



March 25, 2022

LA Department of City Planning
Via email to HousingElement@lacity.org

CC: LA City Mayor Eric Garcetti, LA City Councilmembers, LAHD General Manager Ann Sewill, LADCP General Manager Vince Bertoni, Senior Planner Matt Glesne, California HCD Division of Housing Policy Development Staff Sohab Mehmood

Subject: City of Los Angeles 2021-29 Housing Element compliance

Dear Housing Element Team:

Rising rents, widespread tenant evictions and a lack of affordable housing have made Los Angeles the city with the worst housing and homelessness crisis in the country. As the City of Los Angeles's (City) 2021-29 Housing Element states, the City had a higher percentage of cost-burdened renter households (59%) in 2019 than any other major American city. About 32% of renters in the City are severely cost-burdened, meaning they spend over 50% of their income on rent. As families overspend on housing costs, they have less in their budget for health care, childcare, education, healthy food, savings and retirement, and other household costs.

Alliance for Community Transit - Los Angeles (ACT-LA) coalition members have reviewed the California Housing and Community Development's (HCD) letter, dated February 22, 2022, to the City of Los Angeles Department of Planning. We understand HCD is requiring the City to revise its Housing Element to meaningfully affirmatively further fair housing pursuant to State Housing Element law. Our coalition members, many of whom represent low income renters, agree with HCD that the City must clearly identify how its policies and programs will affirmatively further fair housing by revising the Housing Element to include additional metrics and measures that would enable public accountability. While we appreciate the City's efforts, which include a site inventory informed by a realistic development analysis and a stated intention to facilitate the development of 10,000 affordable housing units on public lands, we still have outstanding concerns on issues related to equity, racial justice, and affirmatively further fair housing. The City of Los Angeles, comprised of tens of thousands of unhoused residents and mostly renter households where over half of which are so unaffordable that they impose a cost burden on their inhabitants, must affirmatively further fair housing by stably housing all its residents and crafting housing programs that ensure equitable access to healthy affordable housing at the deepest affordability levels and that counteract a legacy of institutional racism in its planning and zoning policies, as well as economic and urban environmental segregation in the City.

In 2017, ACT-LA members worked with other community partners to suggest measures and metrics that we believe would affirmatively further fair housing (AFFH) in the City. Our coalition's and partner's work sought to prioritize anti-displacement and equitable development concerns in various communities. We shared our concerns and recommendations with City staff as part of [Council File #16-0647](#). In October 2017, the City of LA adopted the city's latest 2017-23 AFFH Plan, which contains metrics and measures that staff should integrate into the revised Housing Element. The Housing Element's AFFH Program 124 should be expanded to additionally report the status and remaining needs to fulfill the goals, metrics and measures shown in Section V of the City Council adopted [2017-23 AFFH Plan and Report](#) (starting on page 382). As part of the Housing Element's Rezoning Program 121 response to AFFH analysis, Program 121 should additionally be expanded to express an intention of the city to advance the goals, metrics, and measures shown in the [2017-23 AFFH Plan and Report](#) with the Rezoning Program 121.

[Chapter 1 of the Housing Element](#) reports that "the City has limited funding for the construction of Affordable Housing" and also reports an estimated funding need from 2019 of around \$15.8 billion yearly of which the City needs \$3.8 billion yearly from City funds (p.99). ACT-LA would also like to see the City utilize new funding sources for equitable built environment policies in Los Angeles that may not have existed or that may have existed but have not been historically used for built environment policies. We suggest a thorough audit of the Los Angeles Police Department and an equally thorough evaluation of the efficacy of their public safety efforts. The LAPD is responsible for a significant percentage of the City's budget, [far more than other cities in California](#). This money is unlikely to be well spent, as empirical studies show that [police are not good at solving crimes](#). On the contrary, empirical studies show that [investments in community nonprofits reduce crime](#). The discussion of policing and police funding has become highly emotional as proponents argue that policing deters crime, although this is not an established fact, and critics focus on police misconduct, rather than cost-effectiveness. An independent, impartial, and evidence-based audit of the LAPD and evaluation of the efficacy of spending public dollars on policing is in order. This is especially true as police budgets have not been cut as severely as other municipal departments during times of austerity and are more likely to contain unexamined inefficiencies and wasteful practices that rely on funds that could be put to better use. An overhaul of police practices could also [reduce legal payouts](#) by reducing the prevalence of police misconduct. We would expect police budget savings of 5-10% could be easily achieved, which would lead to tens, and potentially hundreds, of millions of dollars in additional funding for more cost effective programs that address various community's need for affordable housing and basic public services like bulky-item pick up, street lighting, and sidewalk repair.

While improvements to streets and infrastructure are crucial, the City should also ensure that the City's current low income inhabitants will not be displaced and thus not be able to stay and enjoy these public investments. One way to reduce displacement is to establish a right of return. Key elements include:

- I. Developments should not be approved if they ultimately reduce the number of rental units (see No Net Loss policy).

- II. HDLA should keep a list of tenants who are displaced due to a development and provide notice when new units in the development are being rented
- III. For every development where a tenant is displaced, including through a voluntary buyout agreement, those tenants shall have a right of first refusal to rent units in the new development.
- IV. Returning tenants should first be given the right to rent a physically comparable unit at their prior rent; effort should be made to offer units to tenants that are comparable in bedrooms, bathrooms, and square footage to their prior units.
- V. Returning tenants should be offered any covenanted affordable units in the development that they qualify for
- VI. If no qualifying affordable units are available, tenant should be offered a market rate unit
- VII. These practices should also be followed for new Transit Oriented Community developments in the area from which a tenant was displaced

Finally, throughout the development of the City's 2021-28 Housing Element, ACT-LA members have consistently provided feedback and comments to City staff on updates to the City's Housing Element. We have the remaining concern that the Rezone Program, as proposed to be implemented through the Community Plan updates, lacks details to describe how these programs will affirmatively further fair housing. As our coalition described in our 2020 and 2021 [comment letters](#), housing in LA is inextricably linked to natural environments that industries and transportation operations have polluted and exploited for at least the last century. The Housing Element should account for the cumulative impacts focused in Black and brown communities caused by harmful land uses such as warehouse expansions and neighborhood oil drilling by planning for safe and healthy housing that all residents can both afford. Housing Element goals to affirmatively further fair housing must prioritize plans for affordable and healthy residences, support tenant protections, and prevent displacement and gentrification, especially for vulnerable communities whose health have been impacted by long-standing environmental – air, soil and water – pollution. Land already owned by all public agencies within the City of LA should be prioritized and utilized to address the collective need for affordable housing, especially given both the City's deep need for affordable housing and potential housing development cost savings by utilizing public lands for affordable housing development. In order to affirmatively further fair housing starting this year, the City should prioritize the adoption of implementing city ordinance necessary to advance Housing Element Program 15: "Public Land for Affordable Housing" with priority to reduce homelessness and support people at risk of becoming homeless by building affordable housing.

As the City revises the Housing Element per HCD's February 22, 2022 letter, the City should consider both our coalition's AFFH recommendations from 2017 and the environmental justice concerns that we expressed in [our Housing Element comment letters](#) in 2020 and 2021. ACT-LA urges the City to incorporate metrics and measures in the City's Housing Element that lead to fair housing for LA residents in both the economic and environmental sense of fairness. We have appreciated the long-standing and constructive dialogue among ACT-LA members, City staff and Councilmembers. We look forward to reviewing future Housing Element revisions and working with the City to meaningfully and affirmatively further fair housing in Los Angeles.

ACT-LA Response to HCD's review of LA City's 2021-29 Housing Element
March 2022

Sincerely,

The Alliance for Community Transit - Los Angeles