



California Rural  
Legal Assistance  
Foundation



March 30, 2017

Honorable Richard Bloom  
State Capitol Room 2003  
Sacramento, CA 95814

Honorable David Chiu  
State Capitol Room 4112  
Sacramento, CA 95814

Honorable Todd Gloria  
State Capitol Room 4162  
Sacramento, CA 95814

RE: AB 1505 (Bloom, Chiu, and Gloria)—Inclusionary Housing—SPONSOR

Dear Assemblymember Bloom, Assemblymember Chiu, and Assemblymember Gloria:

The California Housing Consortium, the California Rural Legal Assistance Foundation, Housing California, the Non-Profit Housing Association of Northern California, and Western Center on Law and Poverty are pleased to co-sponsor and support Assembly Bill 1505.

AB 1505 restores the long-standing authority of local governments to choose to require the inclusion of affordable rental units as one component of their local inclusionary housing policies, if they choose to adopt such policies. Local governments can already apply inclusionary policies to for-sale housing. This bill ensures that rental housing is not treated differently.

For decades, local inclusionary housing programs have proven to be one of the most effective tools for producing new homes affordable to working families and creating strong, diverse neighborhoods with a range of housing choices. Around 170 cities and counties in California have adopted inclusionary policies as a complement to other local, state, and federal strategies to address the state's persistent affordable housing shortage.

Despite the long track record of success of inclusionary policies, an appellate court decision—*Palmer/Sixth Street Properties L.P. v. City of Los Angeles*, 175 Cal. App. 4th 1396 (2009)—cut off one crucial option for local governments: the ability to apply inclusionary policies to rental housing. The *Palmer* court improperly conflated rent control, which is regulated by the state's Costa Hawkins act, and deed-restricted affordable housing, which is not, creating uncertainty for the future viability of this important and well-established local land use tool.

AB 1505 simply restores the law to what it had been for decades prior to 2009, allowing the policies that have been effective at creating affordable housing for the last 40 years to continue

without fear of litigation. The bill does not dictate in any way what local inclusionary policies should look like. Under AB 1505, it remains a local decision, with input from local stakeholders, to determine what mix of policies, if any, make sense for their community. As housing markets across California continue to be among the most expensive in the nation and affordable housing becomes further out of reach, local governments need every tool in their toolbox to tackle this problem.

Thank you for authoring this important legislation and for your ongoing commitment to ensuring the availability of housing affordable to all Californians. We look forward to working with you to ensure that AB 1505 is enacted into law.

Sincerely,



Ray Pearl  
Executive Director  
CA Housing Consortium



Brian Augusta  
Legislative Advocate  
CA Rural Legal Assistance Foundation



Lisa Hershey  
Executive Director  
Housing California



Amie Fishman  
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Anya Lawler  
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Western Center on Law & Poverty

Cc: Debbie Michel, Assembly Local Government Committee  
William Weber, Assembly Republican Caucus