

January 24, 2020

The Honorable Scott Wiener  
State Capitol, Room 5100  
Sacramento, CA 95814

**RE: SB 50 (Wiener), as amended January 6, 2020 – Oppose Unless Amended**

Dear Senator Wiener,

On behalf of the undersigned organizations and the low-income communities we work with and represent, we regrettably must oppose SB 50 unless it is amended. Our organizations are dedicated to ensuring that all Californians have a healthy and stable home that they can afford. Throughout the last year, a number of equity organizations have negotiated in good faith to try to come to an agreement with your office over serious concerns we outlined in a letter to you dated March 27, 2019. Resolving these and other issues is essential to ensuring that this legislation does not harm, and indeed helps, low-income people and communities throughout the state.

SB 50, as amended on January 6, 2020, fails to address our most serious concerns and will exacerbate the housing challenges experienced by low-income people, people of color, and other vulnerable people, the very populations being hit hardest by California's affordability crisis. It fails to meet these communities' housing affordability needs and has the potential to create new pressure and incentives for displacement. We continue to have concerns with a number of the bill's provisions, and the last two rounds of amendments have raised new questions and concerns. Our concerns reflect input we have gathered from dozens of tenant organizing groups, non-profit developers, legal service organizations, local, state, and national equity organizations, and other community-based institutions and fall into three areas:

**SB 50 does not generate affordable housing at a level commensurate with the incentives it provides.** SB 50 developments must include meaningful on-site affordable housing to mitigate indirect displacement pressures, advance environmental objectives by creating affordable housing near transit, and ensure inclusive housing opportunities for all Californians. SB 50 falls short of this important standard. The bill includes a provision making sites ineligible for "equitable communities incentives" if they have been occupied by tenants in the past 7 years or had Ellis Act evictions in the last 15 years, and this is essential to decrease direct displacement. However, on its own, this single provision is insufficient to address the harm that the bill could cause. SB 50 must go further to protect vulnerable communities and increase affordable housing opportunities. As drafted SB 50 fails to:

- Capture a significant and proportional amount of the increased value the bill confers on developers through added density to provide on-site affordable housing, including a

clear mechanism to raise this affordability meaningfully above existing local inclusionary policies, in every SB 50 project larger than 10 units.

- Ensure that a subset of these on-site affordable units are affordable to extremely low-income households.
- Ensure that all projects using SB 50 contribute affordability by requiring projects with 10 or fewer units to pay a fee to support new affordable housing.

**SB 50 provides inadequate protections for sensitive communities at risk of displacement.**

Every community in the state has a role to play in addressing the affordable housing crisis. But our cities, towns, and communities have been shaped by different histories, economic drivers, and present-day conditions. State policy must be responsive to these differences. Race and class inequality and top-down policies that excluded people of color and low-income people, such as redlining and Urban Renewal, have had devastating, multi-generational consequences on these communities while further concentrating wealth and opportunity in others. SB 50's preemption of local zoning and planning must not repeat and exacerbate the deliberate harms that have shaped our state's legacy. To protect sensitive communities, SB 50 must accurately identify all sensitive communities *and* preserve meaningful self-determination in those communities so that they can plan for an inclusive future. As drafted SB 50 does not accomplish this. To protect communities, SB 50 should be amended to:

- Include a mechanism to adequately identify and protect *all sensitive* communities where SB 50 could increase development pressures on existing housing resources and traditionally underserved areas. This will ensure that new development does not exacerbate the risk of gentrification and displacement in these vulnerable communities.
- Ensure that sensitive communities have full self-determination about whether or not to opt in to SB 50.

**SB 50 fails to fully protect local affordable housing policies and strong local plans.**

Across California, local jurisdictions are grappling with the dual challenge of increasing income inequality and rising housing prices. To tackle these problems, communities have adopted a range of strategies aimed at increasing the supply of housing affordable to their most vulnerable residents and protecting existing residents from displacement. Even after the most recent set of amendments, it is unclear how SB 50 will treat these local policies and plans.

Given what is at stake for the communities we represent, we must remain opposed until SB 50 is amended to substantively address our serious concerns and truly protect and benefit the most vulnerable Californians.

Sincerely,



Laura Raymond  
Director  
Alliance for Community Transit - Los Angeles  
(ACT-LA)



Chione Flegal  
Managing Director  
PolicyLink



Doug Smith  
Staff Attorney, Community Development  
Public Counsel



Sam Tepperman-Gelfant  
Managing Attorney  
Public Advocates



Brian Augusta  
Legislative Advocate  
CA Rural Legal Assistance Foundation



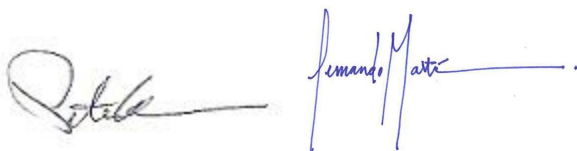
Anya Lawler  
Policy Advocate  
Western Center on Law and Poverty



Larry Gross  
Executive Director  
Coalition for Economic Survival  
Los Angeles



Gen Fujioka  
Policy Director  
Chinatown Community Development Center  
San Francisco



Peter Cohen and Fernando Martí  
Co-directors  
SF Council of Community Housing  
Organizations



Ashley Werner  
Senior Attorney  
Leadership Counsel for Justice and  
Accountability

Nancy Halpern Ibrahim  
Executive Director  
Esperanza Community Housing Corporation

Chanchanit Martorell  
Executive Director  
Thai Community Development Center

Luis Granados  
Chief Executive Officer  
Mission Economic Development Agency  
San Francisco

Erich Nakano  
Executive Director  
Little Tokyo Service Center

Jon Jacobo  
Director of Community Engagement and Public  
Policy  
Tenants and Owners Development Corporation  
San Francisco

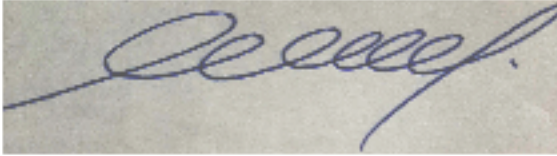
Wes Saver  
Policy Manager  
GLIDE  
San Francisco

Maria Lopez  
Director of Community Organizing  
Housing Long Beach

Cynthia Strathmann, PhD  
Executive Director  
SAJE (Strategic Actions for a Just Economy)

D'Artagnan Scorza, Ph.D.  
Executive Director, Social Justice Learning Institute  
Uplift Inglewood

Alexandra Suh  
Executive Director  
Koreatown Immigrant Workers Alliance



Isela Gracian  
President  
East LA Community Corporation



Michael Rawson  
Director  
The Public Interest Law Project



Alan Greenlee  
Executive Director  
Southern California Association of NonProfit  
Housing (SCANPH)

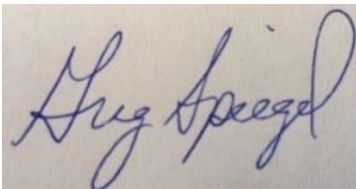


Denny Zane and Michael E. Soloff  
Co-Chairs  
Santa Monicans for Renters' Rights

Lorena Melgarejo  
Executive Director  
Faith in Action



Oscar Monge  
Community Development Director  
T.R.U.S.T. South LA



Greg Spiegel  
Director of Strategic Initiatives  
Inner City Law Center



Sylvia Chi  
Policy Director  
Asian Pacific Environmental Network