



Senator Holly J. Mitchell

SB 329 Housing Opportunities Act

THIS BILL

Senate Bill 329 will amend the Fair Employment and Housing Act (FEHA) to clarify that housing vouchers are included within California's prohibition on discrimination based on source of income. This renter protection will help California address its growing homelessness crisis, provide opportunity to families in poverty, and ensure the state can take full advantage of available federal funding.

PROBLEM

California's severe shortage of affordable housing contributes to the state's growing homelessness crisis. Local jurisdictions are increasingly turning to housing vouchers and other subsidies as a part of the solution. For these strategies to be successful, it is critical to remove barriers that lead to the most vulnerable tenants being unable to find housing despite having secured a voucher to assist them with their rent.

Under current law, FEHA prohibits discrimination against renters based on their source of income. Regrettably, vouchers are not listed as a protected source of income under FEHA, allowing landlords to refuse to rent to assisted families even if they otherwise qualify for the housing they are applying for based on factors such as their credit and rental history.

After years waiting for a voucher, families who cannot find a landlord willing to accept one are forced to return their voucher to the local housing authority. This prevents low-income families from accessing housing in high opportunity neighborhoods that can provide a path out of poverty. Blanket refusal of housing assistance also frustrates efforts to prevent homelessness or rehouse homeless residents.

When families are unable to use their vouchers, California may be leaving funding on the table that could help address the state's housing crisis.

SOLUTION

This bill will add housing assistance to the sources of income protected by FEHA. The Lifting Children and Families Out of Poverty Taskforce recommended this as an immediate policy action to address child poverty. At least 11 states prohibit discrimination against voucher holders; several California jurisdictions, including San Francisco, Santa Monica, and San Diego, have passed similar policies, and their benefit is well documented. A recent study concluded these protections increase success rates for renters while improving voucher utilization for local Housing Authorities.

Under this proposal, landlords would still be able to screen tenants for suitability; they simply would not be allowed to refuse a tenant solely on the basis that the tenant intends to use housing assistance to help pay their rent.

SUPPORT

Western Center on Law & Poverty (co-sponsor)
Housing California (co-sponsor)
California Rural Legal Assistance Foundation (co-sponsor)
American Civil Liberties Union of California
California YIMBY
California Voices for Progress
City of Los Angeles
City of San Jose
Fair Housing Advocates of Northern California
Family Violence Law Center
Greater Napa Valley Fair Housing Center
People Organized for Westside Renewal
Poverty & Race Research Action Council
Public Law Center
Leadership Counsel for Justice and Accountability
League of Women Voters California

Los Angeles Homeless Services Authority
Mental Health Advocacy Services Inc.
San Diego Housing Federation

OPPOSITION

California Apartment Association
California Association of REALTORS
California Building Industry Association
California Business Properties Association
California Chamber of Commerce

FOR MORE INFORMATION

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