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Pre-Release DRAFT

Environmental and Housing Justice Policy Platform

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Advancing a Vision for Safe, Healthy, and Affordable Housing for All

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Acknowledgement

This platform was created for the unceded territory of California, which is home to over a hundred federally-recognized tribal nations and at least fifty-five tribes that lack federal recognition.¹ We acknowledge and honor the original people of California who have lived on and have cultivated the land from time immemorial. In making this platform, we aim to also understand the longstanding history that has brought our respective communities to reside on this stolen land, and to seek to understand our place within that racist history.

Colonialism is a current, ongoing process that requires us to be mindful of our past and present participation. As a result, there is a need to continue to ask difficult questions such as: how can we create more principled and respectful partnerships with Indigenous communities and promote a more balanced relationship with the land? What policies and practices are required to repair our relationships with diverse ecosystems and the natural world? And how can we act to abolish oppressive power structures and promote true reparations and healing, including real land reform? We hope this platform can also inspire us to engage in a much-needed dialogue about how land is commodified and what can be done to begin to dismantle our society's colonial/settler mentality that exploits people and the places where we live.

Introduction

Historic and present day discrimination in land use and housing policies have led to a statewide housing crisis that has disproportionately impacted low-income communities that are predominantly Black, Indigenous, and people of color (BIPOC) in California. The same deregulation forces that drive present day housing instability in these communities also expose them to higher concentrations of toxic and polluting land uses,² which result in negative health impacts and further socioeconomic inequities in these communities.

Despite the fact that California continues to experience a sharp increase in the number of unhoused residents³ while many others are on the verge of becoming unhoused, the solutions that have gained the most political traction and attention have focused on

¹ Cynthia Gomez, [Native American Heritage Commission Report for July 1, 2015 through June 30, 2016](#). California Native American Heritage Commission, October 16, 2015. (Visited: June 21, 2021).

² Dana Bowen Matthew et. al, [Time for Justice: Tackling Race Inequalities in Health and Housing, Brookings Report](#), October 19, 2016. (Visited: June 21, 2021).

³ Chris Nichols (March 19, 2021). [California's Homeless Population Rose 7% To 161,000 Ahead Of The Pandemic, New Report Finds](#). CapRadio.

building more housing without prioritizing affordability or combatting displacement. Instead of addressing the housing crisis for low-income communities and communities of color, California's current focus on expediting the development of greater market-rate housing in the state's sky-high market will only further marginalize vulnerable communities.

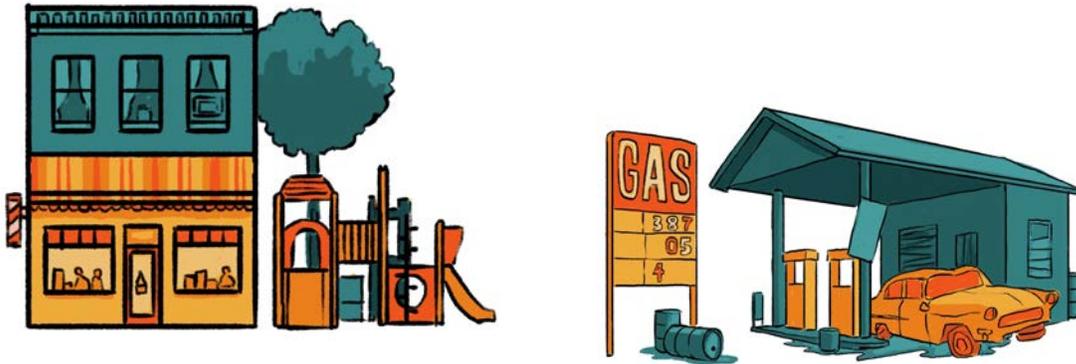
Another popular 'false solution' for resolving the housing crisis is to exempt developments from environmental review and to limit the public's access to judicial remedies under the California Environmental Quality Act (CEQA). Such actions undermine environmental justice (EJ) principles and limit low-income communities' ability to protect themselves against harmful development projects. There is currently a misleading narrative that CEQA is a major obstacle contributing to California's housing crisis, which presents a false choice between having affordable housing and promoting a healthy and non-toxic environment for everyone. This narrative distracts the public and lawmakers from addressing the real barriers to housing, especially affordable housing, such as discriminatory policies against low-income communities and BIPOC communities, high building construction costs, housing speculation, developers' desires to maximize profit, local government bureaucracy and politics, and restrictions at the local planning level.

Environmental justice can be defined simply as "the basic right of people to live, work, go to school, play, and pray in a healthy and clean environment."⁴ The goal of ensuring equitable access to healthy and affordable housing is inseparable from the concept of environmental justice. Safe, healthy, and affordable housing is essential to creating thriving communities that are connected to necessary infrastructure and resources and are free from environmental hazards. At the same time, protecting longtime residents from displacement and promoting deep and permanent affordability is necessary to advance EJ and climate justice, since displacement forces residents to commute from farther distances to reach their jobs and families, leading to increases in greenhouse gas emissions and transportation-related pollution. In order to combat a long legacy of discriminatory laws and advance our state's climate and housing goals, decision-makers must work toward ending the corporatization and predatory nature of ownership, and must place the needs of low-income communities and communities of color at the forefront of housing policies to ensure equitable access for all Californians.

⁴ [The State of California defines environmental justice as](#), "fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies." This definition includes the values of: 1. a healthy environment for all people, 2. reducing and eliminating pollution exposure for communities that are disproportionately impacted, 3. providing technical assistance to communities impacted by pollution to participate in decision-making, and 4. considering impacted communities' comments to inform planning decisions. ([GOV 65040.12](#))

Furthermore, the issue of housing goes beyond the building of physical structures. Housing also shapes people's sense of community and connects them to the resources that sustain their lives. Advancing a vision of just and equitable housing through an environmental justice lens allows us to envision what it means to maintain homes and land so that all people are cared for and have access to the resources that they need to not only survive but also thrive—while also honoring the people and the ecosystems that have been here before us. Environmental justice also requires us to challenge harmful views around housing and development that are based upon unsustainable economic models of never-ending growth, consumption, and the systemic destruction of resources—models that are deeply rooted in our country's history of exploitation, forced labor through slavery, and stolen land. Thus, this platform serves as a call to action, to create both immediate and long-term solutions, to win reforms and change the rules, to promote comprehensive and integrated solutions for housing, and to achieve housing as a human right for everyone.

This Environmental and Housing Justice policy platform lays out a comprehensive vision of solutions to address the housing crisis that centers environmental justice and housing justice goals. The platform is listed in five sections in no particular order; all parts are equally important and must be considered. California must advance equity- and justice-based solutions to [Ensure safe and healthy housing](#); [Promote a comprehensive and resilient approach to development](#); [Protect vulnerable tenants and communities](#); [Advance just and equitable housing development](#); and [Increase equity and accountability in land use and housing decisions](#).



Ensure Safe and Healthy Housing

California must build housing that's safe and healthy while ensuring that our state's most vulnerable residents are not exposed to toxic hazards and other dangers in their own homes and communities. We must be sure that policies for housing and environmental/environmental justice do not undermine one another.

Require all housing to be affordable, safe, sanitary, and in good condition

Low-income communities and communities of color are more likely to live in substandard housing that may expose them to pests, mold, water leaks, toxic building materials, and inadequate heating, cooling, and ventilation systems.⁵ These problems are further exacerbated by the fact that municipal codes, permit conditions, and other land use standards are not routinely or equitably enforced for these communities.

Solutions:

- Ensure landlords maintain rental units in safe, sanitary, and habitable condition as required by state law, while also ensuring that they provide safe and affordable drinking water and sanitation services.
- Require local code inspection agencies to provide timely and adequate responses to habitability complaints regardless of whether tenants are current on rent or

⁵ Office of Disease Prevention and Health Promotion. [Housing Instability](#).

whether property owners have been responsive. Ensure Code Enforcement actions do not result in displacement of tenants, especially for undocumented tenants and other vulnerable populations.

- Coordinate with local health departments and employ a health equity lens throughout all long-term planning and rezoning efforts to ensure healthy housing and land use decisions. Local jurisdictions should also adopt [Health in All Policies](#) (HiAP) initiatives to address the compounded impacts of high pollution exposure and health risks in low-income communities and communities of color.
- Implement key legislation such as SB 1000 (Leyva, 2016), codified in Government Code Section 65302(h), that integrates environmental justice principles throughout general plans and related long-range plans that affect housing. Prioritize strategies such as community-led [Green Zones](#)⁶ that advance community-driven improvements and resources, including community stewardship over affordable housing, while ensuring investments do not lead to displacement. Long-range plans must improve public participation and overall health, increase community assets, and create tangible benefits for identified environmental justice communities.

Promote healthy land use compatibility and ensure housing is not sited on or near toxic or polluted land

Housing must be developed on sites that are clean and suitable for housing development. Unfortunately, historic and present-day discrimination in planning decisions perpetuate inappropriate land use patterns that have led to higher concentrations of toxic and polluting land uses in and near low-income communities and communities of color.^{7,8} In addition, state agencies and local entities responsible for cleaning up and remediating toxic sites have a well-documented history of failing to fulfill their duty to protect communities from hazardous waste.⁹

The California Environmental Quality Act (CEQA) is one of the few tools that vulnerable communities can use to address housing that's being proposed on top of contaminated

⁶ California Environmental Justice Alliance, "[Common Roots and Core Principles](#)." CalGreenZones.org.

⁷ Wilson, S., Hutson, M., & Mujahid, M. (2008). [How Planning and Zoning Contribute to Inequitable Development, Neighborhood Health, and Environmental Injustice](#). *Environmental Justice*, 1(4). 211-216.

⁸ For example, the St. Louis zoning "designated land for future industrial development if it was in or adjacent to neighborhoods with substantial African American populations." (49). The City Council of Los Angeles engaged in "spot" rezoning to locate heavy industry in South Central beginning in the 1940s. (55-56). Rothstein, R. (2017). *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation.

⁹ Los Angeles Times, Editorial: [California failed the communities around Exide. This cannot happen again](#). (Visited: June 21, 2021).

land or next to sources of pollution, such as light and heavy industrial facilities, oil and gas operations, high-traffic roads and freeways, recycling and manufacturing facilities, and warehouses with heavy truck traffic. Exempting projects from CEQA could therefore allow homes to be exposed to environmental harms without adequate public participation, impact analysis and disclosure, mitigation, and identification of alternative solutions.

Solutions:

- Locate harmful, polluting land uses such as industrial, commercial, and manufacturing uses (such as dairy farms and highly trafficked roadways) at a safe distance from sensitive uses (such as residences, schools, childcare facilities, community and senior centers, medical facilities, parks, and places of worship). Setbacks or buffers to protect sensitive uses from harmful uses can also be used.
- Remove or close toxic operations such as oil rigs and refineries from low-income communities and communities of color, and collaborate with local environmental justice community residents to determine a vision for site remediation and reuse that meets their needs (e.g. turning the former site into a community-operated green space) and protects communities from further harm.
- Prohibit CEQA streamlining (e.g., exemptions or expedited judicial review) of housing or mixed-use projects that are being proposed on or near a site that may produce high levels of pollution or contain hazardous substances, especially if it would have adverse impacts on low-income and BIPOC communities.
- Require housing developers to work with relevant local and state agencies, such as the Department of Toxic Substances Control (DTSC), among others, to determine whether a proposed project is located on or near toxic land at the earliest time possible. Until DTSC improves the timeliness and quality of its clean-up performance, contaminated sites should not be considered for affordable housing to prevent potential harm to low-income communities of color. If DTSC's overall performance does improve, require additional, robust 3rd party testing and remediation for sites that were previously cleaned up, and community oversight to ensure site suitability for future housing development.
- Prohibit housing from being developed on contaminated sites that have only undergone "capping," i.e. covering the site while leaving toxic waste in place, or

other inappropriate clean-up remedies that pose continuous health risks to residents¹⁰ if they are the primary remediation tool.

- Provide sufficient funding (e.g., from polluter fees) to support local site cleanup that can also bring down development costs for nonprofit developers and protect community health.

¹⁰ Ali Tadayon, [Pouring concrete over toxic soil where 4,000 apartments may rise is not OK, activists tell Richmond council](#), East Bay Times, September 28, 2019. (Visited: June 21, 2021).

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2

Promote a Comprehensive and Resilient Approach to Development

Addressing the housing crisis requires an integrated, multi-sector, and comprehensive approach to getting people housed. To create thriving communities, housing must be planned alongside other critical resources that promote good health, a high quality of life, and resilience to withstand climate impacts. Comprehensive solutions can include accessible and affordable public transit; family-sustaining jobs (especially those that transition out of our reliance on the fossil fuel industry); high-quality and affordable childcare; good schools; healthy food markets; places of worship; parks and open space; and places that provide necessary goods and services. However, comprehensive proposals to advance equitable housing and community development must include strong anti-displacement protections and policies to ensure that new development and investments do not displace longtime low-income residents and communities of color (*see also* [“Ensure strong tenant protections and services”](#)).

Protect the biological and cultural diversity of communities and prevent sprawl

California’s affordable housing crisis continues to price many low-income households out of resource-rich, urban job centers and into sprawling, low-density suburbs, including

entirely new greenfield communities. As people have been forced to move further away from their jobs, families, and communities, longer commutes have led to higher transportation costs, degraded air quality, and increased greenhouse gas emissions. Sprawl makes comprehensive and efficient public transit systems difficult and is directly linked to income inequality and racial segregation.¹¹ Additionally, sprawl increases wildfire risk and exposure to other climate-related disasters when housing is developed in blaze-prone wildlands, and further degrades the state's already damaged natural ecosystems—all of which affect our access to safe and healthy housing and quality of life. Our country's history of planning regions for private vehicle use, increasing urban sprawl, and prioritizing greenfield development over infill development runs contrary to the direction needed to mitigate climate change and increase public health and wellness.¹²

To combat these threats, communities have been envisioning alternatives to the single family home ideal of the American dream. Such models move our state toward a more collaborative and resilient vision for housing that promote a process of Rematriation¹³ by centering our right relationship with the land, animals, watersheds, our neighbors, and the rest of our environment. By honoring the biological and cultural diversity of a place, we can counter the false narrative that people are separate from each other and nature by bringing ourselves into harmony with the places where we live. This vision requires us to reenvision how we collectively care for the land and govern in relation to our watershed and our foodshed, so that we can maintain a healthy and resilient natural environment that sustains all forms of life.

Solutions:

- Advance solutions for bioregional governance¹⁴ that promote harmony between housing/human communities and regional ecosystems and natural areas. Solutions include creating low-impact, affordable infill housing in urban areas as well as in

¹¹ Guo, C., Buchmann, C.M., & Schwarz, N. (2017, July 11). [Linking urban sprawl and income segregation - Findings from a stylized agent-based model](#). *Environment and Planning B: Urban Analytics and City Science*, 46(3), 469-489.

¹² Stephanie Gidigbi, [How Planes, Trains and Automobiles Worsened America's Racial Divide](#), Politico, June 26, 2020. (Visited: June 21, 2021).

¹³ 'Rematriation' can be defined as: "to restore a living culture to its rightful place on Mother Earth," or "to restore a people to a spiritual way of life, in sacred relationship with their ancestral lands, without external interference." From: Newcomb, Steven. [PERSPECTIVES: Healing, Restoration, and Rematriation](#). Indigenous Law Institute: <http://ili.nativeweb.org/perspect.html> (Visited June 21, 2021).

¹⁴ Bioregions are geographic areas "defined by natural ecological boundaries (such as rivers & mountain ranges) as well as the social-cultural boundaries of the human groups within that place." From Sol, C. del. (2020, June 27). [Where do you draw the boundaries of home? Understanding bioregions might give you an idea](#). Medium.

existing communities that are well-integrated with wildlife corridors, urban canopies, greenspaces, wetlands, and local watershed features.

- Create connectivity between people's homes and the places where people need to go by ensuring all communities have access to safe, reliable, affordable, and clean public transportation, active transportation networks, and shared mobility options. Solutions should be well-designed to reduce private vehicle use and guard against sprawling development patterns.
- Establish sustainable growth strategies and restrictions on development coupled with strong anti-displacement protections for housing, to prevent development in greenfield areas and limit environmentally degrading urban sprawl while also guarding against neighborhood gentrification and displacement.
- Consult with local tribes and indigeneous communities' to consider ways in which housing and related development can be respectful of their cultural practices, ceremonies, languages, and traditions; as well as their ability to cultivate the land, maintain food sovereignty, and have access to clean air and water.¹⁵

Create climate-resilient housing

Across the state, low-income communities and communities of color are already experiencing the immediate consequences of the climate crisis.¹⁶ As extreme temperatures and poor air quality events become more frequent, the associated health hazards are most acutely felt in households without suitable heating, cooling, ventilation, and energy systems.¹⁷

Solutions:

- Design homes to be resilient in the face of climatic challenges so that they can withstand disasters and return quickly to normal function. Solutions should keep residents safe, dry, and protected from extreme heat or cold; promote infill development; maximize energy and water efficiency; provide advanced ventilation; and remain functional during extreme weather events and disasters.

¹⁵ Resource Generation. [Land Reparations & Indigenous Solidarity Toolkit](#). (2019, July 12).

¹⁶ California Natural Resources Agency. (2019, January 16). [California's Fourth Climate Change Assessment: Statewide Summary Report](#).

¹⁷ Morello-Frosch, R., Pastor, M., Sadd, J., & Shonkoff, S.B. (2009, May). [The Climate Gap: Inequalities in How Climate Change Hurts Americans and How to Close the Gap](#). University of Southern California, Program for Environmental and Regional Equity.

- Upgrades to existing housing need to happen at scale while ensuring accessibility for the most vulnerable communities, especially renters and mobile home owners or renters. Establish and increase funding for programs that provide climate and natural disaster-resilient retrofits for affordable rental housing and low-income homeowners.
- Advance housing electrification and solarization funding, incentives, and programs targeted to low-income communities and communities of color to reduce indoor air quality hazards and support a just energy transition.¹⁸ (See also [Preserve affordable and rent-stabilized housing](#))

Invest in resilient community infrastructure and services for under-resourced communities

Reliable infrastructure and services are necessary to create climate-resilient housing and livable communities in the face of heat waves, urban heat island effect, wildfires, drought, sea level rise, and extreme weather events. Unfortunately, a legacy of disinvestment and government neglect has left much of the state's infrastructure systems in dire need of maintenance and modernization, and the threat of our changing climate exacerbates existing pressure on these systems.¹⁹ In cities, communities of color are disproportionately impacted by inadequate infrastructure,^{20,21} while many households in unincorporated communities lack even the most basic services such as safe drinking water and wastewater treatment.²²

Solutions:

- Direct [climate-resilient](#) infrastructure investments to low-income BIPOC communities that are [most vulnerable to climate impacts](#), including mobile home renters and rural communities that have historically received minimal investments. Resilient and green infrastructure includes drinking water and sewer services,

¹⁸ The California Public Utilities Commission (CPUC) has invested over \$56 million on electrification projects in the San Joaquin Valley. CPUC Commissioner Martha Guzman Acevez (2019, Jan.). [CPUC Provides San Joaquin Valley Residents with Cleaner and Safer Energy Options](#). See also Elkind, E. & Lamm, T. (2021, March 23). [California needs an equitable strategy for transitioning to all-electric buildings](#). CalMatters.

¹⁹ ASCE. (2019, May). [Report Card for California's Infrastructure](#).

²⁰ Safe Water Alliance et. al. (2014, August). [Racial Discrimination and Access to Safe, Affordable Water for Communities of Color in California](#).

²¹ Jones, S. & Armanios, D.E. (2020). [Methodological Framework and Feasibility Study to Assess Social Equity Impacts of the Built Environment](#). *Journal of Construction Engineering and Management*, 146(11).

²² Chew, A. with Flegal, C.L.M. (2020). [Facing History, Uprooting Inequality: A Path to Housing Justice in California](#). PolicyLink.

transit/active transportation systems, energy-efficient heating and cooling, access to locally-owned and generated renewable energy, cool pavement, ample tree canopy, greater neighborhood access to parks and green space, and solutions that promote bioregional governance, i.e., organized around our natural landscape, geography and resources.²³ Ensure that infrastructure investments for low-income communities of color are coupled with strong anti-displacement safeguards so that investments do not lead to gentrification and the displacement of longtime residents.²⁴ (See also [Create robust anti-displacement requirements](#))

- Invest in community resilience centers that provide integrated delivery of emergency response services such as clean backup power, clean air respite, cooling, food storage and distribution, shelter, economic assistance, and reliable high-speed internet.
- Prioritize investments in social infrastructure for climate resilience, such as equitable/just first response systems and resources, translation/accessibility of alerts/warnings, and inclusive emergency shelters as alternatives to police stations that are not conducive to supporting vulnerable populations such as undocumented or unhoused community residents during an emergency.

Oppose partial “green” solutions and other false environmental solutions that do not benefit neighborhoods

Recent legislative efforts to allow housing and other projects to receive streamlined CEQA review or exemptions tend to require other so-called environmental benefits in exchange. However, such policies fail to mitigate significant environmental impacts that could be addressed through a robust CEQA process. For instance, allowing projects to forgo environmental review so long as they are LEED Gold certified or utilize carbon offsets to minimize emissions only amounts to false “greenwashing” solutions that do nothing more than profess environmental, climate, or community-serving benefits.²⁵ Furthermore, these false “green” solutions do not reduce harm for those living in or near streamlined projects. As a result, disadvantaged communities are often saddled with increased air pollution and traffic from trucks, resident displacement, and impacts on groundwater quality, including obstructed access to safe drinking water for communities that are dependent on well water

²³ Sol, C. del. (2020, June 27). [Where do you draw the boundaries of home? Understanding bioregions might give you an idea.](#) Medium.

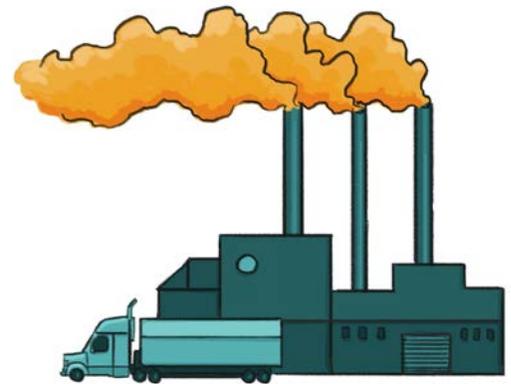
²⁴ For more information, see: [UC Berkeley's Urban Displacement Project.](#)

²⁵ For instance, research shows that carbon offsets may not lead to actual reductions in GHG emissions and may even increase emissions due to flawed policy. Temple, J. (2019, April 18). [Landowners are earning millions for carbon cuts that may not occur.](#) MIT Technology Review.

in exchange for superficial “green solutions.” We must reject these false choices that pit economic or housing arguments against environmental goals, since one-sided solutions are neither equitable nor sustainable.

Solutions:

- Limit the creation and use of CEQA exemptions, and ensure housing and mixed-use developments undergo CEQA in order to identify and address the full range and extent of possible environmental impacts, including impacts on local air quality, water quality and access, and residents’ exposure to hazardous substances.
- Prohibit the use of carbon offsets, which may not lead to a true reduction in greenhouse gas (GHG) emissions. Instead, prioritize community-serving developments, particularly affordable housing near affordable public transit for low-income residents, that demonstrate they have maximized on-site reductions (including energy and transportation-related pollution and GHGs).
- Avoid incentivizing new housing development in certain “transit rich” or “jobs rich” areas that do not actually achieve intended goals (such as reducing commute distances and lowering pollution and GHG emissions), to avoid unintentionally contributing to sprawling low-density development.
- Avoid housing solutions that involve tax-incentive policies for investors, such as federal Opportunity Zones, in which projects are likely to accelerate gentrification and displacement due to minimal community input and a lack of community benefits.





3 | **Protect Vulnerable Tenants and Communities**

Due to a legacy of systemic discrimination, low-income and BIPOC residents are more likely to rent than own their homes.^{26 27} Without adequate protections, vulnerable renters will experience housing instability due to rising housing costs, gentrification, and inadequately maintained housing or lack of essential infrastructure. Housing policies must prioritize different types of housing for low-income and BIPOC residents, provide connections to social safety nets, and support healthy and thriving communities. In order to create truly just, equitable, and community-serving housing policy, we must first ensure that frontline community residents are meaningfully involved and have a seat at the table when housing decisions and tenant protections are being created.

Housing insecurity generates many negative health outcomes, from a higher likelihood of living in unsafe and unhealthy conditions,²⁸ to greater risk of chronic diseases and mental

²⁶ Bergöö, B. (2020, June 30). [We Must Invest in Climate-Ready Affordable Housing Now](#). NRDC.

²⁷ 2019 California homeownership rates: Non-Hispanic white: 63%; Asian: 60%, American Indian and Alaska Native: 51%; Hispanic/Latino: 44%; Native Hawaiian and Pacific Islander: 42%; Black: 36%. From: Tobias, M. (2021, May 17). [What California lawmakers could do to boost homeownership for Black families](#). CalMatters.

²⁸ Chu, M.D. (2020, April 16). [Why housing security is key to environmental justice](#). Environmental Health News.

health conditions.²⁹ As housing costs continue to rise while wage levels and public benefits remain stagnant, more families and individuals will become displaced or unhoused. Studies have found that displaced renters are more likely to relocate to low-resourced and low-opportunity neighborhoods.³⁰ We must prioritize long-term and permanent affordable housing for various income levels, especially for very-low and extremely low-income households, over temporary solutions.

Create robust anti-displacement requirements

California's current day crises of hyper-gentrification and displacement have occurred due to a number of factors, including our state's growing income and wealth inequalities that have escalated with the rise of the new tech economy. However, protecting longtime residents against displacement and promoting deep affordability is not only a racial and economic justice issue, it is also an environmental and environmental justice (EJ) issue. Without strong anti-displacement safeguards in place, our efforts to lower greenhouse emissions will be further challenged as central cities become increasingly gentrified, pushing out working class families who are increasingly forced to commute from farther distances to reach their jobs and communities. Furthermore, infrastructure and investments in low-income and BIPOC communities must be coupled with laws that can guard against displacing the people and communities that are intended to be served by those investments.³¹

Solutions:

- Expand and strengthen statewide rent stabilization and just cause provisions to cover all rental units, lower allowable rent increases, and close other loopholes. Eliminate restrictions on local rent control, including the Costa-Hawkins and Ellis Acts, to allow local cities and counties to fully protect vulnerable renters. Policies to expand access to rent stabilization and eviction protections should also include mobile home owners for whom drastic rent increases or park closures often cause homelessness due to extortionate relocation costs.
- Policies that seek to revitalize and densify neighborhoods at risk of gentrification should be paired with strong inclusionary housing requirements, anti-displacement

²⁹ Davalos, M., Kimberlin, S. & Mesquita, A. (2021, January). [Issue Brief: California's 17 Million Renters Face Housing Instability and Inequity Before and After COVID-19](#). California Budget & Policy Center.

³⁰ Office of Disease Prevention and Health Promotion. [Housing Instability](#).

³¹ The Center for Popular Democracy & CPD Action. (2021, January). [2021 Federal Housing Agenda](#).

safeguards, and other protections for existing residents. Such policies should prioritize communities with high concentrations of rent burdened households. (See also: [Ensure strong tenant protections and services](#); [Advance equitable housing development](#)).

- Implement anti-displacement zones, based on geographies that have been ground-truthed by local communities, with robust protections and policies that ensure that benefits accrue to local residents, in particular those most vulnerable.
- Exclude state-identified “Sensitive Communities” concentrate upzoning, permit streamlining, and other developer incentives in low-income neighborhoods from State-by-right and upzoning legislation that fuel speculation.³²
- Deny incentives to developments that will demolish or remove rent-controlled units for low-income households, and property owners or developers who displace renters.
- Allow local jurisdictions to create stronger and more flexible tools at the local level that can identify and protect vulnerable low-income communities at risk of displacement and gentrification, beyond the state’s standards.
- Enact policies that prioritize meeting the unmet affordable housing needs at all Area Median Incomes (AMIs) first before additional market-rate housing is developed.
- To accurately and equitably identify neighborhoods most vulnerable to gentrification, develop a community outreach process to meaningfully involve current residents in the creation of maps that reflect their lived experiences on the ground. (See also: [Embed equity and center community input throughout all housing and planning decisions](#))
- Require housing construction projects (located in neighborhoods at risk of gentrification that are requiring tenants to vacate) to offer current tenants subsidized rent during project construction or alternative housing in the same neighborhood, and the right to return without rent increases after project completion.
- Pair incentives for multifamily decarbonization and weatherization upgrades with anti-displacement measures. Examples include covenants requiring landlords who receive grants to maintain affordable rents, or pairing building retrofit funds with affordable housing acquisition funds to convert distressed or vacant properties into

³² Platkin, D. (2021, June 24). [How Real Estate Speculation Contributes to the Climate Crisis](#). CityWatch Los Angeles.

climate resilient housing. Invest in climate-resilient infrastructure for underserved communities.

Ensure strong tenant protections and services

As long as California's housing crisis continues, tenant communities will remain vulnerable to displacement without limiting a landlord's ability to apply rent increases and allowing for evictions without just cause reasons. In order to prevent the rise of homelessness, we must prevent people from becoming unhoused in the first place.

Solutions:

- Provide community-driven housing rights education and outreach in locally-spoken languages, rental assistance, and ongoing support for tenants.
- Codify a right to counsel in housing court for all renters who face eviction. Access to legal representation levels the playing field for low-income renters facing resourced landlords who can afford to hire counsel, and increases positive outcomes for tenants who are more likely to resolve their cases without being evicted.³³
- Protect tenants from predatory and illegal landlord behavior, such as harassment, neglecting to make repairs in order to drive tenants out, including increasing proactive code enforcement programs with safeguards to ensure that repairs do not lead to displacement or homelessness for existing renters.
- End California's fast-track eviction timelines by giving renters adequate time to respond to eviction notices and cure violations.
- Require all housing-related notices and documents to be translated into locally spoken languages to ensure every tenant can know their rights.

Mandate accountability and disclosure for predatory landlords

The corporate landlord ownership structure harms tenants and communities through increased eviction and displacement, rent gouging, housing destabilization, harassment, speculation, and by leaving properties vacant.³⁴ Corporate landlords hide behind LLCs to

³³ Leadership Counsel. (2021, January 7). [By giving tenants a legal right to counsel, Fresno can lower the number of people experiencing homelessness.](#)

³⁴ Ferrer, A. (2021). [Beyond Wall Street Landlords: How Private Equity in the Rental Market Makes Housing Unaffordable, Unstable, and Unhealthy.](#) SAJE.

evade accountability for poor living conditions and habitability concerns, leading to unsafe and unhealthy conditions for tenants with limited opportunities for recourse.³⁵

Solutions:

- Increase transparency for property-owning corporations by requiring corporate landlords to report on the identity of the true owners of properties held by corporate entities. This could include the creation of a property registry of corporate holdings at the local or state level.
- Increase transparency in political spending by real estate lobbying groups and corporate landlords who spend millions of dollars to elect candidates that work to protect their investments at the expense of California residents.³⁶
- Ensure that all rental properties in the state are covered by a rent registry³⁷ to track rent increases, evictions, and other data necessary to ensure that landlords remain responsible and accountable.

Support lasting solutions to combat the impacts of COVID-19 pandemic

The COVID-19 pandemic has once again shown that not only is housing a human right, it is also critical for public health. Mandates and policies to combat the current health crisis have exacerbated the housing crisis, disproportionately impacting low-income communities and communities of color. Over a year into the pandemic, hundreds of thousands of California renters are behind on rent and utilities, and with back rent and utility debt estimates totaling in the billions of dollars.³⁸ In particular, because of the racially disparate economic and health impacts of COVID-19, renters of color face a disproportionate risk of eviction,³⁹ and tenants in corporate-owned rent-controlled buildings are particularly vulnerable if landlords take advantage of opportunities to evict long-term tenants and increase rents.

Solutions:

- Extend eviction moratoriums to keep tenants in their homes as the economy

³⁵ Ibid.

³⁶ [California Not for Sale.org](https://www.california-not-for-sale.org/)

³⁷ For an example, refer to the City and County of San Francisco's Rent Registry. Waxmann, Laura (December 1, 2020). [Legislation requiring S.F. landlords to divulge details on rentals passes](#). San Francisco Business Times.

³⁸ Hannah Wiley (May 10, 2021). ["California would pay 100% of missing rent for low-income tenants under Newsom's budget plan."](#) The Sacramento Bee.

³⁹ Ibid.

recovers.

- Ensure no renter is evicted or left with debt for rent or utilities accumulated during the pandemic. Debt forgiveness must not be conditioned on whether or not a landlord chooses to accept funds or otherwise participate in government programs. Long-term solutions should ensure unpaid rent does not create a credit barrier for renters to obtain future housing.
- Financial assistance to landlords should prioritize mom-and-pop landlords and nonprofit affordable housing operators to keep them in business and keep their properties out of the speculative market.
- Drawing on current momentum, establish proactive protections for renters against future public health crises and natural disasters, such as automatic eviction moratoriums and assistance for households that are displaced.

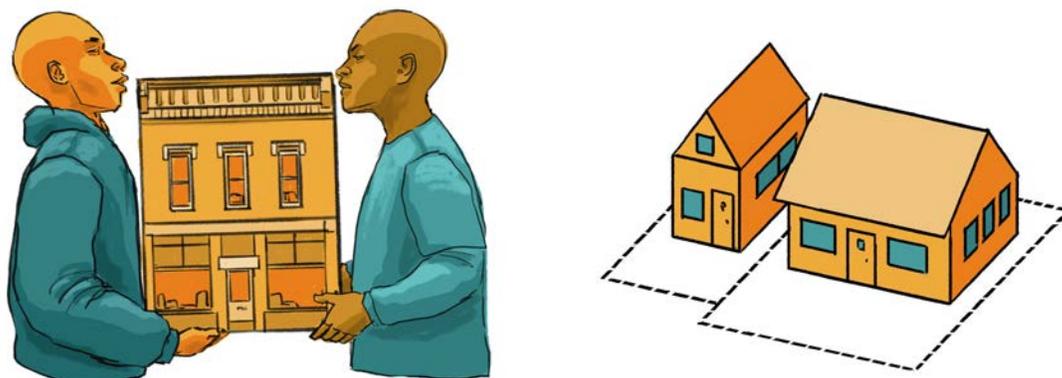
Decriminalize houselessness

People who are unhoused face exposure to a wide range of environmental and safety hazards. The criminalization of being unhoused exacerbates this exposure, as police sweeps in urban areas push people into toxic, polluted, and dangerous spaces. When concerns about environmental hazards are raised, government entities typically respond by removing people from these sites in the name of public health, creating an endless cycle of displacement and criminalization of the unhoused community.⁴⁰

Solutions:

- Decriminalize houselessness by preventing unhoused community members from being ticketed, having their car impounded, and being over-policed and incarcerated for reasons of poverty. End encampment sweeps that create further instability and safety risks for unhoused individuals.
- Eliminate harmful crime-free nuisance ordinances.
- Implement a “housing first” approach and permanently fund supportive housing and services.

⁴⁰ Goodling, E. (2019, December 18). [*Intersecting hazards, intersectional identities: A baseline Critical Environmental Justice analysis of US homelessness*](#). *Environment and Planning E: Nature and Space*, 3(3), 833-856.



4 Advance Just and Equitable Housing Development

The historical practices of ‘redlining’,⁴¹ predatory lending, and other inequitable policies continue to perpetuate disparities in housing for people of color to this day.⁴² Despite this unjust legacy and the current housing crisis that has disproportionately impacted BIPOC communities, market-rate housing dominates new production while rates of affordable housing production for low-income, very low income, and extremely low-income households remain disgracefully low. Incentivizing mostly market-rate housing can exacerbate local neighborhood gentrification, displacement, and urban sprawl. Therefore, housing policies must advance justice and utilize equity-based approaches to housing development, including by supporting alternative housing models, while also protecting community health. Solutions must also promote geographic equity by increasing affordable housing development in working class urban communities as well as cost-burdened low-income rural and fringe communities.

⁴¹ Redlining can be defined as “Illegal discriminatory practice in which a [mortgage](#) lender denies loans or an [insurance](#) provider restricts services to certain areas of a [community](#), often because of the racial characteristics of the applicant’s neighbourhood. Redlining practices also include unfair and abusive loan terms for borrowers, outright deception, and penalties for prepaying loans. The term *redlining* came about in reference to the use of red marks on maps that loan corporations would use to outline mixed-race or African American neighbourhoods.” From [Brittanica.com](#)

⁴² Cimons, M. (2020, January 23). [How redlining makes communities of color more at risk of deadly heat waves](#). PBS.

Unfortunately, California's process to allocate housing needs⁴³ is poorly coordinated, while influential lobbying during the planning stages has allowed wealthy cities to build far less affordable housing than areas with lower average income.⁴⁴ Addressing California's housing shortage requires all cities and counties to produce their fair share of affordable housing and adhere to Civil Rights laws. To be successful toward this effort, local governments must eliminate discriminatory policies that limit the ability of low-income communities and communities of color to remain and thrive in place, and remedy policies that hinder the equitable production of affordable housing.

Directly address legacies of segregation and discriminatory practices in communities throughout the state

California innovated the framework for housing segregation by enacting the first racial zoning laws in the nation. Redlined areas were frequently sited next to industrial, toxic and polluting land uses, leading to predominantly negative health outcomes for communities of color.⁴⁵ While explicitly discriminatory policies are now illegal, low-income communities and communities of color across the state continue to experience other forms of discrimination through systemic disinvestment and displacement through urban renewal and gentrification in both urban and rural settings.⁴⁶

Equitable housing solutions are necessary to combat the ongoing legacy of exclusion, discrimination, and displacement of low-income communities of color.

Solutions:

- Couple upzoning policies in high resource or high opportunity areas with affordable or inclusionary housing requirements to increase the percentage of housing units for very- and extremely low-income households in those areas (except where there is overlap with Sensitive Communities)⁴⁷, and include equitable, family-friendly investments in these neighborhoods such as parks, schools, affordable transit, job training, and grocery stores.

⁴³ For more information, see: [California Department of Housing and Community Development](#).

⁴⁴ Duara, N. (2020, December 28). [Newport Beach was supposed to build affordable units in 8 years - why so little?](#) CalMatters.

⁴⁵ CalEPA. (2021, January 25). [Pollution and Prejudice](#).

⁴⁶ Ibid.

⁴⁷ Cash, A. (2020, January 29). [Sensitive Communities in California: Mapping Vulnerability and Displacement Pressure](#) | Urban Displacement Project.

- Prioritize 100% affordable public and nonprofit housing for development incentives like increased density and accelerated permitting.
- Require cities and counties to conduct community-led racial equity analyses in all planning and land use decisions at city, regional and state levels.
- Enforce all local governments and state agencies obligation to Affirmatively Further Fair Housing⁴⁸ in a robust way in all activities related to housing and community development, including decisions about land use, funding for housing and infrastructure, transportation, and education. This process also includes requiring historically exclusionary areas to build their fair share of housing affordable housing for low-income residents, addressing displacement pressures and infrastructure inequities in areas where members of protected classes currently live, and addressing other housing disparities for people of color, immigrants, people with disabilities, and other protected classes.
- Create state- and local-level programs that can address reparations for communities that have suffered from legacies of systemic loss of land and property, brutal forced labor, and discrimination in housing policies.⁴⁹
- Research the history of the public land that's being considered for development and work with relevant local stakeholders, including local tribes and indigenous communities, to craft plans that respect people's historic, material, and spiritual connections to the land. This process can inform decisions on whether or not to develop housing on a particular site and the possibility of land transfers to indigenous groups to support their collective ownership over ancestral homelands.⁵⁰

Prioritize housing that is affordable for low-, very low-, and extremely low-income households

California's housing shortage is most acutely felt by households at the lowest end of the income spectrum. Seventy six percent of extremely low-income households and almost 50% of very low-income households spend more than half their income on rent.⁵¹ These same households are more likely to forgo necessities such as healthy food and healthcare,

⁴⁸ AFFH requires an assessment of disparate housing needs and issues for protected class groups based on race, religion, sex, etc. [Furthering Fair Housing](#). National Fair Housing Alliance. (2018, August 2).

⁴⁹ Alex Samuels. (2021, April 7). [Can A Local Reparations Program Undo Decades Of Housing Discrimination?](#) FiveThirtyEight.

⁵⁰ Resource Generation. (2019, July 12). [Land Reparations & Indigenous Solidarity Toolkit](#).

⁵¹ National Low Income Housing Coalition. (2021). [Housing Needs By State / California](#).

and face increased risk of housing instability and eviction.⁵² As a result of limited access to affordable and suitably sized housing, very-low income households are also three times more likely to live in overcrowded conditions,⁵³ which is tied to adverse health outcomes for the residents.⁵⁴

Solutions:

- New housing production (including new laws and policies to promote greater housing production) must include affordable options for low-, very low- and extremely low-income households located in rural, fringe, and urban communities alike. Cities and counties can conduct a housing balance assessment to support the development of affordable housing units in relation to the number of market-rate housing units.⁵⁵
- Provide protections and remove barriers to affordable housing for undocumented immigrants and formerly-incarcerated individuals.
- Establish definitions of Area Median Income (AMI) based upon neighborhood-level median incomes, so that definitions of income levels are not skewed by extreme inequalities in wealth from a metropolitan or regional perspective.
- Require a certain proportion of land or units within a jurisdiction to be designated for permanent and democratically-controlled alternative social housing models that provide affordability (*See also: "[Decommodify housing and cultivate alternative ownership models](#)"*).

Preserve affordable and rent-stabilized housing

While new housing production should prioritize the creation of affordable units, preserving existing affordable housing is not only necessary to protect vulnerable tenants and ensure a net increase in overall housing supply, it also minimizes environmental impacts and allows longtime neighborhoods to remain intact. Unfortunately, current policies that place expiration dates on affordability restrictions exacerbate the shortage of affordable units.⁵⁶

⁵² Ibid.

⁵³ California Department of Housing and Community Development. [Overpayment and Overcrowding](#).

⁵⁴ Krieger, J. & Higgins, D.L. (2002, May). [Housing and Health: Time Again for Public Health Action](#). *American Journal of Public Health*, 92(5), 758-768.

⁵⁵ For more information, see San Francisco's [Ordinance No. 53-15](#) that requires San Francisco's Planning Department to track and report on the Housing Balance between new market rate housing and new affordable housing production.

⁵⁶ Chandler, J. (2020, March 3). [The big problem with affordable housing](#). Curbed Los Angeles.

In addition, naturally-occurring affordable housing that lacks the protection of deed restrictions and government subsidies is vulnerable to real estate speculation.

Solutions:

- When redeveloping existing housing, preserve the affordability of the new units at pre-redevelopment levels to guarantee that there is no net loss in affordable units.
- Establish inclusionary housing programs that require units to remain affordable in perpetuity or for the life of the building. Require a reset of the clock on affordability terms upon sale of all properties with affordable units.
- Protect vulnerable homeowners from predatory lenders and home-flippers.
- Protect naturally-occurring affordable housing, such as older housing stock and state mobile home park residency options, from real estate speculation.
- Leverage public funding to acquire distressed or vacant property and convert to permanently affordable housing.
- Establish a right of first offer and right of first refusal when rental housing is sold, to provide an opportunity for existing tenants, land trusts, or other community-serving entities to purchase the property and maintain it as affordable in perpetuity. (See also [*“Decommodify housing and cultivate alternative ownership models”*](#))

Increase budgets and sources of funding for affordable housing

Affordable housing spending cuts at the federal, state, and local levels have contributed to the current housing crisis and have led to an overreliance on the private sector for housing production.⁵⁷ The state must prioritize investing in affordable housing development to meet this overwhelming need.

Solutions:

- Increase state funding to build affordable housing for those most in need, specifically targeting very low- and extremely low-income households. Funding could be generated through progressive taxation measures, including public bank initiatives, taxes on vacant properties and units, and taxes on large corporate landlords.

⁵⁷ Chew, A. with Flegal, C.L.M. (2020). [*Facing History, Uprooting Inequality: A Path to Housing Justice in California*](#). PolicyLink.

- Direct funding to community-led planning efforts and local government activities that meaningfully engage low-income and EJ residents in decision-making and planning for housing. (See also: [Embed equity and center community voices in decision-making](#))
- Pass policies to direct public and private funding to local and regional housing trust funds to further support the construction of affordable housing.⁵⁸ Ensure that community-led initiatives and community-based organizations have equitable access to these funds by prioritizing or allocating funding for these groups, and by providing technical assistance for applications by community-based organizations.
- Create programs that allow local governments to purchase property for the development of alternative models of affordable housing run by community-based nonprofit organizations, land acquisition loan funds, affordable housing land bank authorities, community land trust organizations, or groups of residents (See also: [Decommodify housing and cultivate alternative ownership models](#)).
- Invest in social housing solutions that provide permanent affordability and support sustainable communities and local stewardship. (See also: [“Decommodify housing and cultivate alternative ownership models”](#))

Harness public land for public good

Vacant and underutilized public land can serve as a social benefit by supporting solutions to the housing crisis. State, regional, and local agencies own thousands of parcels of land throughout California, much of which is located in or near urban areas where housing shortages are most severe.⁵⁹

Solutions:

- Prioritize deeply affordable housing, especially alternative ownership models, on unused and underutilized city, county, or utility-owned land and vacant properties.
- Ensure that local jurisdictions comply with the [strengthened Surplus Land Act](#) to identify surplus and underutilized sites. Support nonprofit developers and communities in purchasing this surplus land for affordable housing.

⁵⁸ For an example, see [SB 679 \(Kamlager, 2021\)](#) the Los Angeles County Regional Housing Finance Act.

⁵⁹ Governor of California. (2019, January 15). [Executive Order N-06-19](#).

- Support nonprofit developers and communities in purchasing surplus land for permanently affordable housing (*See also: [Increase budgets and sources of funding for affordable housing](#)*).

Decommodify housing and cultivate alternative ownership models

The present system of private ownership is a vestige of settler-colonialism that views housing as a commodity, rather than a human right. Housing should serve the needs of residents, not enrich Wall Street investors. Housing speculation and the expansion of corporate landlords have increased housing prices while preying on residents through rent gouging and predatory lending in the name of private profit.⁶⁰ Homeowners of color in particular face a higher risk of foreclosure,⁶¹ which can be economically devastating and can break connections to critical social safety nets. In order to meet the housing needs of all Californians, solutions should focus on creating transformative ownership models that allow for community control over housing.

Solutions:

- Remove housing units from the speculative market by funding and supporting alternative models that provide permanent and democratically-controlled housing, such as community land trusts,⁶² nonprofit-run community-serving housing, cooperative housing, and social housing. (*See also: ["Increase budgets and sources of funding for affordable housing"](#)*)
- Enact [Tenant or Community Opportunity to Purchase](#) (TOPA/COPA) policies to provide an opportunity for tenants to collectively bargain to purchase their building if a landlord is planning to sell, limiting housing speculation and preserving affordable housing while creating stability for low-income households.

⁶⁰ The Center for Popular Democracy & CPD Action. (2021, January). [2021 Federal Housing Agenda](#).

⁶¹ Chew, A. with Flegal, C.L.M. (2020). [Facing History, Uprooting Inequality: A Path to Housing Justice in California](#). PolicyLink.

⁶² For more information about Community Land Trusts, see: ["Increase Community Power and Health Through Community Land Trusts: A Report From Five Movement-Driven California CLTs."](#) By TRUST South Los Angeles (December 2020).



5 Increase Equity and Accountability in Land Use and Housing Decisions

To achieve equitable housing policies and healthier land use planning, cities and counties must be responsive to community needs and develop decisions in collaboration with residents that experience the greatest challenges and burdens. Meaningful community involvement through an inclusive and transparent public process is vital to advancing democracy and creating just and locally-appropriate solutions to the housing crisis. Frontline low-income and BIPOC community members must have equitable access to information and decision-making so they can shape policies that impact their health and wellbeing.

Embed equity and center community voices in decision-making

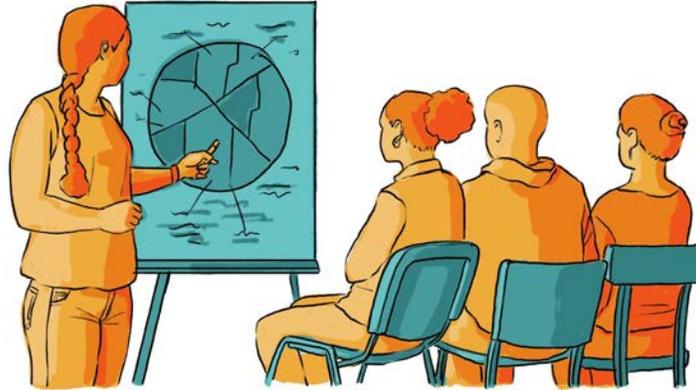
Low-income, BIPOC residents who have been historically disenfranchised deserve a seat at the table when decisions are being made regarding their neighborhoods. Frontline EJ and low-income community residents are best positioned to identify the types of housing and related policies that are important for their neighborhoods as people who are most impacted by the housing crisis, who maintain expertise on the conditions on the ground.

Solutions:

- When making plans and decisions related to housing and land use, local governments should facilitate democratic and participatory processes that center the voices and needs of low-income and BIPOC residents who are most vulnerable

to displacement and climate disasters. Such processes require: 1. cultivating trust between local decision-makers and residents to promote collaborative decision-making, and 2. sufficient budgets for community-driven planning activities.

- Develop formal partnerships with community-based organizations, particularly grassroots base-building groups that serve impacted community residents, to co-lead successful community engagement and planning efforts.
- Develop long-range planning documents in collaboration with sensitive and EJ community residents to integrate their needs and experiences to shape effective housing policy. Plans should develop meaningful metrics to assess the effectiveness of their engagement efforts and implementation progress of their long-range plans.
- Honor local plans in state-identified Sensitive Communities that reflect the needs, visions, values of community residents.
- Require housing developers to inform local residents about the potential impacts of their projects on the surrounding community and provide channels for residents' concerns and feedback.
- Ensure equitable access to public information and meetings related to a proposed development by using means of communications that are accessible to all residents (such as providing notices and other materials in locally-spoken languages, recruiting multilingual and culturally competent outreach workers, scheduling meetings in areas and at times that maximize attendance and accessibility, and provide interpretation during meetings).
- Oppose policies that shorten public comment periods and undermine full consideration of residents' input.



Guarantee equitable access to a fair judicial process

The California Environmental Quality Act (CEQA) is an important tool that allows environmental justice communities and the public to be part of land use decision-making at both the local and state levels. By participating in the environmental review process and bringing CEQA lawsuits, communities are able to ensure that these decisions advance instead of harming their environmental health.

Solutions:

- Oppose proposals that restrict low-income and environmental justice communities' ability to bring or prevail in CEQA lawsuits, including those that would reduce judicial timelines, limit standing for plaintiffs, and change the standard of review or judicial remedies in favor of lead agencies.

Increase public access to the courts as well as fair and timely judicial decisions on CEQA lawsuits by training and appointing more CEQA judges, particularly in areas with high housing burdens.