

# SB 1053 (Leno)

As Introduced February 16, 2016

## Housing Opportunities Act

Increasing Access for Families and Veterans

### FACT SHEET

#### SUMMARY

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SB 1053 will provide all Californians with a full and fair opportunity to seek housing by ensuring that landlords cannot deny applicants simply because they receive federal, state, or local rental subsidies. SB 1053 will amend the Fair Employment and Housing Act (FEHA) to clarify that housing subsidy vouchers are a protected source of income.

#### BACKGROUND

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##### **California's Housing Crisis**

California is experiencing a rental crisis of historic proportions. The shortage of affordable housing contributes to the state's severe homelessness problem, one that particularly impacts homeless veterans. High housing costs also crowd out family spending on basic necessities, such as food and health care, particularly for Californians who are poor. According to the Legislative Analyst's Office, the poorest 25% of California households spend on average 67% of their income for housing.

##### **Federal Housing Choice Vouchers**

By far the largest federal housing assistance program in California, Housing Choice Vouchers provide

significant rental subsidies to low-income Americans. Over 300,000 families in California— most of which include children, people with disabilities, and/or senior citizens— receive a Housing Choice Voucher to help make rent affordable. Families with vouchers find housing in the private market and pay 30% of their income in rent. The federal government pays the rest. The federal Department of Housing and Urban Development (HUD) oversees the program, and vouchers are administered locally by public housing authorities.

Housing Choice Vouchers, commonly referred to as "Section 8," have a proven track record of helping poor families afford rents in neighborhoods with high-performing schools, high-quality jobs, and reliable public transportation. Vouchers are an effective means of ensuring that children, particularly poor African-American and Latino children, are not trapped in areas of concentrated poverty. For these children, the opportunity to move to a more economically diverse neighborhood leads to improved health, greater academic success, and long-term economic mobility.

## **Veterans**

Housing vouchers allocated specifically for veterans are a critical part of the nationwide push to end chronic veteran homelessness. Those who have served in the military and fought to preserve freedom should not have doors slammed in their faces when they return home.

## **Consequences of Voucher Denial**

All it takes is a few minutes on a Craigslist housing search to understand how common voucher denial is in California. Many postings include a clear message: “NO Section 8.” The problem is so pervasive that in some areas, despite spending years on waiting lists, families are forced to return their vouchers to the local housing authority because they cannot find a landlord willing to accept them. Last June, in Santa Clara County, only 14% of families given vouchers were able to use them.

In cities like San Diego, where hundreds of veterans remain on the street because they have nowhere to use their housing vouchers, government officials are desperately seeking help from landlords, often to no avail.

Landlords’ blanket refusal to consider voucher holders frustrates the central aim of the Housing Choice Voucher program and increases the harm and severity of California’s rental housing crisis. The inability of families and veterans to use their housing vouchers perpetuates a cycle of poverty and segregation. It also means that California may be leaving unused federal funding on the table.

Source of income discrimination is illegal under the Fair Employment and Housing Act, but the law has been interpreted to exclude vouchers.

The District of Columbia and at least nine states—a diverse array including New Jersey, North Dakota, Oklahoma, and Oregon—have taken a stand for housing opportunity by clarifying that housing subsidies are a protected source of income. It is time for California to join their ranks. It is time for California to join their ranks.

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## **SOLUTION**

SB 1053 adds housing subsidy vouchers to the sources of income protected by California’s Fair Employment and Housing Act.

In so doing, the bill will provide low-income families, homeless veterans, and others with a Housing Choice Voucher the same opportunity to apply for housing as other Californians, tearing down unnecessary barriers that are often based on misguided stereotypes. The bill ensures that landlords cannot deny low-income families and veterans the opportunity to apply for rentals or evict them based solely on the fact that they receive a voucher. Landlords will still be able to screen prospective tenants for credit, criminal history, and other tenant suitability criteria.

Providing voucher holders with equal housing opportunity is crucial to addressing California’s ongoing housing crisis and ensuring economic mobility for all.

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## **SUPPORT**

- Western Center on Law and Poverty (Sponsor)

- Non-Profit Housing Association of Northern California (Sponsor)
- American Legion-Department of California
- AMVETS-Department of California
- Brilliant Corners
- California Alliance for Retired Americans
- California Association of County Veteran Service Officers
- California Association of Housing Authorities (CAHA)
- CA Council of Churches/Church IMPACT
- California Reinvestment Coalition (CRC)
- California Rural Legal Assistance Foundation
- California State Commanders Veterans Council
- CALPIRG
- Centro Legal de la Raza
- Community Legal Services in East Palo Alto
- Housing and Economic Rights Advocates (HERA)
- Housing California
- Housing Equality Law Project (HELP)
- Inner City Law Center
- Law Foundation of Silicon Valley
- Military Officers Association of America
- National Housing Law Project
- Public Advocates
- Tenants Together
- Villa Del Monte Senior Citizens Housing Community
- VFW-Department of California

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## **CONTACT**

Carrie Martin, 916-651-4011  
[Carrie.martin@sen.ca.gov](mailto:Carrie.martin@sen.ca.gov)