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April 12, 2017

Honorable Mark Stone
Chair, Assembly Judiciary Committee
Capitol Building, Room 162
Sacramento, CA 95814

RE: AB 686 (SANTIAGO) – SUPPORT

Dear Assembly Member Stone:

Disability Rights California, a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, supports AB 686. As an organization we have an established interest in furthering fair housing in California. It is not uncommon for persons with disabilities to experience discrimination in housing and strengthened state fair housing laws serve to combat that discrimination. AB 686 sends a strong message that California is steadfast in its commitment to creating equal opportunity for all.

The federal Fair Housing Act of 1968 contains a powerful mandate requiring that federal agencies actively work to dismantle segregation and create equal housing opportunities. This is known as the obligation to “affirmatively further fair housing” (“AFFH”). In 2015, the Obama Administration issued regulations on affirmatively furthering fair housing. This regulation, known as the AFFH Rule, requires states, local governments, and public housing authorities that receive HUD funds to take “meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected

characteristics.” 24 C.F.R. § 5.152. The federal AFFH Rule is now under attack. Legislation has been introduced to eliminate it, and the HUD Secretary has derided it as “social-engineering” in a 2015 op-ed.

While California’s Fair Employment and Housing Act (“FEHA”) goes beyond the federal Fair Housing Act in many ways, it currently lacks an explicit AFFH obligation. AB 686 would strengthen FEHA by introducing an AFFH obligation in state law. Public agencies in California would be required to administer their programs related to housing and community development in a manner that affirmatively furthers fair housing.

California has a long way to go in fulfilling the promise of AFFH. Historic patterns of segregation persist and many people with disabilities along with people of color and other minority groups live in neighborhoods with severe environmental health burdens. Displacement and disinvestment threaten the stability of low-income communities. The statewide affordable housing crisis significantly affects people with disabilities. People with disabilities are often on fixed incomes and have to spend a majority of their paycheck on housing. The disproportionate spending on housing leaves them vulnerable to homelessness and unable to afford necessities like food, healthcare, and transportation. AB 686 would play a key role in tackling issues of segregation and inclusion, as well as displacement and disinvestment in low-income communities.

For these reasons, we support this bill. Please contact me if you have any questions about our position on this bill.

[INSERT SIGNATURE]

cc: Honorable Miguel Santiago, California State Assembly
Brandon Gaytan, Legislative Aide, Office of Assembly Member
Santiago
Honorable Chair and Members, Assembly Judiciary Committee
Anthony Lew, Staff Counsel, Assembly Judiciary Committee