



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Councilmembers
Rocha, Nguyen,
Perez, Arenas &
Carrasco

SUBJECT: ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE **DATE:** April 21, 2017

Approved

Date

4-21-17

RECOMMENDATION

Add the following recommendation to table 8.2, found on pages 105 through 109 of the Analysis to Impediments to Fair Housing Choice, and renumber the other actions in the table as necessary.

Action	Description	Timeline
1.12	Explore the feasibility of an ordinance to address source of income discrimination.	FY 17-18

ANALYSIS

During the outreach for the Fair Housing Choice report, community members expressed concern that Section 8 voucher holders consistently face challenges in finding landlords willing to accept Section 8 vouchers. Staff analyzes this concern on page 58 of the report, and notes that landlords who do accept vouchers “tend to be concentrated in low-income areas of the city, where access to opportunities, such as high-performing schools and jobs, may be limited,” and that “areas of voucher concentration are also areas where there are higher numbers of Hispanic and/or Asian households.”

The challenges facing voucher holders are no doubt exacerbated by the very high rents tenants face in the current market, but it is sometimes the case that even when a voucher holder can afford the rent for a given apartment, they will be rejected because of the fact that they hold a voucher. This practice can make it even more difficult for voucher holders to find a place to live.

In the report, staff identifies a measure that could help address this problem: an ordinance that would prohibit discriminating against potential tenants based on the source of income they use to pay the rent. On page 104 of the report staff indicates that they will explore the feasibility of such an ordinance, but that work item is not included as an official action in table 8.2 on page 105 of the report. The actions in table 8.2 are the items that

we are officially committing to undertake and to track through future Fair Housing Choice reports.

With this memo, we are proposing to add exploration of the feasibility of a source of income discrimination ordinance as an action in table 8.2. Since staff already plans to undertake this effort, adding it to the table would not entail any additional work. It would merely ensure that we officially track this effort as part of our plan to address impediments to fair housing. The proposed action is worded in such a way that we would only commit ourselves to “explore the feasibility” of such an ordinance, and would not predetermine whether the Council would ultimately approve the ordinance.

There’s one final piece of context that’s important to understand our work on this issue. Back in June 2015, the City of Santa Monica was sued over its source of income discrimination ordinance on constitutional grounds. A court upheld Santa Monica’s ordinance earlier this year, but it’s possible that ruling could be appealed. Any future court decisions may be an important factor in evaluating the feasibility of the ordinance.

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff.