Office of Senator Mark Leno Version: February 16, 2016

SB 1053 (Leno)

As Introduced February 16, 2016

Housing Opportunities Act

Increasing Access for Families and Veterans

FACT SHEET

SUMMARY

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 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

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.

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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 is 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.

At least ten other 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.

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 lowincome

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.

SUPPORT

Western Center on Law and Poverty

(Sponsor)

Non-Profit Housing Association of

Northern California (Sponsor)

National Housing Law Project

Public Advocates

Tenants Together

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