 40% of California's unhoused residents.

For the state to deliver meaningful, equitable housing opportunities to those in most need, especially as we see the range of Californians shut out of the housing market increasing further, equity must be explicit and centered in all of its functions. California must play a more active role in requiring housing affordability, uplifting the voices of disadvantaged communities and vulnerable residents, and creating housing policies that reverse past discriminatory policies and long-standing inequities instead of exacerbating them.

We have attached a more detailed explanation of these Five Principles to ensure that Housing Production Legislation meets Minimum Standards for Equity, and we strongly urge you to use them in the development of all current and future proposals related to land use policy, development approvals, and other laws designed to increase housing production, as well as in the refinement of existing policies. Our organizations see these principles as the minimum standards for equitable development.

We thank the Administration and the Legislature for centering housing in their work, and encourage all leaders to do more to center the needs of the state's most vulnerable residents. Policies that center equity and the needs of the most vulnerable are most likely to simultaneously advance our climate, housing, and equity goals in a way that builds on recent successes and lessons learned.

Never has this been more critical; as we emerge from the pandemic and embark on our recovery, we must ensure that California's disadvantaged communities are not left behind. We look forward to working with you and other members of the Legislature to implement these principles and to ensure that equity is at the forefront of California's housing policies. If you would like to get in touch with us about these issues, please contact Sam Tepperman-Gelfant at Public Advocates (stepperman-gelfant@publicadvocates.org), Chione Flegal at PolicyLink (chione@policylink.org), or Cynthia Castillo at Western Center on Law and Poverty (ccastillo@wclp.org).

Sincerely,

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Five Principles to ensure that Housing Production Legislation meets Minimum Standards for Equity

1. Protect low-income families and communities vulnerable to displacement, particularly communities of color.
 - a. No direct displacement of renters or incentives to property owners or developers who displace renters (or have displaced renters within the last 10 years).
 - b. No incentives for developments that have or will demolish or otherwise remove rent-controlled units or other units that are occupied by or affordable to low-income households.
 - c. No policies that incentivize or fuel speculative housing practices in sensitive communities.
2. Respect the voices of those who have been historically disenfranchised by safeguarding and strengthening public participation and self-determination in vulnerable communities.
 - a. No preemption of zoning or approval processes for market-rate housing in sensitive communities.
 - b. Honor local plans that have been developed with the collaboration and input of sensitive communities.
 - c. Develop proposals in consultation and collaboration with community residents and their advocates, in recognition of their expertise and lived experience.
3. Preserve and strengthen existing state and local policies that promote housing development for those most in need at the bottom of the income spectrum.
4. Ensure all policies that create value for landowners or developers recapture a significant portion of that value in the form of affordable homes for lower-income people and/or equivalent financial resources dedicated to affordable housing production.
5. Ensure that land use planning, siting, and investment decisions protect and advance public health, housing, and environmental justice and do not further concentrate polluting land uses in disadvantaged and BIPOC communities.
 - a. Do not exacerbate, and work to ameliorate, disparities in access to infrastructure, services, and amenities impacting lower-income, disadvantaged and BIPOC communities.
 - b. Prohibit CEQA streamlining or exemptions for housing or mixed-use projects that are on or near a site that contains or may contain hazardous substances.