

Items 13+31

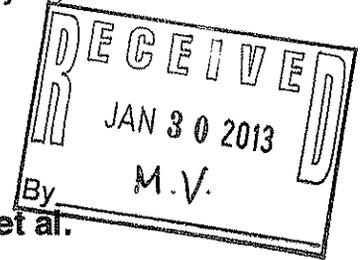


*California's protection and advocacy system*

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January 30, 2013

Council President Herb Wesson and Councilmembers Richard Alarcon, Tony Cardenas, Eric Garcetti, Janice Hahn, Jose Huizar, Paul Koretz, Paul Krekorian, Tom LaBonge, Bernard C. Parks, Jan Perry, Ed Reyes, Bill Rosendahl, Dennis P. Zine, Mitchell Englander, Joe Buscaino  
Los Angeles City Council  
200 N. Spring Street  
Los Angeles, CA 90012



**Re: Proposed Ordinance on Community Care Facilities, et al.**  
**Case No. CPC-2009-800-CA**  
**Council File No. 11-0262**

Dear Council President Wesson and Councilmembers:

We write on behalf of Disability Rights California and the people with disabilities who it is our federal mandate to represent, including Lawanna Arnold, Chris Kidd, Lawrence Lazon, and Nicole Dollison,<sup>1</sup> and Disability

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<sup>1</sup> Disability Rights California is a non-profit agency serving Californians with disabilities each year through advocacy, legal representation, abuse investigations, and public education initiatives. Disability Rights California is the nation's largest disability rights organization, and is the agency mandated to provide protection and advocacy services for those individuals in California who have developmental, physical, sensory, and/or mental disabilities, pursuant to the federal Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. §§ 15001, 15041, et seq., as amended, 45 C.F.R. § 1386; Protection and Advocacy for Individuals with Mental Illness Act, 42 U.S.C. § 10801, et seq.; the Protection and Advocacy for Individual Rights Act, 29 U.S.C. § 794e; the Assistive Technology Act, 29 U.S.C. §§ 3011, 3012; the Ticket to Work and Work Incentives Improvement Act, 42 U.S.C. § 1320b-20; the Children's Health Act of 2000, 42 U.S.C. § 300d-53; and the Help America Vote Act of 2002, 42 U.S.C. § 15461-62; and California Welfare & Institutions Code §§ 4900 et seq.

Rights Legal Center.<sup>2</sup> We urge the City to reject or amend the Community Care Facilities Ordinance (“Ordinance”), as it is unlawful as written in every version pending before the Council.

We write to expand upon our concerns about the Ordinance as addressed initially in our letters to the City Planning Commission on the same matter, dated October 14, 2010, November 4, 2010, February 10, 2011, March 28, 2011, May 31, 2011, March 20, 2012, June 15, 2012, and December 9, 2012. We also concur with and adopt by reference the conclusions drawn in the February 3, 2011 letter submitted to the City Planning Commission by the Law Office of Kim Savage. We also agree with and adopt by reference the letters submitted to the City by Disability Rights Legal Center, Western Center on Law and Poverty, and Public Counsel.

The Ordinance (particularly the portions that affect shared housing) has the potential to displace or disrupt as many as 473,396 individuals currently living in shared housing arrangements. It will greatly exacerbate homelessness and decrease affordable housing opportunities in Los Angeles, a city which already suffers from a severe shortage of affordable housing and supported housing in particular. The Ordinance undermines recent efforts to provide additional supportive housing and innovative housing options in the City that have proven successful in reducing homelessness. We find it particularly troubling that the City is considering the Ordinance at this time of severe cutbacks in funding for affordable housing (including the loss of redevelopment housing funds), because shared housing options are among the most inexpensive to create. The Ordinance will create great harm to those who are most challenged in finding appropriate, affordable, accessible housing, including people with disabilities who need supportive housing. We urge the Council to reject this ordinance which has no foundation in any reasonable policy.

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<sup>2</sup> DRLC is a non-profit disability rights firm that enforces the civil rights of individuals with disabilities under the Americans with Disabilities Act (“ADA”) and related federal and state disability rights statutes. Our office litigates both individual and class action cases that are designed to address systemic discrimination in all aspects of society.

The Ordinance will devastate the City's affordable housing consumers, including people with disabilities, leaving thousands in the City with nowhere to go but inappropriate institutions or the streets.

#### **A. Multiple Versions of Ordinance**

We note that there are at least three options and two substantially different versions of the Ordinance pending in front of the Council:

1. Adopt the September 2011 version of the ordinance, per the PLUM report of April 2012 passing along the ordinance without recommendation (Item 13.A); or
2. Instruct the City Attorney to prepare revisions, per the Public Safety Committee report of December 2012 (Item 13.B); or
3. Pass the January 2013 version of the ordinance prepared by the City Attorney (Item 31), apparently with or without the additional revisions proposed by the Department of City Planning on January 25, 2013.

As discussed in more detail below, the language in these drafts of the Ordinance are highly problematic. None of the versions of the Ordinance, with or without any of the proposed amendments is lawful. All versions of the Ordinance will contribute to homelessness and discriminate against people with disabilities, minorities, and other protected classes.

Furthermore, there are a number of provisions in all proposed versions of the Ordinance, including the definitions of "Family," "Single Housekeeping Unit," and "Boarding and Rooming Houses," that violate federal and state fair housing laws, the Americans with Disabilities Act and similar state laws, state land use and zoning ordinances, and the federal and state constitutions. The Ordinance is also inconsistent with the City's Housing Element and General Plan, and the City's Analysis of Impediments submitted to HUD as outlined the accompanying letter submitted jointly with Western Center on Law and Poverty (and incorporated herein by reference). Additionally, a negative declaration under CEQA is inappropriate, because the Ordinance is likely to have a significant environmental impact that requires an EIR as outlined in the accompanying

letter from Laurel Impett (and incorporated herein by reference). We continue to urge the City Council to reject this ordinance as written, because it is unlawful for all of these reasons.

Our comments, in this letter and prior and accompanying letters, address all the versions being considered but focus on the impact of shared housing in the January 2013 draft. We incorporate by reference our comments in prior letters regarding these definitions in other versions of the Ordinance, including the September 2011 draft and urge the City Council to reject all proposed versions of the Ordinance. At a minimum, given the lack of clarity and certainty as to what is being considered, the Council should reject the ordinances until a clear, understandable option is presented. In addition to our comments below, we preserve our comments communicated to Council in prior and accompanying letters described above, and incorporate them by reference here.

Similar to the burdensome limits that Ordinance drafts prior to January 2013 imposed on shared housing, the January 2013 draft would significantly limit housing options for seniors, people with disabilities, and others.

For example, the interaction between the revised definition of "Single Housekeeping Unit" and the revised definition of "Boarding or Rooming House," creates the result that four or more people – regardless of their relationship with one another – who rent a single family home or a duplex become a "Boarding or Rooming House," rendering them banned in low density zones, even though such household configurations are currently permitted in these zones under the current zoning code. This provision could affect up to 473,396 residents of the City of Los Angeles. Exhibit 6 to January 29, 2013 Letter from Andrew Beveridge to Laurel Impett (hereinafter "Beveridge Letter," accompanying this letter and incorporated by reference). Even if the Council were to amend the Ordinance to exempt Single Housekeeping Units from the Boarding or Rooming House definition, it would still impact four tenants who were unable to meet the definition of a Single Housekeeping Unit, such as a blood-related family of three who rented a single-family home and sublet a portion to an individual who did not share household activities or all living spaces with them. Under such a

scenario, the Ordinance would still affect up to 146,974 City residents. *Id.* Even if one assumed that the reach of an amended Ordinance would only touch households with at least four renters completely unrelated by blood, marriage, or adoption to the main householder, up to 48,122 people in the City would still be affected. Comparable numbers of people would be impacted by a lease restriction that defined a Boarding or Rooming House as a household with three or fewer leases, and even more people would be impacted – and could face displacement – with a single lease provision, as appeared in earlier drafts of the Ordinance.

To understand the potential impact of any version of the Ordinance, it is important to understand that Boarding or Rooming Houses are prohibited from over 90 percent of the residentially-zoned land in the City. Exh. 4 to Beveridge Letter. Only 13,226 of a total of 137,641 acres of residentially-zoned land allow Boarding or Rooming Houses. Adding in other areas of the City that allow Boarding or Rooming Houses brings the total available zoned land to only 30,438 acres (out of a total of 260,719 acres of zoned land in the City). *Id.*

Even in the areas of the City that do allow Boarding or Rooming Houses, the new parking restrictions in the January 2013 proposed definition of “Boarding or Rooming House” would likely make it impossible for such households to locate there, further eliminating an important source of affordable housing in the City. The definition states that every 250 feet of floor area would be the equivalent of a separate guest room. As a general matter, the current zoning code requires a parking space for every guest room. The increased parking requirement would be impossible to meet at most, if not all locations: for example, a 1000 square-foot home (which is small by today’s standards) would need four parking spaces. This would affect an even larger number of people.

The January 2013 draft also proposes additional restrictions on Community Care Facilities over and beyond state law, including parking restrictions and occupancy requirements. For example, the January 2013 draft requires that all licensed Community Care Facilities “shall provide a minimum of two automobile parking spaces, with 0.2 automobile parking space provided for each additional resident over the number seven.” The City should remain

consistent with state law and not impose additional restrictions on Community Care Facilities beyond what is required by state licensing agencies; this will only obstruct the siting of crucial, licensed facility housing for people with severe disabilities in the City.

**B. The Ordinance Fails to Directly Acknowledge The Rights of Community Care Facilities and Other Facilities With Six or Fewer Residents.**

Initial drafts of the Ordinance acknowledged that licensed Community Care Facilities, as defined in §1502 of the Health and Safety Code, may operate in all residential zones as of right when serving six or fewer residents. The same right was recognized for licensed alcoholism or drug abuse recovery or treatment facilities, and for licensed residential care facilities for the elderly.<sup>3</sup> As amended in recent versions, however, including the September 2011 and January 2013 drafts, the Community Care Facilities portion of the Ordinance fails to acknowledge the exemption; it merely imposes requirements on facilities of seven or more individuals.

We encourage the City Council to reintroduce language making it explicit that Community Care Facilities and other similar facilities of six or fewer can operate in all residential zones as of right, conforming provisions regarding those facilities to state law. We urge the City to restore the earlier version of this latter provision and expand it to incorporate several other categories of housing that are entitled to operate in all residential zones as of right under state law, and which are overlooked in all proposed versions of the Ordinance.

**C. The Ordinance Overlooks Several Other Categories of Homes Protected Under State Law**

In addition to omitting language explicitly acknowledging the rights of

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<sup>3</sup> Individuals in recovery from drug and alcohol addiction are defined as disabled under the Fair Housing Act, 24 C.F.R. § 100.201, and other applicable laws.

certain licensed facilities with six or fewer residents, all proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, miss in their definition of "Boarding and Rooming Houses" or otherwise note that several other categories of homes which, if serving six or fewer residents, are explicitly granted the same protections under separate chapters of the Health and Safety Code. For example:

- 1) Residential Care Facility for Persons with Chronic Life Threatening Illness (Health & Safety Code § 1568.0831, defined at § 1568.01).
- 2) Intermediate Care Facility/Developmentally Disabled Habilitative, Intermediate Care Facility / Developmentally Disabled – Nursing, and Congregate Living Health Facility (Health & Safety Code §§ 1267.8 and 1267.16, defined at § 1250).
- 3) Pediatric Day Health and Respite Care Facility (Health & Safety Code § 1761.4, defined at § 1760.2).
- 4) Employee Housing (Health & Safety Code § 17021.5, defined at § 17008).

All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, fail to note clearly that under Health and Safety Code § 1566 (Community Care Facilities) and the corresponding statute for each other type of home, "six or fewer persons" does not include the licensee, members of the licensee's family, or persons employed as facility staff. The operators of the home *and* as many as six residents served are treated as a family for zoning purposes.

All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, also fail to note California law that provides specific statutory protections for an even broader range of homes designed to provide care for individuals with disabilities. In the Lanterman-Petris-Short Act, the California Legislature found that "mentally and physically handicapped persons are entitled to live in normal residential surroundings and should not be excluded therefrom because of their disability." As such, the Legislature declared that "the use of property for the care of six or fewer

mentally disordered or otherwise handicapped persons is a residential use of such property for the purposes of zoning.” Lanterman-Petris-Short Act, Welfare and Institutions Code § 5115, emphasis added. Pursuant to that finding, the Legislature further declared that “a state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children, shall be considered a residential property for the purposes of zoning if such homes provide care on a 24-hour-a-day basis.” Such homes shall be a permitted use in all residential zones, including, but not limited to, residential zones for single-family dwellings.” (Welfare and Institutions Code § 5116, emphasis added). See also Health & Safety Code §§ 1265-1271.1, 1250(i), 1250(e), 1250(h), and 1760-1761.8. All proposed versions of the Ordinance fail to address these laws, and improperly exclude homes that may be exempt from licensure as a Community Care Facility but may otherwise be state-authorized or certified (e.g., a family care home, foster home or group home which is certified by a foster family agency). All proposed versions of the Ordinance also fail to exempt these homes from the definition of “Rooming and Boarding House.”

#### **D. The Ordinance Violates State and Federal Fair Housing Laws**

Federal and state laws prohibit housing discrimination against individuals with disabilities. Fair housing laws apply both to licensed and unlicensed homes, including those exempt from licensing, and they apply regardless of the number of residents. All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, violate a number of federal and state fair housing laws, including the Fair Housing Amendments Act of 1988, the Americans with Disabilities Act (“ADA”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), the California Fair Employment and Housing Act (“FEHA”), the 14<sup>th</sup> Amendment to the U.S. Constitution, California Government Code §65008, and the Unruh Civil Rights Act.

##### **1) Federal Law**

All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, violate the Fair Housing Amendments Act of 1988, the

ADA, and Section 504. The Fair Housing Amendments Act of 1988 (FHAA) prohibits intentional discrimination, in which disability is a factor in the negative action, as well as unintentional discrimination, in which a neutral action discriminates via a disparate impact on individuals within a protected group. 42 U.S.C. § 3604, et seq. The FHAA also protects people with disabilities from discrimination arising out of 1) Failure to make reasonable accommodations in rules, policies, or practices to enable them to live in the community, and 2) Refusal to permit a tenant with disabilities to make reasonable modifications to the premises at the tenant's expense. *Id.*

The Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 further prohibit local government entities from discriminating on the basis of disability, including discrimination in land use and zoning ordinances. 42 U.S.C. § 12132; 29 U.S.C. § 794. Within the text of the ADA, Congress set forth its broad goal of "providing a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." 42 U.S.C. § 12101(b)(1). Moreover, these laws were intended to protect people with disabilities "from deprivations based on prejudice, stereotypes, or unfounded fear." *Bay Area Addiction Research & Treatment, Inc. v. City of Antioch*, 179 F.3d 725, 737 (9th Cir. Cal. 1999) (citing *School Board of Nassau County v. Arline*, 480 U.S. 273, 287 (1987)); *Chalk v. United States Dist. Court*, 840 F.2d 701, 707-08 (9th Cir. 1988) ("To allow the court to base its decision on the fear and apprehension of others would frustrate the goals of Section 504."); *Innovative Health Systems, Inc. v. City of White Plains*, 117 F.3d 37, 49 (2d Cir. 1997) ("Although [a city] may consider legitimate safety concerns in its zoning decisions, it may not base its decisions on the perceived harm from . . . stereotypes and generalized fears."). The Americans with Disabilities Act<sup>4</sup> ("ADA") and Section 504 of the Rehabilitation Act of 1973<sup>5</sup> ("Section 504") prohibit local government

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<sup>4</sup> Title II of the Americans with Disabilities Act provides, in relevant part: "...[N]o qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132

entities and entities receiving federal financial assistance from discriminating on the basis of disability, including discrimination in land-use and zoning ordinances. 42 U.S.C. § 12132; 29 U.S.C. § 794; *See Bay Area Addiction Research Treatment, Inc. v. City of Antioch*, 179 F.3d 725, 730 (9<sup>th</sup> Cir. 1999) (holding that Title II of the ADA and Section 504 apply to discriminatory zoning practices because zoning is a normal function of a government entity); *Innovative Health Sys., Inc. v. City of White Plains*, 117 F.3d 37, 44-49 (2d Cir. 1997) (holding that the ADA applies to zoning decisions involving drug and alcohol rehabilitation center); and the Americans with Disabilities Act: Title II Technical Assistance Manual ("TA Manual") § II-3.6100, illus. 1 (1993) (identifying zoning as covered by the statute).

The ADA and Section 504 prohibit many types of discrimination. Even if the discrimination is not found to be intentional, a public entity can be liable for discrimination against people with disabilities by denying them "meaningful access" to its services, programs or activities. *See Dare v. California*, 191 F.3d 1167, 1171-72 (9th Cir. 1999). Courts have held that there is a denial of "meaningful access" when (1) persons with disabilities are disproportionately burdened due to their unique needs or (2) a public entity fails to provide necessary reasonable accommodations for disabled persons.

The Ninth Circuit has repeatedly and unequivocally held that governmental action which "disproportionately burdens people with disabilities because of their unique needs [is] actionable under the ADA." *Rodde*, 357 F.3d at 998 (citing *Crowder v. Kitagawa*, 81 F.3d 1480 (9th Cir. 1996)). In *Crowder v. Kitagawa*, 81 F.3d 1480 (9th Cir. 1996), the Ninth Circuit adopted the "meaningful access" standard. The *Crowder* court recognized that in passing the ADA, Congress intended to address not only "intentional exclusion" but also "the discriminatory effects of architectural,

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<sup>5</sup> Section 504 of the Rehabilitation Act of 1973 provides in pertinent part: "No otherwise qualified individual with a disability ... shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

transportation, and communication barriers, overprotective rules and policies, [and] failure to make modifications to existing facilities and practices.” *Id.* at 1483. Thus, the Ninth Circuit held that “...the barriers to full participation...are almost all facially neutral but may work to effectuate discrimination against disabled persons.” *Id.* The Ninth Circuit found that a disparate impact analysis was not appropriate in the context of disability and instead, when examining “discriminatory effects,” the inquiry should focus on whether disabled persons were denied “meaningful access” to a public entity’s services, programs or activities. *Id.* at 1484 (*citing Alexander v. Choate*, 469 U.S. 287, 302 (1985)); *see also Rodde*, 357 F.3d at 998 (upholding a preliminary injunction precluding Los Angeles County from closing a hospital that provided medical care disproportionately required by people with disabilities and not readily available elsewhere in the County). Applying this analysis, the Court found that the imposition of a 120-day quarantine on carnivorous animals entering Hawaii “burdens visually-impaired persons in a manner different and greater than it burdens others.” *Crowder*, 81 F.3d at 1485. The Court explained that because of the unique need for guide dogs among the visually-impaired, such persons cannot leave their dogs in quarantine and enjoy public services (e.g., public transportation) like anyone else. *Id.* at 1484-85. Thus, meaningful access to the public services provided to others was denied to persons with vision disabilities because the quarantine failed to take into account their unique needs in violation of the ADA. *Id.* at 1485.

All proposed versions of the Ordinance also fail to provide any opportunities for people with disabilities to request a change or modification to the Ordinance as a reasonable accommodation, as required by federal and state law. *See* May 15, 2001 Letter from California Attorney General (attached to our prior letters and herein incorporated by reference).

All proposed versions of the Ordinance unlawfully restrict small unlicensed shared living arrangements housing individuals with disabilities as well as larger homes, whether licensed or unlicensed. In *City of Edmonds v. Oxford House*, 514 U.S. 725, 735 (1995), involving a 10-12 resident group home for individuals recovering from alcohol and drug addiction, the Supreme Court found that “rules that cap the total number of occupants in order to prevent overcrowding of a dwelling ‘plainly and unmistakably,’ ...

fall within § 3607(b)(1)'s absolute exemption from the FHA's governance; rules designed to preserve the family character of a neighborhood, fastening on the composition of households rather than on the total number of occupants living quarters can contain, do not." For example, the January 2013 draft effectively prohibits any household with four or more renters who do not meet the intrusive definition of a "Single Housekeeping Unit" from residing in low-density residential zones.

The Supreme Court has explicitly found that the right to "establish a home" is a fundamental liberty protected under the 14<sup>th</sup> Amendment's Equal Protection Clause. For a number of adults with disabilities, exercising this right translates to establishing a group home in the community. Each factor that makes group homes harder to establish "operates to exclude" individuals with disabilities from the community. *City of Cleburne v. Cleburne Living Center, Inc.*, 473 U.S. 432 (1985), recognizing that group homes for adults with mental disabilities are "an essential ingredient of normal living patterns" for such individuals; *Olmstead v. L.C. by Zimring*, 527 U.S. 581 (1999), holding that institutionalization of individuals with disabilities whose needs could be met in a more integrated community setting constituted disability discrimination in violation of the ADA.

Many people with disabilities choose to live as families in households with other individuals. The City cannot interfere with that choice by making arbitrary distinctions among families based on the relationships of individuals, their chosen living arrangements, or the licensing status, if any, of their residence. Arbitrary distinctions such as these not only make no practical sense, but they violate the fair housing laws and constitutional equal protection protections. See *North-Shore Chicago Rehabilitation Inc. v. Village of Skokie*, 827 F.Supp. 497 (1993). The new definitions of "Family" and "Single Housekeeping Unit" in all versions of the proposed ordinance represent just such arbitrary distinctions as well as violating State privacy protections, as outlined below.

To the extent that the City's true intent in passing this ordinance is to regulate certain types of housing for a specific category of people with disabilities—recovering drug and alcohol users in sober living homes—it also violates the above statutes. Earlier staff reports expressly state that

the City repeatedly tried to regulate sober living homes (without substantiation of a problem), but legally could not do so because it singled out a particular group of persons with disabilities.

Courts have found similar ordinances intended to exclude recovery facilities from residential zones, as amply indicated here in the underlying staff reports, constitute intentional discrimination in violation of the ADA and Section 504 and related state laws. *See, e.g., Bay Area Addiction Research & Treatment, Inc.*, 179 F.3d at 734 (City ordinance prohibiting methadone recovery clinics from operating within 500 feet of any residential property held discriminatory); *New Directions Treatment Servs. v. City of Reading*, 490 F.3d 293, 304 (3d Cir. 2007) (ban on the establishment of methadone clinics within 500 feet of many structures, including schools, churches, and residential housing developments held discriminatory); *MX Group v. City of Covington*, 293 F.3d 326, 344-345 (6th Cir. 2002) (City's amendment to zoning ordinance effectively prohibiting methadone clinic from operating within the City held discriminatory).

It is important to note that the courts in all of these cases found that public opprobrium and presumed risks asserted by neighborhood community groups did not equal "real evidence" of "significant risk" sufficient to warrant the exclusions of these ordinances, and were precisely the kind of myths, stereotypes, and "unfounded fears" that disability rights laws were designed to protect people with disabilities against. *Bay Area Addiction Research & Treatment, Inc.* at 179 F.3d at 736-737; *New Directions Treatment Servs.* 490 F.3d at 303-304; *MX Group*, 293 F. 3d at 341-342.

Pursuant to federal law, the City has an affirmative duty to further fair housing choice. If the proposed ordinance is adopted, the City will be in violation of this duty. A violation of this duty jeopardizes federal funding in that HUD may withdraw its funds, or seek reimbursement of its funds, as it has done in other jurisdictions across the country. Indeed, federal prosecutors are currently investigating whether city officials falsely told HUD that the City is in compliance with federal regulations requiring

protections for people with disabilities.<sup>6</sup> And just recently, the United States Department of Justice filed a brief in support of plaintiff sober living home operators and residents in a case against the City of Newport Beach involving a similar ordinance.<sup>7</sup>

The Fair Housing Act requires HUD to “administer [housing] programs...in a manner affirmatively to further the policies of [the Fair Housing Act],” including the general policy to “provide, within constitutional limits, for fair housing throughout the United States.” (42 U.S.C. § 3608(e)(5).) As a recipient of HUD funds, the City of Los Angeles has an obligation to affirmatively further fair housing. See, Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000a *et seq.*), the Fair Housing Act (42 U.S.C. §§ 3601-3619), 42 U.S.C. §5304(b)(2).

The City receives a variety of HUD funding, including HOME and Community Development Block Grant money. To receive HUD funding, the City must prepare a Consolidated Plan. The Consolidated Plan regulations (24 CFR § 91) require that each local government submit a certification that it is affirmatively furthering fair housing. This means that it will (1) conduct an analysis of impediments to fair housing choice; (2) take appropriate actions to overcome the effects of impediments identified through that analysis; and (3) maintain records reflecting the analysis and actions. See *Analysis of Impediments to Fair Housing Choice Reissuance*, Memorandum from the Offices of Community Planning and Development and Fair Housing and Equal Opportunity, September 2, 2004. The HUD Fair Housing Planning Guide instructs entitlement jurisdictions to analyze how local laws, regulations and administrative policies, procedures and practices affect the location, availability, and accessibility of housing, and how conditions, both private and public, affect fair housing choice. Fair Housing Planning Guide, U.S. Department of Housing and Urban Development, March 1996, at 2-7.

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<sup>6</sup> See David Zahniser, *Los Angeles under federal investigation over disabled housing*, *Los Angeles Times*, Los Angeles Times, available at: <http://www.latimes.com/news/local/la-me-disabled-probe-20111212,0,5924677.story>

<sup>7</sup> See <http://www.justice.gov/crt/about/app/briefs/pacificshoresbrief.pdf>.

The violation of this duty should not be taken lightly. A major lesson of the historic settlement in Westchester County, New York is that the analysis of the policies that affect the location of affordable housing is necessary for a jurisdiction to accurately certify that it is furthering fair housing. *United States ex rel. Anti-Discrimination Ctr. of Metro N.Y., Inc., v. Westchester County* 668 F.Supp.2d 548 (S.D.N.Y. 2009). As noted above, actions to further reduce fair housing choice have drawn severe consequences. Since the *Westchester* decision, HUD has frozen or threatened to freeze its disbursement of federal funds when local jurisdictions have proposed actions which violate the obligation to affirmatively further fair housing.

## **2) State Law**

In addition to the federal laws and Supreme Court precedent discussed above, all proposed versions of the Ordinance, including the September 2011 and January 2013 versions, violate a number of state laws, including the California Fair Employment and Housing Act (FEHA), California Gov't Code § 65008, California Gov't Code § 11135, and the Unruh Civil Rights Act, California Civil Code § 51, et seq. ("Unruh Act").

California's Fair Employment and Housing Act (FEHA) protects from discrimination individuals with disabilities and children who may be more likely than others to live with unrelated individuals in group housing.<sup>8</sup> FEHA provides protections at least as extensive as those recognized under the federal FHAA. See Cal. Gov't Code §12900, et seq. California's Unruh Civil Rights Act similarly prohibits housing discrimination against people with disabilities, and states that a violation of the ADA is also a violation of each act. See Cal. Civ. Code § 51, et seq.

California Gov't Code § 65008 provides that any planning and zoning action taken by the city "is null and void if it denies to any individual or group of individuals the enjoyment of residence, landownership, tenancy, or

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<sup>8</sup> "Working Together to Ensure Housing Opportunities for People with Disabilities and Children." Assembly Committee on Human Services, Information Hearing, Background Briefing Paper, February 18, 2009. Attached to prior letters and herein incorporated by reference.

any other land use” on the basis of a number of protected characteristics, including disability.

The history of the Ordinance emphasizes that it is aimed at regulating people in sober living homes and people with disabilities who share living arrangements, and is thus, discriminatory. Regardless of the City Council’s intent, the Ordinance would have a harmful, disproportionate, and discriminatory impact on people with disabilities, as explained below in Part E.

**E. The Ordinance Violates Federal and State Constitutional Privacy Rights By Attempting to Redefine "Family"**

The Ordinance’s definitions of “family” and “single housekeeping unit” in all proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, are vague, ambiguous, and intended to limit housing opportunities for people in protected categories, including people with disabilities. The definitions violate federal and state constitutional privacy protections by attempting to define “family” and “single housekeeping unit” in an exclusionary manner. *See City of Santa Barbara v. Adamson*, 27 Cal. 3d 123, 134 (1980); California Constitution art. I, § 1; U.S. Const., amend. XIV.

Furthermore, supportive housing, regardless of the number of individuals in such housing, is considered a residential use of property and should be “subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.” Cal. Gov’t Code § 65583. Overall, the proposed definitions and requirements in all proposed versions of the Ordinance create a high risk of discriminatory application of the Ordinance against individuals with disabilities.

**F. The Ordinance Would Have Significant Harmful Consequences, With a Discriminatory Impact On Individuals With Disabilities**

All proposed versions of the Ordinance are likely to have a disparate and discriminatory impact in violation of federal and state disability rights laws.

The January 2013 draft, in particular, similar to previous drafts of the Ordinance, including the September 2011 draft, would have a disparate and discriminatory impact on people with disabilities and other protected classes by requiring additional procedures for all facilities with over seven residents and by threatening households of four or more people.

While state law makes it explicit that certain small facilities can site as of right in all residential zones, it does not supersede federal and state law non-discrimination provisions for larger housing units. Furthermore, specific state siting statutes do not eliminate the obligation of the City to avoid discrimination against other living arrangements simply because they are not licensed or do not fall within a specific statutory exemption. The City cannot enact ordinances that discriminate against housing for people with disabilities, either intentionally or through a discriminatory impact, regardless of the number of residents or their licensing or certification status.

The definitions of "Family," "Single Housekeeping Unit" and "Rooming and Boarding Houses," in all proposed versions of the Ordinance discriminate against people with disabilities and violate federal and state fair housing laws, the ADA, the federal and state constitutions, and other legal protections for people with disabilities. These restrictions disproportionately impact people with disabilities, large families, and people from ethnic communities, all of whom are protected classes under federal and state law.

All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, will have the significant and harmful impact on individuals with disabilities of significantly limiting their already narrow housing options. The Ordinance ignores recent statutory and case developments that express a strong preference for serving people with disabilities in the least restrictive environment, including the Supreme Court's decision in *Olmstead v. L C. by Zimring*, 527 U.S. 581 (1999) The proposed Ordinance limits community housing options for people with disabilities whose needs could be met in the community, and directs them instead to institutionalization. The ways in which the Ordinance would limit

community housing options for people with disabilities include but are not limited to the following:

**1) *The Ordinance Will Have a Discriminatory and Disproportionate Impact on People with a Disability-Related Need to Live in a Shared Living Arrangement***

All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, will have a discriminatory impact on people with a disability-related need to live in shared housing. For example, clients of Regional Centers are people with severe disabilities arising from diagnoses of mental retardation, cerebral palsy, autism, seizure disorder and other related conditions that arose before the age of 18. They have been determined to need life-long case management and care coordination. One of the alternatives for institutional care is supported living in one's own apartment. Under that program, usually two or more regional center clients are paired into an apartment with the support of services to assist them to move toward increasingly independent living. The regional center case managers and supportive living services providers assist in the process of matching compatible roommates. The supported living program is one way California seeks to bring itself into compliance with the integration mandate of the Lanterman Act and The Americans with Disabilities Act as interpreted by *Olmstead*.

In addition to people with developmental disabilities, a significant number of people with other disabilities have a disability-related need for a shared living situation. According to the 2009 California Health Interview Survey, an estimated 1,045,000 Los Angeles County residents needed professional help for self-reported mental/emotional and/or alcohol-drug issues (of these, over half fell below 300% of the federal poverty level). [Http://www.chis.ucla.edu](http://www.chis.ucla.edu). Many of these individuals are able to avoid institutionalization or homelessness, as well as manage the symptoms of their disability, by living in shared housing.

To give some concrete examples, one woman was homeless for eight years; although she participated in a number of "programs" during the time she was homeless, none of them were able to keep her stable and healthy

until she entered a shared home, where she has lived for nearly a decade. At the home, she receives supportive services, is able to take her medication consistently, and is able to reassure her children that she is safe and well. Another woman, who has bipolar disorder and autism, was able to leave the restrictive environment of a board and care institution by entering the same shared home, where she has lived in the community for approximately twenty years. She works for eight hours per week doing filing at a local community college.

For these individuals, their living situation is a critical aspect of the treatment of their disability, and they benefit from the ability to live in low-density residential areas where they assist in the upkeep of their home and take pride in being a part of the neighborhood. They live in low density (R1 or R2) residential zones with others. The Ordinance would prohibit their living situation and affect not only these women, but many others in similar situations throughout Los Angeles. The Ordinance would also prohibit other people with disabilities from benefiting from such a living arrangement in the future.

There are many indications that this Ordinance will affect a large number of people with disabilities directly, and will limit the ability of many more to have a shared living arrangement in Los Angeles:

The Westside Regional Center, which is only one of five Regional Centers serving people with developmental disabilities in the City of Los Angeles,<sup>9</sup> reported to us that 750 of their clients live in a non-institutional setting and estimate that one-third of those are in the City of Los Angeles.

H.O.M.E., an organization dedicating to providing housing for people with developmental disabilities, reports that they have well over one hundred tenants in Los Angeles County, many of whom live in the City of Los Angeles who live in shared housing.

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<sup>9</sup> The other regional centers whose clients include Los Angeles residents are: North Los Angeles Regional Center, Lanterman Regional Center, South Central Los Angeles Regional Center, and East Los Angeles Regional Center.

SHARE! is only one of the organizations receiving Mental Health Services Act funding from the Los Angeles County Department of Mental Health; they have identified fifteen houses where residents with disabilities share housing in low density R1 and R2 neighborhoods.

The Sober Living Network reports that there are about 200 homes in its network in the City of Los Angeles; about three quarters of the homes are in R1 and R2 low-density residential neighborhoods.

In a May 24, 2011 letter addressed to Councilmember Richard Alarcon from Victory Outreach identifies 34 homes in the City of Los Angeles that provide shared housing.

In a May 15, 2011 letter to Councilmember Richard Alarcon, the organization New Directions has identified \$2 million in lost Mental Health Services Act funds that it would be unable to utilize to provide housing for American veterans with disabilities.

These numbers are only a portion of the people who could be directly and indirectly affected by the Ordinance.

***2) Limited Income Seniors and Persons with Disabilities Will Be Prevented from Living in the City of Los Angeles Under the Ordinance***

In addition to the people described above, many seniors and people who live on a limited income because of a disability, such as those on SSI/SSP or Social Security Benefits are only able to live in the community through shared housing.<sup>10</sup> They are financially unable to guarantee the entire rent on their own.

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<sup>10</sup> See generally "Priced Out in 2010: The Housing Crisis for People with Disabilities" at <http://www.tacinc.org/media/13444/PricedOut2010.pdf>. According to the report, an SSI recipient would have to pay 115% of their income in 2010 just to cover the rent on an efficiency apartment in the Los Angeles/Long Beach area. The income of SSI recipients in California has since been reduced due to state budget cuts, making housing even more unaffordable than at the time the report was written.

“Empty nesters,” widows and widowers, and other persons trying to live on reduced income frequently are able to remain in their own home only by finding roommates. All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, are overreaching and violative of privacy rights by the limitation on roommates and additionally by defining the scope of the relationship between the homeowner/renter and a roommate or roommates. Presently, the revised definitions of “Single Housekeeping Unit” and “Boarding or Rooming House” in the January 2013 draft not only requires that a homeowner/renter rent only to three or fewer, but also requires that all persons jointly occupy the home with joint access to all facets of living in the home.

All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, prevent elderly or disabled homeowners, renters, or roommates from keeping their food and meal preparation separate from others in their household in order to receive the full food stamp benefit they are entitled to. Further, a roommate or the homeowner/primary renter may have dietary needs that require that meals and food preparation be handled separately. Such separation would directly conflict with the revised definition of a Single Housekeeping Unit in the January 2013 draft.

All proposed versions of the Ordinance also interfere with the right of a resident to choose his or her own IHSS attendant and handle meals, laundry, cleaning of own space separately. Such an arrangement would directly conflict with the revised definition of a Single Housekeeping Unit in the January 2013 draft.

***3) The Ordinance Impacts A Broad Range Of Persons In Need Of Shared Housing.***

All proposed versions of the Ordinance, including the September 2011 and January 2013 drafts, undermine shared housing—a critically important source of affordable housing—and have an extremely broad reach in the communities that it impacts. Recent drafts effectively eliminate many housing opportunities for parolees and probationers, a group with a critical need for affordable housing. They add a new zoning code definition, “Parolee-Probationer” home, with a number of restrictions. The burden this places on people on parole or probation in their search for housing not only

prevents much-needed shared living virtually the entire City and effective reintegration of this population into the community, but also substantially increases administrative and financial costs on the City.

The need for shared living also includes current college students, recent college graduates burdened with enormous education debt, people with income in the entry level range, and many others.

In response to the havoc that the Ordinance will wreak on an already low supply of affordable housing in the City of Los Angeles, the City will need to ensure many more shelter beds for individuals and families, unnecessarily increasing municipal costs.

**G. The Ordinance Violates the City's Obligations under CEQA and under its Federal Obligations to "Affirmatively Further Fair Housing."**

As outlined in the letter submitted on our behalf by Laurel Impett, incorporated herein by reference, the City has also made unsupported findings related to the Ordinance pursuant to California law, including the California Environmental Quality Act (CEQA), Cal. Gov't Code § 65302.8, and Cal. Gov't Code § 65863.6. The proposed ordinance will have a significant effect on the environment and on the housing needs of the region. Among other necessary findings, the City must study the impact the proposed ordinance will have on the City's housing supply and its ability to meet the housing needs of the region.

The City's determination to issue a Negative Declaration, and its determination that no Environmental Impact Report is required, is contrary to the statutory terms of the California Environmental Quality Act (CEQA) and its related regulations and guidelines. All proposed versions of the Ordinance will have a significant effect on the environment, including but not limited to:

- The displacement of large numbers of individuals (including many with disabilities) thus necessitating the construction of replacement housing elsewhere;

- Creating an increase in homelessness;
- causing substantial adverse effects on human beings, directly and indirectly;
- Causing the loss of affordable housing units, resulting in a need to develop additional affordable and supportive housing units in a fewer number of land use zones;
- Reducing the availability of sites for affordable and supportive housing, increasing demands for additional housing in higher densities in other parts of the City;
- Increasing demands for transportation and/or public services in some parts of the city as a result of forcing supported and shared housing into fewer zones; and
- Conflicting with other land use and zoning laws including the Housing Element, the General Plan, the Analysis of Impediments, and the coastal plan/program and ordinances (for housing in the coastal zone).

*See, e.g.*, 14 C.C.R. Sec. 15000 *et seq.*, Guidelines for Implementation of the California Environmental Quality Act, including Appendix G, Environmental Checklist Form, Sections X, XIII, XIV, XVI, and XVIII; Public Resources Code Sections 21000 *et seq.*, including 21083 and 21087 21083.05 65088.4; 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151; Gov. Code 65088.4

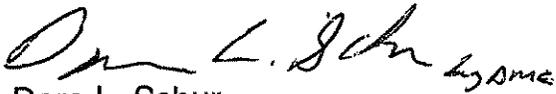
Moreover, federal law requires the City of Los Angeles, like all public entities subject to Community Development Block Grant (CDBG) regulations, to affirmatively further fair housing choice or risk losing federal grant money. 42 U.S.C. § 5304(b)(2). The proposed ordinance is in violation of that obligation, as well as any certification the City has made that it is in compliance, because it increases the barriers to free housing choice for people with disabilities. The Housing Element itself references the City of Los Angeles's Analysis of Impediments to Fair Housing as recommending the removal of barriers to siting treatment programs for people with disabilities at pp. 2-28.

There are additional unlawful components of the Ordinance, but we wished to highlight some of the major concerns. Please contact us with any

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questions or for further analysis or legal citations. We urge the Committee not to adopt the Ordinance as currently written, or prior versions of the Ordinance.

Sincerely,



Dara L. Schur  
Director of Litigation, Disability Rights California



Autumn M. Elliott  
Associate Managing Attorney, Disability Rights California



Sri Panchalam  
Staff Attorney, Disability Rights California



Michelle Uzeta  
Legal Director, Disability Rights Legal Center

Items 13+31

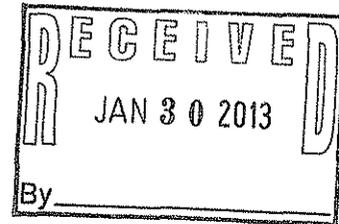
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January 29, 2013

The Honorable City Council of the City of  
Los Angeles  
200 North Spring Street  
Los Angeles, CA 90012



Re: Proposed Ordinance on Community Care Facilities; Council File No. 11-0262

Dear Honorable Council Members:

On behalf of Disability Rights California, Western Center on Law and Poverty, and the clients that those organizations represent, we have reviewed the proposed Ordinance to update the Los Angeles Municipal Code regarding various licensed community care facilities ("Ordinance" or "Project"). We have also reviewed the March 19, 2009 Initial Study/ Negative Declaration ("IS/ND"), the November 19, 2009 addendum to the March 2009 IS/ND and the January 3, 2013 City Attorney Report.<sup>1</sup> We submit this letter to express our legal opinion that: (1) the IS/ND for the proposed Project fails to comply with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 *et seq.* ("Guidelines"), and (2) the City must prepare an environmental impact report ("EIR") before proceeding with the Project. We prepared these comments in conjunction with Andrew Beveridge, demographic consultant. *See* Beveridge Letter, attached as Exhibit 1.

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<sup>1</sup> This letter addresses the January 3, 2013 version of the proposed Ordinance with the changes to the definitions of Single Housekeeping Unit, Boarding or Rooming House and Parolee Probationer Home. *See* City Attorney Report to Council, January 3, 2013, at 2.

The Honorable City Council of the City of Los Angeles  
January 29, 2013  
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cc: Antonio Villaraigosa, Mayor  
June Lagmay, City Clerk  
Amy Brothers, Deputy City Attorney  
Autumn M. Elliott, Associate Managing Attorney, Disability Rights California  
Dara L. Schur, Director of Litigation, Disability Rights California  
Stephanie Haffner, Senior Litigator, Western Center on Law and Poverty

327920.5

# EXHIBIT 1

ANDREW A. BEVERIDGE, Ph.D.  
50 MERRIAM AVENUE  
BRONXVILLE, NEW YORK 10708  
PHONE: 914-337-6237  
FAX: 914-337-8210

January 29, 2013

Laurel Impett  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102

Dear Ms. Impett:

I am sending you the information below at the request of Disability

Rights California:

### **QUALIFICATIONS**

1) I am a Professor of Sociology at Queens College and the Graduate Center, City University of New York. My primary responsibilities at the College and Graduate Center are teaching statistics and research methods at the graduate and undergraduate level and conducting quantitative, statistically-based social research. In July 2006, I assumed a three-year term as chair of the department and began a second term in July 2009. Trained at Yale University, I have been a professor since 1973, first at Columbia University until 1981 and since then at Queens College and the Graduate Center of CUNY. My areas of expertise include demography, the statistical and quantitative analysis of social science

datasets, most particularly including Census data, survey data and administrative records. I am an expert in the application of Geographical Information Systems (GIS) technology to the analysis of social patterns. I regularly publish results in professional journals and peer reviewed books. Some of my analyses have served as the basis for articles in the *New York Times*, where I serve as a demographic consultant through an agreement between Social Explorer, Inc., the CUNY Research Foundation and the *Times*. I have served as a consultant to a number of public and private entities, where I provide services related to demographic analysis.

2) I have testified as an expert in demographic and statistical analysis, including affidavit testimony and the submission of reports in a number of cases. A list of cases and other matters in which I have provided opinions are listed in my résumé, attached as Exhibit 1.

### **ASSUMPTIONS**

3) The purpose of this letter is to provide my expert analysis of demographic information for the City of Los Angeles, as identified herein, relative to the current draft of the proposed ordinance identified as Los Angeles City Council File 11-0262.

4) My analysis, which is preliminary and done for the purpose of placing relevant information before the Los Angeles City

Council, reflects the following assumptions. In the event the final ordinance does not include these assumptions, I would revisit my analysis to consider if any modifications are appropriate.

5) This report assumes that there are certain changes being proposed to the Los Angeles City Municipal Code, Chapter I (Planning and Zoning Code), Chapter I General Provisions and Zoning, Article 2 Specific Planning - Zoning Comprehensive Zoning Plan, Sec. 12.03, Definitions, and Section 12.24. The proposed changes are attached as Exhibit 2.

- 6) This report further assumes that:
- a. With one exception, the zones that allow “Boarding or Rooming Houses” or prohibit them would not change under the proposed ordinance. See footnote 1, below.
  - b. However, the definition of “Boarding or Rooming House” would change under the proposed ordinance, with the result that some households will be newly defined as a "Boarding or Rooming Houses" once the ordinance passes.

- c. Under the proposed ordinance, groups of four or more renters living together in a building with two or fewer units which do not meet the new definition of “Single Housekeeping Unit” will not be a permitted use in zones that do not permit “Boarding or Rooming Houses.”
- d. Individuals described in the above paragraph may need to relocate to zones that will continue to allow Rooming and Boarding Houses under the new definitions, or may need to reduce the number of renters in their dwelling.
- e. Boarding and Rooming Houses will no longer be a permitted use in RD zones except under very limited circumstances.<sup>1</sup>
- f. The new and revised definitions in the pending ordinance, along with the proposed additional revisions to the pending ordinance, will be applied to current structures, dwelling units, and uses, so that

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<sup>1</sup> Under the current zoning code, Boarding or Rooming Houses are permitted in RD zones only if there are two or more buildings per lot. The proposed ordinance also prohibits Boarding or Rooming Houses in single-family homes.

those currently living in shared living arrangements, as well as units currently classified as Boarding or Rooming Houses, would be affected.

7) The Los Angeles Zoning Code, L.A.M.C. 12.00 *et seq.* will allow or prohibit Boarding or Rooming Houses in each zone as reflected in Columns 1, 2 and 3 of Exhibit 3.<sup>2</sup>

8) As noted above, to the extent that these assumptions changed, I would need to examine the data in light of those changes.

#### **DATA SOURCES**

- 9) I used publicly available data, including the following:
- a. Data produced by the United States Bureau of the Census for the 2010 Census from the Summary File 1. These data present a variety of tabulations or tables based upon the 2010 Census. These data are publicly available in various formats through the Census website [www.census.gov](http://www.census.gov).

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<sup>2</sup> This report also assumes that in R2 zones, Boarding or Rooming Houses are permitted on lots adjoining a lot in a commercial or industrial zone "provided that (a) The use, including the accessory buildings and uses and required yards, does not extend more than 65 feet from the boundary of the less restrictive zone which it adjoins; and (b) The lot area per dwelling unit or guest room regulations of the RD1.5 zone shall apply to these uses."

- b. Data produced by the Census Bureau from the 2009-2011 American Community Survey, which is a large ongoing survey that has replaced the so-called Census “long form.” I used the Public Use Micro-Data Samples, which allowed me to create my own tabulations. These data are available on the Census Website at [www.census.gov](http://www.census.gov).
- c. SAS, a widely-used data management, analysis, and reporting computer program was used, along with Microsoft EXCEL, a standard spreadsheet package.
- d. A Geographic Information System (GIS) software package called Maptitude, with Census boundary files for Census 2010, as well as other mapping data, such as streets and features.
- e. A zoning map in computerized form map delineating the zoning of each and every portion of Los Angeles City. This map is available at <http://planning.lacity.org/>
- f. A map of every parcel in Los Angeles County and data from the assessment roll for Los Angeles County, of which data from only Los Angeles City were used.

Boundary Map and Local Roll available from

<http://assessor.lacounty.gov/extranet/outsidesaes/gisd/ata.aspx>.

## **DATA RESULTS AND CONCLUSIONS**

10) Using these data, I was able to compare both the acreage and the number of parcels in the City of Los Angeles where Boarding or Rooming Houses are permitted to the acreage and number of parcels that do not allow Boarding or Rooming Houses.<sup>3</sup>

11) The third and fourth columns of Exhibit 3 present a tabulation of acreage based upon an analysis of the Los Angeles City zoning map using GIS, and a tabulation of the number of parcels affected based upon a tabulation of the parcels in Los Angeles with a use code from the Local Roll from the County Assessor. The Los Angeles County Assessor provides data on the parcels in residential and other areas. Using the map provided by the Assessor's Office and the Official Los Angeles Zoning map, it is possible to select the parcels that are in the City

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<sup>3</sup> In light of the current and proposed restrictions on Boarding or Rooming Houses in R2 and RD zones, I treated them as zones that do not allow Boarding or Rooming Houses in my analysis. Additionally, Hillside zoning as a general matter appears to be an overlay category, but there are some areas in the zoning map where it is coded as the zoning category, and, as noted, there are some parcels in use in those areas. To be conservative, I treated those parcels as allowing Boarding or Rooming Houses in my analysis. However, the number and acres of parcels coded as "Hillside" are very small.

of Los Angeles and identify their zoning classification. The parcel tabulation is based upon zoning classifications, though the actual use may differ.

12) Exhibit 4, which is based upon Exhibit 3, shows the total acreage and the total number of parcels in which Boarding or Rooming Houses are restricted according the zoning code. The third and seventh rows show the acreage and number of parcels that will no longer be available to individuals currently sharing housing in these zones if their living situation were to be considered to be Boarding or Rooming Houses.

13) Some 9.61% of residentially zoned land in Los Angeles (approximately 13,266 acres) allows Boarding or Rooming Houses, while 90.39% of residentially zoned land (approximately 124,416 acres) does not.

14) If the proposed ordinance were to become law, and thus redefine Boarding or Rooming Houses and their permitted locations, there would be a 90.39% reduction in residentially zoned land available to a household sharing housing that became a "Boarding or Rooming Houses" under the proposed ordinance because they would be limited to zones that allow Boarding or Rooming Houses.

15) If you include non-residential zones that allow Boarding or Rooming Houses, such as commercial zones, an additional 17,213

acres (or 59,955 parcels) would be available to such households. However, that would still represent at least an 80.34 percent reduction of acreage and 77.63 percent reduction of parcels.

16) Of the 260,719 acres of zoned land in the City of Los Angeles, 30,479 acres are zoned to allow Boarding or Rooming Houses.

17) However, even this land would not be available on any site where the property owner was unable to add sufficient parking to meet the modified parking requirements in the proposed ordinance.

18)

19) It is possible to arrive at an estimate of the number of units and the number of people that could *potentially* be affected by the relevant provisions of the proposed ordinance by using data from the 2010 Census and from the American Community Survey.

20) However, the Census data does not have categories that allow for a differentiation between a “Single Housekeeping Unit” as defined by the proposed ordinance and other types of households. Definitively ascertaining whether four or more people residing together constitute a “Single Housekeeping Unit” would require access to information on a) the “transient” or “non-transient” nature of individuals in the group (“transient” is

undefined in the proposed ordinance); b) whether the individuals are “interactive” (“interactive” is undefined in the proposed ordinance); c) whether the individuals have joint access to and use of all living, kitchen, and eating areas within the dwelling unit, d) whether the individuals share household activities and responsibilities such as meals, chores, expenses and maintenance, and e) whether the makeup of the household is determined by the members of the unit rather than by the landlord, property manager, or other third party – information that the Census does not collect. Exhibit 5 presents relevant Census definitions regarding living quarters and household relationship.

21) To assess whether or not a household would be considered a “Boarding or Rooming House” under the proposed ordinance, I applied information to determine whether or not the residents had a “family” relationship with the householder, as classified by the Census. Most generally, this would be a blood relative, but in-law relationships and other non-blood family relationships would also be considered “family.” (See Exhibit 5 for the Census definitions.)

22) To estimate the potential effects of the proposed ordinance on current households and the number of persons living in those

households, I used the Public Use Microdata Sample from the 2009-2011 American Community Survey.<sup>4</sup> The results are shown in Exhibit 6.

23) Of the households living in a dwelling of two units or less, I determined a) the number of owner-occupied households with four or more renters with a non-“family” relationship with the householder and b) the number of non-owner-occupied households with three or more renters with a non-“family” relationship with the householder. Together, these amounted to 6,335 housing units and 48,122 residents.

24) Because the proposed ordinance would also affect households with four or more renters (regardless of blood or other “family” relationship as defined by the Census) that could not meet the “Single Housekeeping Unit” definition, I examined two other potential sets of units, all of which include the set of units discussed in paragraph 19 above.

25) The first additional set includes the “family” units as described, plus all rental “family” units with four or more persons in the

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<sup>4</sup> The estimate assumes that one and two unit dwellings are in areas that are zoned for them. The estimate of the number of units in such zones is generally comparable with the number of units reported in the 2010 Census at the block level, when the zoning areas are allocated to the block (using areal allocation where necessary). Such a special tabulation could easily be ordered from the Census Bureau. However, there is no reason to believe that the results would be materially different than those presented here. The group potentially affected includes those that are in a rental household that includes a family household (as defined by the Census) with three or more non-family members (see Exhibit 5 for definitions), a rental household with four or more non-family members, or in an owner occupied household with four or more non-family members.

households where at least one of them had a non-“family” relationship to the householder. With that definition some 23,089 units with 146,974 residents could be affected.

26) The second includes the “family” units as described, plus all rental “family” units with four or more persons in the household. With that definition, some 82,197 units with 473,396 residents could be affected. (All of these estimates are presented in Exhibit 6.)

27) Beyond individuals living in households, some individuals live in group quarters (see Exhibit 5 for definition). Particularly, those living in the following sort of group quarters may be affected unless the home falls within a specific category of facility protected by the exceptions in the proposed ordinance:

*Group homes intended for adults (code 801)*—Group homes intended for adults are community-based group living arrangements in residential settings that are able to accommodate three or more clients of a service provider. The group home provides room and board and services, including behavioral, psychological, or social programs. Generally, clients are not related to the caregiver or to each other. Group homes do not include residential treatment centers or facilities operated by or for correctional authorities.

28) To estimate the number of individuals in group quarters I used a very detailed tabulation provided at the census tract level (PCT20) from the Summary File 1 of the Census. Using this and the proportion of

each Census Tract in the various zoning classifications, it is possible to get an estimate of the potential impact on these sorts of group quarters for the zoning restriction. The results of that estimate are the following: 3,182 residents may be in housing that is restricted by the new zoning changes.<sup>5</sup>

Sincerely,



Andrew A. Beveridge, Ph.D.

Attachments:

- Exhibit 1, Curriculum Vitae
- Exhibit 2, Summary of Select Proposed Changes to Section 12.03 and 12.24 of the Los Angeles Municipal Zoning Code
- Exhibit 3, Zoning Classes, Boarding or Rooming House Restrictions, Acres, and Parcels
- Exhibit 4, Analysis of Potential Impact of Proposed Ordinance by Acres and Parcels by Location
- Exhibit 5, Excerpts from the "Census 2010 Summary File 1 Technical Documentation Subject Definitions" concerning Living Quarters and Households and Relationships
- Exhibit 6, Estimates of Number of Units and Residents of Shared Living Arrangements Potentially Disallowed under the Proposed Ordinance Based upon Three Interpretations of the Effects of the Ordinance

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<sup>5</sup> The estimate of the population affected used an areal allocation of the zoning classification by census tract. A special tabulation that produced an estimate of both units and population by Census block could be ordered from the relevant Census office. However, there is no reason to believe that the results would be materially different than those presented here.

# EXHIBIT 1

# EXHIBIT 1

## CURRICULUM VITAE

03/01/2012

### Andrew Alan Beveridge

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#### PERSONAL

Born April 27, 1945, Madison, Wisconsin  
Married, one child  
U.S. Citizenship

#### EDUCATION

1968-73 Yale University (Sociology), M.Phil. 1971; Ph.D. 1973  
1967-68 Yale University (Econometrics, Economic Theory)  
1964-67 Yale College (Economics), B.A. 1967, with honors in economics  
1963-64 California Institute of Technology (Freshman Year, Math, Science)

#### RECOGNITION AND AWARDS

2007 American Sociological Association *Public Understanding of Sociology Award*  
2006-pres. Marquis *Who's Who in the World*  
2005-pres. Marquis *Who's Who in America*  
2010 *Social Explorer* (Co-Creator) named Outstanding Reference Source by the Reference and Users Services Association of the American Libraries Association

#### TEACHING EXPERIENCE

2006-11 Chair, Queens College, Department of Sociology  
2002-pres. Professor, Queens College and Ph.D. Program in Sociology, Graduate School and University Center, The City University of New York  
1981-01 Associate Professor of Sociology, Queens College, and Ph.D. Program in Sociology Graduate School and University Center, The City University of New York  
1981-82 Associate Professor of Sociology, Columbia University  
1973-81 Assistant Professor of Sociology, Columbia University  
1972-73 Acting Instructor, Department of Sociology, Yale University  
1969-70 Assistant in Instruction, Department of Sociology, Yale University

#### RESEARCH APPOINTMENTS

2008-pres. Executive Committee Member and Affiliate, CUNY Institute for Demographic Research  
1987-88 Visiting Researcher, Center for Studies of Social Change, The New School for Social Research  
1982-83 Research Associate, Center for the Social Sciences, Columbia University  
1980-82 Co-Director, Annual Housing Survey Project, Center for the Social Sciences, Columbia University  
1970-72 Research Affiliate, Institute for African Studies (the former Rhodes-Livingstone Institute), Lusaka, Zambia  
1965-69 Research Assistant and Programmer, Department of Economics and Economic Growth Center, Yale University

#### OTHER RELATED ACTIVITIES

2006-pres. Co-Founder (with Ahmed Lacevic) and President, *Social Explorer, Inc.* A web-based map and data service, now distributed by Oxford University Press and Pearson Publishing.  
1997-pres. President of Andrew A. Beveridge, Inc. a Demographic and Social Science Data Consulting Firm that provides consulting in litigation and other settings.

- 1993-pres. Consultant to the Newspaper Division of the *New York Times*. Work with reporters and editors regarding covering social science and demographic trends. Analyses and data cited over 1000 times in Newspaper.
- 2001-pres. Columnist for the *Gotham Gazette*. Write Demographic Topic on recent trends and news related to social and demographic trends.

## PUBLICATIONS

## Papers

- In Press "The Development and Persistence of Racial Segregation in United States Urban Areas: 1880 to 2000." Andrew A. Beveridge. In Ian Gregory and Alistair Geddes (eds.) *Rethinking space and place: New directions in historical GIS*. Bloomington, IN: Indiana University Press.
- 2011 "Avenue to Wealth or Road to Financial Ruin? Home Ownership and Racial Distribution of Mortgage Foreclosures." Elena Vesselinov and Andrew A. Beveridge. In Christopher Niedt and Marc Silver (eds.) *Forging a New Housing Policy: Opportunity in the Wake of Crisis*. Hempstead NY: National Center for Suburban Studies, Hofstra University, pp. 45-55.
- 2011 "The Rise and Decline of the L.A. and New York Schools." David Halle and Andrew A. Beveridge. In Dennis R Judd and Dick Simpson (eds.) *The City, Revisited: Urban Theory from Chicago, Los Angeles and New York*. Minneapolis, MN: University of Minnesota Press, pp. 137-69.
- 2011 "Commonalities and Contrasts in the Development of Major United States Urban Areas: A Spatial and Temporal Analysis from 1910 to 2000." Andrew A. Beveridge. In Myron P. Guttman, Glenn D. Deane, Emily R. Merchant and Kenneth M. Sylvester (eds.) *Navigating Time and Space in Population Studies*, Springer for the International Union for the Scientific Study of Population, pp. 185-216.
- 2009 "How Does Test Exemption Affect Schools' and Students' Academic Performance?" Jennifer L. Jennings and Andrew A. Beveridge. *Educational Evaluation and Policy Analysis*, vol. 31: June, pp. 153-75.
- 2008 "A Century of Harlem in New York City: Some Notes on Migration, Consolidation, Segregation and Recent Developments." Andrew A. Beveridge. *City and Community* vol. 7:4 pp. 357-64.
- 2007 "Who Counts for Accountability? High-Stakes Test Exemptions in a Large Urban School District." Jennifer Booher-Jennings and Andrew A. Beveridge. In A. Sadovnik, J. O'Day, G. Bohrnstedt, & K. Borman (eds.) *No Child Left Behind and the Reduction of the Achievement Gap: Sociological Perspectives on Federal Education Policy*. Routledge, Taylor & Francis Group, pp. 77-95.
- 2006 "Community-Based Prevention Programs in the War on Drugs: Findings from the 'Fighting Back' Demonstration." Leonard Saxe, Charles Kadushin, Elizabeth Tighe, Andrew A. Beveridge, David Livert, Archie Brodsky and David Rindskopf, *Journal of Drug Issues*, vol. 36:2 pp. 263-94.
- 2006 "Varieties of Substance Use and Visible Drug Problems: Individual And Neighborhood Factors." Julie Ford and Andrew A. Beveridge. *Journal of Drug Issues*, vol. 36:2, pp. 377-92.
- 2006 "Neighborhood Crime Victimization, Drug Use And Drug Sales: Results From The 'Fighting Back' Evaluation." Julie Ford and Andrew A. Beveridge. *Journal of Drug Issues*, vol. 36:2, pp. 393-416.
- 2006 "Scale-Up Methods as Applied to Estimates of Heroin Use." Charles Kadushin, Peter D. Killworth, Russell H. Bernard, Andrew A. Beveridge. *Journal of Drug Issues*, vol. 36:2, pp 417-40.

- 2004 "Bad' Neighborhoods, Fast Food, 'Sleazy' Businesses and Drug Dealers: Relations Between the Location of Licit and Illicit Businesses in the Urban Environment." Julie Ford and Andrew A. Beveridge. *Journal of Drug Issues*, vol. 34:1, pp. 51-76.
- 2003 "Race and Class in the Developing New York and Los Angeles Metropolises: 1940 to 2000." Andrew A. Beveridge and Susan Weber. In David Halle (ed.) *New York and Los Angeles: Politics, Society and Culture, A Comparative View*. University of Chicago Press, pp. 49-78.
- 2003 "Residential Separation and Segregation, Racial and Latino Identity, and the Racial Composition of Each City." David Halle, Robert Gedeon and Andrew A. Beveridge. In David Halle (ed.) *New York and Los Angeles: Politics, Society and Culture: A Comparative View*. University of Chicago Press, pp. 150-90.
- 2003 "The Black Presence in the Hudson River Valley, 1790 to 2000: A Demographic Overview." Andrew A. Beveridge and Michael McMenemy. In Myra B. Armestead (ed.) *Mighty Change, Tall Within: Black Identity in the Hudson Valley*. State University of New York Press, pp. 263-80.
- 2002 "Immigrant Residence and Immigrant Neighborhoods in New York, 1910 and 1990." Andrew A. Beveridge. In Pyong Gap Min (ed.) *Classical and Contemporary Mass Migration Periods: Similarities and Differences*. Altamira Press, pp.199-231.
- 2002 "Immigration, Ethnicity and Race in Metropolitan New York, 1900-2000." Andrew A. Beveridge. In Anne Kelly Knowles (ed.) *Past Time, Past Place: GIS for History*. ESRI Press, pp. 65-78.
- 2001 "The Visibility of Illicit Drugs: Implications for Community-based Drug Control Strategies." Leonard Saxe, Charles Kadushin, Andrew A. Beveridge, David Livert, Elizabeth Tighe, Julie Ford and David Rindskopf, *American Journal of Public Health*, vol. 91:12, pp. 1987-94.
- 2001 "Does Neighborhood Matter? Family, Neighborhood and School Influences on Eighth-Grade Mathematics Achievement." Sophia Catsambis and Andrew A. Beveridge. *Sociological Focus*, vol. 34, October, pp. 435-57.
- 2001 "Simulating Social Research Findings To Aid in Teaching Introductory-Level Sociology Courses." Andrew A. Beveridge, Joanne Miller, Dean Savage, Lauren Seiler and Carmenza Gallo. In Vernon Burton (ed.) *The Renaissance of Social Science Computing*. Champaign: University of Illinois Press.
- 2000 "Survey Estimates of Drug Use Trends in Urban Communities: General Principles and Cautionary Examples." Andrew A. Beveridge, Charles Kadushin, Leonard Saxe, David Rindskopf and David Livert. *Substance Use and Misuse*, vol. 35, pp. 85-117.
- 1997 "Think Globally Act Locally: Assessing the Impact of Community-Based Substance Abuse Prevention." Leonard Saxe, Emily Reber, Denise Halfors, Charles Kadushin, Delmos Jones, David Rindskopf and Andrew A. Beveridge. *Evaluation and Program Planning*, vol. 20:3, pp. 357-66.
- 1988 "An Evaluation of 'Public Attitudes Toward Science and Technology' in *Science Indicators the 1985 Report*." Andrew A. Beveridge and Fredrica Rudell. *Public Opinion Quarterly*, vol. 53: Fall, pp. 374-85.
- 1986 "Microcomputers as Workstations for Sociologists." Andrew A. Beveridge. *Sociological Forum*, vol. 1:Fall, pp. 701-15.
- 1985 "Running Records and the Automated Reconstruction of Historical Narrative." Andrew A. Beveridge and George V. Sweeting. *Historical Social Research* vol. 35:July, pp. 31-44.
- 1985 "Local Lending Practices: Borrowers in a Small Northeastern Industrial City, 1832-1915." Andrew A. Beveridge. *Journal of Economic History*, vol. 65:2, pp. 393-403.
- 1985 "Action, Data Bases, and the Historical Process: The Computer Emulating the Historian?" Andrew A. Beveridge and George V. Sweeting. In Robert F. Allen (ed.) *Data*

- Bases in the Humanities and Social Sciences*. Osprey Florida, Paradigm Press, Inc., pp. 117-22.
- 1981 "Studying Community, Credit and Change by Using 'Running' Records from Historical Sources." Andrew A. Beveridge. *Historical Methods*, vol. 14:4, pp. 153-62.
- 1980 "Organizing 'Running' Records to Analyze Historical Social Mobility." Andrew A. Beveridge, George R. Hess and Mark P. Gergen. In Joseph Raben and Gregory Marks (eds.) *Data Bases in the Humanities and Social Sciences*. Amsterdam and New York, North-Holland Publishing Company, pp. 157-64.
- 1977 "Social Effects of Credit: Cheshire County, New Hampshire: 1825-1860." Andrew A. Beveridge. *Regional Economic History Research Center Working Papers*, Autumn, pp. 1-33.
- 1974 "Economic Independence, Indigenization and the African Businessman: Some Effects of Zambia's Economic Reforms." Andrew A. Beveridge. *African Studies Review*, vol. 17:3, pp. 477-92.

**Maps**

- 2011 "Charles Burnett's Los Angeles, Circa 1970: The City" and "Charles Burnett's Los Angeles, Circa 1970: His Neighborhood." Andrew A. Beveridge. In Robert E. Kapsis (ed.) *Charles Burnett Interviews*. Jackson, MS, University of Mississippi Press, in folio between p.94 and p.95.

**Book**

- 1979 *African Businessmen and Development in Zambia*. Andrew A. Beveridge and A. Oberschall. Princeton N.J. and Guildford, Surrey, United Kingdom: Princeton University Press, 382 pp.

**Invited Pieces and Columns**

**Gotham Gazette** Demographic Topic Columns: January 2001-pres.

- "10 Years Later: Enumerating the Loss at Ground Zero" (September 10, 2011)  
 "Under a Different Name Census Data is Ready for Perusal" (August 11, 2011)  
 "Failure of Redistricting Reform Could Bring Reprise of 2002's Fiasco" (June 16, 2011)  
 "Census Wounded City's Pride but Probably Got the Numbers Right" (April 26, 2011)  
 "Census Brings Unpleasant Surprise for State Politicians" (January 04, 2011)  
 "Census Likely to Offer Accurate Count of New Yorkers" (September 16, 2010)  
 "Census Could Set Off Major Redistricting in State" (February 25, 2010)  
 "New York's Now Beleaguered Financial Workforce" (August 2009)  
 "New York and the Fight Over the 2010 Census" (February 2009)  
 "The Senate's Demographic Shift" (November 2008)  
 "A Shift in Albany Could Avert Higher Rents" (October 2008)  
 "An Affluent, White Harlem?" (August 2008)  
 "The School Divide Starts at Kindergarten" (June 2008)  
 "Housing Squeeze Shows No Sign of Easing" (May 2008)  
 "A Religious City" (February 2008)  
 "Will the 2010 Census 'Steal' New Yorkers?" (December 2007)  
 "The End of 'White Flight'?" (November 2007)  
 "Feeling the Effects of a Housing Bust" (September 2007)  
 "No Quick Riches for New York's Twentysomethings" (June, 2007)  
 "Women of New York City" (March, 2007)  
 "Stuyvesant Town and Peter Cooper Village, Then and Now" (September, 2006)  
 "What New Yorkers Are Like Now" – First Results of the American Community Survey" (August, 2006)  
 "Hitting the 9 Million Mark" (June, 2006)  
 "New York's Asians" (May, 2006)  
 "Undocumented Immigrants" (April, 2006)  
 "Transit Workers/Transit Riders; Beginning Lawyers Are Richer; 9 Million New Yorkers?" (March, 2006)

- "Teachers In NYC's Institutions Of Higher Learning" (January, 2006)  
 "Hispanics and the Ferrer Candidacy" (December, 2005)  
 "Disabled in New York City; Also: Is The City Still Booming?" (November, 2005)  
 "Who Can Afford to Live in New York City?" (October, 2005)  
 "Can NYC "Profile" Young Muslim Males?" (August, 2005)  
 "Upstate and Downstate – Differing Demographics, Continuing Conflicts" (July, 2005)  
 "Living at Home After College" (June, 2005)  
 "Four Trends That Shape The City's Political Landscape" (May, 2005).  
 "High School Students" (April, 2005)  
 "New York's Responders and Protectors" (March, 2005)  
 "Who Got The Death Penalty" (February, 2005)  
 "Wall Street Bonus Babies" (January, 2005)  
 "New York Lawyers: A Profile" (December, 2004)  
 "Bush Does Better and Other Election Results In NYC" (November, 2004)  
 "New York's Creative Class" (October, 2004)  
 "Portrait of Same-Sex (Married) Couples" (September 2004)  
 "New York City Is a Non-Voting Town" (August, 2004)  
 "New York's Divided Afghans" (July, 2004)  
 "Flaws in the New School Tests" (June, 2004)  
 "Why Is There A Plunge In Crime?" (May, 2004)  
 "Estimating New York City's Population" (April, 2004)  
 "The Passion for Religion Ebbs" (March, 2004)  
 "Imprisoned In New York" (February, 2004)  
 "Who Are NYC's Republicans?" (January, 2004)  
 "Five Hidden Facts about Housing--An Analysis of Data from the Housing and Vacancy Survey"  
 (December, 2003)  
 "Young, Graduated and in New York City" (October, 2003)  
 "Back To (Public and Private) School" (September, 2003)  
 "The Vanishing Jews" (July, 2003)  
 "The Affluent of Manhattan" (June, 2003)  
 "How Different Is New York City From The United States?" (May, 2003)  
 "The Poor in New York City" (April, 2003)  
 "Eight Million New Yorkers? Don't Count On It" (March, 2003)  
 "Does Archie Bunker Still Live in Queens?" (February, 2003)  
 "Is There Still A New York Metropolis?" (January, 2003)  
 "City of the Foreign-Born" (December, 2002)  
 "Can The US Live Without Race?" (November, 2002)  
 "New York's Declining Ethnics" (October 2002)  
 "A Demographic Portrait of the Victims in 10048" (September, 2002)  
 "Manhattan Boom" (August, 2002)  
 "GOP Senate Majority Repeals Census 2000" (July, 2002)  
 "Changing New York City" (June, 2002)  
 "The Census Bureau's Bad Estimates" (May, 2002)  
 "The Boom 1990's?" (April, 2002)  
 "Segregation" (March, 2002)  
 "Non-Legal Immigrants" (February, 2002)  
 "Counting Muslims" (January, 2002)  
 "The Arab Americans in Our Midst" (September, 2001)  
 "A White City Council" (August, 2001)  
 "Counting Gay New York" (July, 2001)  
 "Redistricting" (June, 2001)  
 "Politics and the Undercount" (May, 2001)  
 "False Facts about Census 2000" (April, 2001)  
 "Eight Million New Yorkers!" (March, 2001)  
 "Redefining Race" (February, 2001)  
 "Census Bureau Finds 830,000 'Extra' New Yorkers" (January 2001)

**Other:**

- 1988 "Credit to the Community: American Banking's Tribal Roots." *Thesis* (Spring), pp. 18-23.  
 1996 "Sociologists: Eyes Open for Trends in New York City." *ASA Footnotes*, January, p. 1.

- 1996 "Stroll the Upper East Side for Lifestyles of the Elite." *ASA Footnotes*, March, p. 1  
 1976 "African Businessmen in Zambia." *New Society*, 35:702: pp. 599-601.

**Book Reviews**

- 1995 *The Assassination of New York*. Robert Fitch. *Contemporary Sociology*, vol. 24:March, pp. 233-34.  
 1990 *Doing Deals: Investment Banks at Work*. Robert G. Eccles and Dwight B. Crane. *Contemporary Sociology*, vol. 19:May, pp. 186-87.  
 1988 *The End of Economic Man? Custom and Competition in Labor Markets*. David Marsden. *Contemporary Sociology*, vol. 17:March, pp. 172-73.  
 1988 *Technocrimes: The Computerization of Crime and Terrorism*. August Bequai. *Society*, vol. 25:May/June, pp. 87-88.  
 1985 *The Economic Basis of Ethnic Solidarity: Small Business in the Japanese American Community*. Edna Bonacich and John Modell. *American Journal of Sociology*, vol. 90:January, pp. 942-45.  
 1979 *Oneida Community Profiles*. Constance Noyes Robertson. *Business History Review*, vol. 53:Autumn, pp. 277-78.  
 1978 *Urban Man in Southern Africa*. C. Kileff and W.C. Pendleton (eds.) *African Studies Association Review of Books*, vol. 4, pp. 25-26.  
 1977 *Colonialism in Africa, 1870-1960 Volume Four: The Economics of Colonialism*. Peter Duignan and L.H. Gann (eds.) *Business History Review*, vol. 51:Autumn, pp. 382-85.  
 1976 *The Quality of American Life: Perceptions, Evaluations, and Satisfactions*. Angus Campbell, Philip Converse, and Willard L. Rogers (eds.). *Political Science Quarterly*, vol. 91:Fall, pp. 529-31.  
 1976 *Corporate Power in an African State: The Political Impact of Multinational Mining Companies in Zambia*. Richard L. Sklar. *African Studies Association Review of New Books*, vol. 2, pp. 53-55.

**Reports**

- 2000 *Fighting Back Household Survey, Interim Report of 1995-1999 Findings*. David Livert, Charles Kadushin, Leonard Saxe, Andrew A. Beveridge, David Rindskopf, Elizabeth Tighe, Jennifer Hoffman, Saul Kelner, Ricardo Barreras and Julie Ford.  
 1997 *Fighting Back Evaluation Interim Report: Wave II General Population*. Survey David Livert, Charles Kadushin, Leonard Saxe, Andy A. Beveridge, David Rindskopf, Elizabeth Tighe, Jennifer Hoffman, Saul Kelner, Ricardo Barreras and Julie Ford.  
 1997 *Monitoring Archival Indicators of Alcohol and Other Drug Harm: A Fighting Back Progress Report*. Andrew A. Beveridge, Elizabeth Tighe, Mary Jo Larson, David Rindskopf, David Livert, Susan Weber, Charles Swartz, John McKenna, Charis Ng and Leonard Saxe.  
 1997 *Social Trends in North America*: Andrew A. Beveridge, Vivian Brachet, Lorne Tepperman and Jack Veugelers. Prepared for the State of the Environment Report of the Consortium for Environmental Cooperation, Montreal, Quebec.  
 1996 *Fighting Back Program Interim Report*, Leonard Saxe, Emily Reber, Charles Kadushin, Andrew A. Beveridge, Mary Jo Larson, David Rindskopf, David Livert, Joe Marchese, Michael Stirrat and Susan Weber.  
 1994 *Black and White Property Tax Rates and Other Homeownership Costs in 30 Metropolitan Areas: A Preliminary Report*. Andrew A. Beveridge and Jeannie D'Amico. Queens College of the City University of New York, Department of Sociology, Program for Applied Social Research.  
 1994 *An Analysis of Black and White Income Differences: Queens County and the United States*. Andrew A. Beveridge and Jeannie D'Amico. Queens College of the City University of New York, Department of Sociology, Program for Applied Social Research.  
 1992 *Patterns of Residential Segregation in New York City, 1980-1990: A Preliminary Analysis*. Andrew A. Beveridge and Hyun Sook Kim. Queens College of the City University of New York, Department of Sociology, Program in Applied Social Research.

- 1988 *Integrating Social Science Workstations into Research and Teaching: Final Report to IBM.* Andrew A. Beveridge and Lauren Seiler. Queens College of the City University of New York, Department of Sociology.
- 1984 *Changing Lifestyles and Newspaper Reading: An Exploratory Study of Younger Adults.* Andrew A. Beveridge and Albert E. Gollin. Newspaper Readership Project, Newspaper Advertising Bureau.
- 1978 Social Effects of Time of Use Pricing of Electric Power: A Sociological Approach. Andrew A. Beveridge. Electric Power Research Institute

## SELECTED RECENT PRESENTATIONS

## Presentations of Scholarly Work

- 2011 Elena Vesselinov and \_\_\_\_\_. "Foreclosures, Subprime Loans and the Neighborhood Effects of Race and Class in Detroit and Phoenix." Annual Meeting of the American Sociological Association, Las Vegas, NV, August 23.
- 2011 Elena Vesselinov and \_\_\_\_\_. "From Chicago to Las Vegas? The Housing Bubble, Ethnic Communities, Social Class and the Effects of Mortgage Foreclosures." Annual Meeting of the American Sociological Association, Las Vegas, NV, August 22.
- 2011 "The Demographics of Boom and Bust: New York and LA Metros, 1990 to 2011." Annual Meeting of the American Sociological Association, August 20, Las Vegas, NV.
- 2011 "How Do Current Districts Stack-Up." The Redistricting Puzzle: The Shifting Sands of Population and the Electorate: Changes in New York. CUNY Graduate Center. May 5.
- 2011 "Displacing Hope: Hope VI and the Destruction of Housing for Poor Families." Annual Meeting of the Urban Affairs Association, March 16-19, New Orleans, LA.
- 2011 "2010 Census: Research Issues and Opportunities." Panelist. Annual Meeting of the Eastern Sociological Society, Philadelphia, PA, February 26.
- 2011 "The Effects of Foreclosure on Educational Performance." Annual Conference of the Sociology of Education Association. Asilomar Conference Center Pacific Grove, California. February 18-20, 2011.
- 2010 "The Origins of the "Bubble" and the Financial Crisis 2008: "Looting" by Lenders or Default by Profligate Borrowers." Andrew A. Beveridge. Annual Meeting of the Social Science History Association, November 18-21, Chicago, IL.
- 2010 "Success in Cumulative Voting Systems." Andrew A. Beveridge and Robert Smith. Annual Meeting of the Social Science History Association, November 18-21, Chicago, IL.
- 2010 "Avenues to Wealth or Roads to Financial Ruin? Homeownership and the Distribution of Mortgage Foreclosures. Elena Vesselinov and Andrew A. Beveridge. Annual Meeting of the American Sociological Association, August 15, Atlanta, GA.
- 2010 "Teacher Effectiveness on High- and Low-Stakes Tests," Corcoran, Sean P., Jennifer L. Jennings, and Andrew A. Beveridge. Presented at the Institute for Research on Poverty Summer Institute, University of Wisconsin – Madison, June.
- 2010 "Social Effects of Foreclosures in New York and Los Angeles Metros, a Preliminary Analysis. Andrew Beveridge, and Elena Vesselinov. Eastern Sociological Society Annual Meeting, Boston, MA. March 18-21.
- 2010 "Homeowners No More: A First Look at the Foreclosure Crisis's Effects on Neighborhoods and Communities across the United States." Andrew Beveridge and Elena Vesselinov. Eastern Sociological Society Annual Meeting, Boston, MA. March 18-21.
- 2009 "Foreclosure Patterns and Demographic Trends in the Los Angeles and New York Metros." Presented at the Annual Meeting of the Social Science History Association. Long Beach, CA. November 12-15.

- 2009 "Cities: What the Classics Can Tell Urbanisms Today." Panel Presentation, Annual Meeting of the Social Science History Association, Long Beach, CA. November 12-15.
- 2009 "Reflecting on Efforts to Build Communities of Teachers, Learners, and Researchers using Web 2.0 Tools." Panel Presentation at the Annual Meeting of the American Sociological Association, San Francisco. August 8-11.
- 2009 "Sociologists and the Media: Developing Positive Relationships between Journalists and Academia." Workshop Presentation at the Annual Meeting of the American Sociological Association, San Francisco. August 8-11.
- 2008 "Religious Adherents and the 2000 Presidential Election: A Spatial Analysis." Presented at the Social Science History Association 2008 Annual Meeting, Miami, Florida, October 24-26.
- 2008 "Segregation Revisited: The Growth and Dispersal of Black, Latino, Immigrant and Ethnic Populations in United States Metropolitan Areas Since 1950" Presented at Historical GIS 2008. University of Essex, UK. August 21-22.
- 2008 "Teacher Effects on High and Low-Stakes Tests," Jennifer L. Jennings and Andrew A. Beveridge. Annual Meeting of the American Education Research Association, New York, NY, March 25-28.
- 2007 "School Games: Does Gaming the System Affect Students' Academic Achievement? Andrew A. Beveridge and Jennifer Booher Jennings. Presented at the 2007 American Educational Research Association Annual Meeting, Chicago, IL, April 9-13.
- 2006 "Peopling and Building New York City, 1900 to 2000: The Interaction of Demographic Factors and Land Use Decisions." Presented at the 2006 Annual Meeting of the Social Science History Association, Minneapolis, MN, November 2-5.
- 2006 "Commonalities and Contrasts in the Development of Major United States Urban Areas: A Spatial and Temporal Analysis from 1910 to 2000. Presented at the International Union for the Scientific Study of Population Seminar Space and Time in Historical Demographic Research – New Methods and Models." Minneapolis, MN, October 31 and November 1.
- 2006 "Neighborhood Crime Victimization, Drug Use and Drug Sales" Julie Ford and Andrew A. Beveridge. Presented at the 2006 Annual Meeting of the American Sociological Association. Montreal, Quebec, August 11-14.
- 2006 "Are All US Urban Areas Becoming Los Angeles? New Findings About Urban Growth and Development" Presented at the 2006 Annual Meeting of the American Sociological Association. Montreal, Quebec, August 11-14.
- 2006 "Research Workshop. Geographical Information Systems (GIS) as a Research Tool for Sociologists." Presented at the 2006 Annual Meeting of the American Sociological Association. Montreal, Quebec, August 11-14.
- 2006 "Research Workshop. Using Data from the U.S. Department of Education for Research" Presented at the 2006 Annual Meeting of the American Sociological Association. Montreal, Quebec, August 11-14.
- 2006 "The Sociological Implications of Improbable Score Patterns in the Houston Independent School District." Jennifer Booher Jennings and Andrew A. Beveridge. Presented at the Annual Meeting of American Education Research Association. San Francisco, CA, April 10-14.

**Presentations Regarding *Social Explorer***

- 2011 American Sociological Association, Annual Meeting, Research Poster, August 21, Las Vegas, NV.  
 American Library Association, Annual Meeting, Oxford University Press, Booth, June 25, New Orleans, LA.  
 Center for Geographical Analysis, Harvard University, 2011 Conference, May 6 and 7, Cambridge, MA.

- CUNY Journalism School, Ethnic Community and Media Census Training, May 5, New York, NY.  
 American Association of Public Opinion Research, New York Chapter, April 21, New York, NY.  
 Population Association of America, Pre-Conference Session, March 30, Washington, DC.  
 National Low Income Housing Coalition, Annual Conference, March 29, Washington, DC.  
 Census Bureau, Geography Division, January 28, Washington, DC.  
 National Science Foundation NSF Course Curriculum and Laboratory Improvement Program/Transforming Undergraduate Education in Science Conference and Atrium Presentation, January 26-28, Washington, DC.  
 CUNY Journalism School, Making Sense of the Census, January 3, New York, NY.
- 2010 Social Science History Association, Annual Meeting, "Exploring Long Term US Change: Research and Teaching with Social Explorer," November 18, Chicago, IL.  
 Jewish Community Relations Council, Community Connections Fellowship Orientation, New York, November 9.  
 U.S. State Department, Office of International Visitors. "Changing Demographics and Multiculturalism in the United States." Flushing, NY, September 21.  
 American Sociological Association, Annual Meeting, Research Funding Opportunities and Data Resources Poster, August 15, Atlanta, GA.
- 2009 American Sociological Association, Annual Meeting, Research and Data Support Poster, August 8-11, San Francisco, CA.  
 Eastern Sociological Association, Annual Meeting, Research Workshop, April 2-5. Baltimore, MD.
- 2008 American Sociological Association, Annual Meeting, Research and Data Support Poster, August 2, Boston, MA.
- 2007 New York Chapter of the American Association of Public Opinion Research, October 4, New York, NY.  
 American Sociological Association, Annual Meeting, Research and Data Support Poster, August 12, New York, NY.  
 Coalition for the National Science Foundation, U.S. House Office Building Reception, Official Representative of the American Sociological Association, Washington, DC, June 26.  
 Pew Research Center, Washington, DC, June 25.
- 2006 National Center for Supercomputing Applications ,Invited Conference on Spatial Thinking in the Social Sciences and Humanities," December 18-19, Urbana, IL.  
 Annual Meeting of the Social Science History Association, "Social Explorer as a Resource for Teaching," November 2-5., Minneapolis, MN.  
 Annual Meeting of the American Sociological Association, Research Workshop, "Geographical Information Systems (GIS) as a Research Tool for Sociologists," August 11-14, Montreal, Quebec.  
 Annual Meeting of American Sociological Association, Research and Data Support Poster, August 11-14, Montreal, Quebec..  
 National Center for Supercomputing Applications, Invited Conference on Spatial Thinking in the Social Sciences and Humanities, December 18-19, Urbana, IL.

## GRANTS AND AWARDS

### Grants and Awards in Progress

"Integrated Public Use Microdata Sample Redesign." Subcontract through University of Minnesota from National Institutes of Health R01,2006--pres \$175,000.

"Census Analyses for the New York Metropolitan Area." *New York Times* Newspaper Division and CUNY Center for Advanced Technology, 1993-pres.,\$1,479,726.

"Creating and Disseminating Tools to Teach with Demographic Data Maps and Materials." Andrew A. Beveridge and Josh Radinsky, National Science Foundation, Division of Undergraduate Education, 2009-2012, \$232,896

"Collaborative Research—The National Historical Geographic Information System." National Science Foundation, Sociology Program, 2007-2012, \$99,725 (Continuing Award)..

### Grants and Awards Completed

"The Distribution and Social Impact of Mortgage Foreclosures in the United States." Andrew A. Beveridge and Elena Vesselinov, National Science Foundation, Sociology Program, 2009-2010, \$144,995.

"Collaborative Research—Creating Exemplary Curricula and Supporting Faculty Development in Using Social Explorer to Teach with Demographic Data Maps." Andrew A. Beveridge and Joshua Radinsky, National Science Foundation, Division of Undergraduate Education, CCLI, Phase 1, 2006-2008, \$149,970.

"Collaborative Research—A Digital Library Collection for Visually Exploring United States Demographic and Social Change." Andrew A. Beveridge and David Halle, 2002-2007, \$706,746.

"National Historical Geographical Information System." John Adams, Andrew A. Beveridge, et al, Subcontract of National Science Foundation Infrastructure Grant through University of Minnesota, Organize Historical City Based Data, 2001-2006, \$194,000.

"Using Socio-Economic Characteristics of Residents of Student Neighborhoods as a Proxy for Socio-Economic Characteristics of Students: An Assessment Using ECLS-K." National Center for Education Statistic through Educational and Statistical Services Institute, 2004-2005, \$57,958.

"Adding Census 2000 Data and Geographic Location to the ECLS-K Data Set." Andrew A. Beveridge and Sophia Catsambis, National Center for Education Statistic through Educational and Statistical Services Institute, 2002-2003, \$59,335.

"Visualizing and Exploring United States Urban and Rural Social Change, 1790-2000: Interactive Multimedia and Web Based Tools." Andrew A. Beveridge and David Halle, National Science Foundation, Division of Undergraduate Education, Educational Materials Development, 2001-2004, \$418,000.

"Evaluation of Fighting Back." Leonard Saxe, Charles Kadushin, Andrew A. Beveridge, Robert Wood Johnson Foundation, 1994-2002, \$370,000.

"Development of a Map and Demographic Data Server," CUNY Software Institute, 2001, \$8,000.

"Redistricting and Minority Voting Rights in Metropolitan New York." Randolph McLaughlin and Andrew A. Beveridge, 2000-2001, Pace Law School \$90,000 total; Andrew A. Beveridge \$60,000.

"Mapping and Exploring New York City Change, 1905-2000: A Set of Interactive Web Based Tools." National Science Foundation, 1999-2000, \$78,960.

"A Laboratory for Integrating Multimedia and World Wide Web Technology Into Sociological Instruction." Samuel Heilman, Robert Kapsis, Max Kilger, Dean B. Savage and Andrew A. Beveridge, National Science Foundation, 1996-1998, \$47,846.

"A Shared Computer Work Station and Storage System for Social Science Research." National Science Foundation, 1996-1997, \$20,964.

"The Battle for Yonkers and the Dilemma of Desegregation." Presidential Research Award, 1993-1994, One Term Release.

"Why Do Neighborhoods Change or Stay the Same?" Ford Foundation, Diversity Initiative Grant. 1993, Course Release and Student Stipends.

"Separate American Dreams Face the Common American Dilemma: The Battle to Segregate Yonkers, New York, 1940-1990." Profession Staff Congress, Research Award Program, 1992-1994, \$6,800.

- "Using the Census for Social Mapping Across the Sociology Curriculum." President's Mini-Grant for Innovative Teaching, 1992-1993, \$3,500.
- "Modeling the Results of Union Elections by Developing Standard and Hierarchical Logistical Models." Diane Poland, Andrew A. Beveridge, and Wing-Shing Chan, Probe Program for Grand Challenges in the Social Sciences, National Center for Supercomputing Activities, 1992-1994, Super-Computer Time at National Center.
- "The Introductory Sociology Curriculum Initiative: An Empirical, Scientific Approach." Andrew A. Beveridge, Joanne Miller, Lauren H. Seiler and Dean B. Savage, National Science Foundation, Undergraduate Course and Curriculum Program, 1992-1995, \$160,000.
- "A Computer Laboratory for Quantitative and Scientific Reasoning in Sociology." Andrew A. Beveridge, Joanne Miller, Dean Savage and Lauren H. Seiler, National Science Foundation, Instructional Instrumentation and Laboratory Program, 1991-1994, \$50,825.
- "Socially Mapping the New York Area." Ford Diversity Initiative Grant, 1992, Course Release Time.
- "Development of Research Mentorship and Laboratory in Sociology." CUNY Dean for Research and Academic Affairs, Department Faculty Development Program, 1991-1992, One Course Release Time.
- "Integrating Yonkers." Faculty-In-Residence Award, 1988-1989, One Course Release Time.
- "Credit Allocation and Community Change." Professional Staff Congress CUNY, Faculty Fellowship, 1987, \$6,200.
- "Credit Allocation and Community Change." Professional Staff Congress CUNY, Research Award Program, 1986-1988, \$13,268.
- "A Study of Industrial Development of an Agricultural Community Based Upon Financial Records: Keene and Cheshire County, New Hampshire, 1820-1915." Putnam Foundation, 1985-1988, \$33,000.
- "The Intelligent Work Station in Social Science Research: Development, Evaluation, Instruction and Demonstration." Lauren Seiler and Andrew A. Beveridge, International Business Machines Corporation, Special Study, 1985-1987, \$78,000 of hardware and software, \$17,000 funding.
- "Integrated Software for the Social Research Workstation." Andrew A. Beveridge and Lauren Seiler, Inter-University Consortium for Educational Computing, 1985-1986, \$20,000.
- "A Study of the Industrial Development of an Agricultural Community." National Endowment for the Humanities Grant, Basic Research Program, 1984-1985, \$75,000.
- "Credit Allocation and Community Change." Professional Staff Congress CUNY, Research Award, 1984-1985, \$6,973.
- "Credit Allocation and Community Change." Professional Staff Congress CUNY, Research Award, 1983-1984, \$6,928.
- Andrew A. Beveridge and Phoebus J. Dhrymes, "Longitudinal Transformation and Analysis of the Annual Housing Surveys." Department of Housing and Urban Development, 1980-1982, \$248,000.
- "Credit and Social Change: Cheshire County and Its Provident Institution, 1832-1915." American Council of Learned Societies, Fellowship, 1978-1979 \$13,500.
- "The Context of Credit in Wilmington, Delaware, 1800-1870." Regional Economic History Research Center, Eleutherian Mills Hagley Foundation, Grant and Fellow, 1978-1979, \$12,000.
- "Societal Effects of Credit Allocation." National Science Foundation Sociology Program Research Grant, 1976-1978, \$81,781.
- "Social Structure, Social Change and Credit Allocation: A Case Study." National Endowment for the Humanities Summer Stipend, 1976, \$2,000.
- "Social Structure, Social Change and Credit Allocation: A Case Study." American Philosophical Society, Grant, 1976, \$750.

"African Businessmen in Zambia: Economic, Social and Governmental Impact." Foreign Area Fellowship Program Fellowship, 1970-1971, \$11,400.

Pre-Doctoral Research Grant. National Institute of Mental Health, 1969-1972, Stipend and Tuition.

## OTHER SOCIOLOGICAL RESEARCH ACTIVITIES

### Selected Analyses Appearing in *New York Times* and Elsewhere

(Since 1992, Professor Beveridge or Queens College Sociology has been cited over one thousand times in the *New York Times*, and materials have been syndicated or appeared elsewhere. Other media appearances include NPR, WCBS, WABC, WNBC, WNYW, CUNY-TV, CBS Radio, AP, and many others.)

"Racial Patterns Are Found in Recent School Budget Elections." *The New York Times*, August 25, 2010, Pg. A19. By Sam Roberts.

"A Slice of Queens Where People Who Arrived in 1977 Are Newcomers." *The New York Times*, January 8, 2011, Pg. A15. By Joseph Berger

"As With the Kennedys, the Large, Boisterous Irish Family Is Fading Into History." *The New York Times*, August 29, 2009 Pg. A12. By Michael Wilson.

"In New York, Black and Hispanic Strongholds Become More White." *The New York Times*, December 15, 2010; Pg. A17, By Sam Roberts. (Maps Pg. A17)

"Immigrants Make Paths To Suburbia, Not Cities." *The New York Times*, December 15, 2010 Pg. A15. By Sabrina Tavernise and Robert Gebeloff. (Maps Pg. A1, A16)

"Economic Boom in Washington Leaves Gaping Income Disparities " *The New York Times*, December 18, 2010, Pg. A11. By Sabrina Tavernise and Robert Gebeloff; Sabrina Tavernise .

"New York's House Delegation to Lose One or Two Seats." *The New York Times*, December 2, 2010, Pg. A28. By Sam Roberts.

"Census Confirms a Much Smaller New Orleans." *The New York Times*, February 4, 2011, Pg. A11. By Campbell Robertson.

"Black? White? Asian? More Young Americans Choose All of the Above." *The New York Times*, January 30, 2011, Pg. A1. By Susan Saulny.

"Whites Again a Majority Of Manhattan's Population." *The New York Times*, July 5, 2010. By Sam Roberts.

"Facing a Financial Pinch, and Moving Back Home." *The New York Times*, March 22, 2010; Pg. A20. By Sam Roberts

"Detroit Census Figures Confirm A Grim Desertion Like No Other." *The New York Times*, March 23, 2011 Wednesday, Pg. A1. By Katharine Q. Seelye.

"Non-Hispanic Whites Are Now a Minority in the 23-County New York Region." *The New York Times*, March 28, 2011, Pg. A19. By Sam Roberts.

"Cougars Aren't Mythical." *The New York Times*, October 15, 2009, Pg. C1. By Sarah Kershaw.

"Five-Year-Olds at the Gate: Why are Manhattan's elementary schools turning away kindergartners? How the Bloomberg administration missed the baby boom it helped create" *New York Magazine*, June 1, 2009. By Jeff Coplon.

## STUDIES CONNECTED WITH LEGAL CASES

### Legislative Districting and Redistricting (Including Plans for Jurisdictions and for Community Groups)

Center for Law and Social Justice, Medgar Evers College and Newman, Ferrara *Favors v. Cuomo, et al.*, U.S. District Court for the Eastern District of NY (Hearing Testimony, 2012);

Frederick Brewington and Randolph McClaughlin, *Melvin Boone, et. al., vs. Nassau County Board of Legislators, et. al.* U.S. District Court for the Eastern District of New York. Produced report and plan and testified in trial regarding redistricting of Nassau County Legislature. 2011--

Westchester County Board of Legislators, Plan for Redistricting Westchester County, Adopted May 17, 2011.

City of New Rochelle. Plan for Redistricting City Council Districts. Adopted May 10, 2011.

United States Department of Justice. *United States v. Port Chester*. U.S. District Court for the Southern District of New York. Investigation, Voting Analysis, Analysis of Potential Plans, Reports and Declarations, Testimony, 2002-2009.

Emery, Celli, Curti, Brinkerhoff and Abadi. *Rodriguez v. Pataki*. U.S. District Court for the Southern District of New York. Reports, affidavits, deposition testimony and trial testimony related to claims about the State Senate Redistricting Plan in New York State, 2002-2004.

Randolph McClaughlin, Esq. *New Rochelle Voter Rights Committee, et al vs. New Rochelle, et al.* U.S. District Court for the Southern District of New York. Plaintiff's redistricting plan, affirmation, report, trial testimony, negotiated redistricting plan, settlement hearing testimony, 2003-2005.

Frederick Brewington, Esq., *Montano v. Suffolk County Board of Legislators*. U.S. District Court for the Eastern District of New York. Produced report and plan and testified in trial regarding proposed redistricting of Suffolk County Legislature. Cited in District Court Opinion, 2003.

City of Yonkers. Plan for the Redistricting the City Council. Adopted June 24, 2003.

Center for Constitutional Rights and Social Justice Center, Pace University Law School. *Goosby v. Town Board of Hempstead*. U.S. District Court for the Eastern District of New York. Designed and presented plaintiff's plan for districting the Town of Hempstead, a community of 720,000. Created single member district plan using census data and boundary files. Submitted plan including maps and data and testified at trial. Court ordered plan; affirmed by 2<sup>nd</sup> Circuit; Supreme Court denied certiorari. Plan and testimony cited in District Court and 2<sup>nd</sup> Circuit opinions. 1995-1997.

Connecticut Civil Liberties Union. *Coalition for Fair Representation, et al. v. City of Bridgeport, et al.* U.S. District Court for the District of Connecticut. Analysis of segregation patterns in Bridgeport Connecticut. Affidavit and maps filed. Cited in 2nd Circuit Decision. 1993-1994.

Berger, Poppe, Janiec. *Diaz, et al. v. City of Yonkers*. U.S. District Court for the Southern District of New York. Prepared redistricting plan for the Yonkers City Council, met with plaintiffs and defendants and in court. Plan accepted by City Council and District Court. 1992-1993.

#### **Housing Discrimination, Affirmative Steering, Rent Stabilization and Affordability, etc.**

Foley and Lardner and U.S. Department of Justice. *MSP Real Estate, Inc., et al., v. City of New Berlin, et al., and United States v. City of New Berlin*, U.S. District Court for the Eastern District of Wisconsin; (Report, 2011)

Foley and Lardner. *Bear Development LLC v. City of Kenosha and Redevelopment Authority of the City of Kenosha*, U.S. District Court for the Eastern District of Wisconsin (Report and Deposition Testimony, 2011)

Hofstra University, School of Law, Law Clinic. *Isidoro Rivera, et. al. v. Incorporated Village of Farmingdale, et. al.* U.S. District Court for the Eastern District of New York. Report. 2009-pres.

Skadden, Arps, Slate, Meagher & Flom. *Fair Housing in Huntington Committee, et. al. v. Town of Huntington, New York, et. al.* U.S. District Court for the Eastern District of New York. Report and Rebuttal Report. 2010.

South Brooklyn Legal Services. *Barkley v. United Homes LLC, et al.*, U.S. District Court for the Eastern District of New York, Report, Deposition and Trial Testimony. 2009-2011.

Relman and Dane. *Anti-discrimination Center of Metropolitan New York v. County of Westchester, et al.* U.S. District Court for the Southern District of New York. Report, Rebuttal Report and Deposition Testimony, 2008-2009.

Sullivan & Cromwell. *Vargas, et. al. v. Town of Smithtown*. U.S. District Court for the Eastern District of Long Island. Report. 2008.

Southern New Jersey Legal Services. *Mount Holly Gardens Citizens in Action, Inc., et al v. Township of Mt. Holly, et al.* U.S. District Court for the District of New Jersey. Declaration, 2008 and 2010.

The Advancement Project. *Anderson, et al. v. Jackson, et al.* U.S. District Court for the Eastern District of Louisiana. Report and Deposition re: Public Housing Demolition in New Orleans, 2007.

Three Rivers Legal Services and Southern Legal. *Helene Henry, et al v. National Housing Partnership.* U.S. District Court for the Northern District of Florida, Gainesville, Division. Three reports and deposition Testimony. 2007-2008.

Legal Services of Southern New Jersey. *Bergen Lanning Residents in Action ,et al. vs. Melvin R. "Randy" Primus, et al.* Superior Court of New Jersey, Law Division, Camden County Report re: Bergen Square Redevelopment in Camden, NJ. 2005.

Legal Services of Southern New Jersey. *Cramer Hill Residents Association, et al. vs. Melvin R "Randy" Primus, et al.* Superior Court of New Jersey, Law Division, Camden County. Report re: Cramer Hill Redevelopment in Camden, NJ. 2005.

Legal Services of Southern New Jersey. *Citizens In Action ,et al. vs. Township of Mount Holly, et al.* Superior Court of New Jersey, Law Division, Burlington County. Report and Certification re: Redevelopment of the Gardens in Mount Holly. 2005.

Legal Services of Southern New Jersey. *Hispanic Alliance, et al. vs. City of Ventnor, et al.* Superior Court of New Jersey, Law Division, Atlantic County Report and Testimony re: Ventnor Redevelopment. 2005.

Legal Services of New Jersey. *Connie Forest, et al vs. Mel Martinez, et al.* Superior Court of New Jersey, Law Division, Essex County. Report re: Brick Towers Demolition in Newark. 2003-2006.

Legal Services of Southern Florida, *Reese v. Miami-Dade County Housing Authority*, Analysis of Relocation of Public Housing Tenants. U.S. District Court for the Southern District of Florida. Report and Testimony at Trial. Cited in District Court Opinion. 2001-2003, and 2009.

City of Long Beach, *Walton v. City of Long Beach.* Analyzed the vacancy rate in the City of Long Beach for 1992 through 2000. Filed affidavits in state and federal court. Testified in proceedings. Carried out various studies related to vacancy rate. 1997-2000.

Arnold and Porter. *Witt, et al. v. New York State Board of Elections.* Analyzed those who have two or more domiciles where they regularly reside for case involving voting in more than one local election. 2000—2002

Coral Ortenberg Zeck and Condipoti. *Village of Spring Valley v. Town of Clarkstown.* Analyzed the affordability of housing in Rockland County New York for a case involving the annexation of a parcel to build such housing. Testified at trial. 2000.

United States Justice Department, Civil Rights Division. *United States vs. Tunica Mississippi School District.* Analyzed proposal to build a new school near the Casino development in Tunica Mississippi, which was desegregated by order in 1971. Case settled. 1999-2000.

New York City Environmental Justice Alliance. *New York City Environmental Justice Alliance, et al. v. Rudolph W. Giuliani, et al.* Filed an affidavit that analyzed the racial and Hispanic distribution of the various community gardens for sale and not-for-sale in New York City in 1999. Case settled. Cited in the 2<sup>nd</sup> Circuit opinion.

Connecticut Civil Liberties Union, Center for Children's Advocacy, NAACP Legal Defense Fund, and the Puerto Rican Legal Defense and Educational Fund. *Sheff v. O'Neil.* Analyzed the changing patterns of school enrollments in the Hartford area for this landmark case. Supplied a series of exhibits used by plaintiffs. 1998.

Connecticut Civil Liberties Union and National Association for the Advancement of Colored People. *NAACP v. Milford.* Analyzed historical housing and segregation patterns in the Milford region, and provided disparate impact analysis for not providing low-income housing as agreed. Case settled. 1997-1998.

Connecticut Civil Liberties Union and Puerto Rican Legal Defense Fund. *Pitts v. Hartford*. Analyzed placement of low-income public housing tenants in wake of destruction of public housing. Case settled. 1997.

American Civil Liberties Foundation of Maryland. *Carmen Thompson, et al. vs. U.S. Department of Housing and Urban Development, et al.* Analysis of various proposed plans for the relocation of public housing tenants throughout the Baltimore metropolitan area. Created a series of maps and analyses. Prepared trial testimony. Consent Decree Entered, April 1996.

Gurian and Bixon; Davis, Polk and Wardwell. *Open Housing Center, Inc. vs. Kings Highway Realty, a Division of Provenz Realty Corp.; Provenz Realty Corp; Diane Provenz; Evelyn Cannon; and Barbara Noonan.* Analyzed real estate "tester" data and apartments that various clients were shown. Imputed racial status of clients by using GIS techniques. Prepared affidavit. Cited in judge's opinion denying summary judgment. 1994-1996.

Westchester Legal Services and Sullivan and Cromwell. *Carol Giddins, et al. v. U.S. Department of Housing and Urban Development, et al.* Analyzed various proposed plans to end racial steering of Section 8 tenants to South West Yonkers. Maps and analyses incorporated into consent decree, and still in use in placing tenants. 1992-1994 and continuing.

Metropolitan Action Institute. *Analysis of Housing Segregation Patterns in Yonkers, New York and Starrett City, Brooklyn, 1983-1984.* (Materials Used for Testimony of Paul Davidoff.)

### Federal Court Jury System Challenges

Andrea Hirsch, *Martinez v. Kelly*. U.S. Appeals Court for the Second Circuit. Analyzed effects of peremptory challenges for *habeas corpus* petition. 2006-2007.

Stern Shapiro Weissberg & Garin. *United States v. Darryl Green, et al.* U.S. District Court for the Eastern District of Massachusetts. Analyzed jury selection system for using Census data, local lists and other materials. Filed 7 declarations and testified twice. 2004-2006.

Federal Public Defender, Eastern District of LA, New Orleans, LA. *United States v. Torres*. Analyzed jury selection system for the Eastern District of Louisiana based upon Census Data and Estimates, as well as filings in the Eastern District. Declaration filed. 2006.

Federal Public Defender, Eastern District of LA, New Orleans, LA. *United States v. Caldwell*. Analyzed jury selection system for the Eastern District of Louisiana based upon Census Data and Estimates, as well as filings in the Eastern District. Declaration filed. 2006.

Federal Public Defender, Western District of PA, Pittsburgh. *United States v. Lawrence Skiba*. Analyzed jury selection system for the Pittsburgh Division of the Western District of Pennsylvania based upon Census Data and Estimates, as well as filings in the Western District. Affidavit filed. 2004.

Federal Public Defender, Western District of PA, Pittsburgh. *United States v. Minerd*. Analyzed jury selection system for the Pittsburgh Division of the Western District of Pennsylvania based upon Census Data and Estimates, as well as filings in the Western District. Affidavit filed. 2002.

Federal Public Defender, Western District of PA, Erie, PA. *United States v. Rudolph Weaver*. Analyzed jury selection system for the Pittsburgh Division of the Western District of Pennsylvania based upon Census Data and Estimates, as well as jury lists and voting. Affidavit Submitted 2001.

Newman Schwartz and Greenberg. *United States v. Albert J. Pirro, Jr.* Filed affidavit that analyzed representation in master jury wheel for White Plains and Foley Square Court Houses in the Southern District using census data with respect to the dilution of Italian Americans likely to be on a jury, if venue changed from White Plains to Foley Square. Venue change motion was denied. 2000.

Polstein, Ferrara, Dwyer and Speed and Stephen P. Scaring. *United States v. Dennis McCall, Trevor Johnson*. Analyzed representation in master jury wheel for White Plains Court House in the Southern District. Filed affidavit, which was cited in judge's opinion. 1998.

Curtis, Mallet-Prevost, Colt and Mosle, *United States v. Don King and Don King Productions*. Analyzed representation in master jury wheel for New York City Courthouse in the Southern District. Affidavit and Consulting. 1997-1998.

Dominick Porco, *United States v. Kevin Veale*. Analyzed representation in master jury wheel for White Plains Court House in the Southern District. Filed affidavit. 1997.

Diarmuid White, *United States v. Jose Reyes, et al.* Analyzed representation in master jury wheel for New York City Courthouse in the Southern District. Report and testimony in case cited in the judge's opinion. 1996.

### State Court Jury System Challenges

Fitch Richardson, *Commonwealth of Virginia v. Prieto*. Fairfax County Virginia Circuit Court. Affidavit and Trial Testimony, 2010.

Capital Defenders Office, Atlanta GA. *State of Georgia vs. Jason McGhee*. Forsyth County Georgia State Court. Trial Testimony, 2010.

Public Defenders Office and Joseph Flood, *Commonwealth of Virginia v. Sanchez*. Prince William County Virginia Circuit Court. Analyzed Jury Selection in Prince William County, VA. Affidavit, 2008.

Ferrell Law, *Commonwealth of Virginia v. Ajlan*. Prince William County Virginia Circuit Court. Analyzed Jury Selection in Prince William County, VA. Affidavit, 2008.

New Hampshire Public Defender, *New Hampshire v. Addison*. Hillsborough County, New Hampshire, North Division, Superior Court. Declaration, Deposition and Testimony, 2008.

Public Defenders Office, *Commonwealth of Virginia vs. Portilla-Chicas*. Stafford County Virginia Circuit Court. Analyzed Jury Selection in Stafford County, VA. Affidavit, 2006.

Virginia Indigent Defense Commission, *Commonwealth of Virginia vs. Rogers*. Stafford County Virginia Circuit Court. Analyzed Jury Selection in Stafford County, VA. Report and Testimony, 2006.

Criminal Legal Clinic of Syracuse University Law School, *People v. Tyisha Taylor*. Syracuse City Court. Analyzed Jury Selection System for Syracuse and Onondaga County, New York. Testimony, 2005.

Capital Defenders Office, *New York State v. Sweat*. Analyzed representation in jury selection in Broome County, New York. Two affidavits filed, one relating to factors likely to lead to underrepresentation of African Americans in Jury Pool, another related to the operation of the allocation of jurors among courts in Broome County. (Capital Murder Case.) 2003

Michael J. Spiegel, *New York State v. Dennis Salvador Alvarez-Hernandez*, Analyzed representation in jury selection in Westchester County, New York. Analysis based upon census data and estimates, and an emulation of the reported jury selection process using voter lists and other sources. Filed affidavit reporting results. (Capital murder case.) 2001--2003

Capital Defenders Office, *New York State v. Taylor*. Analyzed representation in jury selection in Queens County, New York. Analysis based upon census data and estimates, and an emulation of the reported jury selection process using voter lists and other sources. Filed affidavit reporting results; testified at hearing. Produced demographic analyses by town to assist in jury selection. Testified in 2002. (Capital murder case.) 2000-2002

Mann and Mitchell, *State of Rhode Island vs. David Tremblay*. Analyzed representation in jury selection in Bristol and Providence Counties, Rhode Island. Affidavit filed that includes an analysis of the geographic, racial, and Hispanic representation of jurors in counties in Rhode Island and includes an estimate of the disparities by race and Hispanic status. 1999-2001.

Capital Defenders Office, *New York State v. McCoy*. Analyzed representation in jury selection in Suffolk County, New York. Analysis was based upon census data and estimates, and an emulation of the reported jury selection process using voter lists and other sources. Filed affidavit reporting results. Produced demographic analyses by town to assist in jury selection. (Capital murder case.) 1997-1998.

Reynolds, Caronia and Gianelli. *New York State v. Robert Shulman*. Analyzed representation in jury selection in Suffolk County, New York. Analysis was based upon census data and estimates, and an emulation of the reported jury selection process using voter lists and other sources. Filed

affidavit reporting results. (Capital murder case.) 1997. Opinion reproduced in *New York Law Journal*.

Capital Defenders Office, *New York State v. Gordon*. Analyzed representation in jury selection in Queens County, New York. Analysis was based upon census data and estimates, and an emulation of the reported jury selection process using voter lists and other sources. Filed affidavit reporting results. (Capital murder case.) 1997. Opinion reported on and reproduced in *New York Law Journal*.

Capital Defenders Office, *New York State v. Sam Chinn, III*. Analyzed representation in jury selection in Onondaga County. Affidavit filed that presented an analysis of the geographic, racial, and Hispanic representation of jurors. It includes an estimate of the disparities by race and Hispanic status. Plea bargain offered and accepted. Discussed at presentation at the New York State Defenders Association, Glen Falls, NY. (Capital murder case.) 1997.

Capital Defenders Office, *New York State v. George Bell*. Analyzed representation in jury selection in Queens County, New York. Analysis was based upon census data and estimates, and an emulation of the reported jury selection process using voter lists and other sources. Filed affidavit reporting results. (Capital murder case.) 1996-1997.

Capital Defenders Office, *New York State v. Hale*. Analyzed representation in jury selection in Kings County, New York. Analysis was based upon census data and estimates, and an emulation of the reported jury selection process using voter lists and other sources. Filed affidavit reporting results. (Capital murder case.) 1996-1997.

#### Employment Discrimination

Shneyer and Shen. *Grimston vs. Marsh and McLanahan*. Analyzed employment patterns based upon Census data and defendant records. Filed expert report and testified in deposition. Case Settled. 1998-2000.

Shneyer and Shen. *Maglasang vs. Beth Israel Medical Center*. Analyzed employment patterns based upon Census data and defendant records. Filed expert report and testified in deposition. Case Settled. 1999-2000.

Shneyer and Shen. *Williams vs. Safesites, Inc.* Analyzed employment patterns based upon Census data and defendant records. Filed expert report. 1998.

Shneyer and Shen. *Lachica vs. Emergency Medical Services*. Analyzed employment patterns based upon Census data and defendant records. Case Settled. Filed expert report. Case Settled. 1996-1997.

#### Other

Dewey & LeBoeuf and Latino Justice (PRLDEF). *Adriana Aguilar, et. al., v. Immigration and Customs Enforcement, Division of the United States Department of Homeland Security, et. al.* U.S. District Court for the Southern District of New York. Report, Rebuttal Report and Deposition Testimony, 2010-pres.

Debevoise & Plimpton; *Five Borough Bicycle Club, et al v. City of New York, et al.* U.S. District Court for the Southern District of New York. Summoning Patterns Regarding Critical Mass Rides in Manhattan. Report, Deposition and Trial Testimony, 2008-2009

Rabinowitz, Boudin, Standard and Krinsky, *Garrison v. I.R.S.* U.S. District Court for the District of Columbia. Filed expert report and testified at trial. Analysis based upon a survey of a sample of all synagogues in the United States. 1991-1992.

#### OTHER MAJOR STUDIES AND ANALYSES

Time-Warner Cable of New York. Analyzed and provided maps with underlying ethnic and racial composition for each of the six cable systems managed by Time-Warner Cable in Manhattan, Queens and Brooklyn, 1998-1999 (Proprietary).

*New York Times*. Analyzed circulation patterns of the *New York Times* in connection with their launch of the Boston and Washington editions, 1996-1997 (Proprietary).

Newspaper Association of America. Analysis of Field Experiment of Full-Color Run of the Press Advertisements in Richmond, Virginia, 1992.

Newspaper Advertising Bureau. Analysis of a Panel Study of Change in Newspaper Readership among Young Adults, 1983-1984.

Friends of Vincenza Restiano. Political Consulting, Polling, and Voting Analysis, Computer Based Voter List Organization, 1983, 1985, 1987, and 1991.

Abt Associates, through Center for the Social Sciences, Columbia University. Transfer of Annual Housing Survey Project to Abt, 1982.

Response Analysis Corporation, Princeton, N.J. Problems in Reliability of Longitudinal Household Surveys. 1982.

## PROFESSIONAL MEMBERSHIPS AND ACTIVITIES

American Sociological Association: Organizer, sessions on Applied and Evaluation Research, 1998; Organizer, special session on New York Trends, 1996; Organizer, sessions on Economy and Society, 1984; Organizer, sessions on Social Change, 1979.

Eastern Sociological Society: Vice President 1997-1998; Program Committee, 1991-1992; Co-Chair, Computer Committee, 1985-1987; President and Discussant, Women's History Session, 1985; Member, Computer Committee, 1984-1985; Coordinator, Computer Workshops, 1984 Annual Meeting; Co-Chair, Membership Committee, 1983-1984; Member, Papers Committee, 1983-1986; President, Historical Sociology Session, 1983; Co-Chair, Papers Committee, 1982-1983; Chair, Membership Committee, 1981-1982; Co-Chair, Conference Committee, 1980-1981.

American Association for Public Opinion Research: Program Committee, 1983-84; Nominating Committee, 1985-1986; Task Force Regarding the Use of Survey-based Evidence in Legal Proceedings, 2010.

New York Chapter, American Association for Public Opinion Research, Associate Program, Chair 2006-07; Program Chair, 2007-08.

International Sociological Association, Research Liaison Committee on Economy and Society  
 American Economic Association  
 Social Science History Association  
 Population Association of America

## COURSES TAUGHT

Graduate: (M.A. and Ph.D.) Demography; Computer Applications in the Social Sciences; Advanced Social Statistics; The Sociological Study of Economies; Logic of Social Research; Survey Research Methods; Co-Operative Education Field Placement; Demography; Integrated Social Research; Ph.D. Dissertation and M.A. Thesis Supervision.

Undergraduate: Social Change in the City; Methods of Social Research; Sociology of Economic Life; Third World in Social Change; Social Statistics; Sociological Analysis; New York Area Undergraduate Research Program (at Columbia): Housing Crisis in New York City, Equity of the Criminal Justice System, Implementation of No-Fault in New York.

## UNIVERSITY, COLLEGE AND DEPARTMENTAL ACTIVITIES

CUNY Research Foundation, Faculty Advisory Committee, 2006-pres.; Board of Directors, 2006-pres.

CUNY Professional Staff Congress, Legislative Committee, 2000-2001; CUNY, University Committee on Research Awards, 1988-1991; CUNY, University Computer Policy Committee, 1986-1987; CUNY/PSC Sociology Research Award Panel, 1986-1987; Graduate Center Sociology Program, Chair, Search Committee, 1989-1990; Methods Subcommittee, 1986-1987; Computers Committee, 1987-1990.

Queens College, Committee on Fellowship Leave, 1990-1991; Queens College, Committee on Research and Sponsored Programs, 1982-1986; Ad Hoc Computer Committee, Division of Social Sciences, 1982-1986, 1994-1996, 1998-pres.; Official Representative to the Inter-University

**CIVIC AND COMMUNITY ACTIVITIES (Continued) 19**

Consortium for Political and Social Research (ICPSR), 1983--; Workload Committee, 2007-09;  
Executive Committee of College Personnel and Budget Committee, 2006-2011

Queens College, Department of Sociology, Chair 2006-11 ;Computer Committee, 1981-pres. (Chair  
most years); Queens College, Departmental M.A. Program Committee, 1981-2011 (Director and  
Chair, 1982-1987, 2001-2003, 2004-2006).

**CIVIC AND COMMUNITY ACTIVITIES**

Yonkers Board of Education, Trustee 1986-1990. President, 1988-1989. Chair, Policy Committee,  
1989-1990; Chair, Spelling Bee Committee, 1986-1988.

Yonkers Democratic Party, Second Vice-Chair and District Leader, 1991-1992; District Leader,  
1995-2002

Council of Large City School Districts, 1986-1991. Executive Committee, 1990-1991; Committee on  
School Choice, 1991; Lobbying Committee, 1989-1990.

New York State School Boards Association, Member Federal Relations Network, 1989-1990.

Longvale Homeowners Association, Board of Directors, 1983-1985. President 1985.

Yonkers Private Industry Council, 1988-1990. Chair, Program and Planning Committee, 1989-  
1990.

Founding Member and Vice-President, Citizens and Neighbors Organized to Protect Yonkers  
(CANOPY), 1987-1992.

Volunteer, Friends of Nicholas Wasicsko, 1989 and 1991.

Volunteer, Friends of Vincenza Restiano, 1983, 1985, 1987, and 1991.

Volunteer, Friends of Terence Zaleski, 1991.

# **EXHIBIT 2**

## EXHIBIT 2

**Summary of Select Proposed Changes to Section 12.03 and 12.24 of the Los Angeles Municipal Zoning Code, As Set Out in Sections 1, 2 and 5 of the “Revised Draft Ordinance Amending Sections 12.03, 2.21, 12.22, 12.24 and 14.00 of the Los Angeles Municipal Code Regulating State Licensed Community Care and Residential Care Facilities; Defining Single Housekeeping Unit and Parolee-Probationer Home; and Amending Definitions for Boarding or Rooming House and Family.”**

**(City Attorney Letter Reports R 13-0014 and R 11-0339)  
(L.A. City Council File: 11-0262)**

1) The Los Angeles City Municipal Code, Chapter I (Planning And Zoning Code), Chapter I General Provisions and Zoning, Article 2 Specific Planning - Zoning Comprehensive Zoning Plan, Sec. 12.03, provides for definitions.

2) Section 2 of the proposed ordinance (L.A. City Council File: 11-0262) would amend Sec. 12.03 to redefine a “Boarding or Rooming House” as “[a] dwelling where lodging is provided to four or more persons for monetary or non-monetary consideration. This definition does not include any state licensed facility serving six or fewer persons which, under state law, is not considered a boarding house. For purposes of calculating parking requirements, every 250 square feet of floor area shall be considered the same as a separate guest room.”

3) Section 1 of the proposed ordinance (L.A. City Council File: 11-0262) would add to Section 12.03 a definition of a “Single Housekeeping Unit” which is defined in the proposed ordinance as a “Any household whose members are a non-transient interactive group of persons jointly occupying a dwelling unit, including joint access to and use of all living, kitchen, and eating areas within the dwelling unit, and sharing household activities and responsibilities such as meals, chores, expenses and maintenance, and whose makeup is determined by the members of the unit rather than by the landlord, property manager, or other third party. This does not include a Boarding or Rooming House.”

4) Alternatively, Section 1 of the proposed ordinance (L.A. City Council File: 11-0262) may add to Section 12.03 a definition of a “Single Housekeeping Unit” which is defined in the proposed ordinance as a “Any household whose members are a non-transient interactive group of persons jointly occupying a dwelling unit, including joint access to and use of all common areas, including living, kitchen, and eating areas within the dwelling unit, and sharing household activities and responsibilities such as meals, chores, expenses and maintenance, and whose makeup is determined by the members of the unit rather than by the landlord, property

manager, or other third party. This does not include a Boarding or Rooming House.”

5) Alternatively, Section 1 of the proposed ordinance (L.A. City Council File: 11-0262) may add to Section 12.03 a definition of a “Single Housekeeping Unit” which is defined in the proposed ordinance as [o]ne household where all the members have common access to and common use of all living, kitchen, and eating areas within the dwelling unit, and household activities and responsibilities such as meals, chores, expenses and maintenance of the premises are shared or carried out according to a household plan or other customary method. If a resident owner rents out a portion of the dwelling unit, those renters must be part of the household and under no more than one lease, either written or oral. If a nonresident owner rents out the dwelling unit, all residents 18 years and older have chosen to jointly occupy the entire premises of the dwelling unit under a single written lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.”

6) Section 2 of the proposed ordinance (L.A. City Council File: 11-0262) would amend Sec. 12.03 to redefine a “Family” as “[o]ne or more persons living together in a dwelling unit as a single housekeeping unit.”

7) The pending proposed ordinance (L.A. City Council File: 11-0262) may be further amended to delete the following sentence from the proposed definition of "Single Housekeeping Unit:" "This does not include a Boarding or Rooming House."

8) The pending proposed ordinance (L.A. City Council File: 11-0262) will may also be further amended to define "Boarding or Rooming House" in a manner which does not include households who meet the definition of a "Single Housekeeping Unit."

9) Alternatively, Section 2 of the proposed ordinance (L.A. City Council File: 11-0262) may amend the definition of "Boarding or Rooming House in Section 12.03 to be "[a] one-family dwelling where lodging is provided to individuals with or without meals, for monetary or non-monetary consideration under two or more separate agreements or leases, either written or oral, or a dwelling with five or fewer guest rooms or suites of rooms, where lodging is provided to individuals with or without meals, for monetary or nonmonetary consideration under two or more separate agreements or leases, either written or oral. A leased bedroom shall be considered the same as a guest room for density and parking requirements. This definition does not include any state licensed facility

serving six or fewer persons which under state law is not considered a boarding house.”

10) Section 5 of the proposed ordinance (L.A. City Council File: 11-0262) would amend Section 12.22(a) of the existing zoning code by adding a new Subdivision 31 to read as follows: “31. Boarding or Rooming Houses in the RD Zone. Notwithstanding the provisions of Section 12.09.1 of this Code, any one-family dwelling located on a lot zoned RD shall not be used as a boarding or rooming house.”

11) The Los Angeles City Municipal Code, Sec. 12.03, currently defines a “Boarding or Rooming House” as: “A dwelling containing a single dwelling unit and not more than five guest rooms or suites of rooms, where lodging is provided with or without meals, for compensation.”

12) Existing Municipal Code Section 12.03 further defines a “dwelling unit” as “[a] group of two or more rooms, one of which is a kitchen, designed for occupancy by one family for living and sleeping purposes.”

13) Existing Municipal Code Section 12.03 further defines “dwelling” as “[a]ny residential building, other than an Apartment House, Hotel or Apartment Hotel.”

14) Existing Municipal Code Section 12.03 further defines “apartment house” as “[a] residential building designed or used for three or more dwelling units or a combination of three or more dwelling units and not more than five guest rooms or suites of rooms.”

15) Existing Municipal Code Section 12.03 further defines “hotel” as “[a] residential building designated or used for or containing six or more guest rooms, or suites of rooms, which may also contain not more than one dwelling unit, but not including any institution in which human beings are housed or detained under legal restraint.”

16) Existing Municipal Code Section 12.03 further defines “apartment hotel” as “[a] residential building designed or used for both two or more dwelling units and six or more guest rooms or suites of rooms.”

17) Existing Municipal Code Section 12.03 further defines a “group dwelling” as “[t]wo or more one-family, two-family or multiple dwelling, apartment houses or boarding or rooming houses, located on the same lot.”

18) Existing Municipal Code Section 12.03 further defines a “Guest Room” as: “[a]ny habitable room except a kitchen, designed or used for occupancy by one or more persons and not in a dwelling unit.”

19) Existing Municipal Code Section 12.03 further defines a “Family” as “One or more persons living together in a dwelling unit, with

common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.”

20) Existing Municipal Code Section 12.03 does not contain a definition of “Single Housekeeping Unit.”

# **EXHIBIT 3**

**Exhibit 3. Zoning Classes, Boarding or Rooming House Restrictions, Acres, and Parcels**

Zoning	Specific Class	Boarding or Rooming Houses Allowed	Parcels	Acres
Residential	R1	No	287,438	46,321
Residential	R1P	No	36	16
Residential	R2	No	51,734	6,997
Residential	R2P	No	8	6
Residential	RA	No	27,334	12,989
Residential	RAP	No	1	1
Residential	RAS3	No	88	25
Residential	RAS4	No	242	55
Residential	RD1.5	No	47,334	6,144
Residential	RD2	No	33,486	4,400
Residential	RD3	No	12,936	1,584
Residential	RD4	No	1,921	241
Residential	RD5	No	2,429	328
Residential	RD6	No	3,402	870
Residential	RE	No	258	555
Residential	RE11	No	25,179	7,732
Residential	RE15	No	20,241	8,305
Residential	RE20	No	5,071	3,145
Residential	RE40	No	7,567	11,868
Residential	RE9	No	5,049	1,493
Residential	RMP	No	53	329
Residential	RS	No	55,203	10,774
Residential	RSP	No	1	1
Residential	RU	No	14	2
Residential	RW1	No	400	27
Residential	RW2	No	60	5
Residential	RZ2.5	No	156	11
Residential	RZ3	No	128	12
Residential	RZ4	No	734	165
Residential	RZ5	No	110	14
Residential	R3	Yes	85,220	9,803
Residential	R3(PV)	Yes	11	123
Residential	R3P	Yes	37	15
Residential	R4	Yes	17,768	2,874
Residential	R4(PV)	Yes	317	97
Residential	R4P	Yes	52	19
Residential	R5	Yes	6,267	287
Residential	R5P	Yes	22	9
Other	ADP	Yes	350	66
Other	C1	Yes	1,971	524
Other	C1(PV)	Yes	1	10
Other	C1.5	Yes	1,122	360
Other	C2	Yes	34,446	8,483
Other	C2(PV)	Yes	1,719	166

**Exhibit 3. Zoning Classes, Boarding or Rooming House Restrictions, Acres, and Parcels**

Zoning	Specific Class	Boarding or Rooming Houses Allowed	Parcels	Acres
Other	C4	Yes	8,429	2,150

**Exhibit 3. Zoning Classes, Boarding or Rooming House Restrictions, Acres, and Parcels**

Zoning	Specific Class	Boarding or Rooming Houses Allowed	Parcels	Acres
Other	C4(OX)	Yes	868	31
Other	C5	Yes	1,339	53
Other	CCS	Yes	1	53
Other	CM	Yes	2,859	883
Other	CM(GM)	Yes	1,035	74
Other	CR	Yes	652	161
Other	CR(PKM)	Yes	315	52
Other	CW	Yes	1,766	320
Other	HILLSIDE	Yes	276	2,926
Other	WC	Yes	2,806	902
Other	A1	No	2,306	15,379
Other	A2	No	1,116	2,649
Other	A2(PV)	No	1	14
Other	LASED	No	273	25
Other	LAX	No	717	3,324
Other	M(PV)	No	42	106
Other	M1	No	5,506	3,031
Other	M2	No	8,729	6,516
Other	M2(PV)	No	1	0
Other	M3	No	4,217	10,901
Other	MR1	No	2,721	1,334
Other	MR2	No	1,517	1,575
Other	OS	No	3,454	40,376
Other	OS(PV)	No	18	249
Other	P	No	1,026	1,289
Other	PB	No	147	87
Other	PF	No	3,134	17,205
Other	SL	No	1	1,805
			793,188	260,719

Note: Zoning classification and acres derived from the LA City Zoning Map available from <http://planning.lacity.org/>. Number of parcels derived from the LA County Assessor's Office map and local roll available from <http://assessor.lacounty.gov/extranet/outsidesaes/gisdata.aspx>. The location of each parcel and its zoning was derived from the LA Zoning Map overlaid with the LA County Assessor's Office map. The list of zones in the first, second and third column indicating which zones allow Boarding or Rooming Houses is based upon assumptions regarding LA Zoning Code information as summarized in my report.

# EXHIBIT 4

**Exhibit 4. Analysis of Potential Impact of Proposed Ordinance by Acres and Parcels by Location**

	<b>Acres</b>	<b>Percent</b>	<b>Parcels</b>	<b>Percent</b>
<b>Total Zoned Land</b>	260,719		793,188	
<b>Residentially Zoned Land</b>	137,641	52.79%	698,307	88.04%
<b>Not Allowing Boarding or Rooming Houses</b>	124,416	47.72%	588,613	74.21%
<b>Allowing Boarding or Rooming Houses</b>	13,226	5.07%	109,694	13.83%
<b>% Allowing Boarding or Rooming House</b>		9.61%		
<b>Other Zoned Land</b>				
<b>Not Allowing Boarding or Rooming Houses</b>	105,865	40.61%	34,926	4.40%
<b>Allowing Boarding or Rooming Houses</b>	17,213	6.60%	59,955	7.56%
<b>Total Allowing Boarding or Rooming Houses</b>	30,438	11.67%	758,262	95.60%

**Potential Reduction in Acreage and Parcels Available for Shared Housing Living Arrangements as a Result of Application of Revised Definitions in Proposed Ordinance**

	<b>Acres</b>	<b>Percent</b>	<b>Parcels</b>	<b>Percent</b>
<b>Total Disallowed Based Upon Residentially Zoned Land</b>	124,416	90.39%	588,613	84.29%

# EXHIBIT 5

## Exhibit 5. Excerpts from the “Census 2010 Summary File 1 Technical Documentation Subject Definitions” concerning Living Quarters and Households and Relationships.

### LIVING QUARTERS

All living quarters are classified as either housing units or group quarters. Living quarters are usually found in structures that are intended for residential use, but they also may be found in structures intended for nonresidential use. Any place where someone lives is considered to be a living quarters, such as an apartment, dormitory, shelter for people experiencing homelessness, barracks, or nursing facility. Even tents, old railroad cars, and boats are considered to be living quarters if someone claims them as his or her residence. Note that structures that do not meet the definition of a living quarters at the time of listing may meet the definition at the time of enumeration. Some types of structures, such as those cited in items 1 and 2 below, are included in address canvassing operations as place holders, with the final decision on their living quarters status made during enumeration. Other types of structures, such as those cited in items 3 and 4 below, are not included in the address canvassing operation. The following examples are not considered living quarters: 1. Structures, such as houses and apartments, that resemble living quarters but are being used entirely for nonresidential purposes, such as a store or an office, or used for the storage of business supplies or inventory, machinery, or agricultural products, are not enumerated. 2. Single units as well as units in multiunit residential structures under construction in which no one is living or staying are not considered living quarters until construction has reached the point where all exterior windows and doors are installed and final usable floors are in place. Units that do not meet these criteria are not enumerated. 3. Structures in which no one is living or staying that are open to the elements—that is, the roof, walls, windows, and/or doors no longer protect the interior from the elements—are not enumerated. Also, vacant structures with a posted sign indicating that they are condemned or they are to be demolished are not enumerated. 4. Boats, recreational vehicles (RVs), tents, caves, and similar types of shelter that no one is using as a usual residence are **not** considered living quarters and are not enumerated.

**Group Quarters** Group quarters are places where people live or stay in a group living arrangement, which are owned or managed by an entity or organization providing housing and/or services for the residents. This is not a typical household-type living arrangement. These services may include custodial or medical care as well as other types of assistance, and residency is commonly restricted to those receiving these services. People living in group quarters are usually not related to each other. Group quarters include such places as college residence halls, residential treatment centers, skilled-nursing facilities, group homes, military barracks, correctional facilities, and workers' dormitories.

**Institutional Group Quarters** Institutional group quarters (group quarters type codes 101–106, 201–203, 301, 401–405) are facilities that house those who are primarily ineligible, unable, or unlikely to participate in the labor force while residents.

**Correctional Facilities for Adults (codes 101–106)**—Correctional facilities for adults include the following types: *Federal detention centers (code 101)*—Federal detention centers are stand alone, generally multi-level, federally operated correctional facilities that provide “short-term” confinement or custody of adults pending adjudication or sentencing. These facilities may hold pretrial detainees, holdovers, sentenced offenders, and Immigration and Customs Enforcement (ICE) inmates, formerly called Immigration and Naturalization Service (INS) inmates. These facilities include Metropolitan Correctional Centers (MCCs), Metropolitan Detention Centers (MDCs), Federal Detention Centers (FDCs), Bureau of Indian Affairs Detention Centers, ICE Service Processing Centers, and ICE Contract Detention Facilities. *Federal (code 102) and state (code 103) prisons*—Federal and state prisons are adult correctional facilities where people convicted of crimes serve their sentences. Common names include prison, penitentiary, correctional institution, federal or state correctional facility, and conservation camp. The prisons are classified by two types of control: 1) “federal” (operated by or for the Bureau of Prisons of the U.S. Department of Justice) and 2) “state.” Residents who are forensic patients or criminally insane are classified on the basis of where they resided at the time of enumeration. Patients in hospitals (units, wings, or floors) operated by or for federal or state correctional authorities are counted in the prison population. Other forensic patients will be enumerated in psychiatric hospital units and floors for long term non-acute patients. This category may include privately operated correctional facilities. *Local jails and other municipal confinement facilities*

(code 104)—Local jails and other municipal confinement facilities are correctional facilities operated by or for counties, cities, and American Indian and Alaska Native tribal governments. These facilities hold adults detained pending adjudication and/ or people committed after adjudication. This category also includes work farms and camps used to hold people awaiting trial or serving time on relatively short sentences. Residents who are forensic patients or criminally insane are classified on the basis of where they resided at the time of enumeration. Patients in hospitals (units, wings, or floors) operated by or for local correctional authorities are counted in the jail population. Other forensic patients will be enumerated in psychiatric hospital units and floors for long-term non-acute care patients. This category may include privately operated correctional facilities.

*Correctional residential facilities (code 105)*—Correctional residential facilities are community-based facilities operated for correctional purposes. The facility residents may be allowed extensive contact with the community, such as for employment or attending school, but are obligated to occupy the premises at night. Examples of correctional residential facilities are halfway houses, restitution centers, and prerelease, work release, and study centers. *Military disciplinary barracks and jails (code 106)*—Military disciplinary barracks and jails are correctional facilities managed by the military to hold those awaiting trial or convicted of crimes.

**Juvenile Facilities (codes 201–203)**—Juvenile facilities include the following: *Group homes for juveniles (non-correctional) (code 201)*—Group homes for juveniles include community based group living arrangements for youth in residential settings that are able to accommodate three or more clients of a service provider. The group home provides room and board and services, including behavioral, psychological, or social programs. Generally, clients are not related to the caregiver or to each other. Examples of non-correctional group homes for juveniles are maternity homes for unwed mothers, orphanages, and homes for abused and neglected children in need of services. Group homes for juveniles do not include residential treatment centers for juveniles or group homes operated by or for correctional authorities. *Residential treatment centers for juveniles (non-correctional) (code 202)*—Residential treatment centers for juveniles include facilities that provide services primarily to youth on-site in a highly structured live-in environment for the treatment of drug/alcohol abuse, mental illness, and emotional/behavioral disorders. These facilities are staffed 24 hours a day. The focus of a residential treatment center is on the treatment program. Residential treatment centers for juveniles do not

include facilities operated by or for correctional authorities. *Correctional facilities intended for juveniles (code 203)*—Correctional facilities intended for juveniles include specialized facilities that provide strict confinement for their residents and detain juveniles awaiting adjudication, commitment or placement, and/or those being held for diagnosis or classification. Also included are correctional facilities where residents are permitted contact with the community for purposes such as attending school or holding a job. Examples of correctional facilities intended for juveniles are residential training schools and farms, reception and diagnostic centers, group homes operated by or for correctional authorities, detention centers, and boot camps for juvenile delinquents.

**Nursing Facilities/Skilled-Nursing Facilities (code 301)**—Nursing facilities/Skilled-nursing facilities include facilities licensed to provide medical care with 7-day, 24-hour coverage for people requiring long-term non-acute care. People in these facilities require nursing care, regardless of age. Either of these types of facilities may be referred to as nursing homes.

**Other Institutional Facilities (codes 401–405)**—Other institutional facilities include the following: *Mental (psychiatric) hospitals and psychiatric units in other hospitals (code 401)*—Mental (psychiatric) hospitals and psychiatric units in other hospitals include psychiatric hospitals, units and floors for long-term non-acute care patients. The primary function of the hospital, unit, or floor is to provide diagnostic and treatment services for long-term non-acute patients who have psychiatric-related illness. All patients are enumerated in this category. *Hospitals with patients who have no usual home elsewhere (code 402)*—Hospitals with patients who have no usual home elsewhere include hospitals that have any patients who have no exit or disposition plan, or who are known as “boarder patients” or “boarder babies.” All hospitals are eligible for inclusion in this category except psychiatric hospitals, units, wings, or floors operated by federal, state, or local correctional authorities. Patients in hospitals operated by these correctional authorities will be counted in the prison or jail population. Psychiatric units and hospice units in hospitals are also excluded. Only patients with no usual home elsewhere are enumerated in this category. *In-patient hospice facilities (both free-standing and units in hospitals) (code 403)*—In-patient hospice facilities (both free-standing and units in hospitals) include facilities that provide palliative, comfort, and supportive care for terminally ill patients and their families. Only patients with no usual home elsewhere are tabulated in this category. *Military treatment facilities with*

*assigned patients (code 404)*—Military treatment facilities with assigned patients include military hospitals and medical centers with active duty patients assigned to the facility. Only these patients are enumerated in this category. *Residential schools for people with disabilities (code 405)*—Residential schools for people with disabilities include schools that provide the teaching of skills for daily living, education programs, and care for students with disabilities in a live-in environment. Examples of residential schools for people with disabilities are residential schools for the physically or developmentally disabled.

**Noninstitutional Group Quarters** Noninstitutional group quarters (group quarters type codes 501, 601, 602, 701, 702, 704, 706, 801, 802, 900, 901, 903, 904) are facilities that house those who are primarily eligible, able, or likely to participate in the labor force while residents.

**College/University Student Housing (code 501)**—College/University student housing includes residence halls and dormitories, which house college and university students in a group living arrangement. These facilities are owned, leased, or managed either by a college, university, or seminary, or by a private entity or organization. Fraternity and sorority housing recognized by the college or university are included as college student housing. However, students attending the U.S. Naval Academy, U.S. Military Academy (West Point), U.S. Coast Guard Academy, and U.S. Air Force Academy are counted in military group quarters.

**Military Quarters (codes 601 and 602)**—Military quarters (code 601) are facilities that include military personnel living in barracks (including “open” barrack transient quarters) and dormitories and military ships (code 602). Patients assigned to Military Treatment Facilities and people being held in military disciplinary barracks and jails are not enumerated in this category. Patients in Military Treatment Facilities with no usual home elsewhere are not enumerated in this category.

**Other Noninstitutional Facilities (codes 701, 702, 704, 706, 801, 802, 900, 901, 903, and 904)**—Other noninstitutional facilities include the following: *Emergency and transitional shelters (with sleeping facilities) for people experiencing homelessness (code 701)*—Emergency and transitional shelters (with sleeping facilities) for people experiencing homelessness are facilities where people experiencing homelessness stay overnight. These include: 1. Shelters that operate on a first-come, first-serve basis where people must leave in the morning and have no guaranteed bed for the next night. 2. Shelters where people know that they

have a bed for a specified period of time (even if they leave the building every day). 3. Shelters that provide temporary shelter during extremely cold weather (such as churches). This category does not include shelters that operate only in the event of a natural disaster. Examples are emergency and transitional shelters; missions; hotels and motels used to shelter people experiencing homelessness; shelters for children who are runaways, neglected, or experiencing homelessness; and similar places known to have people experiencing homelessness. *Soup kitchens, regularly scheduled mobile food vans, and targeted non-sheltered outdoor locations (codes 702, 704, and 706)*—This category includes soup kitchens that offer meals organized as food service lines or bag or box lunches for people experiencing homelessness; street locations where mobile food vans regularly stop to provide food to people experiencing homelessness; and targeted non-sheltered outdoor locations where people experiencing homelessness live without paying to stay. This also would include persons staying in pre-identified car, recreational vehicle (RV), and tent encampments. Targeted non-sheltered outdoor locations must have a specific location description; for example, “the Brooklyn Bridge at the corner of Bristol Drive,” “the 700 block of Taylor Street behind the old warehouse,” or the address of the parking lot being utilized. *Group homes intended for adults (code 801)*—Group homes intended for adults are community-based group living arrangements in residential settings that are able to accommodate three or more clients of a service provider. The group home provides room and board and services, including behavioral, psychological, or social programs. Generally, clients are not related to the caregiver or to each other. Group homes do not include residential treatment centers or facilities operated by or for correctional authorities. *Residential treatment centers for adults (code 802)*—Residential treatment centers for adults provide treatment on-site in a highly structured live-in environment for the treatment of drug/alcohol abuse, mental illness, and emotional/behavioral disorders. They are staffed 24 hours a day. The focus of a residential treatment center is on the treatment program. Residential treatment centers do not include facilities operated by or for correctional authorities. *Maritime/Merchant vessels (code 900)*—Maritime/merchant vessels include U.S. owned and operated flag vessels used for commercial or noncombatant government-related purposes at U.S. ports, on the sea, or on the Great Lakes. *Workers’ group living quarters and Job Corps centers (code 901)*—Workers’ group living quarters and Job Corps centers include facilities such as dormitories, bunkhouses, and similar types of group living arrangements for agricultural and non-agricultural workers. This category

also includes facilities that provide a full-time, year-round residential program offering a vocational training and employment program that helps young people 16 to 24 years old learn a trade, earn a high school diploma or GED, and get help finding a job. Examples are group living quarters at migratory farm-worker camps, construction workers' camps, Job Corps centers, and vocational training facilities. *Living quarters for victims of natural disasters (code 903)*—Living quarters for victims of natural disasters are temporary group living arrangements established as a result of natural disasters. *Religious group quarters and domestic violence shelters (code 904)*—Religious group quarters are living quarters owned or operated by religious organizations that are intended to house their members in a group living situation. This category includes such places as convents, monasteries, and abbeys. Living quarters for students living or staying in seminaries are classified as college student housing, not religious group quarters. Domestic violence shelters are community-based homes, shelters, or crisis centers that provide housing for people who have sought shelter from household violence and who may have been physically abused.

**Comparability**—Due to the consolidation of group quarters types and general streamlining of the definitions, several changes have been implemented in the 2010 Census group quarters definitions and type codes that are reflected in 2010 Census data products. As in Census 2000, group quarters are either institutional group quarters or noninstitutional group quarters. *Institutional group quarters* are facilities that house those who are primarily ineligible, unable, or unlikely to participate in the labor force while residents. This definition has been simplified since the 1990 and 2000 Censuses (both used the same definition, which focused on institutions providing formally authorized, supervised care or custody) to focus on labor force participation. The phrase “institutionalized persons” in the 1990 Census data was changed to “institutionalized population” in Census 2000 and continues in the 2010 Census. *Correctional facilities for adults*—In the 2010 Census data products, the Census 2000 term “other type of correctional institutions” is categorized as “correctional residential facilities.” *Juvenile facilities*—Those group quarters categorized as “homes for abused, dependent, and neglected children” (public, private, or ownership unknown) in the Census 2000 data products are categorized as “group homes for juveniles (non-correctional)” in the 2010 Census data products. Those categorized in “training schools” (public, private, and ownership unknown), “detention centers, reception or diagnostic centers,”

and “type of juvenile institution unknown” in Census 2000 data products are categorized in the 2010 Census data products as “correctional facilities intended for juveniles” (i.e., training schools and farms, reception and diagnostic centers, detention centers, boot camps and group homes operated by or for correctional authorities). *Nursing facilities/skilled-nursing facilities*—In the 2010 Census data products, all nursing homes are categorized as “nursing facilities/skilled-nursing facilities.” *Other institutional facilities*—Those group quarters categorized as “schools, hospitals, or wards for the physically handicapped” in Census 2000 data products are categorized as “residential schools for people with disabilities” in the 2010 Census data products. “Military hospitals or wards for chronically ill” are classified as “military treatment facilities with assigned patients” in the 2010 Census data products. Also, what were called “military hospitals with patients who have no usual home elsewhere” in Census 2000 data products are categorized as “hospitals with patients who have no usual home elsewhere” in 2010 Census data products. “Hospices or homes for the chronically ill or other hospitals or wards for chronically ill” are categorized in the 2010 Census data products as “in-patient hospice facilities.” “Hospitals and wards for drug/alcohol abuse” and “mentally ill (psychiatric) hospitals or wards” are categorized in the 2010 Census data products as “mental (psychiatric) hospitals and psychiatric units in other hospitals.” The phrase “staff residents” was used for staff living in institutions in both the 1990 and 2000 Censuses. In Census 2000, staff living in institutions included those living in “agricultural workers’ dormitories,” “other workers’ dormitories,” “Job Corps and vocational training facilities,” “dormitories for nurses and interns in military hospitals,” and “dormitories for nurses and interns in general hospitals.” In the 2010 Census, all these groups are categorized as “workers’ group living quarters and Job Corps centers.” *Noninstitutional group quarters*—In the 1990 Census, the Census Bureau used the phrase “other persons in group quarters” for people living in noninstitutionalized group quarters. In 2000, this group was referred to for the first time as the “noninstitutionalized population.” In 2010, this population continues to be referred to as the noninstitutionalized population. Noninstitutional group quarters are facilities that house those who are primarily eligible, able, or likely to participate in the labor force while a resident. As of Census 2000, the Census Bureau dropped the rule of classifying ten or more unrelated people living together as living in noninstitutional group quarters. This rule was used in the 1990 and 1980 Censuses. In the 1970 Census, the criteria was six or more unrelated people. *College/University student housing*—In the 2010 Census,

residence halls and dormitories, which house college and university students in a group living arrangement, may be owned, leased, or managed either by a college, university, or seminary or by a private entity or organization. In Census 2000, these types of facilities had to be owned by the college or university. *Military quarters*—In 1960 data products, people in military barracks were shown only for men. Starting in 1970 and to the present, data are available for both men and women in military barracks. What were classified as “transient quarters for temporary residents (military or civilian)” in Census 2000 data products no longer include the civilian population, and the military residents are tabulated in “military quarters” in 2010 Census data products. *Other noninstitutional facilities*—In the 2010 Census, “workers group living quarters and Job Corps centers” are comprised of the following Census 2000 group quarters types: “agriculture workers’ dormitories,” “other workers’ dormitories,” “Job Corps and vocational training facilities,” and “dormitories for nurses and interns in hospitals (general and military).” As in Census 2000 and also in 1990, workers’ dormitories were classified as group quarters regardless of the number of people sharing the dormitory. In 1980, ten or more unrelated people had to share the dorm for it to be classified as a group quarters. In the 2010 Census, “emergency and transitional shelters (with sleep facilities) for people experiencing homelessness” includes the Census 2000 categories “emergency and transitional shelters” and “shelters for children who are runaways, neglected, or without conventional housing.” In the 2010 Census, “religious group quarters” are combined with “shelters for abused women (or shelters against domestic violence)” to make the category “religious group quarters and domestic violence shelters.” In the 2010 Census data products, the category “group homes intended for adults (non-correctional)” consists of the following group quarters types (as listed in Census 2000): “homes for the mentally ill,” “homes for the mentally retarded,” “homes for the physically handicapped,” “residential care facilities providing protective oversight,” and “other group homes.” “Homes or halfway houses for drug/alcohol abuse” are categorized as “residential treatment centers for adults (non-correctional).” The following group quarters types that were included in Census 2000 are no longer classified as group quarters in the 2010 Census: “military hotels/campgrounds,” “transient locations,” and “other household living situations ‘–dangerous encampments.’” Like in Census 2000, rooming and boarding houses are classified as housing units in the 2010 Census. In the 1990 Census, these were considered group quarters.

**Housing Units** A housing unit is a living quarters in which the occupant or occupants live separately from any other individuals in the building and have direct access to their living quarters from outside the building or through a common hall. Housing units are usually houses, apartments, mobile homes, groups of rooms, or single rooms that are occupied as separate living quarters. They are residences for single individuals, groups of individuals, or families who live together. A single individual or a group living in a housing unit is defined to be a household. Additional details about housing for the elderly population and group homes are provided in the section "Housing for the Older Population." For vacant housing units, the criteria of separateness and direct access are applied to the intended occupants whenever possible. Nontraditional living quarters such as boats, RVs, and tents are considered to be housing units **only** if someone is living in them and they are either the occupant's usual residence or the occupant has no usual residence elsewhere. These nontraditional living arrangements are not considered to be housing units if they are vacant. Housing units are classified as being either occupied or vacant.

**Occupied Housing Unit**—A housing unit is classified as occupied if it is the usual place of residence of the individual or group of individuals living in it on Census Day, or if the occupants are only temporarily absent, such as away on vacation, in the hospital for a short stay, or on a business trip, and will be returning. The occupants may be an individual, a single family, two or more families living together, or any other group of related or unrelated individuals who share living arrangements. Occupied rooms or suites of rooms in hotels, motels, and similar places are classified as housing units only when occupied by permanent residents; that is, occupied by individuals who consider the hotel their usual place of residence or who have no usual place of residence elsewhere. However, when rooms in hotels and motels are used to provide shelter for people experiencing homelessness, they are not housing units. Rooms used in this way are considered group quarters.

**Vacant Housing Unit**—A housing unit is classified as vacant if no one is living in it on Census Day, unless its occupant or occupants are only temporarily absent—such as away on vacation, in the hospital for a short stay, or on a business trip—and will be returning. Housing units temporarily occupied at the time of enumeration entirely by individuals who have a usual residence elsewhere are classified as vacant. When housing units are vacant, the criteria of separateness and direct access are applied to the intended occupants whenever possible. If that information cannot be

obtained, the criteria are applied to the previous occupants. Boats, RVs, tents, caves, and similar shelter that no one is using as a usual residence are **not** considered living quarters and therefore are not enumerated at all.

**Housing for the Older Population**—Housing specifically for the older population has become more and more prevalent and is being identified by many different names. Living quarters in these facilities, unless they meet the definition of skilled nursing facilities, are housing units, with each resident's living quarters considered a separate housing unit if it meets the housing unit definition of direct access. These residential facilities may be referred to as senior apartments, active adult communities, congregate care, continuing care retirement communities, independent living, board and care, or assisted living. People may have to meet certain criteria to be able to live in these facilities, but once accepted as residents they have unrestricted access to and from their units to the outside. Housing units and group quarters may coexist under the same entity or organization and in some situations, actually share the same structure. An assisted living facility complex may have a skilled nursing floor or wing that meets the definition of a nursing facility and is, therefore, a group quarters, while the rest of the living quarters in the facility are considered to be housing units. Congregate care facilities and continuing care retirement communities often consist of several different types of living quarters, with varying services and levels of care. Some of the living quarters in these facilities and communities are considered to be housing units and some are considered to be group quarters, depending on which definition they meet.

**Comparability**—The first Census of Housing in 1940 established the “dwelling unit” concept. Although the term became “housing unit” and the definition was modified slightly in succeeding censuses, the housing unit definition remained essentially comparable between 1940 and 1990. Since 1990, two changes were made to the housing unit definition. Definitions of Subject Characteristics B-21 U.S. Census Bureau, 2010 Census Summary File 1 The first change eliminated the concept of “eating separately.” The elimination of the eating criterion is more in keeping with the United Nations’ definition of a housing unit that stresses the entire concept of separateness rather than the specific “eating” element. Although the “eating separately” criterion previously was included in the definition of a housing unit, the data needed to distinguish whether the occupants ate separately from any other people in the building were not collected. (Questions that asked households about their eating arrangements have not been included in the census since 1970.) Therefore, the current definition better reflects

the information that is used in the determination of a housing unit. The second change for Census 2000 and the 2010 Census eliminated the “number of nonrelatives” criterion; that is, “9 or more people unrelated to the householder” which caused a conversion of housing units to group quarters. This change was prompted by the following considerations: 1) there were relatively few such conversions made as a result of this rule in 1990; 2) household relationship and housing data were lost by converting these units to group quarters; and 3) there was no empirical support for establishing a particular number of nonrelatives as a threshold for these conversions. In 1960, 1970, and 1980, vacant rooms in hotels, motels, and other similar places where 75 percent or more of the accommodations were occupied by permanent residents were counted as part of the housing inventory. However, an evaluation of the data collection procedures prior to the 1990 Census indicated that the concept of permanency was a difficult and confusing procedure for enumerators to apply correctly. Consequently, in the 1990 Census, vacant rooms in hotels, motels, and similar places were not counted as housing units. In Census 2000 and the 2010 Census, we continued the procedure adopted in 1990.

**Household Type and Relationship Household** A household includes all the people who occupy a housing unit. (People not living in households are classified as living in group quarters.) A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or if vacant, is intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live separately from any other people in the building and which have direct access from the outside of the building or through a common hall. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated people who share living arrangements. In the 2010 Census data products, the count of households or householders equals the count of occupied housing units.

**Average Household Size**—Average household size is a measure obtained by dividing the number of people in households by the number of households. In cases where people in households are cross-classified by race or Hispanic origin, people in the household are classified by the race or Hispanic origin of the householder rather than the race or Hispanic origin of each individual. Average household size is rounded to the nearest hundredth.

### **Relationship to Householder**

**Householder**—The data on relationship to householder were derived from answers to Question 2, which was asked of all people in housing units. One person in each household is designated as the householder. In most cases, this is the person, or one of the people, in whose name the home is owned, being bought, or rented and who is listed on line one of the questionnaire. If there is no such person in the household, any adult household member 15 years old and over could be designated as the householder. Households are classified by type according to the sex of the householder and the presence of relatives. Two types of householders are distinguished: a family householder and a nonfamily householder. A family householder is a householder living with one or more individuals related to him or her by birth, marriage, or adoption. The householder and all people in the household related to him or her are family members. A nonfamily householder is a householder living alone or with nonrelatives only.

**Spouse**—The “spouse” category includes a person identified as the husband or wife of the householder and who is of the opposite sex. For most of the tables, unless otherwise specified, it does not include same-sex

spouses even if a marriage was performed in a state issuing marriage certificates for same-sex couples.

**Child**—The “child” category includes a son or daughter by birth, a stepchild, or adopted child of the householder, regardless of the child’s age or marital status. The category excludes sons-in-law, daughters-in-law, and foster children.

**Biological Son or Daughter**—The son or daughter of the householder by birth.

**Adopted Son or Daughter**—The son or daughter of the householder by legal adoption. If a stepson, stepdaughter, or foster child has been legally adopted by the householder, the child is then classified as an adopted child.

**Stepson or Stepdaughter**—The son or daughter of the householder through marriage but not by birth, excluding sons-in-law and daughters-in-law. If a stepson or stepdaughter of the householder has been legally adopted by the householder, the child is then classified as an adopted child.

**Own Children**—A child under 18 years who is a son or daughter by birth, a stepchild, or an adopted child of the householder is included in the “own children” category.

**Related Children**—Any child under 18 years old who is related to the householder by birth, marriage, or adoption is included in the “related children” category. Children, by definition, exclude persons under 18 years who maintain households or are spouses or unmarried partners of householders.

**Other Relatives**—In tabulations, the category “other relatives” includes any household member related to the householder by birth, marriage, or adoption but not included specifically in another relationship category. In certain detailed tabulations, the following categories may be shown:

**Grandchild**—The grandson or granddaughter of the householder.

**Brother/Sister**—The brother or sister of the householder, including stepbrothers, stepsisters, and brothers and sisters by adoption. Brothers-in-law and sisters-in-law are included in the “Other Relative” category on the questionnaire.

**Parent**—The father or mother of the householder, including a stepparent or adoptive parent. Fathers-in-law and mothers-in-law are included in the “Parent-in-law” category on the questionnaire.

**Parent-in-Law**—The mother-in-law or father-in-law of the householder.

**Son-in-law or Daughter-in-Law**—The spouse of the child of the householder.

**Other Relatives**—Anyone not listed in a reported category above who is related to the householder by birth, marriage, or adoption (brother-in-law, grandparent, nephew, aunt, cousin, and so forth).

**Nonrelatives**—This category includes any household member not related to the householder by birth, marriage, or adoption. The following categories may be presented in more detailed tabulations:

**Roomer or Boarder**—A roomer or boarder is a person who lives in a room in the household of the householder. Some sort of cash or noncash payment (e.g., chores) is usually made for their living accommodations.

**Housemate or Roommate**—A housemate or roommate is a person aged 15 years and over who is not related to the householder and who shares living quarters primarily in order to share expenses.

**Unmarried Partner**—An unmarried partner is a person aged 15 years and over who is not related to the householder, who shares living quarters, and who has a close personal relationship with the householder. Responses of “same-sex spouse” are edited into this category.

**Other Nonrelatives**—Anyone who is not related by birth, marriage, or adoption to the householder and who is not described by the categories given above. Unrelated foster children or unrelated foster adults are included in this category, “Other Nonrelatives.” A foster child who has been adopted by the householder is classified as an adopted child. B-6 Definitions of Subject Characteristics U.S. Census Bureau, 2010 Census Summary File 1 When relationship is not reported for an individual, it is allocated according to the responses for age and sex for that person while maintaining consistency with responses for other individuals in the household. (For more information on allocation, see “2010 Census: Operational Overview and Accuracy of the Data.”)

**Families Family Type**—A family consists of a householder and one or more other people living in the same household who are related to the householder by birth, marriage, or adoption. All people in a household who

are related to the householder are regarded as members of his or her family. A family household may contain people not related to the householder, but those people are not included as part of the householder's family in tabulations. Thus, the number of family households is equal to the number of families, but family households may include more members than do families. A household can contain only one family for purposes of tabulations. Not all households contain families since a household may be comprised of a group of unrelated people or of one person living alone—these are called “nonfamily households.” Same-sex unmarried partner households are included in the “family households” category only if there is at least one additional person related to the householder by birth or adoption. Families are classified by type as either a “husband-wife family” or “other family” according to the sex of the householder and the presence of relatives. The data on family type are based on answers to questions on sex and relationship.

**Husband-Wife Family**—A family in which the householder and his or her spouse of the opposite sex are enumerated as members of the same household.

**Other Family:** • *Male householder, no wife present*—A family with a male householder and no wife of householder present. • *Female householder, no husband present*—A family with a female householder and no husband of householder present.

**Average Family Size**—Average family size is a measure obtained by dividing the number of people in families by the total number of families (or family householders). In cases where the measures “people in family” or “people per family” are cross-tabulated by race or Hispanic origin, the race or Hispanic origin refers to the householder rather than the race or Hispanic origin of each individual. Nonrelatives of the householder living in family households are not counted as part of the family. They are included in the count of average household size. Average family size is rounded to the nearest hundredth.

**Multigenerational Household** A multigenerational household is one that contains three or more parent-child generations; for example, the householder, child of householder (either biological, stepchild, or adopted child), and grandchildren of householder. A householder with a parent or parent-in-law of the householder and a child of the householder may also be a multigenerational household.

**Unmarried-Partner Household** An unmarried-partner household is a household other than a “husband-wife household” that includes a householder and an unmarried partner. An “unmarried partner” can be of the same sex or of the opposite sex as the householder. An “unmarried partner” in an “unmarried-partner household” is an adult who is unrelated to the householder but shares living quarters and has a close personal relationship with the householder. An unmarried-partner household also may be a family household or a nonfamily household, depending on the presence or absence of another person in the household who is related to the householder. There may be only one unmarried partner per household, and an unmarried partner may not be included in a husband-wife household, as the householder cannot have both a spouse and an unmarried partner. Same-sex married-couple households are edited into this category.

**Comparability**—The 2000 relationship category “Natural-born son/daughter” has been replaced by “Biological son or daughter” for 2010. The category “Foster child” was dropped due to space limitations on the 2010 questionnaire. Foster children in 2010 are included in the category “Other nonrelatives.” They cannot be tabulated separately. The term “married-couple” family in tabulations has been replaced by “husband-wife” family. In all standard 2010 tabulations, the term “spouse” refers to only a person who is married to and living with the householder and is of the opposite sex. Data for unmarried partners are comparable to data presented in 2000. Data on same-sex couple households will be presented for the first time in a special product.

**Institutionalized Population** See “Group Quarters.”

**Noninstitutionalized Population** See “Group Quarters.”

# **EXHIBIT 6**

**Exhibit 6. Estimates of Number of Units and Residents of Shared Living Arrangements Potentially Disallowed under the Proposed Ordinance Based upon Three Interpretations of the Effects of the Ordinance**

	<b>Units with Four or More Non-Family Renters</b>	
	<b>Units</b>	<b>Residents</b>
<b>Potentially Disallowed Based Upon Proposed Zoning Changes</b>	<b>6,335</b>	<b>48,122</b>
	<b>Units with Four or More Non-Family Members or Rental Family Units with At Least Four Persons with At Least One Non-Family Member</b>	
	<b>Units</b>	<b>Residents</b>
<b>Potentially Disallowed Based Upon Proposed Zoning Changes</b>	<b>23,089</b>	<b>146,974</b>
	<b>Units with Four or More Non-Family Members or Rental Family Units with At Least Four Persons</b>	
	<b>Units</b>	<b>Residents</b>
<b>Potentially Disallowed Based Upon Proposed Zoning Changes</b>	<b>82,197</b>	<b>473,396</b>

Note: Analysis is based upon all structures that include no more than two housing units in LA City occupied by households, the vast majority of which are in R1 and R2 zones. The classification of number of units and family relationships is based upon the Census definitions of non-family relationship as described in Exhibit 5. These do not include Group Quarters Units, which are discussed in the report. Three interpretations of those units to be disallowed for shared living arrangements based upon the impact of new zoning code are presented. The first tabulates units with four or more non-family renters in the households. The second includes rental units that have four or more persons in the household with at least one non-family member. The third includes all rental units that have four or more persons in the unit. These tabulations used the American Community Survey Public Use Micro-Data Files for 2007-2011, which makes it possible using publicly available data to derive these estimates. The data are available from the United States Census Bureau for download.

# EXHIBIT 2

For release on delivery  
3:30 p.m. EDT [12:30 p.m. PDT]  
April 12, 2012

Downturns and Recoveries:

What the Economies in Los Angeles and the United States Tell Us

Remarks by

Sarah Bloom Raskin

Member

Board of Governors of the Federal Reserve System

at the

Luncheon for Los Angeles Business and Community Leaders

Los Angeles Branch of the Federal Reserve Bank of San Francisco

April 12, 2012

Good afternoon. I appreciate this opportunity to speak with you today.

I'm not sure when you last found yourself in a planetarium. At the start of my most recent visit, I was handed a brochure that said "Sit anywhere. All seats provide equal viewing of the universe." I took the brochure but instead of contemplating the stars, I contemplated my job as a governor on the Federal Reserve Board. And it occurred to me that the brochure was wrong. Completely wrong. All seats do not provide equal viewing of the universe. Some seats are better than others. It's not just that the Big Dipper is clearer than Ursa Minor from certain seats. If you want, for example, to see the economy, you don't necessarily want to always be sitting in Washington. That is not a seat that tells you everything you need to know about the economy. You have to break out, set free, and hightail it out of the Beltway to Los Angeles. It's critical to appropriate policymaking that we get a multidimensional view of the so-called economic universe.

From that perspective, it is an understatement to say that these are profoundly challenging times for millions of Americans. Many families have suffered significant declines in their net worth over the past several years, especially as the value of their homes and other assets has plummeted. Many households have faced job losses or large reductions in the number of hours worked, events that have reduced family income and well-being. While I'm not happy to bear witness to households trying to navigate these difficulties, we would be poor policymakers if we consistently avoided the seats that give us this view.

In short, I'm very pleased to be here, but I'm here on a mission. It's a quest to understand what the seat from Los Angeles tells us about the economy, and more

generally, the path of the economy in a recovery may depend on the path of the economy in recession.

To read and review: The U.S. economy recently endured a financial crisis rivaling the one that triggered the Great Depression, and a severe recession ensued. The effects of the most recent recession were pronounced in Los Angeles. Although the recession was declared to have ended nearly three years ago, the recovery--both at the national level and here in Los Angeles--has been extraordinarily slow compared with other recoveries. Should we be surprised by this sluggish pace of recovery? Let's compare the view of the recent national economic downturn with a view of the economic downturn in Los Angeles. As, moving from recession to recovery, let's ask how the contours of this recovery differ from the contours of other recoveries. More generally, does the path of a recovery depend on the path of a downturn? Let's see what the experience of Los Angeles can teach us. In this course, I note that this perspective is my own perspective and not necessarily that of the Federal Reserve System.

### The Economy in the United States and in Los Angeles

The overall economy had started to contract by the beginning of 2008 and entered the severe post-recession during the late summer of that year with the near-collapse of the financial system. By any measure, the cumulative decline in economic activity was substantial. Nationally, employment decreased by nearly 9 million, while the unemployment rate doubled from roughly 5 percent to 10 percent. As measured by real gross domestic product (GDP), aggregate economic output contracted 5 percent during the recession. The purchasing power of household after-tax income declined by about the same amount. This recession was the most severe economic

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# EXHIBIT 3

Los Angeles Department Of City Planning

# HOUSING ELEMENT

## OF THE GENERAL PLAN

### 2006-2014

Adopted January 14, 2009  
Council File No. 08-1933 and No. 08-1933-S1  
CPC-2008-2120-GPA



# Executive Summary

The City of Los Angeles continues to grow, and with that growth comes the need for more housing – not only more units, but a broader array of housing types to meet evolving household types and sizes, and a greater variety of housing price points that people at all income levels can afford. We must accommodate this growth and residential development in a sustainable way, that respects the collection of unique neighborhoods that characterizes Los Angeles, while at the same time assuring all residents a high quality of life, a vibrant economy, and accessibility to jobs, open space, and urban amenities. The City's General Plan lays out the strategy to meet this challenge, by directing growth to transit-rich and job-rich centers and supporting the growth with smart, sustainable infill development and infrastructure investments. By integrating the City's housing strategy with its growth strategy the City supports economic development, reduces housing costs, minimizes environmental impacts and enhances the quality of life. At the core of this strategy are complete mixed-use, mixed-income neighborhoods strategically located across the City that provide opportunities for housing, jobs, transit and basic amenities for all segments of the population.

This 2006-2014 Housing Element of the General Plan is the City's blueprint for meeting the housing and growth challenge. It identifies the City's housing conditions and needs, reiterates goals, objectives, and policies that are the foundation of the City's housing and growth strategy, and provides the array of programs the City has committed to implement to create sustainable, mixed-income neighborhoods across the City.

## Housing Crisis In Los Angeles

The City of Los Angeles is facing an unprecedented housing crisis. The increasing cost of housing has far outpaced the rise in wages and salaries, making it difficult for working people and even multiple-income families to purchase a home or pay market rent. Public school teachers, police officers, healthcare professionals, bus drivers, and childcare workers have been priced out of the City's homeownership market, and the lack of affordable rental housing combined with a low vacancy rate has put rental housing out of reach for large segments of the City's population. At the same time, the turmoil in the mortgage lending industry has increased foreclosures and the specter of foreclosure for many of those who were able to purchase homes.

The crisis impacts all segments of the housing market, but is particularly dire for those with low incomes, the homeless, and those with special needs. In the past decade, the median price of a home tripled, from \$174,000 in 1997 to \$525,000 in 2007,<sup>1</sup> and the average monthly rent for a two-bedroom, one-bath apartment almost doubled, from \$870 to about \$1,650.<sup>2</sup> However, during this same time, median family income increased only 18% from \$47,800 (\$3,983/month) in 1997 to \$56,500 (\$4,708/month) in 2007.<sup>3</sup> In fact, the number of low income households and the pervasiveness of poverty in Los Angeles are so much greater than most urban areas, that making housing affordable in Los Angeles requires far greater subsidies than other cities generally require.

<sup>1</sup> Los Angeles Almanac (California Association of Realtors and Almanac Research), NAHB/Wells Fargo HOI.

<sup>2</sup> RealFacts Data for City of Los Angeles, 1st Quarter 2007.

<sup>3</sup> HUD Median Family Income estimate, 1997 and 2007.

Exacerbated by population growth and the resultant rise in demand, the lack of an adequate housing supply has not only deepened the need for affordable housing for low and very low income families, but has also priced out middle income families from the home ownership and rental markets. The reality facing middle income families in Los Angeles is that the very people who provide the daily services necessary to build the City are being priced out of Los Angeles.<sup>4</sup> In the first quarter of 2007, a family would have had to earn at least \$118,344 annually in order to afford a mortgage for a home at the then-current median price of \$525,000.<sup>5</sup> Many families who managed to purchase homes within the past few years now face possible foreclosures due to subprime mortgages which will escalate beyond the affordability of the mortgage holders. The 40% homeownership rate in Los Angeles, well below the national rate of 68%, is evidence of the challenges to homeownership in this City.

While the lack of affordable rental housing impacts all renters, low- and very low-income households are most affected as they teeter on the brink of eviction and subsequent homelessness due to unaffordable rents. In the first quarter of 2007, a low-income family making 80% of the monthly Annual Family Income (\$3,767) had to spend 44% of its income to afford the average monthly rent for a two-bedroom, one-bath apartment (\$1,650).<sup>6</sup> As housing is considered affordable when a household spends 30% or less of its income for rent, low-income families were forced to pay significantly more than what is considered affordable. The reality bodes worse for very low- and extremely low-income families.

Housing accessibility is especially difficult for those who are already homeless. This population frequently has special needs and faces discrimination, disabling conditions, lack of transportation, and unemployment that exacerbate difficulties in accessing permanent housing.<sup>7</sup> The 2007 Greater Los Angeles Homeless Count by the Los Angeles Homeless Services Authority (LAHSA) estimated the homeless population in Los Angeles to be 40,144 persons on any given night. In a survey of homeless individuals in Los Angeles County, 87% reported having living arrangements in their own home, in a home owned by their partner, in rental housing, or with family or friends prior to becoming homeless.<sup>8</sup> While the causes of homelessness are multifaceted, according to LAHSA, the dearth of affordable housing for low-income people is the primary cause of homelessness.

The loss of existing rental units with affordability covenants is also aggravating the shortage of affordable housing. Thousands of units made affordable through federal, state, and local government subsidies are likely to convert to market-rate rents because the covenants governing affordability will expire before 2020. In the past ten years the City lost 4,181 affordable housing units due to the expiration of these covenants. The City could lose another 21,577 affordable units in the next ten years if something is not done to extend the affordability covenants. Replacement of these units is particularly challenging in today's environment.

Exacerbating the situation further are high development costs for both new construction and rehabilitation, and the need for public subsidies to cover these costs when these sources are shrinking. Development costs for multifamily affordable housing have increased from approxi-

<sup>4</sup> Families making about 80-120% of the AFI (between \$45,200 to \$67,800 with AFI of \$56,500) are considered "middle income."

<sup>5</sup> Based on a 30-year fixed rate mortgage and then-current interest rate of 6.41%, 10% down payment, and no more than 30% of income dedicated to housing.

<sup>6</sup> Calculated using 80% of the monthly AFI of \$3,767 (\$56,500 annually).

<sup>7</sup> LAHSA, 2007 Greater Los Angeles Homeless Count.

<sup>8</sup> 36.1% of the respondents lived in their own home, a home owned by their partner, or rental housing prior to becoming homeless, and 50.9% lived with family or friends.

mately \$190,000/unit in 2003 to \$361,000/unit in 2007 for new construction. Almost the same amount of financing is required to preserve an existing affordable unit through moderate rehabilitation. In 2006-2007, the median total development cost for preserving an existing affordable housing unit through moderate rehabilitation was approximately \$182,700.<sup>9</sup> Los Angeles has long been committed to monitoring, notification, funding, and outreach activities that support the preservation of affordable housing. Since 1994 through 2007, the City of Los Angeles has provided local subsidies in the sum of \$30.5 million for gap financing to support the preservation of nearly 1,200 at-risk FHA-insured apartments in 16 developments. Additionally, the City's Tax-Exempt Mortgage Revenue Bond Program has preserved affordable units without local public subsidy. From 2002-2007, the Bond Program has assisted in the financing of 2,011 at-risk units through a \$100.1 million dollar commitment of tax exempt bonds. In the last four years, with the formal establishment of the Los Angeles Affordable Housing Preservation Program (AHPP), a dramatic increase in activity has occurred. This activity includes: expanding resources for preservation program activities; tenant outreach and education to residents of at-risk affordable housing developments; monitoring expiration of rental subsidies and/or affordability restrictions on at-risk units; and ensuring enforcement of legal notice requirements.

Additional funding must be identified at all levels of government – local, state, and federal – to support the development and preservation of more affordable housing and to keep pace with the City's housing needs. Since the 1930s, Congress has passed Housing Acts throughout each decade, renewing the federal government's commitment to advancing the right to quality housing and appropriating funding to existing and new programs for rental, for-sale and special needs housing. The State of California has also made similar commitments through legislative acts. Through this Housing Element Update, the City also commits to pursue quality housing for all in keeping with these federal and state policies. In spite of renewed commitments, state and federal appropriations have shrunk from year to year for more than a decade. City resources as well have not increased to meet the needs. Considering that the City is responsible for producing 112,876 new units, of which 44,733 units (40%) are designated for very low- and low-income families based on the Regional Housing Needs Assessment (RHNA), without securing additional funding for affordable housing production and preservation, the City will face significant challenges in meeting its RHNA income distribution.

The need for affordable housing for all will intensify as the City's population continues to grow. However, progress has been made in the recent past to address the housing crisis through the mobilization of leadership from the City and the housing community. The City has the sites for this housing and a General Plan and Zoning Code that allows for the development of the sites. The 2006-2014 Housing Element Update establishes the goals, objectives, policies and programs the City of Los Angeles will pursue to facilitate the construction of affordable and market rate housing units and to encourage the maintenance and rehabilitation of existing housing stock serving people of all income levels.

<sup>9</sup> Los Angeles Housing Dept, Major Projects Division, Affordable Housing Trust Fund 2003 Round 1, 2A, & 2B, and 26 projects from 2006-2007.

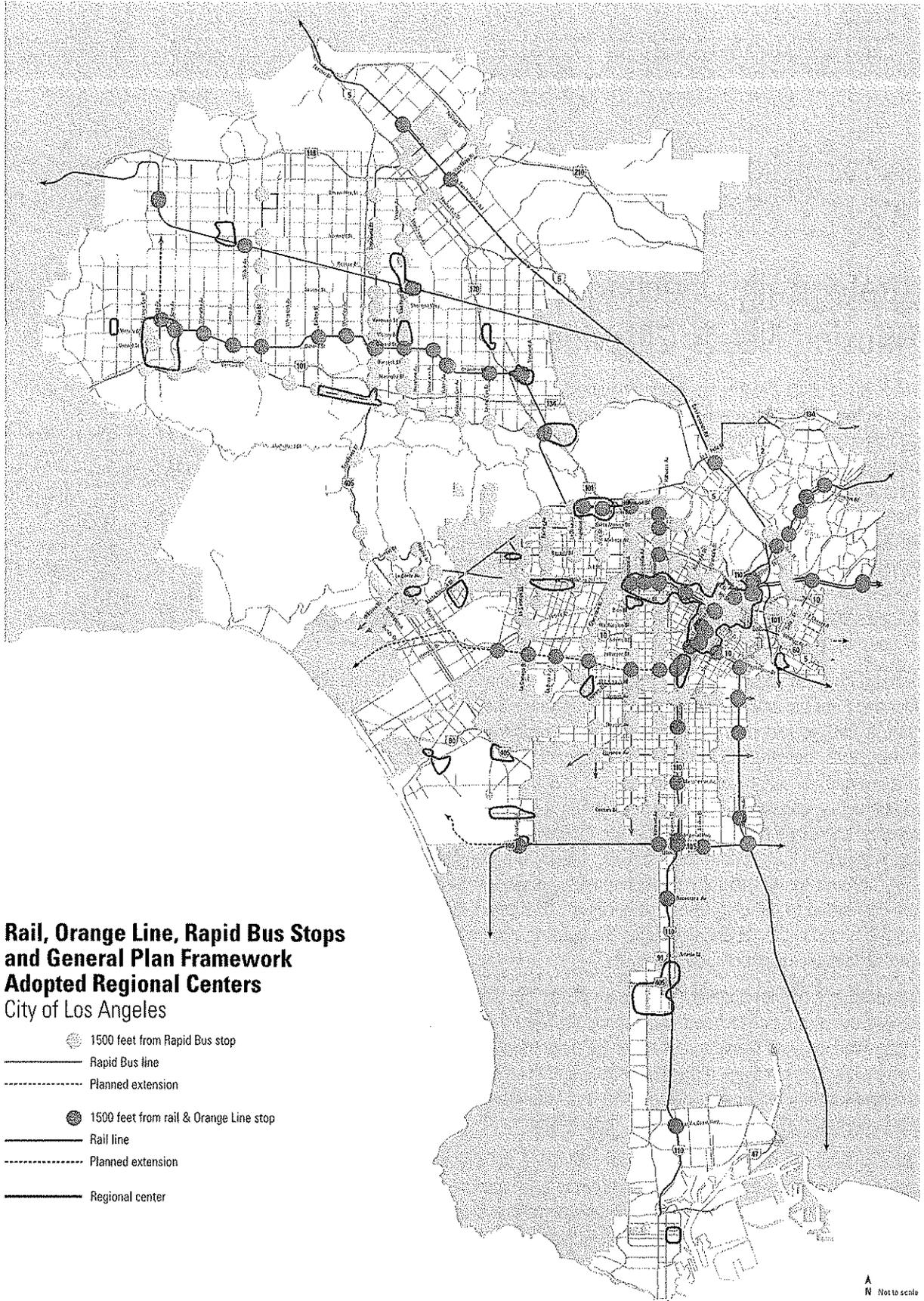
## Strategically Directing Growth to Meet Housing Needs Citywide

For over ten years, the City has been pursuing a sustainable approach to accommodating long-range growth. This approach is established in the Framework Element of the General Plan, first adopted in 1995, which encourages sustainable growth in higher-intensity commercial and mixed-use districts, centers and boulevards, and in proximity to transit. These centers and transit stations and stops are depicted on the map below, Map ES.1. The goals and policies of the Framework Element establish a balanced approach to growth by linking it to the land uses and infrastructure that will support the type of infill development that incurs the least economic, environmental and social costs. The Housing Element fulfills this strategy, as reflected in the overall housing goal established in Chapter 6, "It is the overall housing goal of the City of Los Angeles to create for all residents a city of livable and sustainable neighborhoods with a range of housing types, sizes and costs in proximity to jobs, amenities and services..."

To target growth strategically, the City is developing Transit Oriented District plans and implementing financial and land use incentives to increase the feasibility of infill development near transit. This includes new zoning categories for residential and mixed-use development near transit stops, incentives to increase housing opportunities in Downtown that can support tens of thousands of additional people that will leverage the billions of dollars of rail and other infrastructure investment that has been made there, and zoning to encourage the adaptive reuse of the City's stock of historic office buildings for housing. City agencies, including the Los Angeles Housing Department (LAHD), the Housing Authority of the City of Los Angeles (HACLA) and the Community Redevelopment Agency of the City of Los Angeles (CRA/LA), are committed to bringing resources necessary to support these neighborhoods, maintaining neighborhood character and upgrading the housing stock while developing livable, affordable, and sustainable neighborhoods.

To encourage the development of housing across the City, policies and programs will also be carried out at a neighborhood and community level through the New Community Plan program. Working with communities to devise neighborhood-based strategies for development, Community Plans implement the Framework and the Housing Element policies by determining the mix, location, and intensities of land uses, the infrastructure necessary to support those uses and funding strategies to achieve those plans.

Through land use planning and financial incentives, the City encourages livable and sustainable neighborhoods that offer a mix of housing at all income levels, jobs, transit and services. The City accomplishes this through infill development strategies which preserve the character of neighborhoods and meet the needs of existing residents as the City continues to grow.



# Housing Element: Purpose and Process

## **Housing Element and the General Plan**

The Housing Element is required by California State law to be a component of every city's General Plan because housing needs are recognized as a State-wide concern. Pursuant to State law, the Housing Element must identify the City's housing needs, the sites that can accommodate these needs, and the policies and programs to assure that the housing units necessary to meet these needs can be provided. The primary goal of the Housing Element is to provide a range of housing opportunities for all income groups.

The General Plan is a city's "constitution for development," the foundation upon which all land use decisions are to be based. The City of Los Angeles' General Plan consists of a Framework Element and twelve issue-focused Elements. The Framework establishes the vision for the City's future, and the long-range strategies, goals, objectives, and policies to implement that vision. Each of the Elements is a more detailed expression of that vision.

The Framework Element includes chapters that address all urban issues. The Housing Chapter identifies the housing issues, and establishes the City's goals and policies to address these issues and to guide future actions. The 2006-2014 Housing Element Update embodies these goals and policies and identifies the more detailed strategies the City will implement to achieve them while assuring that the benefits and challenges of growth are shared and that the housing goals are integrated and consistent with all of the other Elements of the General Plan.

## **Statutory Requirements**

The requirements for the Housing Element are delineated in California State Government Code Section 65580 – 65589.9. The Housing Element is required to be updated every five years in accordance with a specific schedule of dates established by the State. For this update, the State granted time extensions for the adoption of the updated Housing Element to June 2008. The current Housing Element therefore covers the period of January 1, 2006 – June 30, 2014.

## **Public Participation in the Preparation of the 2006-2014 Housing Element**

Pursuant to Government Code Section 65583(c)(6)(B), "The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element..." The 2006-2014 Housing Element Update was prepared over a period of 18 months by an interdepartmental team of twelve City departments and with the participation of a variety of stakeholders.

Early in the process, a Task Force of housing experts was created to provide information and

expertise on the range of housing issues, needs, policies, and programs necessary to achieve the City's RHNA goals. The Task Force was comprised of 50 members who have special and/or technical knowledge about various facets of housing issues, including the business community, financial institutions, affordable and market-rate housing developers, special needs providers, legal assistance groups, tenants' rights groups, homeless service agencies, and Certified Neighborhood Councils. The Task Force was co-chaired by Robin Hughes, a member of the City Planning Commission and Evangeline Ordaz-Molina, a member of the Affordable Housing Commission. The Task Force established eight subcommittees to address specific issues and more than 100 additional people participated in these meetings. The Task Force and its Subcommittees met over a five month period from May through September, 2007 and submitted comprehensive recommendations to City staff regarding the needs of the occupants of the 112,876 units and the programs that will be most effective in assuring that these units meet the required income targets. A Summary Report of the Task Force's work was created and every recommendation was reviewed by City staff. Nearly every recommendation of the Task Force was incorporated into the draft Housing Element.

The Department of City Planning (DCP) created a website to provide on-going information about the Housing Element as it was being prepared. Documents produced by the Task Force and Subcommittees and their meeting dates and agendas were posted. Related documents and links to documents of interest were also posted from time to time.

Following the release of the Draft Housing Element, DCP held seven community workshops throughout the City to discuss the Housing Element with the public and to elicit further input. These workshops were advertised via special mailings to community and business organizations as well as individuals, to the members of the Board of Directors of the 89 Certified Neighborhood Councils in the City, and to approximately 500 news publications, including those oriented towards particular ethnic communities. Public workshops were held in the North San Fernando Valley, South Valley, Downtown, South Los Angeles, East Los Angeles, West Los Angeles, and the Harbor area on either Saturdays or early evenings to encourage the greatest amount of participation.

In addition to the Task Force and Subcommittee meetings and the seven public workshops, public hearings to address the draft Housing Element were held before the Affordable Housing Commission (twice), the City Planning Commission (twice), the City Council's Planning and Land Use Management Committee, the City Council's Housing and Community and Economic Development Committee, and the City Council.

### **Public Participation: Summary of Issues Raised and Responses**

- Livability, sustainability, quality urban design, quality development in the public realm and access to green space/open space will be pursued through programs such as zoning

and neighborhood implementation tools for mixed used development, transit oriented district studies, and a walkability checklist, all of which have been incorporated into Goal 2 regarding safe, livable and sustainable neighborhoods.

- Alleviating development constraints and streamlining governmental approval processes in order to facilitate the production and preservation of housing is discussed in detail in Chapter 2, and specific City efforts to accomplish these objectives are incorporated under Goal 1, Objective 1.5 regarding regulatory and procedural barriers.
- Provision of a variety of housing types and distribution of affordable housing and services throughout the City will be pursued through a vast array of housing production and preservation programs undertaken by several City departments and agencies, all of which have been incorporated into Goal 1 regarding provision of an adequate supply of housing for all residents with various needs.
  - Issues regarding increased development and available infrastructure and services are addressed in detail in Chapter 2 regarding infrastructure constraints as well as through programs under Goal 2 to create livable and sustainable neighborhoods.
  - The location of future development will be addressed through programs that will establish greater residential capacity in centers and near transit while reducing the residential capacity in those neighborhoods where preservation of existing character is desired, such that the current zoning and residential capacity reflected in the current inventory of sites for housing will evolve and all residential development and increased residential density will be directed to desired locations.
  - Encouraging the distribution of affordable housing throughout the City will be pursued through a variety of incentives, including construction loans as well as land use concessions, while the exploration of a mixed income housing ordinance may result in additional methods of achieving citywide production of affordable housing.
- Preservation of existing housing, preventing a net loss of units and preventing displacement of residents is discussed in detail in Chapter 1.
  - Achieving preservation and mitigating and/or minimizing the loss of existing housing and displacement of tenants will be achieved through programs which support rehabilitation of individual residential buildings and preservation of affordability, such as preservation of residential hotels and single room occupancy hotels, preservation of rent-stabilized housing units, funding the rehabilitation and refinancing of affordable units in order to extend the affordability terms, all of which are contained under Goal 1, Objective 1.2.
  - Preservation and preventing loss of units and/or displacement of residents will all be addressed through neighborhood preservation programs which support development while preserving neighborhood character and meeting the needs of existing residents, such as down-zoning in order to minimize the incentive to demolish and replace housing

and development review by neighborhood councils and community stakeholders, all of which are contained under Goal 2, Objective 2.4.

- Ending and preventing homelessness is addressed through programs that provide short-term and long-term housing arrangements for persons with special needs and for persons who are homeless, and include supportive services to prevent and/or end a cycle of homelessness for those persons, all of which are contained in Goal 4 and where the City makes a commitment to work toward reducing homelessness.
- Sustainable residential development is addressed through a variety of programs under Goal 2, Objective 2.2 that specifically promote sustainable buildings, such as sustainable building materials, reducing impediments to innovative design, and priority plan check and expedited permitting for green buildings.
- Education and training for all stakeholders and residents regarding housing issues, needs and effective responses will be implemented through a variety of public outreach and education efforts, such as property management training for landlords, training and outreach with neighborhood councils and other community groups, education for buyers and homeowners to protect against predatory lending practices, and outreach and training programs regarding fair housing awareness and the rights of tenants and property owners.

## Summary of the 2006-2014 Housing Element Update

The 2006-2014 Housing Element Update is the City's plan for addressing housing needs across the City. While fulfilling the statutory requirements of State housing element law, the policies and programs herein also foster on-going partnerships among City departments, with other governmental agencies, and with the private sector to respond to ever-changing housing demands and market conditions. And, finally, the Update provides policy guidance to decision-makers at all levels of City government.

The Update is divided into six chapters, beginning with an assessment of housing needs and constraints to residential development and culminating with Chapter 6 which delineates the City's housing goals and the specific policies and programs that various departments will implement to achieve the goals.

**Chapter 1**, Housing Needs Assessment, provides a comprehensive overview of the City's population, household, and housing stock characteristics, and an analysis of these factors in order to identify housing needs of the variety of household types and special needs across the City. The analysis indicates high rates of housing cost burden (58% of renters and 47% of owners pay over 30% of their income for housing), low home ownership rate (40% compared

to 68% nationwide), and loss of existing low-rent housing (including subsidized housing as well as rent-stabilized units). More than 20,000 units are at risk of losing affordability covenants in the next ten years. Vacancy rates are low and rental rates and home prices are high in Los Angeles where the median income has remained lower than the County and the nation. Growth estimates for Los Angeles have led to a Regional Housing Needs Assessment (RHNA) allocation for the City of 112,876 new housing units that will be needed during the Housing Element Update planning period of 2006-2014.

**Chapter 2, Constraints on Housing Maintenance, Improvement, and Development,** addresses regulations and conditions that constitute constraints to housing production and preservation, including governmental regulations, infrastructure requirements, conditions in the City's Coastal Zone, and market conditions. While governmental regulations are established to protect the health and safety of residents, they also set limits on residential development; these regulations include zoning, land use entitlement processing, redevelopment project area designations, environmental review, and affordable housing covenant requirements. Constraints in the Coastal Zone are created through State laws that exist to protect, maintain, enhance, and restore the overall quality of the Coastal Zone area and its resources, but which also restrict development flexibility by, for example, restricting the density and height of projects. Lastly, market conditions pose significant constraints, including high land, construction and financing costs, and restricted financing availability which may be addressed through policies and programs, although the City has little ability to reduce these constraints.

**Chapter 3, Inventory of Sites for Housing -** State housing element law requires the City to show that it has adequate land zoned to accommodate the entirety of its RHNA allocation of 112,876 housing units. The Inventory identifies over 21,000 parcels suitable for additional residential development without the need for any discretionary zoning action by the City. While these sites could accommodate over 350,000 units, it is estimated that 13,000 units are likely to be developed each year during the Housing Element Update planning period. With nearly 15,000 units already developed during 2006, the City will be able to provide for the build-out of 112,876 new housing units during the planning period.

**Chapter 4, Opportunities for Conservation in Residential Development -** State housing element law requires cities to identify opportunities for energy conservation in residential development. The City has broadened this analysis to include energy conservation, water conservation, alternative energy sources and sustainable development which supports conservation and reduces demand. These efforts reduce development costs and improve the affordability of housing units. Specific City programs include providing rebates for energy efficient appliances, shifting the time of energy use, using alternative sources of energy (i.e., solar power), installing green roofs to increase energy efficiency, installing dual glazed windows to increase energy efficiency, requiring more sustainable landscaping and site design, exceeding the State's Title 24 regulations, meeting Leadership in Energy and Environmental Design (LEED®) standards for certain buildings, and adopting General Plan land use designations and zoning that create

higher-density, compact, infill development near transit.

**Chapter 5, Review of the 1998-2005 Housing Element – Preparation of the Housing Element Update** included the essential step of evaluating the previous 1998-2005 Housing Element in order to identify accomplishments and evaluate the effectiveness of previous policies and programs. The review shows that over 50,000 housing units were built, fulfilling over 80% of the City's new construction goal for the previous Housing Element period. Furthermore, the review showed that the goals, objectives and policies of the previous Housing Element remain important, and this Housing Element Update builds upon them, reconfiguring and refining some of them to better focus the City's strategy. The review showed that the issue of homelessness was not adequately addressed, given its magnitude in Los Angeles, and was elevated in importance in this Update. The goals, objectives and policies continue to be organized around four issues: housing supply; livable communities; housing opportunities; and ending homelessness. Similarly, the evaluation of programs provided insight into effective efforts, and many programs have been reconfigured so that going forward, more will be accomplished. The Housing Element Update also reflects a much broader array of housing programs that are now being carried out by many City departments, compared to those of the previous period.

**Chapter 6, Housing Goals, Policies, Objectives and Programs - Housing goals, objectives, policies and programs are guided by the City's overall housing goal:**

It is the overall housing goal of the City of Los Angeles to create for all residents a city of livable and sustainable neighborhoods with a range of housing types, sizes and costs in proximity to jobs, amenities and services. In keeping with decades of federal Housing Acts and the Universal Declaration of Human Rights that declared housing as a human right, the City will work towards assuring that housing is provided to all residents.

Housing policies and more than 200 implementing programs were identified as a result of the analysis and public input. They were organized under the following four goals:

**Goal 1:** A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy, sanitary and affordable to people of all income levels, races, ages, and suitable for their various needs.

Objectives were established to divide this goal into five areas: producing rental and ownership

housing, preservation of rental and ownership housing, forecasting changing housing needs, distributing affordable housing citywide, and reducing barriers.

The policies and programs for production include targeted loan programs for homeowners and housing developers, and land use changes to increase opportunity sites. Preservation programs include inspection of housing units for Building Code violations, funding incentives to rehabilitate and maintain the housing stock, and mechanisms to extend the affordability terms of units facing expiring covenants. The City will track its efforts through monitoring programs which assess production and preservation accomplishments against forecasted housing needs. Financing incentives and land use policies and programs, such as density bonus and Redevelopment Project Area activities, will be pursued to encourage the development of affordable housing across the City. And finally, Zoning Code amendments and case processing streamlining will facilitate housing production and preservation in general.

## **Goal 2: A City in which housing helps to create safe, livable and sustainable neighborhoods.**

Objectives within this goal delineate the following four areas of focus: promoting safety and health, promoting neighborhoods with mixed-income housing, jobs, amenities, services and transit, promoting sustainable buildings, and promoting neighborhoods with a mix of housing types, quality design and unique character.

Policies and programs to improve safety and health include designing to prevent crime, and providing access to amenities, such as well-lit walkways to recreational spaces. Sustainable neighborhoods will be facilitated by mixing uses within projects, providing mixed income neighborhoods, locating housing in proximity to a mix of uses, and developing Transit Oriented District plans. The City will require buildings of a certain size to meet sustainability standards, will provide financial incentives to train developers in green building techniques and materials, and encourage the development of higher levels of sustainable buildings. Policies and programs to support livable neighborhoods and preserve their unique character include the development of new urban design standards and new Community Plans that accommodate growth while continuing to serve existing residents.

## **Goal 3: A City where there are housing opportunities for all without discrimination.**

Two objectives will guide the policies and programs that will implement this goal: assuring access to housing without discrimination and promoting fair housing practices.

Policies and programs to address discrimination in housing include resolving filed discrimination cases in the rental or sale of housing, facilitating physical modifications to housing units to better serve persons with disabilities, and encouraging responsible lending practices. Fair

housing practices will be encouraged through policies and programs such as providing easy access to information regarding available housing and tenants’ and buyers’ rights as well as conducting outreach and education with residents, developers and owners of all housing types.

**Goal 4:** A City committed to ending and preventing homelessness.

The issue of homelessness is divided into two areas of focus: providing an adequate supply of housing and services to homeless persons and persons with special needs, and promoting outreach and education in support of homeless persons and persons with special needs.

An adequate supply of housing for homeless persons will be pursued through a variety of policies and programs, from short-term housing such as shelter for victims of domestic violence and other homeless persons, to long-term solutions, such as rental assistance for homeless persons and the development of permanent supportive housing. Efforts also include improved coordination and planning for housing and services as well as pursuing new resources. Policies and programs regarding outreach and education include assistance in accessing housing and services, making information more easily and readily available to the general public, and working with communities to understand and accommodate the unique housing types and broad array of housing needs within communities.

## Summary of the 2006-2014 Housing Element Update Targets

Through the implementation of the policies and programs set forth in the 2006-2014 Housing Element, the City will pursue the production and preservation of housing for all residents and will strive to meet its RHNA goal of 112,876 new units by 2014. The following chart quantifies the units anticipated through implementation of all of the programs by income and by type of program:

Table ES.1a **Quantified Objectives: New Construction (RHNA Allocation)**

Income Level	New Construction Units – RHNA Allocation
Extremely Low-Income	4,344
Very Low-Income	8,576
Low-Income	8,582
Moderate-Income	4,415
Above Moderate Income	86,961
<b>Total</b>	<b>112,876</b>

In addition to the required RHNA allocation, the City intends to rehabilitate and conserve/preserve the existing housing stock. Rehabilitation includes light, moderate and substantial physical rehabilitation of existing housing units in order to improve the condition of the housing units. Conservation includes the preservation of existing housing through activities that prevent the loss of housing units, such as zoning that assures continued residential use, funding strategies and inspections through the Systematic Code Enforcement Program. Conservation also includes the preservation of affordable housing at-risk of losing government subsidies and converting to market rate housing. Units that are listed for rehabilitation may also be counted as units under conservation/preservation and vice versa.

Table ES.1b **Quantified Objectives: Rehabilitation and Conservation/Preservation**

Income Level	Rehabilitation	Conservation/ Preservation Units
Extremely Low-Income	4,722	17,477
Very Low-Income	2,964	1,790
Low-Income	7,605	6,404
Moderate-Income	413	750
Above Moderate Income	634,690	250
Total	650,394	20,907

In addition to the housing units reflected in the above tables, the City is committed to implementing a number of programs that preserve and maintain significant additional housing that cannot be quantified into units as follows:

- Maintenance and conservation of over 239,000 multi-family buildings by preserving residential and SRO hotels, completing urgent repairs, enforcing nuisance abatement, and a number of other programs. The number of units per building varies vastly, from 100 units in a residential hotel to 10 units in a building where nuisance abatement is being pursued.
- Fund and provide other support for the maintenance of short-term housing for homeless persons, including emergency shelter beds and transitional housing beds. This includes over 1,000 beds for victims of domestic violence, 200 beds for persons living with HIV/AIDS, over 1,700 general emergency shelter beds, over 2,800 general transitional housing beds, and over 1,700 winter shelter beds (provided from December through March of each year, as required by weather conditions). These beds generally serve extremely low income households and individuals.
- Rental subsidies through various U.S. Department of Housing and Urban Development

(HUD) funding sources used by qualifying households to help pay rent in market rate units across the City. For example, general Housing Choice Vouchers support approximately 37,000 households; targeted Housing Choice Vouchers serve another 4,000 homeless persons; and other rental assistance programs serve persons living with HIV/AIDS and persons with disabilities.

# **EXHIBIT 4**



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**Shortcuts to Major Topics:**

- [MAJOR HOUSING ISSUES](#)
- [ANALYSIS OF AT-RISK HOUSING](#)
- [SPECIAL HOUSING NEEDS](#)
- [PROJECTIONS: POPULATION, HOUSING and EMPLOYMENT](#)
- [LAND FOR RESIDENTIAL DEVELOPMENT](#)
- [ANALYSIS OF POSSIBLE CONSTRAINTS ON ZONING CAPACITY](#)
- [GEOGRAPHIC ANALYSIS OF ZONING CAPACITY](#)

**ENDNOTES**

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**MAJOR HOUSING ISSUES**

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The City of Los Angeles has been facing a housing problem for a number of years as it is one of the most expensive housing markets in the United States. Factors exacerbating the present housing situation include increased population, increased average household size, lack of significant developable land, and reduced level of building activity. A mismatch presently exists between the number of available housing units, the size of the population, and between income levels and housing costs, although the recession in the early 1990s served to level off increases in rental costs.

Other factors which negatively impacted the housing in this City include the recession-related depreciation of housing values and loss of dwelling units due to the 1994 Northridge earthquake. In addition, the federal government has reduced funding levels for provision of affordable housing to very low-, low-, and moderate-income households.

Pursuant to State Housing Element law, this chapter identifies housing needs and affordability issues, providing context and background for their examination. Data on population, employment, and household characteristics, as well as age and housing conditions, are carefully documented to further detail the extent of the local housing situation. This chapter identifies "affordable housing" as our primary housing problem, as well as detailing the housing needs of certain special needs groups within the population.

Also included in this chapter is a discussion of the potential loss of federal, state, and locally assisted housing. "At risk" housing is defined as assisted housing at risk of reversion to market rents.

**ANALYSIS OF AT-RISK HOUSING**

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**HOUSING ELEMENT REQUIREMENTS**

Housing Element law requires that jurisdictions 1) evaluate the potential for existing rent-restricted low income housing units to convert to market rate housing and 2) propose programs to preserve or replace those units. State legislation was passed in 1989 in response to the potential loss of numerous affordable rental units that received assistance from federal, State, and local programs. State law requires each city and county to provide an analysis of and programs for preserving assisted rental housing developments in a ten-year period.

The preservation analysis and list of programs must be updated every 5 years, at the same time that the locality's housing element is updated, and the analysis must project activities into the next 10 years. For this update of the Housing Element, the City's 10-year analysis period is divided into two 5-year periods, December 31, 2000 to June 30, 2005 and July 1, 2005 to June 30, 2010.

Consistent with State requirements, the City of Los Angeles Housing Element preservation and program analysis includes the following:

1. An inventory of restricted low income housing developments in the City and their potential for conversion;
2. An analysis of the costs of preserving or replacing the units at-risk;
3. An analysis of the organizational and financial resources available for preserving or replacing at-risk units;
4. Local programs for preserving at-risk units, and
5. Quantified objectives for the number of at-risk units to be preserved.

## **BACKGROUND**

Beginning in the 1960s, the federal government provided numerous incentives to private developers to construct affordable housing. These incentives included low interest loans, mortgage insurance, and rent subsidies administered by the Department of Housing and Urban Development (HUD) and U.S. Department of Agriculture Farmers Home Administration (FmHA). Owners who secured these subsidies entered into contracts with HUD or FmHA to build or operate multifamily rental housing developments that reserved units for lower income households.

Several federal programs allowed owners the option of terminating their participation by prepaying their mortgage prior to loan maturity or rental contract expirations. Still other programs allowed owners not to renew project subsidy contracts upon expiration of the initial contract term. When an owner elects to terminate subsidies, whether by prepaying an insured mortgage or opting out of project-based rental assistance, the accompanying use restrictions are terminated. When owners exercise this option, rent-restricted units in most cases convert to market-rate. As a result, lower income tenants may become displaced due to an inability to pay higher rents, with no assurance of securing permanently affordable housing elsewhere. Though existing tenants have recourse through the City's Rent Stabilization Ordinance to prevent excessive rent hikes once the affordability requirements expire, the unit is ultimately rent decontrolled and the affordability lost once the tenant leaves the unit. Without active efforts to preserve or replace these units, the inventory of affordable housing stock will decline.

Nationwide, the potential impact of this loss is enormous. The U.S. General Accounting Office issued a report in June 1986 which predicted that 1.8 million units, or approximately 90 percent, of all federally subsidized rental housing in the country could be lost by the end of the century.

Statewide, the impact is large. In 1985, the California Department of Housing and Community Development (HCD) assembled an inventory of low income rental housing units that are eligible to convert to market rate housing over the next 20 years. A subsequent report published by the State Office of Research in 1987 concluded that as many as 117,000 assisted rental units could convert by the year 2008; over two-thirds of these units, or 68 percent, have restrictions that could terminate as early as 1995. Over 11 percent, 12,343 of these units are located within the City of Los Angeles.

The potential for loss of affordable units is compounded further by the consideration of low-income units produced by state and local financing and subsidy programs (which are not always considered to be at-risk projects) or other federal subsidy programs such as Community Development Block Grants. State and local programs used in the City of Los Angeles include the Low Income Housing Tax Credit program, Affordable Housing Incentives Program (density bonus), California Housing Finance Agency-issued bonds, city-issued municipal bonds, City of Los Angeles Community Redevelopment Agency revenues, and locally monitored land use restrictions (e.g., specific plans, zone amendments). Like their federal counterparts, these programs have affordable regulatory agreements or other use restrictions for terms of limited duration.

## **INVENTORY OF AFFORDABLE HOUSING UNITS**

The Affordable Housing Inventory is a comprehensive list of all multifamily housing developments located within the City of Los Angeles. This database contains information regarding every affordable housing development in the City of Los Angeles with any data regarding affordability restrictions due to development incentives or financing from government sources. Among other items, the database records the date of construction completion, the length of the affordability restriction, the total number of units in the project, the number of units that are affordability restricted, the type of construction (new or rehabilitation), and any target household guidelines. The database does not include demolitions of affordable units as the information is not available. This data is used to determine which affordable housing units are at-risk of reverting to market rents and the costs of replacing those units.

The City of Los Angeles has 53,365 affordable housing units in 2,020 developments. The majority of these units were funded through the federal Housing Administration (FHA) Section 221(d)(3) and 236 programs and the local Community Redevelopment Agency housing program. Table A provides a summary of the total number of affordable housing projects and restricted affordable housing units within the City of Los Angeles by primary financing or incentive program. The following discussion provides information on the programs under which these units were developed, as well as an analysis of the number of affordable units at-risk of reversion to market rates within the planning period of this document.

**EXHIBIT 25  
INVENTORY OF AFFORDABLE HOUSING UNITS**

<b>Primary Program</b>	<b>Projects</b>	<b>Units</b>
202/811	31	1,732
207	2	543
221(D)(3)	48	3,606
221(D)(4)	26	1,487
231	1	26
236(J)(1)	260	10,875
<b>City Bond-Financed</b>	252	4,366
<b>CDBG</b>	131	3,424
<b>CHFA</b>	11	594
<b>CRA</b>	478	11,815
<b>Density Bonus</b>	144	1,505
<b>HOME</b>	279	2,766
<b>Land Use</b>	94	905
<b>Section 8 - New Construction</b>	42	5,125
<b>Section 8 - Other</b>	165	4,371
<b>Unassigned</b>	56	225
<b>Total</b>	<b>2,020</b>	<b>53,365</b>

*Source: Los Angeles Housing Department, Affordable Housing Database, March 14, 2001*

**PROGRAMS FOR AFFORDABLE HOUSING FINANCING AND INCENTIVES**

As described earlier, financing and incentive programs at the federal, State, and local level have encouraged the development of affordable housing in the City of Los Angeles since the 1960s. However, nearly all of these programs have either been discontinued or drastically reduced in scope. This section describes current and historic programs and the total number of units produced under those programs. Since many projects receive funding from multiple funding sources, this analysis identifies a primary funding source and evaluates project characteristics based on development restrictions specific to that funding source.

**Federal**

Federal programs that allow the termination of low-income use restrictions involve low- interest, FHA-insured loans and Section 8 rental assistance. Often, housing developments receive assistance from both programs. In these cases, the earliest termination date in either program is the earliest a project may lose its use restrictions. With the exception of the 202 program and limited FHA insurance, the programs described below are not available to new developments. These units typically have use restrictions of 30 years, as stated in the regulatory agreement.

The City of Los Angeles has 1,389 housing developments with 25,375 locally and state-assisted units developed using these financing and incentive programs.

**LOW-INCOME HOUSING EXPIRATION ANALYSIS**

Housing Element law requires an analysis of the units whose affordability restrictions are at-risk of expiring. This section identifies the number of units that have already expired, the number of units that will expire between December 31, 2000 and June 30, 2005, and the number of units that will expire

between July 1, 2005 and June 30, 2010.

**Units Already Expired**

Affordability restrictions for a total of 23,238 units have technically or officially expired. The majority of these, 14,830 units (63 percent), are located in buildings financed through the 221(D)(3), 221(D)(4), and 236(J)(1) programs. Expiration dates recorded for these projects reflect the earliest date on which property owners could prepay their mortgages, which in most cases would terminate all covenants to restrict units at affordable rates. Congress restored owners' right to prepay in 1996, and so most projects built under the 221(D)(3) and 236(J)(1) programs are now eligible to do so if they comply with federal and state notice requirements.

But, while the initial affordability period for these projects has expired, many of the units have not yet lost their affordability restrictions. Most property owners have not yet prepaid despite their ability to do so. For the moment the affordability and rent restrictions remain in place on these properties, though they continue to be at-risk of conversion to market rate.

**Units to Expire in 0-5 Years**

Between December 31, 2000 and June 30, 2005, 5,545 housing units will lose their affordability restrictions. These units are concentrated in buildings assisted with FHA insurance Section 221(D)(4), Section 8 rental subsidies, or local bonds. Most of the units expiring in this period are family units (3,388), with many also designated for seniors (1,917) and disabled persons (817).

**Units to Expire in 5-10 Years**

Between July 1, 2005 and June 30, 2010, 3,839 housing units will lose their affordability restrictions. Most of these units were financed through the CRA and the Section 8 program, with the remainder funded with local bonds. Most of the units that expire in this period are family units (1,053) and senior units (2,036). Many units designated for disabled persons also expire in this period (1,629).

**EXHIBIT 26  
EXPIRATION OF AFFORDABLE HOUSING UNIT RESTRICTIONS**

Primary Program	Units Expiring before 31-Dec-2000	Units Expiring 31-Dec-2000 thru 30-Jun-2005	Units Expiring 1-Jul-2005 thru 30-Jun-2010	Units Expiring after 30-Jun-2010	No Expiration Data Available
202/811	638	345	222	527	0
207	543	0	0	0	0
221(D)(3)	3,585	21	0	0	0
221(D)(4)	949	458	0	0	80
231	26	0	0	0	0
236(J)(1)	10,296	75	0	344	160
<b>Bond-Financed</b>	1,330	679	624	1,545	188
<b>CDBG</b>	0	380	64	746	2,234
<b>CHFA</b>	0	0	0	555	39
<b>CRA</b>	2,494	379	1,481	6,682	779
<b>Density Bonus</b>	57	38	24	82	1,304
<b>HOME</b>	338	188	109	1,068	1,063
<b>Land Use</b>	163	38	0	28	676
<b>Section 8 - New Construction</b>	1,491	2,120	757	757	0
<b>Section 8 - Other</b>	1,197	821	558	490	1,305
<b>Unassigned</b>	131	3	0	75	16
<b>Total</b>	<b>23,238</b>	<b>5,545</b>	<b>3,839</b>	<b>12,899</b>	<b>7,844</b>

Source: Los Angeles Housing Department, Affordable Housing Database, March 14, 2001

## **PRESERVATION AND REPLACEMENT ANALYSIS**

State housing element law requires an analysis of the cost of preserving existing affordable units that revert to market rate compared to the cost of replacing these units (Appendices M, N, O, and P of this document).

### **Methodology**

This analysis examines only those units expiring within the next 10 years, as well as 221(d)(3), 221(d)(4), and 236(j)(1) housing units whose owners may opt to prepay their mortgage at any time. A range of per unit costs were used for both the replacement and preservation costs analysis. The complex circumstances influencing each housing project dictate the financial resources needed to maintain the affordability status of those housing units or to replace those units lost with new affordable units. Consideration by housing finance staff in the Los Angeles Housing Department determined that rather than calculate an average cost to preserve or replace affordable housing units, a range of costs provides a better view of funding requirements. This approach shows the wide variability inherent in affordable housing finance and provides a more realistic view of the costs involved. The per unit costs presented below are based upon the costs of past LAHD-financed projects.

In this analysis, "preservation" refers to efforts that maintain the affordability restrictions currently in place. "Replacement" refers to new affordable housing units, generated either through rehabilitation or new construction programs, that did not previously hold any affordability restrictions due to covenants placed by lenders. The following preservation and replacement per unit costs were used in this analysis.

To preserve an existing project, funding may be required only to subsidize rents and conduct modest rehabilitation, or the project may require substantial rehabilitation. Funds required to preserve the restrictions on existing affordable units may vary from \$120,000 per unit to as high as \$150,000 per unit. Funds required to replace existing affordable housing can also vary substantially. Depending upon land costs, presence of hazardous materials, and a wide range of other factors, new construction costs can range from \$180,000 per unit. In this analysis, projected high and low preservation and replacement costs were calculated for every development in the Affordable Housing Database using the values discussed above. These per project costs were then totaled by program and by planning period.

### **December 31, 2000 through June 30, 2005**

As demonstrated in Exhibit 26, the use restrictions on 5,545 affordable units will expire between December 31, 2000 and June 30, 2005. The largest portion of these units (38%) is assisted via the Section 8 New Construction / Substantial Rehabilitation program. (Experience to date has demonstrated that upon expiration of the initial contract term, many owners choose to renew their contracts in 12-month increments and reevaluate the decision to renew or opt out on an annual basis.) Bond-financed units account for the next largest portion of this stock (12%). The majority of the expiring bond projects have only 20% affordable units, and so the large market-rate component generally renders preservation of these projects financially infeasible.

Preservation costs for these units would range from \$69 million to \$491 million. On the other hand, replacement costs would range from \$347 million to \$756 million. Current projections of LAHD production activities indicate that approximately 4,000 affordable housing units will be added to the City's inventory over the next five years. Although this level of production will replace some of the affordable units that expire in the coming five years, the demand for affordable housing far exceeds both the current stock and any anticipated gains from new activities less lost units combined. Further, many of the programs that produced affordable housing in the past, particularly the most prolific programs, no longer exist or have no funds. Between City activities to preserve existing affordable housing and remaining programs that continue to add affordable housing to the existing stock, a slight increase in the total number of affordable housing units is expected between December 31, 2000 and June 30, 2005.

### **July 1, 2005 through June 30, 2010**

Between July 1, 2005 and June 30, 2010, 3,839 affordable housing units will face potential expiration of use restrictions. 38% of the units in this planning period are restricted by CRA-imposed affordability covenants, 34% have project-based Section 8 assistance, and 16% are bond-financed.

Preservation costs for these units would range from \$48 million to \$340 million, and replacement costs would range from \$240 million to \$523 million. Projections have not been prepared to indicate the level of affordable housing production in this period. However, the number of units that expire between July 1, 2005 and June 30, 2010 are less than in the previous period. As such, the City should at least maintain the existing number of affordable units through replacement activities, though demand will still far exceed supply.

**Expired 221 and 236 Projects**

Most of the federally assisted 221(d)(3) and 236 projects in the City of Los Angeles now have the ability to prepay their mortgages. Further, nearly all of these projects have passed their 20th year, allowing them to prepay at any time and convert their affordable units to market rate. To date, however, only thirty three out of 334 assisted developments have chosen to prepay. Thus, these units remain affordable for the moment but lack long-term affordability protections. Should a large number of project owners decide to prepay in the near future, substantial funding would be required to preserve or replace these units. Estimates of preservation costs range from \$136 million to \$949 million, and replacement costs range from \$688 million to \$1.5 billion. Otherwise, these projects will not expire until well after June 30, 2010.

**ORGANIZATIONAL AND FINANCIAL RESOURCES**

An extensive network of non-profit organizations is involved in the development of affordable housing in the City of Los Angeles. Several Los Angeles Housing Department programs and activities provide capacity development to support the activities of these organizations and others involved in the development of affordable housing. The following discussion describes these activities.

**Non-Profit Housing Organizations Available to Acquire At-Risk Housing**

An experienced and sophisticated group of non-profit housing developers are active in the City of Los Angeles. More than 135 housing developers are currently active in the Los Angeles area, developing and managing affordable housing. Many of these organizations focus their efforts within target neighborhoods while others work city-wide. These groups have produced, using a wide range of funding sources, thousands of units through new construction and rehabilitation efforts over the last five years.

The organizations and agencies listed below have expressed an interest in being considered for acquisition and management of at-risk properties within the City of Los Angeles through the Right of First Refusal Program coordinated by the State Department of Housing and Community Development. Additional organizations have expressed an interest in participating.

- Skid Row Housing Trust
  - Korean Youth and Community Center
  - Concerned Citizens of South Central Los Angeles
  - FAME Housing Corporation
  - Los Angeles Community Design Center
  - Esperanza Community Development Corporation
  - Pico Union Housing Corporation
  - A Community of Friends
  - Frank DeSantis Community Development Corporation
  - Southern California Housing Development Corporation
- Source: State of California Department of Housing and Community Development and the California Housing Partnership Corporation.*

**Los Angeles Activities that Support Non-Profit Housing Developers**

One of the major goals of HUD's HOME Program is to encourage the development of local community based not-for-profit housing development organizations. The purpose is to encourage locally designed and community sensitive projects, using the talents and expertise of neighborhood-based entities. Since 1993, LAHD has been a supporter of this concept and has certified 45 local organizations throughout the City as Community Housing Development Organizations (CHDOs). CHDOs may pursue projects in multi-family rental housing development and home ownership.

To assist CHDOs, LAHD has set aside Operating Expense Grants to cover part of the reasonable and appropriate costs associated with the operation of a CHDO. Costs could include salaries, employee compensation and benefits, employee training and education, staff travel, rental of office space, equipment rental and/or purchase, office supplies, and insurance. The maximum allowable grant is \$50,000 per CHDO in any fiscal year and the CHDO may not receive more than 50% of their organization's total operating expense budget from the operating grant. LAHD has assisted 22 CHDOs with a total of 28 yearly grants.

CHDOs are also eligible for preacquisition loans (\$25,000 maximum) to defer costs associated with predevelopment activities. These loans are unsecured and do not have to be repaid by the CHDO if the project proves infeasible. A total of 23 preacquisition loans have been made to 16 CHDOs.

In addition, the City funds training programs designed to build capacity among non-profit housing developers. In FY 1997-1998, the City contracted with the Southern California Association of Non-Profit Housing to provide the following programs: a six-part training session on the prospects of future funding and development opportunities; training courses on topics such as tax credit applications, property management, and construction management; evaluation of the impact of welfare reform on affordable housing developments; preparation of a survey of banking products available to non-profit developers; and forums on changes in federal, state, and local funding resources. The City will continue to fund these types of capacity-building activities.

### **Neighborhood Knowledge Los Angeles**

The City of Los Angeles, in conjunction with federal and local agencies, has supported the development of Neighborhood Knowledge Los Angeles (NKLA), an internet database search tool that allows local non-profit developers to identify affordable housing projects at-risk of converting to market rents, as well as distressed and disinvested housing. NKLA provides access to detailed information regarding housing developments with affordable rent restrictions, dates of conversion to market rates, and number of units in the project. This allows interested organizations to quickly locate affordable housing units at-risk of converting to market rates that they may be able to acquire and preserve at affordable rents. Information on distressed and disinvested housing allows non-profit developers to identify potential acquisition and rehabilitation projects. Non-profit organizations are provided free, unlimited access to this resource.

### **FINANCING RESOURCES**

There has been a substantial reduction in the amount of funds available for housing programs. Beginning in FY 1992, the federal Department of Housing and Urban Development (HUD) made available preservation funds for expiring 221 and 236 projects through a program called the Low-Income Housing Preservation and Resident Homeownership Act (LIHPRHA). This program was discontinued, however, and as of 1997 funds are no longer available. The California Housing Finance Agency (CHFA) is not very active in Los Angeles. Further, the CRA tax increment, historically a substantial resource for housing production and rehabilitation, has been fully committed and is no longer generating additional revenue.

Funding is still available from several other sources, though, including the Community Development Block Grant (CDBG), HOME, and tax-exempt bonding authority.

### **Community Development Block Grant**

Historically, the City of Los Angeles has received approximately \$130 million annually in CDBG funds for housing and community development activities. Barring any substantial fluctuations in HUD appropriations that may occur as the federal budget is balanced by 2002 or additional cities qualify for CDBG allocations, it is reasonable to expect a similar amount of funding over the next five years.

CDBG funds are typically allocated to programs that fund the development of new affordable housing, single-family and multi-family rehabilitation, and minor home repairs. It is expected that the funding priorities for housing will remain consistent over this period, but that non-housing priorities will emerge, such as economic development, to reduce the total amount of CDBG funding directed toward housing. As a result, CDBG resources are an unlikely source of funds for major preservation activities.

### **HOME**

The City of Los Angeles receives approximately \$33 million annually in HOME funds for housing and community development activities. Barring any substantial fluctuations in HUD appropriations that may occur as the federal budget is balanced by 2002 or additional cities qualify for these allocations, it is reasonable to expect a similar amount of funding over the next five years. HOME funds will be available to any preservation project that meets program guidelines.

### **Low Income Housing Tax Credits**

Low Income Housing Tax Credits (Tax Credits) present a unique problem in that program guidelines and priorities are set by the State of California rather than the City of Los Angeles. As a result, the City can only guide a project developer in creating a project that will be more successful in receiving an allocation of Tax Credits rather than determine that a project will absolutely receive funds. This process has been complicated further by the California Tax Credit Allocation Committee (CTCAC) use of a lottery tie-breaker. Whereas the City tries to work with preservation projects to make sure they meet tax credits thresholds, there is no systematic method to ensure they will receive tax credits based on a point system. The State makes the final determination of Tax Credit awards.

### **Mortgage Revenue Bonds**

Since 1982, the City of Los Angeles has issued tax-exempt revenue bonds for the development of multi-family rental housing. Part of the City's preservation strategy is to refinance such projects with tax-exempt bond proceeds (bond refunding) in exchange for extended and strengthened affordability controls. Mortgage revenue bonds can also be a resource for acquiring and preserving at-risk units that were not originally financed with bond proceeds.

As bond refunding is an elective activity to which the owner must agree, it is difficult to project how much financing and bond authority the City would need to preserve these at-risk developments. Mortgage revenue bonds continue to be a viable finance source in the City of Los Angeles. However, the total amount available statewide under the private activity cap is limited and increasingly in demand by jurisdictions throughout the state.

### **State Bond Financing (upon availability)**

The availability of financing at the state level, typically funded through voter-approved general obligation bond issuances, will be considered a source for local preservation activities. Historically, such bond proceeds are administered by the State of California Department of Housing and Community Development and have been used to fund primarily new construction and rehabilitation housing projects.

The City of Los Angeles does not anticipate funds for the coming year. A state bond issue is under discussion in the legislature, but approval is unlikely. Legislative efforts in 1997 to replenish the program with surplus funds were not ultimately successful.

### **New Resources**

The Los Angeles Housing Department will continue to actively seek new resources for housing development and rehabilitation, such as 501(c)(3) bonds and additional appropriations for the City's newly created Affordable Housing Trust fund. As opportunities arise, the City will evaluate the potential for alternative resources to meet the City's needs and prioritize preservation projects where feasible.

### **LOCAL PROGRAMS TO PRESERVE LOW-INCOME HOUSING**

The following City of Los Angeles programs will be undertaken over the ten-year analysis period of the Housing Element. Consistent with Housing Element policy, the City shall support continued affordability of units subject to termination of federal mortgage or rent subsidies and expiring bond projects.

#### ■ **P-18 Expiring Affordability Requirements**

This program addresses developments that are required to meet rent and mortgage restrictions for a limited period of time and then revert to market rate.

To preserve affordability, the program will refinance and refund units for owners that are willing to maintain long-term affordability standards.

Responsible Agency: LAHD

Financing Source: Bond proceeds

Time Frame: Ongoing

Preservation programs of this nature are only effective where property owners would benefit from financial assistance offered through local agency programs. For example, some local low-income housing bond programs involved a balloon payment at the end of the 10th year. Many owners opt to refinance their projects and end the affordability restrictions rather than meet the balloon payment. In the case of projects where the owner has no financial incentive

to take additional debt or refinance their property, or all debt on the property has been repaid, local agencies have no leverage to maintain the affordable housing units at their low rates. According to the State Housing and Community Development Department, there are no identified policy or program approaches that would preserve low-income housing units once the debt service has been eliminated. The City of Los Angeles will continue to monitor this situation and evaluate any program that provides the potential to permanently preserve affordable housing.

■ **P-23 The Rent Stabilization Ordinance**

The Rent Stabilization Ordinance (RSO) limits the amount a landlord may raise rents on multi-family housing units constructed before 1979.

Responsible Agency: LAHD  
Financing Source: RSO Registration Fees  
Timeframe: Ongoing

All multi-family housing units constructed before October 1, 1978 are restricted under the RSO, even units constructed under federal housing finance or incentive programs. As a result, rents in any expiring at-risk housing unit will remain until the renter leaves the unit, at which time the unit's rent will be decontrolled. Though this is not a permanent preservation strategy, it prevents the eviction of thousands of households who could not otherwise pay higher rents, although it does not replace the loss of the Section 8 subsidy.

**PRESERVATION OBJECTIVES**

The City of Los Angeles' goal is to preserve all of the at-risk affordable housing stock. However, the City recognizes that some property owners may refuse to participate in a public agency-sponsored preservation program.

**Units That Expired Before December 31, 2000**

No funding is available to preserve existing affordable housing units that have already expired or will expire in the near future. CRA tax increment funds have been drastically restricted and diminished, and all current CRA funds have been committed. No additional funds from this source are anticipated in the near future. Further, the City has prioritized CDBG funds for economic development activities, reducing the amount of funding available for housing activities.

For the moment, most projects in the federal 221(d)(3) and 236 programs (comprising 14,337 affordable housing units) have retained their subsidized mortgages and thus kept rent and income restrictions in place. But because owners have the ability to prepay at any time, the Los Angeles Housing Department will continue to monitor these projects and provide assistance to property owners or tenant groups to maintain the affordability of these units. Should financing become available to preserve the affordability in these projects long-term, efforts will be made to contact property owners and encourage use of these funds. Again, no funding is currently available to refinance these projects.

All at-risk units are a priority with remaining housing finance programs.

There are no options available to extend the affordability of units developed through the AHIP or land use incentive programs. As a result, all affordable units developed under these programs will revert to market rents when the affordability restrictions expire.

**Units That Expire Between December 31, 2000 and June 30, 2010**

Of the 9,384 at-risk units that expire between December 31, 2000 and June 30, 2010, 6,504 are funded through programs that could encourage property owners to maintain affordable rents through refinancing products and 38 units were built with funding or land use restrictions that offer no leverage or incentive for property owners to extend the affordability through refinancing unless rehabilitation financing is needed. The 657 units are anticipated to become market rate units.

However, the City needs to make a good faith effort to contact all owners and property managers, to assess their need for, and interest in, City funding for rehabilitation and related purposes, which could extend the life of the properties and the affordability restrictions at the same time. Some market

research is needed to determine whether existing programs could meet those needs in a way that would be appealing to such property owners, or whether new loan products should be developed. These types of properties usually have only a small percentage of restricted units -- 20% or less -- so acquisition by affordable housing developers for permanent preservation is not a realistic scenario, given anticipated high sales prices resulting from the property's overall rental income.

Should funding become available, preservation projects that are feasible and truly at risk will have a high priority for City funding.

## SPECIAL HOUSING NEEDS

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As indicated, the City's major housing need is to retain existing and develop new "affordable" housing units. But there are a number of groups of residents that have what the state defines as special housing needs. In addition to affordability, these special needs can be physical needs and/or social needs related to the demographics of the special needs group. These State Housing Element law-designated "special needs" groups include the elderly, disabled (mental and physical), homeless, female-headed households, large families, farmworkers, and persons living with AIDS. A more specific discussion of the needs of those groups with needs that go beyond a decent, sanitary, and safe place to live which is affordable follows.

### ELDERLY

In order to maintain a satisfactory quality of life, residents of this City should have housing which suits their varying needs at every stage of their lives. As people age, they often find themselves facing additional housing problems they may not have had to cope with before. Therefore, the elderly are defined as a Special Needs Group.

There are many varying definitions of when a person is considered "elderly." Some programs define seniors or "elderly" at age fifty-five. The eligibility age for Social Security (except for those with disabilities) is sixty-two. Some programs define "elderly" or "senior" eligibility at sixty years. Because the statistics used to characterize the demographics of this special needs group come from various sources, some sets of numbers may not be directly comparable with others.

The 1990 Census indicated that there were 31 million persons that were aged 65 and older (or 12% of the population) in the U.S. There is a trend toward an increased proportion of elderly citizens in the U.S. population due to the aging of the "Baby Boom" generation, lower birth rates in recent years, and extended life expectancies. <sup>(1)</sup> It is expected that persons aged 65 years and older will comprise more than 14% of the U.S. population by 2010, and 22% by 2030 (or 65 million). <sup>(2)</sup>

According to the 1990 census, 13.5% of the City of Los Angeles' population of 3,485,398, or 470,900 people, were aged sixty years or older. Of those, 345,960 residents were sixty-five years or older, or 10%, slightly less than the national average. In 1995, the City Department on Aging projected an elderly population (60 and older) of 504,328 persons in the year 2000. There would be a need for 15,588 dwelling units to house the additional elderly population of 33,428 expected by the year 2000 (using the average of 1.58 persons per dwelling unit recommended by the Los Angeles Housing Department). This estimate does not consider the size and type of dwelling unit.

In order to satisfy the needs of shifting populations and provide information to agencies serving the elderly in the City of Los Angeles, the Department on Aging conducted an analysis of projected service needs based on geographical areas. The study found that large numbers of elderly live in the Southwest Valley and Northwest Valley subareas of the City (See Area Aging Table, Exhibits [27](#) and [28](#)). The 1990 Census supported that finding showing that (for those persons 60 years of age and older) the largest increase of population has taken place in the Northeast, Northwest and Southwest Valley subareas of the City, with smaller increases in Northeast and South Los Angeles. A decrease in elderly population was shown in Central Los Angeles and the Southeast Valley.

While the State of California is the national leader in the number of elderly, the City is experiencing an exodus of elderly from central city areas. The reasons for this undoubtedly include lack of affordable housing and convenient transportation, high crime rates as well as mortality factors and replacement by younger families. Surrounding counties have experienced an increase in the elderly population, while the rate of growth in L.A. County is decreasing. In addition to the need for affordable housing because of fixed incomes, etc. the elderly have other physical and social needs.

The Department on Aging analysis found that, on a citywide basis, the greatest needs of the elderly are for transportation, affordable housing, case management (social service referrals), financial assistance / employment, long term care for the home-bound, and day care. <sup>(3)</sup> The elderly often have

no immediate family, lack mobility either through physical impairments or lack of transportation alternatives, and are therefore isolated. In 1990 there were 68,800 elderly persons in the City with a mobility limitation. <sup>(4)</sup> They also need physical amenities such as hand holds in the shower area, lower counters, lower shelves, and special lighting. This group is also very sensitive about security.

As a special needs group, the elderly are in some respects unique. An article in American Demographics states that in 1990 the elderly owned approximately 131,044 dwelling units (or 10%) of the City's 1,299,963 total housing units; and rented 99,256 units. Although L. A. County has been identified as a high-cost, low-ownership area with a 48.2% overall ownership rate, the elderly own almost 10% of all dwellings in the City. <sup>(5)</sup> This is a high rate of ownership for a population comprising about 14% of the total population in the City. Those elderly who own their own homes (and frequently have paid-up mortgages) are among the most likely City residents to have affordable housing.

However, the situation for a renter in the City is very different, given an average rent of \$544 per month and the generally low incomes of the elderly.

According to the 1990 Census there were 34,640 persons of 65 years and older below the poverty level, and 295,230 above the poverty level in this City. The poverty level in 1990 was \$6,280 for one person and \$8,420 for 2 persons. Seventy-seven percent of all elderly renters receive less than half the median income (\$30,925), or about \$15,000 per year. <sup>(6)</sup> The median income for Social Security recipients nationally is \$13,959. <sup>(7)</sup>

Social Security is the main source of income for elderly households. Less than half (45%) received pensions other than Social Security, and only 20% have earnings. Non-married women make up a greater percentage of the total elderly population as they age. The median household income drops dramatically for the elderly population, with the oldest age group having the highest poverty rate.

Non-married men and non-married women and minorities have the highest poverty rates <sup>(8)</sup> which range from 16% to 48% of this population.

Unless they are disabled, the elderly are ineligible for Social Security until they reach at least age 62. Social Security (Old Age Insurance), even when supplemented by a pension and savings, simply does not cover the cost of living in Los Angeles for most elderly residents. In order to fill that gap between income and housing costs many elderly continue to work or apply for Supplemental Security Income (SSI/SSP). It is reported that in 1991, 77,011 individuals or 22% of the elderly population received aid through this program. The age of eligibility for SSI is 65. <sup>(9)</sup>

Women are particularly impacted because they live longer and have lower average incomes (\$9,092). Women receive an average of \$758 per month from Social Security benefits, which is notably less than the average amount received by men (\$978 per month) due to their historically lower wages or housewife status.

Census data show that the vast majority of older Americans (95%) live in their homes within the community, as opposed to only 5% living in an institutional setting. Repeatedly, research such as the 1990 AARP survey shows that most older Americans want to remain in their homes in their community, and to age in place. <sup>(10)</sup> Households with members over age 65 are three and one-half times less likely to relocate than those under 65. <sup>(11)</sup>

A large proportion of the elderly population live alone. Many of them find single-family homes too costly to maintain; others cannot afford multi-family rental housing. The elderly also face loss of housing when multi-family housing is converted to condominiums, or when tenants are moved out for building renovation. The elderly find it extremely difficult to find affordable replacement housing. <sup>(12)</sup>

The use of Section 8 rental subsidy certificates in the private market for the elderly do not serve the housing needs of the elderly as well as it does for the younger population. <sup>(13)</sup> The scattered site aspect of Section 8 housing subsidies make it less advantageous for those who would receive enriched social opportunities and safety from housing planned specifically to address their unique needs. Congregate housing, which provides services on-site such as a common dining room and kitchen with support services, allows the elderly to maintain their independence and not become burdens to society. <sup>(14)</sup>

**EXHIBIT 27  
60 YEARS+ POPULATION COUNTS BY AGING SERVICE AREA (ASA)**

<b>Aging Service Area (ASA)</b>	<b>1980</b>	<b>1990</b>	<b>Change</b>
<b>North Valley</b>	17,210	23,331	6,121

East Valley	32,604	32,919	315
South West Valley	35,521	47,601	12,080
City	37,183	33,818	-3,365
West Wilshire	51,171	44,385	-6,786
Southwestern	22,417	28,172	5,755
Mid-valley	32,700	35,199	2,499
South Central	19,697	21,643	1,946
Central	23,148	21,191	-1,957
West Adams	22,491	22,984	493
Westside	30,768	33,022	2,254
Northwest Valley	19,260	31,622	12,362
Northside	42,428	38,428	-4,000
Eastside	32,828	36,196	3,368
Harbor	18,520	20,472	1,952

Source: Area Council on Aging (Population 60 Years of Age and Older)

An examination of this issue by Patricia B. Pollak <sup>(15)</sup> discussed third-party ownership of temporary (i.e., mobile or modular homes) elder cottage units which would offer flexibility of location as well as subsidization. This elder cottage program would involve retention of ownership of the temporary dwellings by a third party (such as a nonprofit corporation or H.U.D.) and would control for unit size, design, construction, location on lot, and siting, etc. A model program entitled Elder Cottage Housing Opportunity (ECHO), sponsored by H.U.D., is being evaluated at the writing of this element. The modular units could be moved onto an adult son or daughter's yard space, offering proximity for personal care, as well as reducing the responsibility of property management and ownership to the elderly or their children.

Additional housing types sometimes considered appropriate for the elderly include age-segregated two-story townhouses, and one- and two-story duplexes. Community centers offer opportunities for social interaction for the elderly, and could also house child care centers. Denmark and Sweden relax zoning regulations to build additional housing and provide community centers for the elderly. <sup>(16)</sup> This enables many elderly to remain in their home community. Sweden offers housing allowances to the elderly who are temporarily institutionalized as an incentive for them to return home. Japanese corporations provide home help to their pensioners as part of their employment benefits.

A notable segment of the elderly population does not require constant care and chooses to live in alternative housing. For example, social agencies match people in need of housing with other elderly homeowners or partment dwellers looking for roommates. These arrangements reduce housing costs and often ameliorate the sense of loneliness and isolation the elderly feel when a spouse dies or extended family members move away.

Other sorely lacking facilities and housing services for the elderly include facilities for adult day care, short-term institutionalization, and short-term foster care. These would provide residential care and supportive services to elderly residents who are unable to care for themselves, as well as respite care to family members. <sup>(17)</sup>

**EXHIBIT 28  
NUMBER OF ELDERLY BY COMMUNITY PLAN AREA (>60 YRS)**

CPA#	Community Plan Area	60 - 64 Years	65 - 74 Years	Over 74 Years	Total
1	Northeast Los Angeles	7,958	11,867	8,945	28,770
2	Boyle Heights	2,668	3,899	3,199	9,766
3	Southeast Los Angeles	5,497	9,341	6,869	21,707
4	West Adams - Baldwin Hills	6,490	11,387	7,644	25,521
5	South Central Los Angeles	7,916	12,758	8,758	29,432
6	Wilshire	8,745	15,870	16,426	41,041

7	Hollywood	7,512	12,548	11,659	31,719
8	Silver Lake - Echo Park	2,595	3,993	3,283	9,881
9	Westlake	2,428	4,118	3,487	10,033
10	Central City	979	1,922	1,514	4,415
11	Central City North	498	913	702	2,113
12	Sherman Oaks - Studio City	3,256	5,945	4,753	13,954
13	North Hollywood	3,722	6,825	5,664	16,211
14	Arleta - Pacoima	2,521	3,625	1,723	7,869
15	Van Nuys - North	4,482	8,463	6,453	19,398
16	Mission Hills - Panorama City	3,549	5,949	3,344	12,742
17	Sun Valley	2,498	3,993	2,244	8,735
18	Sylmar	1,891	2,678	1,571	6,140
19	Granada Hills	2,862	3,813	1,754	8,429
20	Canoga Park	7,119	9,819	5,721	22,659
21	Chatsworth	3,652	4,777	2,399	10,828
22	Northridge	2,839	4,180	1,860	8,879
23	Reseda - West Van Nuys	3,481	5,944	4,223	13,648
24	Encino - Tarzana	4,101	6,393	3,744	14,238
25	Sunland - Tujunga	1,858	3,022	2,061	6,941
26	Westwood	1,465	2,822	2,491	6,778
27	West Los Angeles	2,810	6,023	5,490	14,323
28	Palms - Mar Vista - Del Rey	3,834	6,733	4,131	14,698
29	Venice	1,264	1,920	1,233	4,417
30	Westchester	2,054	3,990	1,990	8,034
31	Brentwood - Pacific Palisades	3,171	5,491	3,313	11,975
32	Bel Air - Beverly Crest	1,328	1,996	1,050	4,374
33	Wilmington - Harbor City	2,161	2,972	1,751	6,884
34	San Pedro	2,800	4,673	3,314	10,787
35	Harbor Gateway	1,269	1,603	782	3,654
<b>Total</b>	<b>All Areas</b>	<b>122,273</b>	<b>202,165</b>	<b>145,545</b>	<b>469,983</b>

Source: SEIS-1990 U.S. Census

To address the elderly housing need, the Community Redevelopment Agency (CRA) set aside \$11,500,000 for elderly housing in Fiscal Year 1996-97 budget to complete 400 new elderly units. The agency produced a total of 4,101 senior units as of 1995 of which 1,849 units were built under HUD's Section 202 Program. The City of Los Angeles Housing Department also has a 15% budget set-aside for housing production for low income seniors to be used for housing production or other types of housing subsidies.

In summary, increasing numbers of elderly in the population are creating a demand for more affordable housing in the near term. Long-range planning must recognize this need and design innovative programs such as ECHO to address the demand.

**PERSONS WITH DISABILITIES**

Persons with disabilities in the City face unique problems in obtaining affordable and adequate housing. This segment of the population, which includes mental, physical, and developmental disabilities, needs low-cost, conveniently-located housing which has been specially adapted for wheelchair accessibility, along with other physical needs.

Disability is a physical or mental impairment that substantially limits one or more major life activities. It is estimated that over 500,000 physically, mentally, and developmentally disabled people reside in the City of Los Angeles. There are 95,000 persons with severe mental illness in Los Angeles County.<sup>(18)</sup> Persons with developmental disabilities numbers 183,328, and person with physical disabilities numbers 259,636. A large proportion of the homeless (one- third to one-half) have mental or physical disabilities. Approximately 3,300 individuals with mental disabilities can be found in the County's jails (or 16% of all inmates).

The majority of persons with disabilities live on an income that is significantly lower than the non-disabled population. The Task Force on Family Diversity estimates that at least one-third of all persons with disabilities in the United States live in poverty. Persons with disabilities have the highest rate of unemployment relative to other groups. For most, their only source of income is a small fixed pension afforded by Social Security Disability Insurance (SDI), Social Security Insurance (SSI), or Social Security Old Age and Survivor's Insurance (SSA), which do not adequately cover the cost of rent and living expenses even when shared with a roommate.

In addition, persons with disabilities experience discrimination in hiring and training relative to other groups. When they find work, it tends to be unstable and at low wages. Most educational programs for persons with disabilities do not provide adequate skills and training, which leaves a person with a disability qualified for no more than minimum wage employment. Eligibility for employment training is often based on some level of residential stability.

As with any population, a full spectrum of affordable housing is needed, from mobile home, temporary shelters to transitional and permanent housing, including group, congregate and independent housing. Independent, supported living is preferable, either through individual or shared homes or apartments, providing each individual with his/her own bedroom. Support services may be provided either on- or off-site.

Appropriate housing for persons with mental or physical disabilities includes very low cost small or large group homes (near retail services and public transit), supervised apartment settings, outpatient/day treatment programs, and inpatient/day treatment programs or crisis shelters.

It is the opinion of many groups homes developers and non-profit mental health services organizations that the City's current zoning regulations are too restrictive and do not facilitate the implementation of such housing projects.

### **Physical Disabilities**

There is a scarcity of housing in the City accessible to persons with a physical disability. In 1990 only one percent of the City's housing units were accessible, while between 12 and 14 percent of the City's population has a physically or developmental disability.

In order to accommodate the City's population with physical disabilities, there is a need to adapt houses or apartments for wheelchairs and other special requirements. Both Federal and State housing laws require certain features of adaptive design for physical accessibility in all multi-family residential buildings with four or more units built for first occupancy starting March 13, 1991. However, numerous dwelling units built before that date are not subject to these accessibility requirements. Further, the Americans with Disability Act, adopted July 26, 1990 (Public Law 101-336), requires architectural retrofitting of commercial structures converted to residential use to accommodate individuals with physical disabilities, the Los Angeles City Advisory Council on Disability states that there is a need for architectural accessibility in 4 to 15 percent of all housing in the City. Housing preservation programs (See Chapter VI) administered by the Los Angeles Housing Department provide for accessibility retrofitting to comply with the law.

### **Mental Disability**

Persons with mental disabilities are a critically under-served population with respect to housing. There is a general incidence of mental disability of 1 to 2% of the population.<sup>(19)</sup> Approximately 20-50 percent of these are capable of living semi-independently in their own supported housing units with assistance in maintaining their apartment, the provision of meals and obtaining transportation, as do other persons with disabilities.<sup>(20)</sup>

There are a limited number of day treatment facilities and programs, including drop-in socialization centers, to serve persons with mental disabilities. These individuals do not have regional centers as do the persons with physical disabilities and there is no respite care to families who care for their relatives with mental disabilities on a 24-hour basis.

The State Department of Mental Health and the County Department of Mental Health provide funding for development of housing for persons with mental disabilities. State law (Sec. 50689) provides for licensing of private residential care facilities for the care of persons with mental disabilities. These residences include small group homes with not less than 12 dwelling units, and serving not more than 24 persons per structure.

There is a large homeless population with mental disabilities in the City. A large segment of the adult persons with mental disabilities now living with aging parents may find themselves homeless in the near future. Many more are temporarily housed in jails (after arrest for a minor offense), largely due to the unavailability of appropriate supported housing. They are caught in the revolving door of homelessness and jail.<sup>(21)</sup>

### **Developmental Disability**

The City lacks suitable and sufficient housing for persons with developmental disabilities to live independently in their own dwelling units, away from institutional supports. According to Section 4512 of the California Welfare and Institutions Code, a developmental disability is defined as disability and mental retardation resulting from cerebral palsy, epilepsy or autism which originates before the age of 18, is likely to continue indefinitely, and constitutes a substantial disability for the individual. Many of the persons with developmental disabilities live in traditional nuclear families, occasionally remaining with their family of origin into adulthood. Another large segment lives in board and care homes which provide a supervised living/nursing environment.

A substantial disability is defined as not being able to use the resources that are available to other people. The disability cannot be solely psychiatric or solely physical in nature.

The Regional Center for the Developmental Disabled estimates that approximately 1% of the City's total population (35,000 persons) would fall into the definition of developmental disability. Of this number, approximately 40% are adults. Approximately 10% of this adult population would in all probability be able to live independently. In order to function independently, the Center provides their clientele with referrals to public service agencies, which in turn provide training in independent living skills, counseling on health issues (including alcohol and drug abuse), and job skills.

It is estimated that 70% of persons with developmental disabilities in the City are retarded and 8% autistic. Because those with developmental disabilities range from those persons needing total care to persons who are capable of living completely independently, a wide range of housing types should be provided to serve current and future needs.

Ability First of Southern California provides housing for persons with disabilities. Utilizing H.U.D. funding, this organization sponsors several independent living apartment complexes and a semi-independent group home at various sites around Los Angeles County for low-income adults age 18 to 62 who have physical or developmental disabilities. These residences offer accessible living features such as lowered counter heights, roll-in showers, and widened doorways for people with wheelchairs. Support services include attendant care, lessons in cooking, sewing, and exercise. There are a total of 87 apartment units in 3 buildings and 15 units in the semi-independent group home.

The Single Room Occupancy (SRO) Corporation of Los Angeles also provides low-cost housing for low-income adults in the Skid Row area of downtown. It is funded by H.U.D., C.R.A., and the L.A. Department on Aging.

Housing Authority of the County of Los Angeles (HACOLA) provides funding for persons with disabilities who have been certified as eligible. Persons with disabilities find their own rental units and pay no more than 30% of their income toward the rental cost.<sup>(22)</sup> This assistance is provided to households in County unincorporated areas and in smaller cities that participate in HACOLA's programs. The Housing Authority of the City of Los Angeles (HACLA) provides rental assistance to low income persons with disabilities and homeless persons with disabilities who reside in the City of Los Angeles. For example, for homeless persons with disabilities, HACLA administers rental assistance from HUD Shelter Plus Care program under which a household pays no more than 30% of their income toward rental while a community-based organization provides supportive services to the household to help the household maintain their housing and not fall back into homelessness.

In spite of recent federal legislation (Fair Housing Amendment Act of 1988),<sup>(23)</sup> persons with disabilities encounter resistance from neighbors when developing or purchasing housing in conventional residential neighborhoods. Under this legislation many government regulations restricting group homes or other housing for people with disabilities will be a violation of federal law.

Non-profit developers report that there is a need for jurisdictions to fast-track the permitting process for these projects, as well as waive or defer fees as they operate on limited budgets. Examples of fee waivers include school fees, since these residences do not house children. The recently adopted Affordable Housing Incentives Ordinance allows for fee deferral prior to the issuance of a Certificate of Occupancy (Sec. 19.01 K 10 of the Planning and Building Code).

Some developers have found that current city parking requirements are costly and burdensome. Compliance with general parking requirements may add costs to development and is inappropriate for a poor, non-driving population residing near convenient, public transportation in the inner city. Exception to the parking requirements exists for projects accommodating senior citizens and persons with disabilities through conditional use permits. Developers have also the option of applying for a variance to reduce parking in situations where it is warranted.

Problems of housing availability and affordability are more difficult for those segments of the City's population classified with mental, developmental, or physical disabilities than for persons without disabilities. Most of these groups live on a small fixed income which severely limits their ability to pay for housing. Taken together, the factors described herein severely hamper opportunities for independent living for all segments of the City's population with disabilities. Even housing in small group homes and large facilities is sorely lacking in supply and for many people is prohibitive in cost.

The City Housing and Community Development Departments currently support developers' applications for funding for the persons with disabilities through Section 202 and 811 funds from state and federal sources. In addition, the Los Angeles County Department of Mental Health funds a countywide project to identify units available to persons with disabilities. Known as the Vacant Housing Inventory, the project is a database of affordable apartment units as well as apartments that accept public rental assistance, information on Board and Care facilities, transitional housing, shelters and SRO units for persons with disabilities. The project is administered by a Community of Friends, a local non-profit developer of special needs housing. To further encourage the development of housing units for persons with disabilities, the City's Commission on Disability proposed an ordinance to provide 5% of the project's units as accessible units (required by Title 24 of the State Code be made affordable to persons with disabilities).

## HOMELESS

Contemporary homelessness is the byproduct of a number of different trends: the relative decline of the number of housing units affordable for extremely low income people, including the demolition of SROs and conversion of subsidized units to market-rate rentals; de-institutionalization of persons with mental illness without adequate community-based support; de-industrialization, whereby high-paying manufacturing jobs have given way to low wage service sector employment; and the decline of real dollars of public benefits. <sup>(24)</sup>

Against this backdrop of difficult economic and social trends, low-income persons find it increasingly hard to hold onto housing. Particularly at risk are persons with severe mental illness and/or substance abuse problems and chronic illness, and extreme poor families. <sup>(25)</sup>

A system of services has been developed in response to these needs, providing homeless prevention and outreach, emergency shelter, transitional and permanent supportive housing. This system is known as the Continuum of Care.

## Demographics

The Study, "The Number of Homeless People in Los Angeles City and County, July 1993 to June 1994," November 1995, by Shelter Partnership, Inc., found that there are up to 41,500 people homeless on any given night in the City of Los Angeles. This represents nearly one-half (49%) of those homeless on any given night across the county. The study also estimated that 109,000 persons experience homelessness in the City of Los Angeles in the course of a year. The study further indicated that individual adults comprise 75% of the homeless population, families with children constituting 20% and unaccompanied youth, 5%.

A five-year study of street youth of Children's Hospital released in 1997 places the number of runaway youth in the Hollywood area at 7,000-8,000. <sup>(26)</sup> More recently unaccompanied youth not comfortable with the Hollywood area have migrated to the beach areas, including Venice. Providers in Skid Row report that unaccompanied youth typically are not found there.

Estimates of homelessness have been used because physical enumeration of homeless persons is fraught with methodological problems due in part to the transience of the population and because many homeless people dwell in well-concealed locations. Also, people lacking their own home may

have secure temporary housing through friends or relatives and are therefore not yet literally homeless.

In 1990 the Census Bureau attempted a single night count of homeless people in the City with encountered significant problems in implementation. The City of Los Angeles conducted a demonstration project in 1999 to test alternative methods of counting people on the streets so that the 2000 Census does not repeat the mistakes made in 1990.

In addition to the general population estimates, local research has contributed to a better understanding of homelessness and homeless sub-populations. These studies include the Course of Homelessness, a study of homeless adults in Santa Monica and downtown Los Angeles conducted by the RAND Corporation and the Children's Hospital AESOP study. The Veteran's Administration also maintains extensive data on homeless veterans using their services. <sup>(27)</sup>

The Course of Homelessness study, which included interviews with homeless persons in Santa Monica and downtown Los Angeles, found that 4% of the homeless population and chronic major mental illness along, while person with both chronic major mental illness and chronic substance abuse dependency comprised 16% of the population. The study further found that while the homeless mothers with children they interviewed had a far lower rate of current alcohol dependency (7% versus 34%), they had similar rates of current illicit drug dependency (17% versus 21%). <sup>(28)</sup>

The AESOP study focused on the HIV risks facing street youth. Seventy-five percent of the AESOP sample of street youth in Hollywood reported having no home. Of those, nearly 20% reported being homeless for less than two months, 20% for two months, and 50% for longer than a year. This highly mobile population has been difficult to draw into shelters and other service programs; only half the youth sampled in Hollywood indicated that they had ever stayed in a shelter.

These findings support the trend in program development toward more programs for persons with dual diagnoses, and the accommodation of family needs in substance abuse treatment programs. The AESOP report illustrated the different ways in which youth use services, and the challenges providers face in establishing a relationship with them. This, too, points to the need for more creative and collaborative approaches to service homeless youth.

Despite increases in funding to the area over the years, and the increasing sophistication of providers, the level of services and housing has not kept pace with the need. According to the "1996 Short Term Housing Directory of Los Angeles County," by Shelter Partnership, Inc. (May 1997), there are 7,157 beds for homeless persons in the City of Los Angeles. Given that on any given night there are up to 41,500 people homeless in the City, there is a need for more housing for this population. This situation is especially difficult for persons with disabilities (mental illness, multi-diagnoses, persons living with HIV/AIDS, or pregnant women), and for unaccompanied youth and families and adolescent children, as very few beds specifically serve these special needs population. <sup>(29)</sup>

For many, homelessness is a single episode of varying duration. For others, the episodes repeat, following the ebb and flow of personal crises that sometimes overwhelm the person's ability to stay housed. The Continuum of Care, to be successful, must accommodate these variations in need and use. Because the homeless population is so diverse and the problem of homelessness is rooted in structural changes in the labor and housing markets, the remedy - but not the solution - to homelessness rests with emergency and transitional programs that assist homeless people in returning to permanent housing.

## Funding

The Los Angeles Homeless Services Authority (LAHSA), a joint powers agency of the City and County, is responsible for planning and administering the majority of federal funding of supportive services emergency and transitional housing programs in the City. LAHSA also oversees a limited number of special needs permanent housing projects. Funding for homeless programs comes from entitlement grants (Emergency Shelter Grant, ESG, Community Development Block Grants, CDBG) and from competitive grants (supportive Housing Program - SHP).

In addition to LAHSA's contracting agencies, there are a number of privately funded programs serving homeless people in the City. Most notable among these is the Mission, which have historically fed and sheltered homeless people in the Skid Row area of downtown Los Angeles.

Since 1995, the United States Department of Housing and Urban Development (HUD) has annually issued a SuperNOFA (Notice of Funding Availability) for Continuum of Care homeless assistance funding. The Continuum of Care SuperNOFA includes three programs: The Supportive Housing Program (SHP), Shelter Plus care and SRO Moderate Rehabilitation. The Continuum of Care strategy required by the NOFA must address how the local jurisdiction addresses the entire range of homeless

needs, from prevention, crisis to intervention and emergency housing, to permanent supportive housing. In addition, the Continuum of Care narrative includes reference to other sources of available funding for programs, so that program dollars are coordinated with other funding streams, such as the Emergency Shelter Grant (ESG), Housing Opportunities for People with AIDS (HOPWA) and the Emergency Food and Shelter Program Grant (EFSPG).

With increasing national competition for federal funds, Los Angeles is witnessing a decrease in its funding from these programs. The 1998 Continuum of Care award was 13% less than the prior year, while ESG funds for FY1999 are 10% less than in 1998. As a growing number of jurisdictions compete nationally for HUD funding, Los Angeles' share is likely to continue to decrease.

**Programs**

The greatest concentration of homeless persons and services in Los Angeles is in Skid Row. However, homeless persons can be found throughout the City. The \$20 million HUD-funded Homeless Initiative in 1995 and subsequent Continuum of Care funding has meant substantial inflows of funding to Skid Row, but also has fostered the development of programs elsewhere in the City.

The Homeless Initiative funds have been dispersed to support Access Centers, Service Enhancement Areas, health care access, benefits advocacy, outreach teams, rent assistance coordination and services, 24-hour emergency housing, substance abuse rehabilitation programs and long-term case management. The balance of Initiative funds supports a Downtown Drop-In Center, a No-Fail Community Model program for multi-diagnosed homeless persons and gap funding for three permanent housing.

The Winter Shelter program is a seasonal program designed to bring additional and temporary emergency shelter beds on-line during Los Angeles' most severe cold and wet weather. The program opens during cold or wet weather for the first 30 days from mid-November, operates continuously from mid-December until the end of February, and resumes a weather-activated status for the month of March. In addition to emergency shelter, hotel vouchers are available to the contract providers to accommodate individual and families for whom mass shelter is inappropriate. In 1997-98, the Winter Shelter Program served over 15,000 unduplicated persons countywide (see Exhibit 29).

The 24-hour Emergency Homeless program offers shelter beds and/or temporary transitional housing, case management, substance abuse counseling, employment assistance and health services. Clients also receive child care, transportation, and income support assistance, such as applying for Veterans benefits, SSI, Food Stamps and other government assistance programs.

Community Voice Mail (CVM), administered by LAHSA, provides to people who are homeless 24-hour access to telephone messages. CVM allows people to conduct basic business transactions by receiving information from potential employers, landlords, services providers and others. It also encourages contact between families and friends, reducing isolation from people living on the streets. Participants use CVM with their own 7-digit number, a personal greeting and a private pass code to retrieve messages.

**EXHIBIT 29  
1998-99 WINTER SHELTER PROGRAM SITES IN THE CITY OF LOS ANGELES\***

<p><b>Downtown Los Angeles</b></p> <ul style="list-style-type: none"> <li>■ The Salvation Army Harbor Light</li> <li>■ SRO Housing Corporation</li> <li>■ New Images Emergency Shelter</li> </ul>
<p><b>East Los Angeles</b></p> <ul style="list-style-type: none"> <li>■ Jovenes</li> </ul>
<p><b>Hollywood/Mid-City</b></p> <ul style="list-style-type: none"> <li>■ Bright World Care Center, Inc.</li> </ul>
<p><b>North Hollywood</b></p> <ul style="list-style-type: none"> <li>■ L.A. Family Housing Corporation</li> </ul>

### South Los Angeles

- His Sheltering Arms
- Henderson Community Center
- SSG/People Helping People
- L.A. Community Services, Inc.
- Parents of Watts
- Salvation Army

\*Sites and providers are subject to change on an annual basis.

In 1997-98, the Winter Shelter Program, 24-hour Emergency Homeless Program, and Community Voice Mail programs served a total of 11,696 unduplicated individuals. The first two programs provide decent and safe temporary housing opportunities with easy access to needed social, economic, educational and health services for homeless individuals and families. Community Voice Mail provides an essential service for persons seeking employment and/or housing.

The Continuum of Care Homeless Providers, previously funded by the Community Redevelopment Agency, now receive Los Angeles City CDBG funds to pay for job counseling and training, social services and shelter. The agencies include Henderson Community Center, SRO Housing Corporation, Skid Row Development Corporation, Special Services for Groups, Weingart Center Association and LAMP.

### Zoning

One significant way in which the City fostered the development of homeless shelters was through the 1986 adoption of two ordinances that would facilitate the location of shelters within City limits. Ordinance 161,426 permits shelters with the Zoning Administrator's approval in Medium density residential (R3) and in areas zoned for manufacturing (M1, M2, M3). There is a flat fee for the application and the public hearing may be waived if the Zoning Administrator finds that the project 1) would not have a significant effect on adjoining properties or on the immediate neighborhood, or 2) was not likely to evoke public controversy. In addition, parking may be reduced to 10% of the number of spaces required in the zone, with a minimum of two parking spaces.

Ordinance No. 161,427 permits homeless shelters to be established in high density residential zones (R4 and R5) and commercial zones (C2, C4, and CM) by right. Parking may be reduced to 25% of the number specified in the Zoning Code if the site is located within 1,000 feet of a transit stop.

Despite these broader development rights, local community opposition to low-income housing and homeless services continue to challenge providers seeking to site new projects. Since the projected funding for the next years is likely to be drawn toward the renewal of existing programs, community are not likely to see significant number of new homeless programs. However, the continuing need for affordable permanent housing and supportive housing will mean that the City will have an ongoing responsibility to ensure the rights of special needs populations to housing.

Los Angeles historically has lead cities nationally in terms of both estimated number homeless and receipt of federal funding. The complexity of the problem facing Los Angeles has not diminished over the years, despite the marked increase in funding and program development. Both the private and public response to homelessness locally has meant an increased number of persons served annually, but with general evaluative measures still in development, the long term impact of this growth in services is not conclusive. The inability of many of these remedies to prevent new or recurrent homelessness may be explained by the continuing shortcomings of a costly housing market, shifting labor market conditions and relatively scarce supportive services.

### DRUG OR ALCOHOL-DEPENDENT PERSONS

Individuals currently in recovery from drug or alcohol abuse are protected by fair housing laws. Those persons currently using illegal substances are not disabled under the law, unless they have an independent disability.

There is an extreme shortage of low-income housing and residential recovery programs for single recovery alcoholics, addicts and family members in the City of Los Angeles. There are over 300 sober living homes operating in the City, and they only accommodate stable and employed recovering persons. Further, they provide the environment, motivation and tools for recovering medically indigent alcoholics, addicts and family members to maintain their sobriety and to become productive citizens in low income communities. Most of the above-mentioned sober living homes need renovation and upgrade assistance.

At its meeting on January 23, 1998, the Los Angeles City Council's Housing and Community Redevelopment Committee initiated a request for the draft of an Interim Control Ordinance (ICO) on the establishment or expansion of licensed community care facilities serving six or more persons with drug or alcohol-related problems for the geographic area of San Pedro identified as having a concentration of such facilities.

A number of complaints from property owners were registered in the 15<sup>th</sup> Council District Office concerning excessive loitering, panhandling, and aggressive behavior of some individuals in and around the Main Post Office area of San Pedro. The Area is generally bounded by Beacon, Center, and Ninth and Tenth Streets, and contains a number of community care and residential facilities which provide 24-hour non-medical care and supervision to adults. These facilities provide services to persons with physical, mental or developmental disabilities, and to individuals recovering from chemical dependency.

As a result of these complaints, a "Special Needs Housing Task Force" was appointed by Councilman Rudy Svorinich and comprised of 28 persons representing homeowner associations, the business community, providers of community care services, and the Los Angeles City Planning and Community Development Departments.

The Task Force focused on identifying the number, location, and legal status of a variety of facility types, and found that there were no documented negative impacts of these facilities on their surrounding communities. Consequently, there was no legal basis for a moratorium on this type of transitional housing.

The City of Los Angeles has over 1,300 licensed community care facilities with a total citywide capacity of almost 22,500 beds.

Further, the City Planning Department recommended that the City should consider its nuisance abatement authority pursuant to Section 12.27.1 of the Zoning Code to address this particular issue. Nuisance abatement authority has been used to enforce existing conditions or impose new conditions, or revoke permits on uses that have become a nuisance to the public.

The issue of community care facilities must be considered with the regulatory context provided by the California Community Care Facilities Act and the Federal Fair Housing and Americans with Disabilities Acts. These laws prohibit discrimination in housing. In addition, the California supreme Court's decision in *Adamson v. The City of Santa Barbara* (wherein the court ruled that unrelated persons who constitute themselves as a household may be considered a family) complicates and possibly constrains the City's ability to regulate in this area.

#### **FEMALE-HEADED HOUSEHOLDS**

The number of women rearing children alone in America has more than doubled in the 22 years from 1970 to 1992, from 13% of households to 30%. There were 12 million single mothers in this country in 1993, 86% of whom maintain homes for their families. There are 289,000 female-headed households (or 24% of all City households) in this City. <sup>(30)</sup>

Almost 40% of female-headed households in the U.S. have incomes below the poverty rate. <sup>(31)</sup> in the U.S. about one-half of never-married mothers are unemployed. <sup>(32)</sup> Fifty-five percent of families headed by never-married females receive public assistance, as well as 20% of families headed by divorced/separated mothers. <sup>(33)</sup> Before-tax income of families maintained by widows averaged \$22,790 in 1990, while incomes of divorced/separated women averaged \$18,580, and never-married mothers averaged \$9,820 in the U.S.

The economic problems of these women have serious policy implications with respect to housing. According to "The Widening Divide," <sup>(34)</sup> California has the worst rental affordability problem in the U.S., with a more severe shortage of low-priced units than any other state. Since 1970 there has been a 25% increase in the number of poor renter households paying 50% or more of their income in rent.

Single female renters have an extreme cost burden, with rents exceeding 50% of their income. It has been reported <sup>(35)</sup> that single mothers in the U.S. who rent have an annual income of \$11,700. For an employed woman with children, the average household income in this City is \$19,730. An affordable rental cost for this Los Angeles household would be \$493 per month (30% of the gross income). Clearly, we can conclude that the average female-headed household in this City cannot afford the average rent. <sup>(36)</sup>

Home ownership is not a realistic option for most female-headed households. Only 37% of divorced/separated mothers and 9% of never-married mothers in the U.S. owned their own homes. Female homeowners in the U.S. have average incomes of \$25,800, 29% less than male homeowners.<sup>(37)</sup>

Reported studies indicate that never-married mothers in the U.S. are not generally high school graduates, and they also have a low labor force participation rate.<sup>(38)</sup> The never-married mothers were less likely to have child-care expenses than the divorced/separated group (81% of whom are employed).<sup>(39)</sup> Housing costs are usually the greatest expense for single heads of household.

Historically, welfare mothers have been, for the most part, unable to rent decent housing in the private market. An AFDC (Aid to Families with Dependent Children) family which received \$632 per month in 1995 was not able to afford the median rental rate of \$680 in the City of Los Angeles. Using 30% of gross income as an affordability threshold, this family could only afford \$190 per month for rent. Perhaps this is why fourteen percent of never-married female householders live in public housing (nationally).

The housing need for this special needs group is also documented by the fact that approximately 13,000 female heads of household in this City receive Section 8 rental subsidy assistance. This H.U.D. program subsidizes the balance of the rental cost in excess of 30% of the renter's gross income. The certificate program enables the prospective tenant to take the subsidy out to the private market to search for rental housing.

The Section 8 program administered by the HACLA currently provides housing assistance payments to private landlords for 38,972 families. HACLA has not accepted applications since February, 1990, because of grossly inadequate federal funding. There is a need for additional Section 8 certificates to be made available to this special needs group.

A predominant number of female-headed households in Los Angeles reside in the communities of South Central Los Angeles (13,859), Southeast Los Angeles (13,242), and West Adams - Baldwin Hills - Leimert Park (10,067), according to a report entitled "The Widening Divide"(Stewart, 1988b).<sup>(40)</sup>

According to Shelter Partnership, Inc., homelessness amongst families is most severe in families headed by a single mother. The decline in welfare benefits, coupled with increases in the cost of living, including housing costs, largely explain the increasing incidence in homelessness among families.

The difficulty that female heads of household have encountered in obtaining affordable housing for themselves and minor children has often led to homelessness. The Task Force on Family Diversity has reported that these homeless single parent households are often headed by a female less than 25 years old with 2 or 3 young children.<sup>(41)</sup>

The study, "The Number of Homeless People in Los Angeles City and County, July 1993 to June 1994," November 1995, by Shelter Partnership, Inc., found that there were 12,400 homeless family members in the County of Los Angeles on any given night. There were 5,057 homeless families members in the City of Los Angeles on any given night. Using a methodology that counted the number of families that applied for AFDC Housing Assistance Program benefits (temporary and permanent), the Shelter Partnership calculated that there were 49,000 homeless families in Los Angeles County in the course of a year.

According to an "A Report on Domestic violence Shelters in the City and the County of Los Angeles," January 1997, by Shelter Partnership, Inc., the female victims of domestic violence and their children also have a critical need for transitional housing. The number of domestic violence shelter beds in Los Angeles County will double from 549 to 1,339 within the next two years. These include a total of 645 crisis shelter (emergency) beds and 694 second stage (transitional) beds that are located in the County of Los Angeles (See Appendix A).

For the planning period 1998 through 2005, the total number of dwelling units needed for female heads of households is projected to be 323,692 units.

Innovative multi-family housing for female heads of household could include co-housing where child care as well as meal preparation can be shared. The economies of scale available in this type of housing would be advantageous to this special needs group as well as all other low-income households. Limited equity cooperatives sponsored by non-profit housing developers are another financing structure that could be considered for the benefit of all special needs groups.

Multi-family housing development for this special needs group should include child care facilities to allow single mothers to secure gainful employment outside the home.

**LARGE FAMILIES**

Large families face an above-average level of difficulty in locating adequately-sized, affordable housing. Even when larger units are available, the cost is generally higher than that of smaller units. This presents a problem of affordability to large families in this City as most are in the low-income category.

In 1990, large families, defined as having 5 or more persons, comprised 16% of all households in this City, or 198,810 of a City total of 1,217,405 households. The number of persons in large families in the City is 994,050 (16%) of the total City population of 3,468,000.

The following distribution illustrates the proportion of large families in the population in comparison to other family sizes:

Family Size	Number of Households	%
2	254,731	21
3	166,092	14
4	143,909	12
5+	194,357	16
(Total Households = 1,217,405)		

Large families dominate lower-income levels as illustrated by the following: There are 67,137 very low-income large families (< 50% median); 29,153 low-income large families (51-80% median); and 9,907 moderate-income large families (81-95% median) in this City. <sup>(42)</sup>

There are approximately 363,742 larger dwelling units with 3 or more bedrooms in the City, an amount that exceeds the current estimated need for large families. <sup>(43)</sup> In spite of an adequate number of larger dwelling units, 80% of large families live in overcrowded conditions. <sup>(44)</sup> In contrast, many older families live in houses which are too large for their household, but are reluctant to move because they fear that they will lose their lower Proposition 13 stabilized tax rate. Older (over age 55) families can carry their existing tax rates with them if they move, but many are not aware of this fact.

**LARGE FAMILIES AND ETHNICITY**

Forty-one percent of Latino families are characterized as large, as compared to 16% of the general population. According to the 1995 Consolidated Plan, 72% of Latino households earn 95% or less of the County median income of \$45,200. Demographic characteristics of Asian families are reported by the Census as consistent with citywide averages. Only 12% of African-American households have five or more persons. <sup>(45)</sup>

As with other special needs groups, large families would benefit from innovative multi-family housing development such as co-housing which includes child care facilities. Large families should also have adequate recreational areas for children and adults near their residences. Housing for large families should also be located near public transit.

According to the Los Angeles Times (8/14/95), only 37% of all households in Los Angeles County can afford the cost of a median-priced home (\$175,400). A program to assist large families with home ownership would be advantageous. Additional Section 8 certificates should also be made available to large families.

Current parking ordinances which relate the size of the dwelling unit to the number of required parking spaces have inadvertently established incentives for developers to restrict unit sizes in order to reduce parking development costs. As a result, the City has a preponderance of 2-bedroom units, presenting a problem for larger families.

**FARMWORKERS**

Section 65583(a) of the State Government Code requires the housing element to assess the needs of farmworkers.

At one time, agriculture was a principal business in Los Angeles County, but today farms scarcely exist. There are 1,446 farms in the City of Los Angeles according to the 1992 L.A. County Census of Agriculture. This survey also identified 6,269 farmworkers in the County in 1992. The 1990 U.S. Census reports that there were 2,163 farmworkers in the City. It can be fairly assumed that the

majority are migrant farmworkers.

It is also assumed that resident farm owners have adequate housing, but migrant farmworkers are likely to have very poor housing. Migrant farmworkers are also likely to have very low incomes and to be unable to afford adequate housing. In the case of migrant farmworkers, availability of nearby housing is as much of a problem as affordability. Migrant farmworkers in California are frequently housed in substandard group residences.

Although farmworkers have been designated a special needs population by the state, their presence in this urbanized area does not exert sufficient pressure for specialized housing programs.

**PEOPLE LIVING WITH HIV/AIDS**

This population is also covered by fair housing and other civil rights laws that protect people with disabilities. As of September 30, 1996, 6,421 persons living with AIDS had been identified in the City of Los Angeles, and a total of 11,301 in the County. <sup>(46)</sup> During the period 1992 to 1995 the County Epidemiology Program reported that there were 17,284 new AIDS cases.

**New AIDS Cases by Year**

1992:	2,983
1993:	6,388
1994:	4,214
1995:	3,699

There were 12,469 deaths reported by the County for the period 1991-1995 (although it is common knowledge that many deaths due to the AIDS infection go unreported).

**AIDS Deaths by Year**

1991:	2,430
1992:	2,589
1993:	2,578
1994:	2,521
1995:	2,351

County Epidemiology has calculated a 67% fatality rate based on the above cumulative total.

An estimated 50,000 people live in Los Angeles County who have been infected with the HIV virus which causes AIDS. <sup>(47)</sup> Among people living with AIDS there is a high incidence of multiple diagnoses, including substance abuse, mental disabilities, and other serious health problems.

These figures paint a picture of a very ill segment of our population, affirming the rationale for their designation in state law as a special housing needs group. While many people with only HIV infection continue to lead active lives, those with severe complications of HIV (AIDS) often lose their jobs and may subsequently be evicted from their housing. This population has unique housing needs based on the severity of their illness.

Basic housing needs of persons living with HIV/AIDS are not being adequately met. According to "A Report on Housing for Persons Living with HIV/AIDS in the City and County of Los Angeles," June 1999, prepared by Shelter Partnership, Inc. for the City of Los Angeles, more than half (53%) of surveyed people with HIV/AIDS in Los Angeles County indicated that they had to move at least once since becoming HIV positive. Among them 43% indicated that the move was necessitated by the inability to pay their rent or mortgage. This finding is not surprising, given that 66.7% of all surveyed indicated spending more than 30% of their monthly income on housing. Thirty-eight percent spent over 50% of their monthly income on housing. Furthermore, this study found that 65% of the surveyed people living with HIV/AIDS had been homeless at some point in their lives and had experienced homelessness on an average of 2.3 times in the past three years. Almost half (46%) of those who indicated ever experiencing homelessness were currently homeless. In addition, 38% of those surveyed suffered from some other condition not related to HIV/AIDS. Among this group, the most prevalent condition was mental illness (43%), followed by alcoholism (28%).

Both the size of the population of persons living with AIDS and its unique needs have led to a severe housing shortage for this group. A diverse range of housing types and programs are needed to address their housing needs such as the following:

1. short-term housing (shelter) care designed to specifically address the emergency needs of situational or chronically homeless persons living with AIDS;
2. longer-term residential care which provides referrals for permanent housing and financial assistance in the form of rent subsidies;
3. day care for persons with AIDS who require frequent medical and emotional support services that cannot easily be provided in their homes; and
4. in-home care for persons who progress to end-stage AIDS or whose condition becomes chronically disabling over a long period of time.

There are five housing models for people with HIV/AIDS which provide cost-effective alternatives to hospitalization including:

- Family and independent living facilities;
- Non-licensed, non-medical living with support services;
- Residential Care Facilities for the Chronically Ill (RCFCI) with on site service provision;
- Acute care in Congregate Living Health Facilities (CLHF) (also known as hospice and in-hospital setting. Because of new treatments available, the need for CLHF has diminished dramatically.)

Alternative end-stage care for persons with AIDS would ideally occur in neighborhood hospices with a maximum of 6 beds in home-like facilities, providing around-the-clock nursing care.

The City currently has three AIDS residential programs funded by the Community Development Department and two administered by the Community Redevelopment Agency. There are 109 hospice beds in the City and 147 in the County.

The total number of hospice beds in the County (including both city and county sponsored) are as follows:

Congregate Living Health Facilities (CLHF): 114;  
 Residential Care Facilities for the Chronically Ill (RCFCI): 171;  
 Skilled Nursing Facilities (SNF): 30.

The Los Angeles Housing Department serves as the grantee administrator for the "Housing Opportunities for Persons with AIDS" (HOPWA) program. This federal program, using approximately \$10 million in funding, provides housing and supportive service funds for a variety of programs serving persons with AIDS, including housing information and coordination services, short-term supported housing and services for homeless persons with AIDS, short-term rental assistance, and community (multiunit) residences and services. About \$2.5 million of CDBG funds provide housing for the multi-diagnosed population.

At least 240 additional AIDS-specific short-term (shelter) beds are needed in Los Angeles County, along with 3,500 annual rent subsidy allowances; 500 new long-term, low-cost housing units to serve the County's AIDS-afflicted population; a 300-bed facility for long-term care for those AIDS victims with multiple diagnoses; a total of 150 CLHF beds throughout the County and creation of 100 specialized spaces in licensed family day care homes for children with HIV.

In order to address the ballooning housing problems of persons living with AIDS additional housing funds are needed. Community education and neighborhood involvement in program planning and implementation is one way to foster community acceptance, a key issue to be resolved if housing needs for this segment of the population are to be addressed.

**SPECIAL NEEDS SUMMARY**

Utilizing 1990 Census data and an assumed "persons per unit" figure, the housing needs of special need groups are summarized below. (Exhibits 30 and 31)

When reviewing this Special Needs Group summary, it is necessary to remember that there is no information on how these various groups overlap and that the projected needs cannot be added cumulatively. For example, a female-headed household may also be homeless; a large family may be headed by elderly persons, and so on. In fact, several categories may overlap, resulting in double counting. In addition, while most of the households and persons identified as being in a Special Needs

Group are very low- and low-income, the total numbers (which have been used to project need) do not account for income levels. Even taking overlaps and income into account, the housing needs for the Special Needs Groups are overwhelming. The City must take advantage of every possible resource within its capabilities in addressing the needs of its residents.

**EXHIBIT 30  
SIZE AND CHARACTERISTICS OF THE HIV/AIDS POPULATION**

<b>Gender: Adults &amp; Children</b>	Males	47,742	93.00%
	Females	3,594	6.00%
	Children	63	1.00%
	<b>Total</b>	<b>51,399</b>	<b>100.00%</b>
<b>Ethnicity</b>	White	23,905	47%
	Latino	15,208	29%
	African American	10,819	21%
	Asian/Pac. Islander	999	2%
	American Ind./ Nat. Alaskan	151	<1%
	Unknown	317	<1%
	<b>Total</b>	<b>51,399</b>	<b>100%</b>

*Source: LAHD 1996 Consolidated Plan, p. 22.*

**EXHIBIT 31  
SUMMARY OF PROJECTED LIVING ACCOMMODATION NEEDS OF  
SPECIAL NEEDS GROUPS CITY OF LOS ANGELES**

<b>Needs Group</b>	<b>No. of Households or Persons</b>	<b>Projected Dwelling Units or Beds</b>	<b>Households or Persons / DU</b>
<b>Females Headed Households</b>	289,451 Hhds	103,375 DUs	2.8 Hhds/DU
<b>Elderly (over 65 Years)</b>	470,000 Pers	235,000 DUs	2.0 Pers/DU
<b>Homeless</b>	111,904 Pers	55,952 DUs	2.0 Pers/DU
<b>Farmworkers</b>	6,269 Pers	2,239 DUs	2.8 Pers/DU
<b>Living with AIDS</b>	12,864 Pers	12,864 Beds	1.0 Pers/DU
<b>HIV-Infected</b>	72,892 Pers	36,446 DUs	2.0 Pers/DU
<b>Disability (Mental, Physical and Developmental)</b>	500,000 Pers	250,000 DUs	2.0 Pers/DU
<b>Large Families</b>	198,810 Hhds	39,762 DUs	

DU=DWELLING UNITS; HHDS=HOUSEHOLDS; PERS=PERSONS

**PROJECTIONS: POPULATION, HOUSING and EMPLOYMENT**

[top ▲](#)

**THE REGIONAL CONTEXT**

The Southern California Association of Governments (SCAG) is the designated Metropolitan Planning Organization for Southern California and covers a six-county area with 184 cities grouped into 14 subregions, of which the City of Los Angeles is one by itself. By the year 2015, SCAG projects that the region will contain as many as 22 million residents.

The City of Los Angeles' population and housing projections are based on those prepared by SCAG. Within the SCAG area, Los Angeles County is by far the most populous and represents one-third of the state's population. SCAG's projections for the City of Los Angeles and the County indicate continuing growth in population and housing over the next 20 years, and continuing change in household demographics.

SCAG's population forecast assumes that about two thirds of the population increase will be accounted for by natural increases from the population that already resides in the City and that there will be long term continuing growth of the Southern California economy.

With regards to employment, SCAG's 1994 estimates indicate that, due to the 1990's economic slowdown, at least two-thirds of the statewide job losses occurred in Los Angeles County, and that the City of Los Angeles had a greater share of these job losses than the rest of the County.

The loss of nearly 14% of all jobs in the City was consistent with the population losses. The SCAG region's job losses were less significant and averaged 6.9%. Declines in defense-related industries, construction and finance/insurance/real estate sectors were responsible for most of the job declines in the City. However, the entertainment and medical services industries had fewer job losses, and especially the entertainment industry which continues to be a source of employment growth in both the City and other parts of the Los Angeles County.

The SCAG's 2010 employment forecasts indicated that the City would have 200,000 new jobs, and that the City's job/housing ratio of 1.46 would require that 400,000 new jobs be created.

**CITY**

The Framework Element requires an equitable distribution of housing opportunities by type and cost accessible to all residents of the City. The Framework objectives state that the City should plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

According to November 1996 SCAG projections, the population in the City of Los Angeles is expected to reach 4,256,518 persons by the year 2010. The number of households is expected to equal 1,415,260. These figures differ slightly from an earlier projection of 4,306,565 people and 1,566,000 households in June 1993. Based on SCAG projections, the City Planning Department estimated that the City's population would reach 3,989,064 people by the year 2003.

According to the City Planning Department's "Annual Report on Growth and Infrastructure for 1990-1994", the SCAG region's population has increased by nearly a million people, growing by 6.7% in that 4 year period. While all of Los Angeles County also increased in population at a slightly slower rate (4.1%), substantial variation existed between the City of Los Angeles and the rest of Los Angeles County.

Within the City of Los Angeles, the largest population increases occurred in the Central and Central City North planning areas. Population increases in all planning areas within the West Los Angeles Subregion resulted in that subregion growing more than any other in the City. Population growth was less than 3% in this subregion but that compared with -1% citywide. Similar slow growth in the Northeast Valley planning areas resulted in a 1.6% population increase in that subregion.

Other subregions in the San Fernando Valley had the largest population declines in the City (2.2 to 3.2%) which was probably related to housing units damaged by the Northridge earthquake. Substantial population declines in the Hollywood and West Adams planning areas might also be related to the large number of earthquake-damaged units in these areas. Throughout the City, housing units increased modestly, but population totals declined as the number of damaged and vacant units increased substantially. As of December 1994, the City Planning Department estimated 129,642 unoccupied units out of a total of 1,322,875 dwelling units in the City.

The City's General Plan Framework Element, which reflected the SCAG June 1993 population and household forecasts, utilized the following 2010 estimates:

Subregion	Projected Population Growth 1993 to	Pct of Total City Growth
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	2010	
1. Northeast Los Angeles	106,250	12.93
2. South Los Angeles	106,595	13.00
3. Metro Center	108,700	13.23
4. Southwest Los Angeles	67,320	8.20
5. Central Los Angeles	41,245	5.02
6. Southeast Valley	80,495	9.80
7. Northeast Valley	77,460	9.43
8. Northwest Valley	78,175	9.52
9. Southwest Valley	74,595	9.10
10. West Los Angeles	35,340	4.30
11. Harbor	44,990	5.47
<b>Citywide</b>	<b>821,165</b>	<b>100.00</b>

The 1990 population was estimated at 3,485,399; the 2010 population forecast is 4,306,565 people. However, the above population forecasts and anticipated citywide distributions may be revised as part of specific land use actions adopted through the current Community Plan update process.

**1998-2005 PROJECTED NEW CONSTRUCTION NEEDS**

The State requires each locality to identify existing and projected housing needs for the 5-year period covered by the Housing Element. A locality's share of the regional housing needs is the combined housing needs of persons, at all income levels, within the area significantly affected by the General Plan. Each Council of Government is responsible for identifying housing needs within each jurisdiction in the region every 5 years. It should be noted that the City's previous Housing Element covered the period 1989-1994, and that two subsequent time-extensions were granted by the State for the adoption of the Housing Element due to the lack of funding and unavailability of the Regional Housing Needs Assessment (RHNA) numbers. Subsequent funding was provided to SCAG to project the City's new housing needs, which have been targeted at 60,280 dwelling units for the period 1998-2005.

The calculation of the above numbers was based on a methodology defined by the State and fine-tuned by SCAG, which took into account 5 components:

- Raw Housing Need;
- Vacancy Need;
- Replacement Need;
- Jurisdiction Need by Income Classification and Fair Share Adjustment; and
- Planning Considerations.

Raw Housing Need is defined as the housing needed to be built within a jurisdiction to accommodate both existing demand and growth in population. Vacancy Need addresses the normal background level of vacancies which exist to allow mobility, unit choice, moderate costs, and reasonable unit upkeep and repair. Replacement Need pertains to the number of units expected to be lost to demolition, conversion or natural disaster. Fair share adjustment of Low- and Very Low-income households within a jurisdiction would incorporate a "25% of the way" policy to adjust its housing construction need categories toward the regional average in order to avoid uneven concentrations of Low- and Very Low- income housing. However, there is an additional adjustment for jurisdictions which differ from the regional average for lower income housing by more than 10%. This results in the reduction of lower income housing percentage by two-thirds if it is more than 10% higher than the regional average. Similarly, the higher income percentage would be reduced to two-thirds of its current percentage in cases where it is more than 10% higher than the regional average. Last, planning considerations peculiar to a jurisdiction (ranging from employment opportunities, commuting patterns, type and tenure of housing need, market demand, availability of suitable sites and public facilities, to the loss of affordability of assisted housing) may be taken into account to adjust the distribution of housing needs. However, these considerations would not change the total number of units required over the planning period.

The above-mentioned methodology is not an ideal one because it does not consider the size of households (number of persons per occupied housing unit) thus the overcrowding situation, nor the housing affordability issue for lower income households (especially in the City's vacant units). However, this approach does provide the basis for reasonable and defensible allocations that meet the State legislative requirements.

With regards to the high level of overcrowding that exists in some parts of the City, a more refined analysis which takes into account overcrowding (preferably by geographic areas), and adjusts for the number of multiple households living in one unit is needed for future elements. In addition, the housing needs assessment could include the evaluation of a number of rooms needed in housing units. Considering the high rate of overcrowding and the existing demand for housing, construction of 60,445 one-bedroom units would not meet the needs of the population currently living in the City nor the population projected by 2005.

The actual need for housing for low-income levels might be much higher than projected, particularly with regard to housing units with 3 or more bedrooms. A significant finding in the 1994 Rental Housing Study showed that there is a serious mismatch between household size and available units, and a weak effective demand for vacant units (i.e. inability to pay market rents). The June 1998-released study by the National Center on Budget and Policy Priorities, in Search of Shelter determined that Los Angeles County and Northern Orange County have the worst shortage of housing affordable to the working poor in the nation (i.e. \$300 per month or less). Not only are far more 3+ bedroom-apartments needed, but the rental cost must be far below the current market rate in order to meet the current demand. Population projections only show that the demand will increase. The projected demand for housing units presented in this analysis should be reviewed as a very conservative estimate based on a very simple model. Additional analysis is required to determine the effects of overcrowding on the projected housing needs and number of bedrooms required in those projected units.

State law require that new construction needs by jurisdiction be broken down by income categories. The City's RHNA numbers are distributed among the income levels as follows: Low and Very Low: 28,406 units or approximately 47 percent, Moderate and High: 31,874 units or approximately 53 percent.

The income categories defined in Sections 6910-6932 of the California Administrative Code are Very Low- (less than 50% of the County median income), Low- (50-80% of the County median income), Moderate- (80-120% of the County median income), and Above Moderate- (more than 120% of the County median income).

The RHNA numbers prepared by SCAG for the last Housing Element were 129,100 dwelling units for the period 1989-1994, resulting from two main factors: 1) The relatively low vacancy rate of that period, and 2) The higher population growth projections for the same period thus the corresponding household growth. It should be noted that the demolition of existing dwelling units in 1989-1994 was slightly higher. These characteristics are not found in the current situation, which has resulted in a much lower projection of 60,280 new dwelling units over a period of seven years. The following table shows a comparison between the 1989-1994 Housing Element and the 1998-2005 Housing Element in terms of projected housing needs, household growth, vacancy adjustment and demolition adjustment:

Housing Element	Housing Needs	Household Growth	Vacancy Adjustment	Demolition Adjustment
1989-1994	129,100	82,501	33,704	12,895
1998-2005	60,280	69,325	-19,007	9,962

**REHABILITATION AND CONSERVATION NEEDS**

Exhibit 32 sets forth goals for rehabilitation and conservation of existing dwelling units by income category for the period 1998-2005. Dwelling units to be conserved are units which are either subject to a pending conversion to market rate housing, or are subject to rent control, which would be terminated at a future date. Conservation relates to keeping the units in the inventory of affordable units.

The City of Los Angeles estimates that if the projected new construction totaled 60,280 dwelling units, 21,732 of these would need to be rehabilitated and 700,681 units to be conserved over the 1998-2005 period. The above 60,280 units are distributed as follows: 17,990 units or 30% for the Very Low-Income households, 10,416 units or 17% for the Low-Income households, 11,314 units or 19% for the Moderate-Income households, and 20,560 units or 34% for the Above Moderate Income households.

Because so much of the existing need is for housing affordable to very low- and low-income households and because subsidies are important to the development of such housing, the major determinant as to whether the City would reach its goals will be economic conditions affecting growth nationwide and Southern California in particular, and the availability of public funds and housing subsidy programs. The programs set forth in this Element are intended to provide every possible

incentive to housing production and preservation to help meet the City's future housing needs.

**EXHIBIT 32  
HOUSING REHABILITATION AND CONSERVATION GOALS  
1998 - 2005**

Income Category	Number of Dwelling Units		
	New Construction	Rehabilitation	Conservation
Very Low Income <50% of County Median Income	17,990	13,040	221,328
Low Income 50% to 80% of County Median Income	10,416	7,606	270,995
Moderate Income 80% of 120% of County Median Income	11,314	1,086	157,373
High Income >120% of County Median Income	20,560	0	60,985
<b>Total</b>	<b>60,280</b>	<b>21,732</b>	<b>700,681</b>

*Source: Los Angeles Housing Department, June 1999*

There is no guarantee that these units will be built. If current trends continue, most of the units produced (unless publicly assisted) will be market rate and inaccessible to the majority of the income levels in need.

**LAND FOR RESIDENTIAL DEVELOPMENT**

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One factor in ensuring an adequate supply of housing is providing for a sufficient number of parcels zoned for housing, especially for multiple-family dwellings. Such higher density developments tend to be more affordable than single-family dwellings (SFD's) in the same neighborhood since the land cost is spread among more dwelling units.

To set the stage for the discussion of zoning capacity, it is necessary to remember that Los Angeles is a substantially built-out city. The only major areas remaining where new construction can take place tend to be in the Santa Monica and Santa Susana Mountains where land and construction costs preclude even moderate income housing. Because of that, nearly all housing development in the city is expected to be infill development involving the recycling of land. In many cases, the City's policies and programs focus on utilizing the existing under-utilized zoning capacity as well as recycling.

Because the housing needs within the City are great and because rents and costs for new housing are nearly always greater than existing housing, great caution is exercised when developers wish to construct projects which remove existing affordable housing. Therefore, it is the City's policy to protect existing single-family and low density neighborhoods and to encourage new housing development to occur in centers (zoned commercial) and along commercial boulevards. All of the programs described in this element take into account the nature of the City and try to increase and facilitate residential recycling potential.

**ZONING CAPACITY**

This section analyzes the availability of parcels in the City of Los Angeles suitably zoned for the construction of single- and multiple-family dwellings, taking into consideration the effects on zoning capacity of certain regulatory constraints. The analysis is by City subregion. (See Exhibit 1)

In April 1990, it was estimated that there were 3,485,398 people in the City of Los Angeles. As of December 1994, the City Planning Department estimated the City's population at 3,451,960 signaling a reduction of 33,263. There were 522,014 single-family dwelling units, and 800,861 multiple-family dwelling units totaling 1,322,875 dwelling units of which 1,193,231 were occupied. The numerical difference of existing and occupied units represented 129,842 vacant units, a vacancy rate of 9.8% and a 2.83 occupancy ratio per occupied housing unit.

The high vacancy rate reflects impacts of the January 1994 earthquake, which rendered many dwelling units temporarily and/or permanently, uninhabitable. The vacancy rate was also affected by the recession, loss of jobs, in the area, and high rents compared to what many households can afford.

The zoning capacity depicted in Exhibit 33 is derived from the zone acreage of the post AB283 zoning consistency program. This Table provides a general overview of citywide zoning capacity numbers; it is the summation of Exhibits 34, 35, 36, 37 and 38 which are more specific and provide capacity numbers by zone category and per subregion. This zoning capacity includes capacity on all vacant and underdeveloped sites.

Exhibits 34 and 37, respectively, give the maximum theoretical (unadjusted) zoning capacity of 2,432,126 and maximum adjusted capacity of 1,700,835 dwelling units.

Exhibit 36 depicts the remaining theoretical potential of 1,208,985 dwelling units assuming a 100% build out. However, when zoning and other regulatory factors are applied, the development potential is adjusted to have a "realistic build out capacity." Thus Exhibit 38 shows the remaining adjusted potential of 530,506 dwelling units, assuming that a 30% potential of housing would be built on commercially-zoned properties and a 80% potential on residential properties. Also, refer to Appendix U for an update of the remaining adjusted zoning capacity estimates.

**THE GENERAL PLAN AND AB 283 PROGRAM**

During the 1980s, pursuant to State Law requirements, the City's zoning was brought into consistency with its General Plan. In almost all cases, the General Plan (developed during the 1960s and 1970s) called for lower densities than did the zoning (first mapped in 1946). The result of the General Plan/Zoning Consistency program, was to "roll back" zoning on many parcels, effectively reducing permitted densities throughout the City. A common roll back was from R3 zoning (which permits up to 54 dwelling units per net acre) to RD 1.5 zoning (which permits up to 28 dwelling units per net acre). Thus for many parcels, the zoning capacity was cut in half, from 54 units per net acre to 28. Using the zone acreage of the AB283 zoning consistency program and December 1994 as the baseline, the zoning capacity in dwelling units is as follows:

- Total Theoretical Capacity = 2,432,126
- Total Adjusted Capacity = 1,700,835
- Total Remaining Adjusted Capacity = 530,506

**DIFFICULTIES IN CALCULATING CURRENT CAPACITY**

The remaining unadjusted zoning capacity of 1,208,985 dwelling units is a theoretical number influenced by a number of factors, including regulatory constraints, market conditions and availability of suitable infrastructure. Calculating the "realistic" remaining zoning capacity in Los Angeles, or what realistically will be built in the next 5 years, is not easy. There are relatively few vacant parcels available for development. The City's single-family residential lots are nearly all built upon, although lots continue to be created through new subdivisions. Many of the multiple-family zoned districts are developed with small older houses, and it is difficult to predict when they will be torn down and the remaining zoning capacity used. Developers have the ability to increase the by-right zoning capacity by 25% or more through the State Density Bonus provisions and the City Affordability Housing Incentives Ordinances if they are willing to provide affordable units. There are many difficult hillside building sites, and other areas where development is temporarily hindered. In commercial zones, housing can legally be built, but office and retail uses are usually more profitable uses. Enterprising developers are constantly applying for zone changes and/or plan amendments to increase the zoning capacity of various parcels. No one can predict the economic climate affecting housing supply and demand, general business/health/job availability, construction costs and interest rates.

**EXHIBIT 33  
SUMMARY OF CITYWIDE ZONING CAPACITY IN DWELLING UNITS (Post AB283)**

	(a <sup>2</sup> ) Commercial 108 du/ac	(b <sup>2</sup> ) Higher Density Multiples (R3, R4, R5) > 54 du/ac	(c) Total Higher Density (a)+(b) > 54 du/ac	(d <sup>3</sup> ) Lower Density Multiples (R2, RD, &c) < 28 du/ac	(e <sup>3</sup> ) Single Family < 8 du/ac	(f) Total Lower Density (d)+(e) > 28 du/ac	(g) Total Capacity (c)+(f)
<b>Maximum Unadjusted Capacity</b>	489,731	893,296	1,383,027	421,611	627,488	1,049,099	2,432,126

Existing Dwelling Units	51,573	663,424	714,997	85,864	522,014	607,878	1,322,875
Remaining Unadjusted Capacity	438,158	279,940	718,098	335,747	155,140	490,887	1,208,985
Maximum Adjusted Capacity	146,919	714,637	861,556	337,289	501,990	839,279	1,700,835
Remaining Adjusted Capacity	95,346	127,937 <sup>1</sup>	223,283	251,425	55,798 <sup>1</sup>	307,223	530,506
RHNA (Year 1998-2005)			28,406			31,874	60,280
%			47.12%			52.88%	100.00%

**Terms Defined**

<b>Maximum Unadjusted Capacity</b>	Maximum dwelling units per zoning capacity without adjustment (including capacity on vacant and underdeveloped lands).
<b>Remaining Unadjusted Capacity</b>	Figures are obtained by subtracting "Existing Dwelling Units" from "Maximum Unadjusted Capacity".
<b>Maximum Adjusted Capacity</b>	Maximum dwelling units after adjustment (the factor of adjustment is 80% for residential zones, and 30% for commercial zones). The figures are obtained by multiplying the "Remaining Unadjusted Capacity" and either 80% or 30% depending on the zones.
<b>Remaining Adjusted Capacity</b>	Figures are obtained by subtracting "Existing Dwelling Units" from "Maximum Adjusted Capacity". It should be noted that in certain areas of the City, the existing buildout exceeds the Maximum Adjusted Zoning Capacity, Post AB283, which would result in zero in the "Remaining Adjusted Capacity".
<b>Existing Dwelling Units</b>	LUPAMS, figures re-adjusted to the City Planning Department's.

**Notes:**

1. It should be noted that, in certain subregions, the existing buildout exceeds the zoning capacity, the remaining capacity would therefore be counted as zero. Consequently, this total should not be the result of a subtraction of the total existing dwelling units from the total adjusted zoning capacity, but rather computation of all the remaining capacities per subregion.
2. Corresponds to "Very Low Income", "Low Income", and "Moderate Income" housing.
3. Corresponds to "Above Moderate Income" housing.

Source: Los Angeles City Planning Department, December 1994.

**EXHIBIT 34**

**MAXIMUM UNADJUSTED ZONING CAPACITY<sup>1</sup> IN DWELLING UNITS PER SUBREGION (Post AB 283)**

Subregion (MEIR Area)	(a <sup>2</sup> ) Commercial 108 du/ac	(b <sup>2</sup> ) Higher Density Multiples (R3, R4, R5) > 54 du/ac	(c) Total Higher Density (a)+(b) > 54 du/ac	(d <sup>3</sup> ) Lower Density Multiples (R2, RD, &c) < 28 du/ac	(e <sup>3</sup> ) Single Family < 8 du/ac	(f) Total Lower Density (d)+(e) > 28 du/ac	(g) Total Capacity (c)+(f)
Northeast LA	35,709	62,089	97,798	60,241	50,196	110,437	208,235
South LA	49,659	36,645	86,304	114,707	25,221	139,928	226,232
Metro Center	106,135	205,369	311,504	46,917	50,228	97,145	408,649
Southwest LA	24,709	131,246	155,955	38,542	55,437	93,979	249,934
Central	27,546	78,153	105,699	403	4,636	5,039	110,738

Southwest Valley	14,037	94,672	108,709	33,799	65,692	99,491	208,200
Northeast Valley	16,205	17,266	33,471	28,496	90,964	119,460	152,931
Northwest Valley	101,783	51,156	152,939	27,707	81,437	109,144	262,083
Southeast Valley	61,665	75,332	136,997	13,985	104,949	118,934	255,931
West LA	13,683	85,415	99,098	6,608	64,112	70,720	169,818
Harbor	38,600	55,953	94,553	50,206	34,616	84,822	179,375
<b>CITYWIDE TOTAL</b>	<b>489,731</b>	<b>893,296</b>	<b>1,383,027</b>	<b>421,611</b>	<b>627,488</b>	<b>1,049,099</b>	<b>2,432,126</b>
%	20.14%	36.73%	56.86%	17.34%	25.80%	43.14%	100.00%

**NOTES:**

1. The Maximum Unadjusted Zoning Capacity includes also capacity on vacant and underdeveloped lands.
2. Corresponds to the "Very Low Income", "Low Income" and "Moderate Income" housing.
3. Corresponds to the "Above Moderate Income" housing.

Source: Los Angeles City Planning Department, December 1994.

**EXHIBIT 35  
EXISTING DWELLING UNITS PER SUBREGION  
(RE-ADJUSTED<sup>1</sup> LUPAMS IN ALL ZONES)**

Subregion (MEIR Area)	(a <sup>2</sup> ) Commercial 108 du/ac	(b <sup>2</sup> ) Higher Density Multiples (R3, R4, R5) > 54 du/ac	(c) Total Higher Density (a)+(b) > 54 du/ac	(d <sup>3</sup> ) Lower Density Multiples (R2, RD, &c) < 28 du/ac	(e <sup>3</sup> ) Single Family < 8 du/ac	(f) Total Lower Density (d)+(e) > 28 du/ac	(g) Total Capacity (c)+(f)
Northeast LA	7,118	68,810	75,928	16,216	58,806	75,022	150,950
South LA	11,577	79,993	91,570	28,633	66,277	94,910	186,480
Metro Center	8,681	159,897	168,578	7,647	35,504	43,151	211,729
Southwest LA	5,950	89,867	95,818	10,855	55,422	66,277	162,095
Central	6,475	32,148	38,623	217	2,278	2,495	41,118
Southwest Valley	2,500	82,647	85,147	3,650	49,616	53,266	138,413
Northeast Valley	2,299	9,569	11,868	3,174	56,208	59,382	71,249
Northwest Valley	420	31,149	31,569	5,645	62,710	68,355	99,924
Southeast Valley	593	37,147	37,740	3,742	72,355	76,097	113,837
West LA	1,882	42,801	44,683	2,381	35,674	38,055	82,737
Harbor	4,078	29,397	33,474	3,704	27,164	30,868	64,343

<b>CITYWIDE TOTAL</b>	<b>51,573</b>	<b>663,424</b>	<b>714,997</b>	<b>85,864</b>	<b>522,014</b>	<b>607,878</b>	<b>1,322,875</b>
<b>%</b>	<b>3.90%</b>	<b>50.15%</b>	<b>54.05%</b>	<b>6.49%</b>	<b>39.46%</b>	<b>45.95%</b>	<b>100.00%</b>

**NOTES:**

1. These figures are derived from the Los Angeles County Assessor's Land Use Planning Management Subsystem (LUPAMS) and re-adjusted to the City Planning Department's figures, which are higher and based on the census tracts counts and building permits. The re-adjustment uses the corresponding percentage of each zones group in relation to the LUPAMS Citywide total.
2. Corresponds to "Very Low Income", "Low Income", and "Moderate Income" housing.
3. Corresponds to the "Above Moderate Income" housing.

Source: Los Angeles City Planning Department, December 1994.

**EXHIBIT 36  
UNADJUSTED REMAINING ZONING CAPACITY IN DWELLING UNITS PER SUBREGION  
(Post AB 283)**

Subregion (MEIR Area)	(a <sup>1</sup> ) Commercial 108 du/ac	(b <sup>1</sup> ) Higher Density Multiples (R3, R4, R5) > 54 du/ac	(c) Total Higher Density (a)+(b) > 54 du/ac	(d <sup>2</sup> ) Lower Density Multiples (R2, RD, &c) < 28 du/ac	(e <sup>2</sup> ) Single Family < 8 du/ac	(f) Total Lower Density (d)+(e) > 28 du/ac	(g) Total Capacity (c)+(f)
Northeast LA	28,591	0	28,591	44,025	0	44,025	72,616
South LA	38,082	0	38,082	86,074	0	86,074	124,156
Metro Center	97,454	45,472	142,926	39,270	14,724	53,994	196,920
Southwest LA	18,759	41,379	60,138	27,687	15	27,702	87,840
Central	21,071	46,005	67,076	186	2,358	2,544	69,620
Southwest Valley	11,537	12,025	23,562	30,149	16,076	46,225	69,787
Northeast Valley	13,906	7,697	21,603	25,322	34,756	60,078	81,681
Northwest Valley	101,363	20,007	121,370	22,062	18,727	40,789	162,159
Southeast Valley	61,072	38,185	99,257	10,243	32,594	42,837	142,094
West LA	11,801	42,614	54,415	4,227	28,438	32,665	87,080
Harbor	34,522	26,556	61,078	46,502	7,452	53,954	115,032
<b>CITYWIDE TOTAL</b>	<b>438,158</b>	<b>279,940</b>	<b>718,098</b>	<b>335,747</b>	<b>155,140</b>	<b>490,887</b>	<b>1,208,985</b>
<b>%</b>	<b>36.24%</b>	<b>23.15%</b>	<b>59.40%</b>	<b>27.77%</b>	<b>12.83%</b>	<b>40.60%</b>	<b>100.00%</b>

**NOTES:**

1. Corresponds to "Very Low Income", "Low Income", and "Moderate Income" housing.
2. Corresponds to the "Above Moderate Income" housing.

Source: Los Angeles City Planning Department, December 1994.

**EXHIBIT 37**  
**MAXIMUM ADJUSTED ZONING CAPACITY<sup>1</sup> IN DWELLING UNITS PER SUBREGION**  
**(Post AB 283)**

Subregion (MEIR Area)	(a <sup>2</sup> ) Commercial 108 du/ac	(b <sup>2</sup> ) Higher Density Multiples (R3, R4, R5) > 54 du/ac	(c) Total Higher Density (a)+(b) > 54 du/ac	(d <sup>3</sup> ) Lower Density Multiples (R2, RD, &c) < 28 du/ac	(e <sup>3</sup> ) Single Family < 8 du/ac	(f) Total Lower Density (d)+(e) > 28 du/ac	(g) Total Capacity (c)+(f)
Northeast LA	10,713	49,671	60,384	48,193	40,157	88,350	148,734
South LA	14,898	29,316	44,214	91,766	20,177	111,942	156,156
Metro Center	31,841	164,295	196,136	37,534	40,182	77,716	273,852
Southwest LA	7,413	104,997	112,410	30,834	44,350	75,183	187,593
Central	8,264	62,522	70,786	322	3,709	4,031	74,817
Southwest Valley	4,211	75,738	79,949	27,039	52,554	79,593	159,542
Northeast Valley	4,862	13,813	18,674	22,797	72,771	95,568	114,242
Northwest Valley	30,535	40,925	71,460	22,166	65,150	87,315	158,775
Southeast Valley	18,500	60,266	78,765	11,188	83,959	95,147	173,912
West LA	4,105	68,332	72,437	5,286	51,290	56,576	129,013
Harbor	11,580	44,762	56,342	40,165	27,693	67,858	124,200
<b>CITYWIDE TOTAL</b>	<b>146,919</b>	<b>714,637</b>	<b>861,556</b>	<b>337,289</b>	<b>501,990</b>	<b>839,279</b>	<b>1,700,835</b>
<b>%</b>	<b>8.64%</b>	<b>42.02%</b>	<b>50.65%</b>	<b>19.83%</b>	<b>29.51%</b>	<b>49.35%</b>	<b>100.00%</b>

**NOTES:**

1. Assuming that the adjustment factor is 30% in Commercial Zones and 80% in Residential Zones.
2. Corresponds to "Very Low Income", "Low Income", and "Moderate Income" housing.
3. Corresponds to the "Above Moderate Income" housing.

*Source: Los Angeles City Planning Department, December 1994.*

**EXHIBIT 38**  
**ADJUSTED REMAINING ZONING CAPACITY<sup>1</sup> IN DWELLING UNITS PER SUBREGION**  
**(Post AB283)**

Subregion (MEIR Area)	(a <sup>2</sup> ) Commercial 108 du/ac	(b <sup>2</sup> ) Higher Density Multiples (R3, R4, R5)	(c) Total Higher Density (a)+(b)	(d <sup>3</sup> ) Lower Density Multiples (R2, RD, &c)	(e <sup>3</sup> ) Single Family < 8 du/ac	(f) Total Lower Density (d)+(e) > 28 du/ac	(g) Total Capacity (c)+(f)
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		> 54 du/ac	> 54 du/ac	< 28 du/ac			
<b>Northeast LA</b>	3,595	0	3,595	31,977	0	31,977	35,572
<b>South LA</b>	3,321	0	3,321	63,133	0	63,133	66,453
<b>Metro Center</b>	23,160	4,398	27,558	29,887	4,678	34,565	62,123
<b>Southwest LA</b>	1,463	15,130	16,593	19,979	0	19,979	36,571
<b>Central</b>	1,789	30,374	32,163	105	1,431	1,536	33,699
<b>Southwest Valley</b>	1,711	0	1,711	23,389	2,938	26,327	28,038
<b>Northeast Valley</b>	2,563	4,244	6,806	19,623	16,563	36,186	42,992
<b>Northwest Valley</b>	30,115	9,776	39,891	16,521	2,440	18,960	58,851
<b>Southeast Valley</b>	17,907	23,119	41,025	7,446	11,604	19,050	60,075
<b>West LA</b>	2,223	25,531	27,754	2,905	15,616	18,521	46,275
<b>Harbor</b>	7,502	15,365	22,867	36,461	529	36,990	59,857
<b>CITYWIDE TOTAL</b>	<b>95,346</b>	<b>127,937</b>	<b>223,283</b>	<b>251,425</b>	<b>55,798</b>	<b>307,223</b>	<b>530,506</b>
<b>%</b>	<b>17.97%</b>	<b>24.12%</b>	<b>42.09%</b>	<b>47.39%</b>	<b>10.52%</b>	<b>57.91%</b>	<b>100.00%</b>

**NOTES:**

1. Assuming that the adjustment factor is 30% in Commercial Zones and 80% in Residential Zones.
2. Corresponds to "Very Low Income", "Low Income", and "Moderate Income" housing.
3. Corresponds to the "Above Moderate Income" housing.

Source: Los Angeles City Planning Department, December 1994.

**HOUSING POTENTIAL ON COMMERCIALY-ZONED PARCELS**

Current City Planning and Zoning Code regulations permit, and General Plan housing policies encourage, housing in commercially zoned parcels. For example, the General Plan Framework Element establishes the policy basis for converting strip commercial areas to housing to replace marginal retail or service establishments. The adopted General Plan Framework also encourages the development of mixed-use projects which would provide residents with the opportunity to walk between their home, job and/or neighborhood services.

The Framework anticipates and encourages approximately 75% of the growth over the next 15 years and beyond to locate in Commercial Centers and districts along mixed-use boulevards.

**PROPOSITION U'S EFFECT ON HOUSING IN COMMERCIAL ZONES**

The Proposition U voter initiative in 1988 declared that on all commercially and industrially zoned parcels in Height District 1, the floor area ratio (FAR) would be cut in half, from an FAR of 3 times the buildable area of the lot, down to 1.5 times the buildable area.

This indirectly affected housing production since residential units are permitted in the commercial zones (though not in industrial zones). Actually, Proposition U initially stimulated quite a few housing projects on commercial land, since in the confusion of its initial enforcement it was interpreted that while commercial FAR would be cut to 1.5 to 1, if the project were residential, it would enjoy the original FAR of 3 to 1. This has since been reinterpreted by the City Attorney so that any project on a

commercially zoned parcel, whether commercial or residential, must comply with the 1.5 to 1 FAR requirement. In response to this, some developers have rezoned properties from commercial to R3, to regain the density advantage of 3 to 1. However, the Zoning Code permits residential developments or combination of residential and commercial developments in the C2, C4, or C5 zones to use the lot area as buildable area to calculate the total floor area of a project. While commercial space generally commands higher rents than residential, the City's Framework Element goals and policies encourage housing development in commercial centers and districts and along mixed-use boulevards. Historically, less than 20% of the commercially zoned parcels in the City are developed for housing. The Framework Element proposes incentives to stimulate housing development in certain commercially zoned areas to be designated in the Community Plans. Therefore, anticipating commercially designated and zoned areas that are available, and will be used, for housing development is consistent with the General Plan's long range strategy for accommodating future growth in the City of Los Angeles.

#### **SUBDIVISIONS, ZONE CHANGES, AND PLAN AMENDMENTS**

In the 1980s, a considerable amount of the new construction in Los Angeles occurred in new subdivisions, often on larger land holdings located at the fringe of urban development, including the Santa Monica Mountains, the Santa Susanna Mountains, the Verdugo Hills, and a few remaining agricultural areas in the northern San Fernando Valley. New subdivisions often consisted entirely of single-family dwellings, occasionally containing some multiple-family dwellings as well. A significant portion of development in the 1990s was devoted to condominium conversion.

However, patterns of residential development have changed, partly because of the recession and loss of jobs in the Los Angeles area. Between 1990 and 1994, of the approximately 23,000 building permits for dwelling units, 90% were for multiple-family units. In this time period, 5,000 single-family units were constructed but 2,700 were demolished, resulting in only 2,300 additional single-family units. Between 1994 and 1996 only 1,455 housing units were built, of which 750 were single-family, primarily in the west San Fernando Valley. The figures herein do not include subdivision potential, since subdivisions occur only as the zoning is changed, usually from agricultural or low density residential to a higher residential density. However, as a substantially built out city, Los Angeles can expect to see a trend away from single-family units to multiple units.

A significant number of residential projects are built after the developer obtains a zone change and /or General Plan Amendment to increase permitted densities.

#### **ANALYSIS OF POSSIBLE CONSTRAINTS ON ZONING CAPACITY**

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##### **ZONING CODE**

Zoning laws divide cities into districts (reflected on the zoning maps) and specify districts (set forth in the zoning code). The basic uses are agricultural, residential, commercial, and industrial. Zoning was first upheld by the U.S. Supreme Court in 1926, and since then the regulation of land uses for the public health, safety and welfare has generally been recognized as a valid exercise of a City's police power. The zoning code and map established permitted uses and densities. Zoning laws are not a constraint on capacity; they establish capacity. The maximum permitted densities in the various zones categories were used to derive the theoretical zoning capacity set forth in Exhibit [34](#).

##### **BUILDING CODE**

Building codes specify minimum health and safety standards for dwelling units, including room sizes, openings for light and ventilation, safe electrical systems, sanitary plumbing, etc. The building code does not affect permitted densities. However, building regulations do affect the cost of housing construction, and are deemed necessary to ensure safe and healthy conditions.

##### **CONDITIONAL USE PERMITS**

Institutions, public facilities and other special uses are not permitted by-right but are introduced through Conditional Use permits or other similar entitlement actions. Only special categories of housing that allow increased density require such permits (see Section on Constraints.) Most multi-family housing projects do not require Conditional Use permits. Conditional Use rules, therefore, do not constrain zoning capacity.

**HEIGHT LIMITATIONS**

Height Districts in Los Angeles are very liberal, allowing floor area ratios (FAR = allowable floor area as a multiplier of buildable lot area) as follows:

Height District	FAR
1	3 to 1
2	6 to 1
3	10 to 1
4	13 to 1

Even the lowest FAR of 3 to 1 is not a constraint on buildout of density for residential zones. A small amount of land in the City, approximately 5%, has had lower Height Districts imposed, known as 1L, 1VL and 1XL. These may apply absolute height limits to properties zoned R3, R4, and R5 limiting height to 6 stories (Low), 3 stories (Very Low) and 2 stories (Extra Low), respectively. In most cases these limits do not prevent development of the full number of units allowed in the zone in which they are imposed.

**THE SLOPE DENSITY ORDINANCE**

This ordinance restricts development on certain hillside parcels, namely those planned for minimum density housing (requiring at least 1 acre lot size per dwelling) and having slopes exceeding 15 percent. It therefore affects only estate size lots in hillside areas. Its effect on housing zoning capacity is minimal, 5 percent of the single-family capacity at the most, and its effect on affordable housing is negligible. It has no effect on multi-family or commercially- zoned property.

**DENSITY BONUS**

Under state law, local jurisdictions are required to grant a density bonus of 25% and "an additional incentive" when applied for by qualifying housing projects. (The City may grant more than 25%, at its discretion.) To qualify, 20% of the units must be reserved for low-income households, defined as those earning less than 80% of median family income for the Los Angeles area. In this case the rents cannot exceed 60% of median family income. Alternatively, the developer may reserve 10% of the units for very-low-income households, those earning less than 50% of median. In this case, rents may not exceed 50% of median family income.

According to the Los Angeles Housing Department (LAHD), there have been 1,348 set-aside units for which covenants have been recorded under density bonus provisions, in projects involving a total of 5,292 units, in the fifteen-year period since the inception of the program in 1982.

"By right" units	3,986
Density Bonus units	1,348
Total units	5,292
Avg. Density Bonus	34%

LAHD also reports that density bonus applications have decreased significantly since the 1991 change in state law that made moderate-income units ineligible and restricted the set-aside units to low- and very low-income.

The City adopted the "Affordable Housing Incentives Program Ordinance" (Ordinance No. 170,764) on November 14, 1995 which permits a density increase up to 25% as a by-right procedure for affordable housing projects. Projects requesting more than 25% density increase are subject to a Conditional Use Permit under the authority of the City Planning Commission. Other Affordable Housing Incentives include reduced parking and deferment of project processing fees.

Current amendments are being proposed to this Ordinance to encourage the provision of on-site community facilities. Up to an additional 10% density increase may be granted by the Director of Planning if the proposed affordable housing project provides for an on-site community facility.

Year	Applications Involving Density Bonus Units
------	--

1985	8
1986	25
1987	31
1988	24
1989	18
1990	7
1991	6
1992	2
1993	0
1994	0
1995	0
1996	2

**INTERIM CONTROL ORDINANCES (ICOs)**

Interim Control Ordinances (ICOs) designed to restrict perceived inappropriate development in specific neighborhoods are typically enacted for a year or two, and then extended as many times as necessary to allow for permanent regulations to be prepared and put in place.

Many interim control ordinances were enacted in the 1980s in response to rapid development pressures and related neighborhood complaints. The development pace leveled off in the recessionary period, and most of the interim control ordinances were allowed to expire. These ICOs have had a mixed effect on housing production, depending on their content.

The requirement for demolition permits and hardship exemptions has proven to be effective in conserving some affordable housing. It is now city policy to require a hardship exemption prior to demolition, offering additional protection to affordable housing occupants.

California State Government Code Sections 65590 and 65590.1, otherwise known as the Mello Act, mandate local governments to replace housing units which are occupied by low or moderate income persons, located in the Coastal Zone and are demolished or renovated to be replaced on a one for one basis on the site, within the coastal zone or within three miles of the Coastal Zone where feasible. This legislation also requires that, where feasible, local governments require provision of housing for low or moderate income persons in new development in the Coastal Zone. As a result of this legislation, a strong commitment by the City Council to preserving and providing affordable housing and a court order, the City of Los Angeles has adopted a three-part program to implement this legislation.

In April of 2001 the City Planning Commission took a major step in implementing this legislation by considering a new ordinance, part two of this program which replaces interim procedures (part one of the program) currently requiring Mello compliance. In general this proposed ordinance requires either the replacement of existing housing occupied by low or moderate income persons either on site, within the coastal zone or within three miles of the coastal zone based on criteria contained in the proposed law. The ordinance allows the developer to pay a fee to the City's Housing Department combined with public subsidies or incentives sufficient to provide new low or moderate income housing units on a one for one basis in the Coastal Zone community in which the new development is to be constructed in lieu of the developer providing the required new unit(s). Different fees are allowed for the three plan areas located in the Coastal Zone. The ordinance is based on an interim feasibility study conducted by Hamilton, Rabinowitz and Alschuler, Inc., a policy, financial and a management consultant with expertise in the financial aspects of the housing market.

The Planning Commission did not approve this ordinance for several reasons. Among the major proposals contained in the ordinance is to allow a developer to pay a fee to the City's Housing Department sufficient to cover the cost of building replacement housing and the provision of new housing pursuant to the provisions of the Mello legislation. A study was done by a consultant recommending different fees to be charged developers in the Pacific Palisades, Westchester-Playa Del Rey and the San Pedro-Harbor areas of the City based on land and development costs and the markets in those areas. The consultant argued that these fees plus City subsidies would be sufficient to build the required replacement housing and new housing under the provisions of the Mello Act and the aforementioned court action. The consultant also suggested that the proposed fees would not preclude the development of new housing based on certain assumptions as to land costs and acceptable returns to the developer. Building industry advocates argued that the fees were so high as to preclude the development of any housing in the coastal zone. Affordable housing advocates felt that the fees would not be sufficient to build the needed housing. The consensus of the Planning Commission was that both points of view could be correct. Further, members of the Commission also were concerned that to apply these fees only to the City of Los Angeles would disadvantage the City

in the production of housing and that these fees should only be applied if other coastal jurisdictions also applied similar fees. The matter has been transmitted to the City Council for its action hopefully in July of 2001. While it is impossible to predict exactly what the City Council will do in regards to the specifics of this ordinance, it is clear that the City Council has already committed to implementation of the Mello legislation and is already implementing one for one replacement of affordable units which are to be lost and requiring new affordable units on new development in the Coastal Zone.

The third phase of the three-part program is to prepare a more detailed study of housing feasibility at the neighborhood level and to revise the implementing ordinance in accordance with that study and the experience gained from the first administering the previously described ordinance. This effort is expected to take two years to complete.

The Mello Act is directed at preserving existing affordable housing in the Coastal Zone which if left to market forces has and will be seriously depleted. It is unclear how implementation of the law will impact the provision of new affordable housing in the Coastal Zone.

This Element promotes increased housing opportunities for all segments of the community through the policies and implementation measures described in Chapters V and VI.

#### **OPEN SPACE AND PARKING REQUIREMENTS**

According to a study by Natelson, Levander & Whitney, Economic Consultants, it was determined that provision of open space did not have a cost significant impact on development. The parking provision, however, does have a noticeable effect on developers' costs. The number of parking spaces is tied to the number of habitable rooms, and when that number goes up the number of parking spaces required increases, adding to the development cost. This affects affordable housing production.

#### **THE MIXED-USE INCENTIVES ORDINANCE**

A mixed-use ordinance was adopted in December 1991 to allow a density bonus of 100% for housing constructed in commercial zones, if 20% of the housing constructed is set aside as affordable units. In other words, on a parcel where 30,000 square feet of commercial use would normally be permitted, a builder may construct both the 30,000 square feet of commercial use and an additional 30,000 square feet of residential use. If the residential component consists of 30 units, then 6 of these units would have to be set aside for low income residents.

The ordinance permits side-by-side construction either on the same lot or on adjacent lots; the residential use does not need to be above the commercial. This facilitates construction, since different structural and fire safety standards apply to residential and commercial. It should also make financing easier, which has often been difficult to obtain for mixed-use projects.

On July 11, 1996 the City Planning Commission approved the "Mixed-Use Overlay District" Ordinance, which would enable the City to establish individual mixed-use districts in specific areas throughout the City. The purpose of this ordinance, which implements Framework policies, is to encourage land uses that combine commercial and residential development and community facilities in order to reduce vehicle trips, to improve air quality and the efficiency of public services, and to provide for a variety of housing opportunities.

The Mixed-Use District would only include lots zoned R, CR, C1, C1.5, C2, C4 and C5, and may include lots zoned R3 or R4 in community plan designated as regional or community centers that are designated for Mixed-Use development if such lots abut Major Highways or Secondary Highways. The Ordinance provides floor area, height, and parking incentives to mixed-use projects.

The economy, market demand and decisions of property owners are factors that may affect the construction of the dwelling units permitted by the zoning.

#### **GEOGRAPHIC ANALYSIS OF ZONING CAPACITY**

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#### **UNADJUSTED AND ADJUSTED ZONING CAPACITIES**

The unadjusted zoning capacity refers to a theoretical maximum residential zoning capacity by calculating the by-right allowable density on all parcels in the City including vacant land. The adjusted zoning capacity is obtained by assigning a conservative factor of 80% of residential potential for residentially zoned properties and a factor of 30% for commercially zoned properties to this unadjusted zoning capacity figure.

Exhibit 33, Summary of Citywide Zoning Capacity in Dwelling Units, shows the maximum theoretical and adjusted zoning capacities, the remaining theoretical and adjusted zoning capacities, and existing dwelling units in the City. With regards to the remaining adjusted zoning capacity, a total of 530,506 dwelling units are estimated, of which 223,283 units are in the R3, R4, R. and commercial zones, or 43% of the Citywide capacity. The R2 and RD zones' remaining capacity amounts to 251,425 dwelling units or 47% of the Citywide capacity, while the single-family zones remaining capacity reaches only a total of 55,798 units.

Exhibit 34, Maximum Unadjusted Zoning Capacity, shows the highest zoning potential is in the Metro Center, where there is a capacity for 408,649 units, with 311,504 units in the R3, R4 and R. zones alone. These zones account for well over half of the City's unused residential zoning capacity. However, both the Northeast Valley and South Los Angeles have the lowest available High-Density zoning capacity (33,471 units and 86,304 units respectively).

Exhibit 35 Existing Dwelling Units Per Subregion depicts the Metro Center, South West Los Angeles, and South Los Angeles as having the highest concentration of multiple-family dwelling units in the R3, R4 and R. zones categories (168,578 units, 95,818 units and 91,570 units respectively). With regards to single-family dwelling units, the Southeast Valley along with South Los Angeles have the highest numbers of existing units (72,355 units and 66,277 units respectively). It is interesting to note that existing buildout in the R3, R4 and R. zones in the Northeast Los Angeles, South Los Angeles and Southwest Valley subregions has already exceeded the maximum adjusted zoning capacity in these regions, which explains the reason these 3 subregions do not have any remaining zoning capacity available in the above-mentioned zones categories as demonstrated in Exhibit 36.

Exhibit 37, Maximum Adjusted Zoning Capacity, shows an across - the - board reduction in zoning capacity, compared to Exhibit 34. In producing this "realistic" capacity, those subregions with a high percentage of commercial zoning such as South Los Angeles were affected more than those with less commercial, such as West Los Angeles, since a 30% of housing potential is used in commercially zoned properties, while a 80% potential is applied to residential properties.

Although derived from data on applications received for building permits during a short period, and not representative of all sites in the City, the factor of 80 percent is used as the "adjusted" or expected "realistic" buildout of the zoning capacity of multiple-family residential zones. This 80 percent is also used for single-family residential zones, for such restrictions as the topography, slope density, emergency access requirements, street dedication for hillside developments etc. are taken into account.

The realistic buildout in commercial zones is less, based on historic development patterns in Los Angeles. However, the City's General Plan Framework encourages the development of mixed-use projects on certain commercially-zoned properties. To reflect this growth strategy a conservative factor of 30 percent is assigned to calculate the housing potential on the commercially-zoned properties. (Note that this means 30 percent of the available capacity on commercial parcels would be used for residential development).

Exhibit 38, Adjusted Remaining Zoning Capacity, is designed to highlight zoning capacity shortages. In the higher density zoning category, column (b) which corresponds to the Very Low, Low and Moderate Income housing, shows that Northeast Los Angeles, South Los Angeles and Southwest Valley have no available capacity in these zones categories. However, commercially-zoned properties in these subregions do provide some multiple-family residential capacity. The existing multiple-family dwelling units in these 3 subregions amount to 263,316 units or 36.82% of the total multiple-family housing stock citywide.

Column (c) shows that both the Southeast Valley and Northwest Valley have the highest available High-Density zoning capacity (41,025 units and 39,891 units respectively).

Column (e) correlating to the "Above Moderate Income" housing shows there is no available capacity in the single-family zones in Northeast Los Angeles, South Los Angeles or Southwest Los Angeles as well.

Column (f) shows that South Los Angeles has the highest Lower Density zoning capacity (i.e., R2 and RD zones), while the Harbor and Northeast Valley have fairly adequate zoning capacity in these zone categories and single-family zones as well.

Column (g) shows that no subregion would have inadequate zoning capacity if all income categories and all zones are combined.

In conclusion, after the year 2005, the City would still be able to accommodate 39,720 additional dwelling units in the Very Low-, Low- and Moderate-Income categories, and 20,560 dwelling units in the Above Moderate-Income category. As of December 1994, there were approximately 129,642

unoccupied dwelling units in the City, which theoretically could be counted as additional housing capacity. However, a few of them may need physical rehabilitation and/or subsidized rent programs to qualify for affordable housing counts.

**PROGRAMS TO INCREASE ZONING CAPACITY**

While capacity is not seen as a problem today, it could become one within the next four RHNA cycles (20 years). With the current revision of the Community Plans, zoning capacity is expected to decrease. The City of Los Angeles is committed to providing adequate zoning capacity for housing for all income groups in all areas throughout the City. Strategic locations for new housing include proposed centers and districts, area around transit stations, and along transportation corridors, where access to a variety of commercial, recreational educational, and employment services is greatest.

Moreover, the General Plan Framework provides specific policy directions for the updating of the Land Use Element of the General Plan. The policy pinpoints those areas of the City in which growth will be encouraged, and links growth to the planned transportation system.

While it is not one of the Housing Element Programs, a related effort going on in the City is the development of specific plans around transit stations to provide conditions which enhance neighborhood livability and create economic and affordable housing opportunities.

Mixed-use development, a mix of housing and job-producing commercial uses in designated center study areas and adjacent to transit stations stops are encouraged through the General Plan Framework program, the Mixed-Use Ordinance, and the proposed Mixed-Use Overlay Zone District Ordinance.

Another area of potential zoning capacity increase is on publicly-owned land. There are approximately 2,400 parcels of land in public ownership in the City that are not in any specific use. City-owned land, especially City-owned parking lots, may offer potential for low-cost housing development.

Thus the principal programs which will address increasing the residential zoning capacity are: the rezoning recommendations of the General Plan Framework Program, the Mixed-Use Overlay District Ordinance, the proposed amendments to the Affordable Housing Incentives Ordinance, and the potential of housing on City-owned land.

**HOUSING INVENTORY**

Government Code Section 65583 (c)(1) requires the City to identify adequate sites "which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobile homes, and emergency shelters and transitional housing".

The City's Regional Housing Need Assessment (RHNA) has been established as 60,280 dwelling units. The City has conducted an inventory of likely housing projects. The inventory lists building permits for 9,064 units which are currently outstanding, applications are being processed by the City for permission to build 27,432 new housing units and a listing of sites for 24,638 more units which the City considers opportunity sites where zoning and infrastructure exists to support new housing and are considered desirable for future housing production. The zoning capacity or potential for new housing in the City is 530,506 units as described in Exhibit 33 of this element. The number of units pursuant to this inventory catalogs 61,134 units and exceeds the City's RHNA number of 60,280 units.

**Summary of Development Sites**

Opportunity sites	24,638 units
Proposed	27,432 units
Under Construction	<u>9,064 units</u>
Total	61,134 units

The sites identified are viable development sites. They are urban infill sites located primarily along major and secondary highways but also along some collector streets. This means that all infrastructure (water, sewer, power, telephone and cable) is located adjacent to the properties.

The sites are vacant or underutilized. "Underutilized" means there is some use on the site, primarily parking lots, but not a developed building. (Except for the re-use of old commercial buildings, described below, less than five sites containing buildings were counted. These were counted because the surveyor concluded that the building was ready for demolition.)

Sites surveyed were not in flood plain areas, in hillsides or canyons or along beach palisades and not subject to unusual flood or landslide problems. Sites surveyed also did not include unbuildable lots, abandoned railroad rights-of-way, remnant pieces, or single family lots.

The sites are also suitable for a by-right 25% density bonus or discretionary density bonuses up to 100-200%. A 25% density bonus would increase the potential of the opportunity sites by more than 7,000 units. A 100% bonus increases the potential by over 29,000 units, and a 200% bonus increases the potential to over 58,000 units.

Environmental issues will not be a significant constraint. No environmental review is needed for apartment projects up to 49 units. Above that size a project's impacts will determine the type of environmental clearance but an EIR is not automatically required until a project exceeds 500 units.

#### **OPPORTUNITY SITES**

In the "opportunity" category, a survey was done of the vacant and underutilized parcels in multiple and commercially zoned areas throughout the City. Emphasis was given to vacant and underutilized higher density multiple family (emphasis on R3, R4 or R5 zoned) areas, areas designated around transit stations, areas in need of revitalization, areas vacant because of earthquake demolition, and areas simply zoned for residential, vacant and ready for development. Parcels needing zone changes were not included in this inventory.

Opportunity sites identified in the land inventory resulted from an analysis by community planners familiar with each area including their knowledge of the constraints that exist on the sites. The analysis, however, by no means views all the factors, constraints or incentives which would be analyzed and considered by persons wishing to develop a piece of land.

In strip commercial areas, the Framework Element establishes a policy to replace strip commercial with housing to replace marginal retail or service establishments. Commercially zoned areas also give the opportunity for mixed use projects, as identified by the Framework Element along mixed use boulevards. The Framework Element also identifies and stimulates certain commercially zoned areas to be used for housing, consistent with the City's long range strategy to accommodate future growth in the City.

#### **NEW HOUSING IN COMMERCIAL BUILDINGS**

Another significant category of the "opportunity" inventory relates to vacant or mostly vacant historic commercial buildings in the Downtown Core. The City's adaptive reuse ordinance encourages housing as a reuse of these historically significant buildings. In a recent survey of historic downtown buildings, 50 buildings had the potential for conversion to residential units, either lofts or apartments. This study estimated that there is an opportunity for 5,000 additional units in the Downtown area.

The downtown area is currently experiencing a loft housing boom. The Spring Street Lofts and the Old Bank Building on Main Street, two recently completed projects, utilized the 1999 Adaptive Reuse Ordinance and a set of building codes designed to encourage residential development in historic buildings. This ordinance can be compared to the recycling ordinances of other jurisdictions.

#### **PARKING LOTS**

Surface parking lots under the control of the Community Redevelopment Agency and surface parking lots in commercial areas with the potential to be redeveloped as housing developments (another type of recycling) were also included. This inventory did not include parcels with a "P" zone.

To calculate the number of units for each parcel or group of parcels, the maximum allowable units were used based on the existing zoning without the benefit of other incentives to build affordable housing. Although the maximum number of units were calculated, this does not limit one to build that amount. Other planning tools are available to increase the density by right or more with the density bonus application, or change zones, or revise land use designations and zone changes through the Community Plan Update Program. Therefore, the maximum counted is a conservative number. The City's inventory shows 24,638 opportunity units in this category, slightly less than half of the RHNA need.

#### **PROPOSED SITES**

The "proposed" category includes projects that are currently seeking a discretionary action or in the process of meeting the conditions of a grant filed during the years 1999-2001. The inventory includes subdivisions, zone changes, coastal development permits, density bonuses, Specific Plans and/or Exceptions, project permits and variances. This category also includes discretionary projects needing environmental clearances and related projects in the area. The number of units from this category are actual unit counts from applications and totals 27,432 units.

**UNDER CONSTRUCTION SITES**

The "under construction" unit count comes from building permits issued in 1999-2001. The total of 9,064 units being built is the actual count. This accounts for approximately one seventh of the total need.

The complete inventory is found in [Appendix V](#).

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**CHAPTER III ENDNOTES**

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Note#	Description
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# **EXHIBIT 5**



**THE CASE FOR HOUSING IMPACTS ASSESSMENT:  
THE HUMAN HEALTH AND SOCIAL IMPACTS OF INADEQUATE HOUSING AND  
THEIR CONSIDERATION IN CEQA POLICY AND PRACTICE**

**PHES TECHNICAL RESEARCH REPORT  
MAY 2004**

**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC HEALTH  
OCCUPATIONAL & ENVIRONMENTAL HEALTH SECTION  
PROGRAM ON HEALTH, EQUITY, & SUSTAINABILITY**

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- Section III** Impact Assessment Guidelines  
for Affordable Housing and  
Displacement
- Appendix I** Model Housing Impacts  
Analysis

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## INTRODUCTION

The California Environmental Quality Act (CEQA)<sup>1</sup> requires governmental agencies to provide a public accounting of all potentially adverse impacts of decisions that change the environment. While some consider CEQA to be concerned exclusively with the physical environment, the aims of CEQA extend to human well being. For example, CEQA's policy goals include maintaining "...conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations," and "...providing a decent home and satisfying living environment for every Californian." (California Government Code §21000) Under CEQA, a local agency must consider reasonably foreseeable "... environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly."<sup>2</sup>

Traditionally, health and human impact assessment within environmental review has focused on hazardous environmental agents such as air pollutants. While such impacts are

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<sup>1</sup> CEQA, similar to NEPA, predated the more prescriptive environmental regulatory approaches such as the Clean Water Act aiming instead to ensure transparency and accountability in decision making. CEQA requires public agencies to produce an Environmental Impact Report (EIR) prior to making public decision that may have significant adverse environmental effects. (California Public Resources Code, Environmental Protection, §21000) An EIR must analysis on all potentially significant adverse environmental impacts, feasible alternatives, and steps to avoid or limit impacts. If an EIR concludes that a project would have significant impacts, the agency can not approve it until it either they determine that mitigation or alternatives are infeasible or that the project's benefits outweigh the adverse impacts.

<sup>2</sup> CEQA Guidelines, Title 14, California Code of Regulations. (Accessed at [http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/))

important, the relationships between the physical environment and human health include many other neglected dimensions.

Unmet housing needs in San Francisco result in particularly significant public health costs. Inadequate or unaffordable housing forces San Francisco residents into crowded or substandard conditions; requires them to compromise access to jobs and services, and quality education; and requires them to work multiple jobs to make ends meet. The Department of Public Health witnesses these effects when we care for the homeless, in the course of our enforcement of environmental health and housing standards, and through our efforts to improve the housing of those with environmentally related illnesses such as asthma.

Unmet housing needs also have indirect environmental and economic consequences. High housing costs are disincentives for business development or expansion which also means reduced economic opportunities for residents. High cost housing in regional job centers such as San Francisco is one factor that drives development of lower cost housing on the urban fringe, contributing to traffic congestion and air pollution, as well as the loss of regional farmland and open space.<sup>3</sup>

As one strategy to ensure adequate affordable housing in San Francisco, the San Francisco Department of Health, in partnership with the City's Department of Planning, has researched how environmental impact analysis might more

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<sup>3</sup> [http://www.brookings.edu/views/speeches/downs/20030529\\_downs.htm](http://www.brookings.edu/views/speeches/downs/20030529_downs.htm)

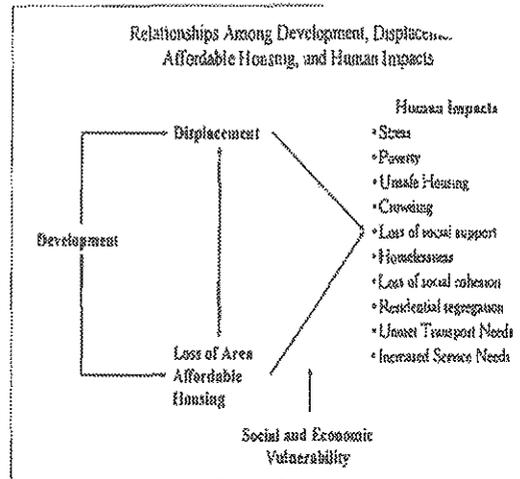
comprehensively account for impacts on affordable housing and residential displacement.

CEQA guidelines allow cities to determine their own impacts of concern, screening criteria, assessment and evaluative methodologies, and preferred mitigation measures. In addition, though the guidelines provide a list of potential adverse impacts on the environment they do not provide a way of judging whether the effects are significant in a particular set of circumstances. One way for local jurisdictions and public agencies to ensure consistent and objective determinations in their environmental review is to adopt a 'threshold of significance.'<sup>4</sup>

CEQA authorizes local governments to adopt by "...ordinance, resolution, rule, or regulation" locally specific "objectives, criteria, and procedures for the evaluation of projects." (California Government Code §21082). These 'thresholds of significance' are qualitative or quantitative standards that provide local agencies a way to differentiate whether a particular environmental effect is significant. Thresholds may be based on health based standards, service capacity standards, ecological tolerance standards, policies and goals within the city's general plan, or any other standard based on environmental quality. Ideally, threshold development should involve public participation and the documentation of a threshold should include (1) a definition for the effect (2) the reasons the effect is significant (3) the criteria at which effect becomes significant

<sup>4</sup> Thresholds of Significance: Criteria for Defining Environmental Significance. CEQA Technical Advice Series Governor's Office of Planning and Research 1994 Accessed May 24<sup>th</sup> 2004 at: [http://ceqa.ca.gov/topic/env\\_law/ceqa/more/tas/threshld.pdf](http://ceqa.ca.gov/topic/env_law/ceqa/more/tas/threshld.pdf)

(4) references and sources mitigation measures if available.



Methods to consider impacts on housing affordability and residential displacement exist; however, these methods have not been applied to impact assessment practice in San Francisco. In California, several local jurisdictions (Los Angeles, Santa Barbara, and Lake Tahoe) have adopted comprehensive, environmental review guidelines which include thresholds of significance for housing impacts. San Francisco adopted level of service standards (LOS) for the evaluation of impacts on automobile and transit in 2002 but does not have consistent evaluative criteria for several other important environmental effects included effects on housing.

This technical report outlines several ways that impacts on housing affordability and residential displacement can be included in the process of environmental review. It also provides the groundwork for developing local significance thresholds criteria for housing impacts. We have organized this document into three sections: (1) Social and health consequences of housing affordability and residential displacement; (2)

Interpretation of CEQA policy and guidelines with regards to the analysis of social, health, and environmental justice impacts; (3) Public agency guidelines for affordable housing and displacement impact assessment.

The first section provides a scan of the public health and social science research that relates affordability and displacement to adverse human outcomes. We organized this section using a public health framework that relates project development to residential displacement and housing affordability and these effects to indirect

adverse human impacts. (The framework used in this report is illustrated in the figure above.)

The second section considers the impacts on affordability and displacement as indirect social impacts, as indirect human health impacts, as environmental justice impacts, and as impacts that affect long term environmental policy goals. The third section provides a scan of impact assessment methods and practice applicable to housing impacts analysis bringing together a number of federal, state, and local tools and guidelines.

## SECTION I. SOCIAL AND HEALTH CONSEQUENCES OF HOUSING AFFORDABILITY AND RESIDENTIAL DISPLACEMENT

The pathways between affordable housing, residential displacement, and human health and well being are numerous and complex. The impacts of any particular project or program that affects housing affordability or displaces residents depend on both contextual and individual factors including the availability of affordable housing units, the extent of relocation assistance provided, the income and savings of displaced residents, and the availability of social support networks.

This section provides a summary of available evidence on the adverse human consequences of housing affordability and residential displacement. Sources include case studies, interviews, and studies on homelessness, and public health and social science research.

### Unmet Needs for Affordable Housing in California and San Francisco

According to *Slum Housing in LA*, a recent publication by UCLA's Advanced Policy Institute, the Federal goal of "securing the health and living standards of its people..." has only been met for upper and moderate income groups, while communities that are poor in both rural and inner city areas lack adequate housing.<sup>5</sup> Three in ten US households have housing affordability problems.

<sup>5</sup> Richman N, Pitkin B. *Understanding Slum: The Case of Los Angeles, USA*. 2003 UCLA Advanced Policy Institute. Los Angeles, CA.

The affordable housing crisis is particularly acute in California. In San Francisco, only 7.3% of households currently earn enough to afford the median sale price of housing.<sup>6</sup> In addition, the fair market rent for a two-bedroom apartment is \$1,904 which is affordable only to those who make 90% of the average family's median income of \$86,100.<sup>7</sup> Exacerbating this situation, the gap between the minimum wage and the minimum hourly wage required to afford adequate housing has increased. Currently, over 35,000 low income renters pay more than 50% of their income in rent. Even individuals earning modest wages, such as, public service employees and those in the construction trades simply cannot afford to live where they work.<sup>8</sup>

A related factor, affecting low income renters, is the unmet demand for subsidized housing programs. In California, over two-thirds of qualifying low income households remains on waiting lists for housing assistance.<sup>9</sup> The state has 186,000 rental units housing 450,000 low income people which benefited from public finance. About 70% of this stock, over 120,000 units, represents housing in the HUD Section 8 program for which rent subsidy contracts are expiring. The conversion of subsidized housing will further aggravate unmet demand for low income housing.

<sup>6</sup> San Francisco Planning Department. *Update of the Housing Element of the General Plan*. (Accessed at: [http://www.ci.sf.ca.us/planning/citywide/c1\\_housing\\_element.htm](http://www.ci.sf.ca.us/planning/citywide/c1_housing_element.htm))

<sup>7</sup> National Low Income Housing Coalition *Out of Reach 2003: America's Housing Wage Climbs*. (Accessed at: <http://www.nlihc.org/oor2003/>)

<sup>8</sup> Governor' Environmental Goals and Policy Report. Office of Planning and Research 2003

<sup>9</sup> Forbes, Elaine. 2000

While the population of San Francisco is growing, San Francisco is not currently meeting the housing production goals of moderate income, low income and very low income communities. The Mayor's Office of Housing estimates that the City needs to build 19,000 units of affordable housing between 2001 and 2005 to meet its needs. Furthermore, according to the Housing Element of the General Plan, the strongest job growth is expected in the service and retail sectors; however, much of that growth is represented by low and medium wage jobs including cashiers, waiters and cooks, sales people and clerks, and painters, carpenters and electricians.

#### **The Relationship between Displacement and Affordable Housing**

Residential displacement has become a critical issue in California where housing shortage disproportionately affects low income and minority populations. Displacement can occur in the context of demolition or redevelopment of residential property or the conversion of rental units to ownership housing. Displacement also occurs in the context of gentrification when neighborhoods change in a way that inflates rents. Structural forces that contribute to displacement of individuals and families and unsatisfactory relocation in San Francisco include the relatively high cost of housing relative to incomes, the large unmet need for housing particularly at lower income levels, and the high cost of land and housing. Given that San Francisco is a setting with a limited supply of affordable housing, residents displaced through eviction or redevelopment are unlikely to

be successfully relocated into adequate and affordable housing replacement housing.

#### **Human Health Impacts of Inadequate Housing**

Residential displacement or the permanent loss of area affordable housing can be expected to lead to diverse health effects. Both displaced residents and those entering the housing market may have to pay more for housing.<sup>10</sup> Some may accept affordable but inadequate, substandard, or poorer quality housing. Some may move out of the city or region while others may move into a temporary living situation with a friend or family member. Finally, some may become homeless. Low income individuals and families are more susceptible to adverse consequences after displacement as they have limited options for relocation.

*Stress* Displacement may increase levels of psychological and physiological stress, for example, by creating a new economic strain among low income individuals. If residents are displaced away from jobs or schools, longer commutes may be a further source of stress and reduce time for leisure or family activities. For children, frequent family relocation leads to children's grade repetitions, school suspensions, and emotional and behavioral problems.<sup>11</sup> Living in resource poor neighborhoods, frequent school changes, and substandard housing all contribute to poor child development and school

<sup>10</sup> Hartman, Chester. Comment on "Neighborhood revitalization and displacement: A review of the evidence. *Journal of the American Planning Association*. 1979;45:488-491.

<sup>11</sup> Cooper, Merrill. *Housing Affordability: A Children's Issue*. Canadian Policy Research Networks Discussion Paper. Ottawa. 2001

performance.<sup>12</sup>

A number of scientific studies have demonstrated health consequences of psychosocial stress. For example, a randomized study of healthy human volunteers demonstrated that chronic stress doubled the rate at which inoculation with a common cold virus led to a clinical infection.<sup>13</sup> Other studies have linked the experience of stress with chronic diseases including heart disease, hypertension, and diabetes.<sup>14</sup> Among pregnant women, stress has also been associated with a greater likelihood for pre-term delivery and low birth weight birth – both factors that potentially lead to developmental delays and increased infant morbidity and mortality.

**Poverty** There is little doubt that poverty leads to poor health. Numerous research studies in diverse countries show that poverty contributes to a poorer subjective sense of health, higher mortality, less emotional stability, worse chronic conditions, and poorer physical functioning.<sup>15</sup>

Unaffordable housing is both a dimension of poverty and a contributor to poverty. Households with incomes several times the full-time minimum wage can pay more than half of

their incomes for housing.<sup>16</sup> When housing is unaffordable, people often sacrifice other material needs including food, clothing, and health care services. Nationally, those with incomes in the bottom fifth of the income distribution and paying 50% of their incomes for housing have an average of \$417 to cover all non-housing monthly expenses.<sup>17</sup> Lack of affordable housing has also been linked to inadequate nutrition, especially among children. A recent survey of American cities found that low paying jobs and high housing costs are the most frequently cited reasons for hunger.<sup>18</sup> Children from low-income families receiving housing subsidies showed increased growth compared with children whose families were on a subsidy waiting list, an observation consistent with the idea that subsidies provide a protective effect against childhood malnutrition.

Unaffordable housing may add to psychosocial stress. People required to work extra hours or at multiple jobs may sacrifice personal leisure family relationships. Time pressured parents may choose either more punitive or low-effort strategies to resolve conflict with children.<sup>19</sup> Studies have shown that economic strains such as being unable to pay the bills cause depression in mothers and harsh parenting styles. Displacement and relocation may also result in job loss with potential further aggravation of

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<sup>12</sup> Ross, DP & Roberts, P. Income and child well being: A new perspective on the policy debate. Canadian Council for Social Development. Ottawa. 1999.

<sup>13</sup> Cohen, Sheldon et al. Types of Stressor that increase susceptibility to the common cold in Healthy Adults. *Health Psychology*. 1998; 17(3):214-223.

<sup>14</sup> McEwen, Bruce E. Protective and damaging effects of stress mediators. *New England Journal of Medicine*. 1998; 338(3): 171-179.

<sup>15</sup> Phipps, Shelly. *The Impact of Poverty on Health: A Scan of the Research Literature*. Ottawa. Canadian Institute for Health Information 2003.

<sup>16</sup> *The State of the Nation's Housing*. Joint Center for Housing Studies of Harvard University. 2003.

<sup>17</sup> Sandel, M, Sharfstein, J, Shaw, R. There's no place like home: How America's Housing Crisis Threatens our Children. *Housing America*. San Francisco. 1999.

<sup>19</sup> Dunn, James R. A population health approach to housing: A framework for research. Report prepared for the National Housing research Committee and the Canada Mortgage and Housing Committee. University of Calgary. 2002.

economic strain and psychosocial stress.

**Overcrowding** Statewide, 24% of renter households are overcrowded while in San Francisco over 30% of renter households are characterized as overcrowded.<sup>20 21</sup> Families frequently double up as a way to cope with the lack of affordable housing. Similarly, displaced residents find temporary lodging with families or friends. Overcrowding results in respiratory infections in adults and ear infection in children.<sup>22</sup> Overcrowding also means the lack of quiet space for children to do homework, negatively impacting their development, education, and future life opportunities.<sup>23</sup>

**Housing Safety** Over half of the San Francisco's housing was built over 50 years ago and requires significant rehabilitation to maintain habitability; 94% of the housing stock was built before 1978. Most of the city's pre-1950 dilapidated housing stock is located in low-income neighborhoods. A number of environmental conditions in older and poorly maintained housing affect health. Inadequate heating can lead to overexposure to cold. Poorly maintained paint leads to lead poisoning. Other unsafe conditions include exposed heating sources, unprotected windows and slippery surfaces that increase risks for injuries. Older units and low-income units tend also to have a greater likelihood of deferred maintenance.

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<sup>20</sup> Governor's Environmental Goals and Policy Report. Op Cit.

<sup>21</sup> Based on San Francisco data from the 1999 American Housing Survey. (Accessed at: <http://www.census.gov/hhes/www/ahs.html>)

<sup>22</sup> Krieger, J & Higgins, DL. Housing and Health: Time again for Public Health Action. American Journal of Public Health. 2002; 92: 758-768.

<sup>23</sup> Cooper, M. op cit.

**Indoor Air Quality** Irritants and allergens present in one's home environments contribute to asthma. Some of the most important allergens implicated in the development and recurrence of asthma include house dust mites, cockroach antigens, cat dander, mold spores, and pollens.<sup>24</sup> Old carpeting serves as a reservoir for dust, allergens and chemicals. Kitchens and baths, particularly in older housing stock, often lack adequate ventilation increasing problems associated with moisture and mold.

Since 1999, SFDPH has conducted several hundred assessments for asthmatic children and adults and identified through evaluation research the role of housing affordability as a barrier to reducing asthma triggers in the home. While SFDPH enforces laws to ensure the safety and habitability of housing, inspectors have found many instances where substandard and unhealthy conditions exist yet tenants are reluctant to initiate enforcement actions. Commonly, tenants are fearful of landlord reprisal or eviction in an unaffordable housing market.

**Social Support** If displaced residents are forced to relocate outside of their neighborhood, valuable supportive family and community relationships can be lost both for those leaving and well as for those remaining behind. Strong social relationships and community cohesion are protective of health in multiple ways. Neighbors, friends, and family provide material as well as emotional support. Support, perceived or provided, can buffer stressful

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<sup>24</sup> Institute of Medicine. Clearing the Air: Asthma and Indoor Air Exposures. National Academy Press. Washington D.C. 2000.

situations, prevents damaging feelings of isolation, and contributes to a sense of self-esteem and value.<sup>25</sup> The magnitude of the effect of social support on health is substantial and has been illustrated by several prospective long term studies in the United States. For example, in the Alameda County Study, those with fewer social contacts (e.g. marriage, family, friends, and group membership) had twice the risk of early death, even accounting for income, race, smoking, obesity, and exercise.<sup>26</sup>

**Homelessness** One of the most severe consequences of both unaffordable housing and displacement is homelessness. Hunger and homelessness are on the rise in major American cities, according to a 2003 survey by the U.S. Conference of Mayors.<sup>27</sup> Requests for emergency shelter assistance increased by an average of 13 percent in the 25 large cities surveyed. Twenty-three participating cities reported that lack of affordable housing was the leading cause of homelessness.

Over 350,000 Californians are estimated to be homeless.<sup>28</sup> A particularly disturbing trend is the rise of family homelessness. It is estimated that between 80,000 and 95,000 homeless children exist in California.<sup>29</sup> The USCM survey documents that Eighty-four percent of the

cities have turned away homeless families from emergency shelters due to lack of resources.

Homelessness contributes to a number of other well described physical, behavioral and mental health problems in adults and children. Lack of housing and the overcrowding found in temporary housing for the homeless have been found to contribute to morbidity from respiratory infections and activation of tuberculosis. Substandard housing, such as that used by the homeless population, often lack safe drinking water and hot water for washing; often have ineffective waste disposal, intrusion by disease vectors (e.g., insects and rats); and often have inadequate food storage, all of which have long been identified as contributing to the spread of infectious diseases.<sup>30</sup> A 1994 study of children living in homeless shelters in the Los Angeles area found that the vast majority (78%) of homeless children interviewed suffered from depression, a behavioral problem, or severe academic delay.<sup>31</sup> Among sheltered homeless men and women, age adjusted death rates are several fold higher than in the general population.<sup>32</sup>

Homelessness is strongly linked to hunger. Temporary housing for homeless children often lacks cooking facilities.<sup>33</sup> In the 2003 US

<sup>25</sup> Cohen, S, Underwood, LG, Gottlieb, BH. *Social Support Measurement and Intervention*. Oxford University Press. New York. 2000.

<sup>26</sup> Berkman LF, Syme SL. Social networks, host resistance, and mortality: a nine-year follow-up study of Alameda County residents. *American Journal of Epidemiology*. 1979; 109(2):186-204.

<sup>27</sup> The United States Conference of Mayors Hunger and Homelessness Study December 2003.

<sup>28</sup> Governor's Environmental Goals and Policy Report. Op Cit.

<sup>29</sup> Governor's Environmental Goals and Policy Report Op Cit.

<sup>30</sup> US Conference of Mayors

<sup>31</sup> Zima BT, Wells KB, Freeman HE. Emotional and behavioral problems and severe academic delays among sheltered homeless children in Los Angeles County. *American Journal of Public Health*. February 1994 Vol 84: 260-264

<sup>32</sup> Barrow, SM, Herman, DB, Cordova P, Stuenkel, EL. Mortality among Homeless Shelter Residents in New York City. *American Journal of Public Health*. 1999; 89: 529-534.

<sup>33</sup> Krieger J, Higgins DL. Housing and Health: Time Again for Public Health Action. *American Journal of Public Health*. May 2002, Vol 92, No. 5: 758-768

Conference of Mayors' (USCM) survey, requests for emergency food assistance increased by an average of 17 percent over the past year. The USCM survey finds that 59 percent of individuals requesting emergency food assistance were members of families with children and their parents, and that 39 percent of the adults requesting such assistance were employed. Eighty-seven percent of the cities surveyed expect that requests for emergency food assistance will increase again over the next year. Ninety-one percent of cities participating in the survey expect that requests for emergency food assistance by families with children will increase next year. Eighty-eight percent expect that requests for emergency shelter will increase next year, and 80% expect requests for shelter by homeless families will increase in 2004.

**Social Cohesion** One of the most significant effects of eviction and displacement may be the erosion of social capital and social cohesion which are social indicators strongly associated with health, education, and neighborhood safety.<sup>34</sup>

The New York Times recently profiled a community, Franklin Square, as one of the few places in the NY area where housing affordability is promoted resulting in the integration of generations residing side-by-side. In addition to the richness of sharing experiences across generations, the Franklin Square community benefits from long-term residents who invest in maintaining the built environment, invest in the community, and contribute to community cohesion and youth development:

"[Franklin Square] It's just a wonderful, very stable community," said Julie Soffientini, an assistant school superintendent who moved in 30 years ago and raised two daughters with her husband, Raymond. She said she appreciated the clean streets, well-kept properties and convenient local shopping."

"Pupils begin at the Franklin Square Union Free School District, an elementary district with an enrollment of 1,975 in three schools, all for kindergarten through Grade 6. Statistics released by the state Department of Education in October showed that 99.3 percent of fourth grade students in the district met or exceeded state standards in math. Elementary school students in the Franklin Square district consistently score above state averages on other standardized tests."

The example provided above illustrates the positive impacts on society by long-term resident investment: cleaner streets, resulting in reduced cost of City-subsidized loitering cleaning; higher school performance, particularly among the younger aged-group, which results in higher school completion.

In contrast, the erosion of neighborhoods as a result of forced displacement results in the reduction of long-term residents who are most likely to invest in their communities. In areas where residents feel less invested because of the continual threat of displacement, one can find depilated environmental conditions, such as broken windows on buildings, loitering and illegal disposing of hazardous substances. Furthermore, neighborhoods where residents have little incentive to invest are shown to have higher high school drop out rates, as well as crime rates.

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<sup>34</sup> Putnam, Robert. Social Capital: Measurement and Consequences. ISUMA. 2001(Spring): 41-51.

**Segregation** The loss of affordable housing and displacement may also lead to residential segregation and 'ghettoization'. Displacement may contribute to residential segregation (by ethnicity, income, or class) if available housing for displaced residents is not available in integrated neighborhoods. A study that examined expiring HUD Section 8 agreements with private owners in California, found that, on average, families relocated to relatively more racially-segregated communities.<sup>35</sup>

Racially segregated neighborhoods tend to have less neighborhood amenities such as schools, libraries and public transportation due to economic, political and linguistic isolation, and racism. Research has documented the health impacts of residential segregation. Many studies have shown, for example a strong association between segregation and homicide rates. Besides an excess in mortality, studies have also demonstrated a relationship between residential segregation and negative health outcomes including teenage childbearing, tuberculosis, cardiovascular disease, availability of food establishments serving healthy fare and exposure to toxic air pollutants.<sup>36</sup>

Strong evidence for the effects of segregated environments comes from the HUD Moving to Opportunity demonstration program. This

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<sup>35</sup> Forbes E. *Eroding Neighborhood Integration: The Impact of California's Expiring Section 8 Rent Subsidy Contracts on Low-Income Family Housing*. 2000 The Ralph and Goldy Lewis Center for Regional Policy Studies. UCLA, School of Public Policy and Social Research. Los Angeles, California

<sup>36</sup> Acevedo-Garcia D, Lochner KA, Osypuk TL, Subramanian SV. *Future Directions in Residential Segregation and Health Research: A Multilevel Approach*. *American Journal of Public Health*. 2003; 93:215-221

program, implemented in five US cities, evaluated the health and social effects of relocating households from public or subsidized housing in high poverty neighborhoods to private rental housing in non-poverty neighborhoods. The program design involved a random assignment of families to an experimental group (vouchers for housing in low poverty neighborhoods and relocation assistance) a section 8 group (geographically unrestricted vouchers), and a control group and longitudinal follow-up of families over 10 years. The executive summary of the interim evaluation (midpoint of follow up) testify to the social value of non-poverty area residence.<sup>37</sup>

From the families' perspectives, the principal benefit of the move was a substantial improvement in housing and neighborhood conditions. Families who moved with program vouchers largely achieved the single objective that loomed largest for them at baseline: living in a home and neighborhood where they and their children could feel and be safe from crime and violence. On a list of observable characteristics, their homes and neighborhoods were substantially more desirable than those where control group members lived. These benefits accrued to families in both the experimental group and the Section 8 group, although the improvements tended to be roughly twice as large for experimental group families, who were required to move to low-poverty areas, at least initially.

Perhaps not surprisingly, these improvements in living environment led to significant gains in

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<sup>37</sup> U.S. Department of Housing and Urban Development *Moving to Opportunity for Fair Housing Demonstration Program: Interim Impacts Evaluation*. 2003 (accessed at [www.huduser.org](http://www.huduser.org))

mental health among adults in the experimental group. The levels of psychological distress and depression were substantially reduced in this group. In addition, adults in both the experimental and Section 8 groups experienced substantial reductions in obesity for reasons we do not yet understand. Among the children in these families, girls appear to have benefited from the move in several ways. They experienced improved psychological well-being, reporting lower rates of psychological distress, depression, and generalized anxiety disorder, and improved perceptions of their likelihood of going to college and getting a well paid, stable job as an adult. These girls' behaviors changed as well, with a smaller proportion working instead of attending school. They were less likely to engage in risky behavior or to use marijuana. Finally, both these girls and society as a whole benefited from a reduced number of arrests for violent crimes.

***Increased Transportation System Demands*** Displaced residents may find that affordable and adequate replacement housing only exists far from their current neighborhoods, potentially, meaning that they will live far from jobs and schools. Relocation may thus create a new demand for public transportation services or alternatively new demands for automobile purchase and use. Studies on the effects of urban sprawl have found that low income families, children and the elderly are disproportionately affected by the longer distances needed to travel as a result of relocation to the outskirts of a city or a region. The working poor rely on both urban public transit systems to hold steady jobs and access health care, child care and other critical social services. Former welfare recipients are particularly dependent upon the provision of

reliable and convenient transportation services.

***Increased Demands for Social Services*** For a project that results in significant displacement or relocation to non comparable housing, the magnitude of human health and social impacts may be severe. This may result in the need to fund and develop new social services to address the human impacts. For example, displacement may potentially result in new demand for safety net services for health and welfare, for mental health services, and for special educational services for children. In San Francisco, services for homeless adults and children cost the City millions of dollars and over the past several years demand for services has greatly exceeded capacity. The demand for such services is indirectly related to the magnitude of the adverse displacement outcomes.

#### **Displacement in California and San Francisco**

During the period from March 2002 through February 2003, a total of 1,643 various eviction notices were filed with the department. This figure includes 93 notices given due to failure to pay rent, which are not required to be filed with the department. The number of notices filed with the department for this period represents a 22% decrease over the prior year's filings (2,101).

The largest declines were in owner occupancy evictions, 516, or a 29% decrease, nuisance declined by 10% to 251 and eviction notices for breach declined by nearly 40% to 231. The only increases were in temporary capital improvement evictions which increased from 44

to 68, or a 26% increase and Ellis Act evictions, from 148 buildings to 187 for a 26% increase for the period. In San Francisco, the Ellis Act, a state law which says that landlords have the unconditional right to "go out of business" is used by property owners to 'change the use' of the building (condominium conversions) resulting in evictions.

**Reasons for Just-Cause Evictions  
2001/02 and 2002/03<sup>38</sup>**

Just Cause	2001/02	2002/03
Owner-Occupied	726	516
Demolish/remove unit	113	67
Capital improvement (temporary)	44	68
Ellis eviction	148	187

While the issues of affordable housing, displacement, and gentrification are high on the public agenda, limited recent research has tracked the direct consequences of displacement on people. A 1999-2000 analysis of Ellis evictions in San Francisco conducted by the San Francisco Tenants' Union reveals that:

- Seniors, people with disabilities and children are most likely to become victims of the Ellis Act, comprising 51% of all Ellis Act evictions since 1999.
- Those most apt to be evicted are renters with long-term tenancies and affordable rents. Those evicted under Ellis had an average tenancy of over 11 years and were paying an average rent of \$1,024 for a 2 bedroom apartment.

- Further, the Ellis Act is resulting in the loss of thousands of affordable units. For every new affordable unit that is built, 5 affordable units are lost.

Accounts from local housing advocacy organizations reveal some consequences of forced eviction among low-income families and the elderly. St. Peter's Housing, a Mission district-based non-profit organization serving low income families around housing issues and landlord/tenant problems, for example, report that a significant proportion of the families they serve are forced to separate to obtain temporary shelter, while other families resort to overcrowding in illegal units and yet other families are forced to leave their neighborhoods and the City in order to secure an affordable place to live.

St. Peter estimates that at least 20% of their clients have one or more family member aged 60 years or older. According to St. Peter's Housing, elderly residents and families are more frequently displaced, experience particularly high levels discrimination in securing housing, and are most vulnerable for separation as a result of eviction. The following case history illustrates the complexity of housing issues confronted by families with elderly members:

An elderly couple was forced to separate (from their daughter and grandchildren) and to resort to live in an illegal in-law unit. The unit was so poorly maintained that the stairs leading to the entrance of the unit collapsed resulting in the broken hip of the elderly woman. The elderly woman reported the incidence to St. Peter's for advice. St. Peter reported this case the

<sup>38</sup> Rent Stabilization and Arbitration Board, April 28, 2003

Department of Building Inspections (DBI) whose inspector cited the owner for the illegal unit, and forced the owner to shut down the illegal unit. DBI's inspection is in itself intended to protect families from living in substandard conditions and yet, in this particularly case, served to aggravate the elderly couple living situation. The elderly couple was not only forced to separate from their family, but were now suffering from the injured hip and its incurred health care cost, and as a result of the inspection was now faced with displacement. [Personal communication, St. Peter's Housing; December 2003]

The effects of displacement as a result of the lack of affordable housing among the senior population are heightened among its Gay and Lesbian subgroups. Recent, cross-sectional evidence of GLBT elderly living in the greater Los Angeles Area shows that:

- Same-sex partners cannot share a room in most care facilities, forcing many GLBT older adults retreat back into the closet, in order to secure housing at nursing homes.
- Same-sex partners cannot receive Social Security survivor benefits.
- GLBT older adults do not have the same family support systems as their heterosexual counterparts.
- There are many government programs that target the elderly, but none are geared towards GLBT older adults.<sup>39</sup>

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<sup>39</sup> Gay and Lesbian Elder Housing of Los Angeles  
Website: <http://www.glehc.org/facts.htm>, accessed on  
December 3, 2003

## SECTION II SOCIAL, HEALTH, AND ENVIRONMENTAL JUSTICE IMPACTS IN CEQA POLICY

As discussed in the section above, the lack of housing affordability in California and its human impacts suggests that environmental impact assessment (EIA) should consider how a development project might impact housing affordability or displaced residents. Four ways in which these issues fit into the framework of the California Environmental Quality Act (CEQA) include:

- As potential indirect social and economic impacts on population and housing;
- As indirect health impacts of physical or social impacts;
- As environmental justice impacts;
- As impacts requiring evaluation for consistency with city, regional and state housing and environmental policy goals.

### Adverse Social and Economic Effects of Impacts on Population and Housing

CEQA considers the loss of housing requiring construction of new housing and the displacement of people as potential adverse environmental impacts requiring analysis in the environmental checklist provided in CEQA Guidelines. The checklists screening questions include:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

However, impacts on population and housing may have particular adverse effects on parts of the population. For example, if a project replaces low income housing with market rate housing, this may disproportionately and adversely impact those with lower income. This type of impact may be considered an adverse social impact. Under CEQA, adverse social and economic impacts may be analyzed in determining the significance of physical environmental changes. Title 14, section 15064, subsection (e) of the California Administrative Code provides the following guidance:

*Economic and social changes resulting from a project shall not be treated as significant effects on the environment. Economic or social changes may be used, however, to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project. Alternatively, economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment. If the physical change causes adverse economic or social effects on people, those adverse effects may be used as a factor in determining whether the physical change is significant. [Emphasis added]* For example, if a project would cause overcrowding of a public facility and the overcrowding causes an

adverse effect on people, the overcrowding would be regarded as a significant effect.

Despite the guidance above, the inclusion of social and economic impacts under CEQA is controversial. Many interpret the language in section 15064, subsection (e) to mean that the analysis of indirect adverse social and economic effects may be considered in an EIR but are not, strictly speaking, required.<sup>40</sup> According to the California Department of Transportation: "Many people in California, including some decision-makers, harbor the general belief that CEQA addresses only purely "environmental" issues, not social, demographic, or economic issues often raised by proposed projects. This is erroneous. The assumption however is understandable due to the complex linkage that must be demonstrated between the physical, social, and economic environment, and the determination of 'Significance'."<sup>41</sup>

Some case law has directly addressed this issue. In *Citizen's Association for Sensible Development of Bishop Area v. County of Inyo*,<sup>42</sup> the courts reconciled the ambiguity of section 15064, subsection (e) with subsections (d) and (f) which discussed evaluation of secondary or indirect consequences of a project. In the Bishop case, the Court ruled that subsection (f) gave the lead agency discretion to determine whether the consequences of social and economic changes were significant but did

not give it discretion not to consider these consequences at all. In their ruling, the Court interpreted section 15064 as follows: "the lead agency shall consider the secondary or indirect environmental consequences of economic and social changes, but may find them to be insignificant."

### Indirect Health Impacts

Environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly are considered mandatory findings of significance in accordance with CEQA Guidelines Section 15065.

A lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where any of the following conditions occur: (d) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

As discussed in the evidence provided above, housing affordability and displacement affect health in numerous ways. Projects that have area or regional effects on the availability of affordable housing may be considered to have potential indirect adverse health consequences. Since displaced residents may not be relocated in adequate housing, the potential indirect health impacts of displacement also warrant consideration.

### Environmental Justice Impacts

Environmental justice is rooted in the Equal Protection Clause of the U.S. Constitution and can be advanced using National Environmental

<sup>40</sup> Bass, RE., Herson, AI, Bogdan, KM. CEQA Deskbook: A step-by-step guide on how to comply with the California Environmental Quality Act. Solano Press. Point Arena, 2001.

<sup>41</sup> Guidelines for Community Impact Assessment. California Department of Transportation. 1997

<sup>42</sup> *Citizen's Association for Sensible Development v. County of Inyo*, 172Cal.App.3d 151 (1985)

Policy Act (NEPA) as well as the Civil Rights Act of 1964. Environmental Justice provides another rationale for considering the effects on affordable housing or the displacement of low income residents under CEQA. California Law defines Environmental Justice as "... the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."<sup>43</sup>

While environmental justice analysis and efforts in California have historically emphasized disproportionate health effects of toxic physical environmental agents, the concept of environmental justice is broader than the physical environment and human health. As stated in the 1997 President's Council of Economic Quality (CEQ) guidance adverse environmental justice effects can be also economic, social, cultural, and ecological impacts directly or indirectly related to physical environmental changes or impacts. 1997 CEQ Guidance states:

When determining whether environmental effects are disproportionately high and adverse, agencies are to consider the following three factors to the extent practicable:

(a) Whether there is or will be an impact on the natural or physical environment that significantly (as employed by NEPA) and adversely affects a minority population, low-income population, or Indian tribe. Such effects may include ecological, cultural, human health, economic, or social impacts on minority communities, low-income communities, or Indian tribes when those impacts are interrelated to impacts on the natural or physical environment; and

(b) Whether environmental effects are significant (as employed by NEPA) and/or may be having an adverse impact on minority populations, low-income populations, or Indian tribes that appreciably exceeds or is likely to appreciably exceed those on the general population or other appropriate comparison group; and

(c) Whether the environmental effects occur or would occur in a minority population, low-income population, or Indian tribe affected by cumulative or multiple adverse exposures from environmental hazards.

In California, Assembly Bill 1553 requires that the principles of environmental justice be incorporated into state guidelines for local general plans. As discussed below, this broader definition of environmental justice effects is consistent with adverse environmental effects under NEPA and CEQA as well as the 2003 State of California General Plan Guidelines Section on Environmental Justice and Sustainability and the 2003 Governor's Environmental Goals and Policy Report. The 2003 General Plan Guidelines include mixed-income housing development as a component of sustainability and environmental justice. Even from the standpoint of public health, inequitable social and economic effects can be equally if not more important than inequitable environmental quality effects. An environmental justice analysis of projects that result in population or housing loss could focus on the potential for disproportionate impacts to low income and minority populations both living in the current units as well as effects on the market for affordable housing in the region.

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<sup>43</sup> California Government Code Section 65040.12

**Consistency with Local, Regional and State Land Use Policy**

CEQA guidelines consider potential significant environmental impacts to include: "Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?" Local policies related to affordable housing can be found in the Housing Element of the General Plan, the HUD Consolidated Plan, and local ordinances related to rent and to eviction prevention.

California State law defines also a jurisdictions fair share housing goals in terms of four categories of affordability through the Regional Housing Needs Determination (RHND) process, devised to address the need for and planning of housing across a range of affordability and in all communities throughout California. Each jurisdiction within the Bay Area (101 cities, 9 counties) is given a share of the anticipated regional housing need. The Bay Area's regional housing need is specified by the California State Department of Housing and Community Development (HCD) and finalized through negotiations with Association of Bay Area Governments. The timeframe for this RHND process is January 1, 1999, through June 30, 2006, (a seven and a half year planning period). The current RHND requires 5244 units affordable to very low income residents, 2136 units affordable to low income residents, 5639 units affordable to moderate income residents, and 7363 units affordable to above moderate income residents. While San

Francisco has met its market rate housing targets in recent years, it has not met moderate income, low income and very low income housing needs.

Total Need	Very Low	Low	Moderate	Above Moderate
20,372	5,244	2,126	5,639	7,363

The 2003 State of California General Plan Guidelines may also be viewed as applicable impacts on affordable housing.<sup>44</sup> The guideline's section on sustainability and environmental justice emphasize the need to carefully match employment potential, housing demand by income level and type, and new housing production.

The importance of ensuring adequate and affordable housing for every sector of the population to long term environmental quality and ecological sustainability is also emphasized in the 2003 Governor's Environmental Goals and Policy Report.<sup>45</sup> These State policies together with the emphasis on long term environmental goals in CEQA guidelines Section 15065 (b) suggests that impacts on housing affordability and adequacy are also potential mandatory findings of significance.

<sup>44</sup> 2003 State of California General Plan Guidelines. Office of Planning and Research. 2003

<sup>45</sup> Governor's Environmental Goals and Policy Report. Office of Planning and Research. 2003

(Accessed at: <http://www.opr.ca.gov/EnvGoals/PDFs/EGPR--11-10-03.pdf>)

## SECTION III IMPACT ASSESSMENT METHODS AND GUIDELINES FOR AFFORDABLE HOUSING AND DISPLACEMENT

A number of federal, state and local agencies consider displacement of low-income populations and loss affordable housing as potentially adverse impacts in the context of Environmental Impact Assessment. Examples of methods and guidelines are provided below:

**Social Impact Assessment (SIA)** The practice of SIA dates back to the construction of the trans-Alaska pipeline. At the time, critics argued that the Environmental Impact Statement (EIS) produced for that project failed to address potential social effects such as the influx of tens of thousands of non-native construction workers on the culture of the Inuit. In 1994, the U.S. Federal Government published a set of guidelines for SIA to support social assessment under NEPA.<sup>46</sup> Social impacts are defined as "...the consequences to human populations of any public or private actions-that alter the ways in which people live, work, play, relate to one another, organize to meet their needs and generally cope as members of society. The term also includes cultural impacts involving changes to the norms, values, and beliefs that guide and rationalize their cognition of themselves and their society." The guidelines categorized social impact variables as follows:

<sup>46</sup>

[http://www.nmfs.noaa.gov/sfa/social\\_impact\\_guide.htm](http://www.nmfs.noaa.gov/sfa/social_impact_guide.htm)

**1. Population Characteristics** mean present population and expected change, ethnic and racial diversity, and influxes and outflows of temporary residents as well as the arrival of seasonal or leisure residents.

**2. Community and Institutional Structures** mean the size, structure, and level of organization of local government including linkages to the larger political systems. They also include historical and present patterns of employment and industrial diversification, the size and level of activity of voluntary associations, religious organizations and interests groups, and finally, how these institutions relate to each other.

**3. Political and Social Resources** refer to the distribution of power authority, the interested and affected publics, and the leadership capability and capacity within the community or region.

**4. Individual and Family Changes** refer to factors which influence the daily life of the individuals and families, including attitudes, perceptions, family characteristics and friendship networks. These changes range from attitudes toward the policy to an alteration in family and friendship networks to perceptions of risk, health, and safety.

**5. Community Resources:** Resources include patterns of natural resource and land use; the availability of housing and community services to include health, police and fire protection and sanitation facilities. A key to the continuity and survival of human communities are their historical and cultural resources. Under this collection of variables we also consider possible

changes for indigenous people and religious sub-cultures.

*U.S. Department of Transportation Community Impact Assessment Guidance* Among transportation agencies, changes in policies have included redefining the definition of "environment" to include "the natural environment, the built environment, the cultural and social fabric of our country and our neighborhoods, and the quality of life of the people who live here," and considering project mediated effects on community cohesion; public facilities; employment; tax and property values; displacement of people, businesses, and farms; and adverse impacts on community and regional growth.

DOT guidelines for community impact assessment consider a number of social and economic factors.<sup>47</sup> They further recognize that while community impact assessment should not be exhaustive, it should focus on community goals and issues of community concern and controversy. The guidelines identify that displacement can involve, neighborhoods, businesses, and people. ([www.ciatrans.net](http://www.ciatrans.net)) Recommended analysis of impacts on residential displacement include the number and type (multi-family, single family) of residences displaced and the particular needs of vulnerable groups (disabled, minority, elderly).

*Council on Environmental Quality Environmental Justice Guidance* The Council on Environmental Quality, the federal agency tasked with oversight of NEPA and

<sup>47</sup> Federal Highway Administration Community Impact Assessment Website (Accessed at: [www.ciatrans.net](http://www.ciatrans.net))

government compliance with Executive Order 12898 developed guidance to assist federal agencies with addressing environmental justice concerns in the context of NEPA procedures. This guidance suggests that agencies should 'determine whether minority populations, low-income populations, or Indian tribes are present in the affected area...consider data concerning the potential for multiple or cumulative exposure to human health or environmental hazards...recognize the interrelated cultural, social, occupational, historical, or economic factors that may multiply the natural and physical environmental effects...[and]...should assure meaningful community representation in the process.'<sup>48</sup>

*California Department of Transportation* The California Department of Transportation (CalTrans) reference documents for CEQA provide specific guidance for the evaluation of impacts on population and on housing displacement. The 1997 Guidelines for Community Impact Assessment point out that the disproportionate displacement of vulnerable populations can have significant adverse human impacts:

Certain population groups such as senior citizens, low income residents and non English speaking people often have strong community ties and depend on primary social relationships and important support networks that can be severed upon relocation. Households with school aged children may consider relocation especially disruptive if school transfers would be involved. Disabled people and those

<sup>48</sup> Environmental Justice: Guidance under the National Environmental Policy Act. Council on Environmental Quality, 1997.

without automobile transportation often have special relocation problems.

The guidelines suggest investigating the demographics of the residents to determine if any vulnerable groups (Low income, minority, seniors, disabled, and children) would be impacted. The guidelines suggest evaluating the effects on the stock of affordable housing:

A loss of a substantial number of houses affordable to people with low and moderate incomes may have an effect on the community stock of affordable housing. This could have the effect of increasing the demand for housing in a given sector of the market, bidding up the cost of that housing if the market supply is constrained and thereby disproportionately affecting certain income groups.

Similarly, the 2003 Desk Guide for Environmental Justice in Transportation Planning and Investments. The environmental justice guidelines categorize social and economic impacts into land use and development, population and housing, and fiscal and economic. These guidelines suggest analysis of population and housing impacts consider a number of variables. These include:

- Property acquisition and displacement
- Access to neighborhoods
- Community Cohesion
- Safety and security
- Visual and aesthetic quality
- Property values and gentrification

A particular concern emphasized by CalTrans is impacts of displacement and relocation on

neighborhood or community cohesion. The decision tree for residential displacement includes assessment of the availability of relocation housing in the community where displacement is occurring. Social impacts considerations identified by CalTrans related to cohesion include:

- Is there evidence that community cohesion exists?
- Will the proposed project affect interaction among persons and groups?
- Will the proposed project cause redistribution of the population or an influx or loss of populations?
- Will certain people be separated or set apart from others?

*City of Los Angeles Thresholds Guide* In its 1998 CEQA Thresholds Guide, the City of Los Angeles uses the following screening criteria for evaluating significant effects on population and housing displacement.<sup>49</sup>

- *Would the project result in the net loss of any existing housing units affordable to very low income or low income households (as defined by federal and/or City standards), through demolition, conversion, or other means.*

The Los Angeles guidelines evaluate the significance of population and housing impacts by considering the following factors:

- The net change in market rate and affordable units in the project area
- The current and anticipated supply of market rate and affordable units in the project area

<sup>49</sup> [http://www.ci.la.ca.us/EAD/EADWeb-AOD/Thresholds\\_PDF/introcea.pdf](http://www.ci.la.ca.us/EAD/EADWeb-AOD/Thresholds_PDF/introcea.pdf)

- The demographics of the project area
- The consistency with city and regional housing policies

The guidelines also suggest the following two mitigation measure for displacement of affordable housing:

- Exceed the statutory requirements for relocation assistance
- Increase the number of housing units affordable to lower income households

*Tahoe Regional Planning Agency (TRPA)* The TRPA Initial Environmental Checklist<sup>50</sup> requires a response to and evidence for the following questions relevant to the displacement of low income residents and the loss of affordable housing:

- Will the proposal include or result in the temporary or permanent displacement of residents?
- Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?
- Will the proposal result in the loss of housing for lower-income and very-low-income households?

Mitigation of affordable housing loss is required for project approval. According to planners at the TRPA any loss of affordable housing due to redevelopment has to be either rebuilt on site or offsite taking into account similar accessibility to transport resources. A recent example of such mitigation occurred with the proposed

<sup>50</sup> [http://www.trpa.org/Applications/new\\_applications2003/IECFINAL%20APRIL%202002%20Comp.pdf](http://www.trpa.org/Applications/new_applications2003/IECFINAL%20APRIL%202002%20Comp.pdf)

development of the 138 unit Round Hill Vacation Resort. The development of the time share condominium involved the removal of the 186 unit Lake Park Apartments. To mitigate displacement, the project included the construction of 67 new apartment units offsite prioritized for displaced tenants, affordable housing restrictions for the new apartments, phased demolition over 24 months with eviction of no more than 8 units per month, and relocation assistance.<sup>51</sup>

*County of Santa Barbara* Santa Barbara's 1993 Environmental Thresholds and Guideline Manual<sup>52</sup> provide a specific threshold for the loss of affordable housing. The rationale for establishing such a threshold comes from the county's affordable housing policies. The Santa Barbara County Housing Element documents a substantial shortfall in affordable housing opportunities and the preservation of the existing affordable housing stock is a stated goal of the Housing Element. According to the Element, "the loss or demolition of existing affordable units can displace very low to moderate income persons and further restricts the housing market." The threshold for Very Low to Moderate Income Housing Units is as follows:

- *The loss of four or more very low to moderate income housing opportunities through demolition, conversion, or other means represents a significant housing impact. Affordability is determined on the basis of the applicable definitions within the County's Comprehensive Plan and Coastal Plan.*

<sup>51</sup> Lyn Barnett, Tahoe Regional Planning Association, Personal Communication, and Balloffet and Associates, Round Hill Vacation Resort / Lake vista Apartments Environmental Assessment.

<sup>52</sup> <http://ccrs.ca.gov/planning/ccrs/thresholds.html>

*Mitigations to assist persons residing in those units shall be applied.*

Santa Barbara's CEQA guidance also provides the following mitigation measures:

- *Mitigations would include extended length of notice to quit premises, relocation expenses, demolished or converted units through physical on or off-site replacement or by the payment of fees. Onsite replacement of low or moderate income housing is the preferable alternative. If onsite replacement is infeasible, the units shall be replaced offsite. Payment of an in-lieu fee shall occur only if on and off-site replacement are proven to be infeasible. Housing mitigation fees shall be sufficient to provide replacement of the demolished or converted units.*

## Appendix I Model Housing Impacts Analysis

### *Screening Criteria*

- Will the project result a decrease in the supply of housing?
- Will the project result in an increase in the demand for housing?
- Will the proposal result in the loss of housing affordability, availability or quality for low income or otherwise sensitive populations?
- Will low income or otherwise sensitive be displaced or relocated?

### *Setting Variables*

- The demographics of the project area and locality
- The current and anticipated supply of housing units in the project area and locality disaggregated by affordability;
- Availability of vacant units in the project area and locality disaggregated by level of affordability;
- The quality (safety, environmental conditions...) of available housing units in the project area and locality (sources: census, local housing complaint data)
- Evidence of social cohesion in project area (e.g. organization, interactions, relationships, and support among residents)
- Access to public services in the project area (transportation, schools, childcare...)
- The number and type of employment opportunities in proximity to the project area

### *Analysis Variables*

- The net change in market rate units historically or currently being rented at rates affordable by lower and very-low-income households in the project area
- The net change in affordable (including section 8, permanently affordable, and rent-controlled) units historically or currently being rented at rates affordable by lower and very-low-income households in the project area
- Existence within the displaced population of a higher than average proportion of ethnic minority, low income, medically vulnerable or health sensitive populations among displaced residents
- The location and comparability of replacement housing for displaced households;
- Effects on support (food, advice, childcare, elder care) provided to and by displaced residents
- Increased dependence on public assistance or public services
- Changes in accessibility to or utilization of public services
- Changes in the number of family or relatives living in close proximity
- Effects on crowding: changes in the number of individuals per room in the project area
- Changes in accessibility to public transportation
- Changes in the need for automobile ownership or use

### *Significance Criteria*

- Net loss of housing supply relative to demand in the area, locality, or region;
- Net loss of affordable housing in the project area or locality;
- Significant reduction in housing quality or safety;
- Significant number of residents relocated to non-comparable housing;
- Any residents made temporarily or permanently homeless;
- Loss of community cohesion in project area;
- Increase of local residential segregation.

### *Mitigation Measures*

- Change land use / zoning controls to enable increased housing density;
- Develop relocation plan consistent with California State Relocation Assistance and Property Acquisition Guidelines;
- Construct of replacement affordable housing onsite or offsite;
- Housing impact fees.

Items 13+31



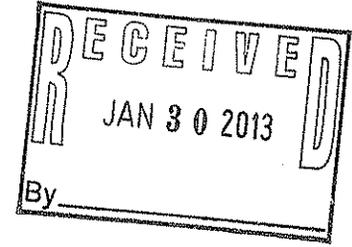
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January 29, 2013

The Honorable City Council of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012



**Re: Council File No. 11-0262, CPC-2009-800-CA  
January 30, 2013, City Council Agenda Items 13 and 31  
Proposed Ordinances Conflict with the City's General Plan**

To the Honorable City Council:

On January 30, 2013, the City Council will consider two proposed ordinances to change the City's zoning code in several respects that conflict with the City's General Plan, in particular its 2006-2014 Housing Element. The proposed ordinances are under council File Number 11-0262, and are described in two City Attorney drafts dated September 13, 2011 and January 3, 2013. They would, in addition to confirming the City's treatment of certain licensed facilities to conform with state law:

1. Redefine boarding homes to curtail informal and private congregate living throughout the City
2. Impose a new and draconian classification, parolee/probationer home, and require unrelated persons who are on parole or probation to obtain a conditional use permit to live only in the City's highest density residential zones

As set forth in greater detail below, these provisions directly contravene the General Plan Housing Element's analysis of governmental

constraints on housing maintenance, improvements and development; and they are incompatible with the objectives, policies, and programs of the Housing Element. See Cal. Govt. Code §§65580, 65583, 65860(a)(2).<sup>1</sup>

**A. The zoning change proposal of September 13, 2011**

The City Attorney's September 13, 2011 ordinance is before the City Council as Agenda item 13.A. It defines a single housekeeping unit (and family) as one where residents live under *no more than one lease*. It then defines a boarding house as one where residents live under *more than one lease*. And, it adds a *new* definition of parolee/probationer home to mean any residential structure or unit that houses more than two "parolees-probationers unrelated by blood, marriage, foster care status, or legal adoption" and, according to the City Attorney's description permits such homes *as conditional uses only*, in the City's highest density residential zones.

**B. The zoning change proposal as of January 3, 2013**

On January 3, 2013, the City Attorney issued a new draft of the ordinance. It now:

1. Defines a boarding house as a dwelling where lodging is provided to four or more people for monetary or non-monetary consideration, not including a state-licensed facility. New parking requirements are also proposed, to count every 250 square feet of floor area as the same as a separate guest room.
2. Makes a new definition of a "single housekeeping unit" as a non-transient group of people living together and sharing all access to living, kitchen and eating areas, and sharing household activities and responsibilities, whose makeup is determined by the members of the unit rather than by a third party such as the landlord, property manager, or other entity (like a nonprofit organization). A single housekeeping unit does not include a boarding house. Under the

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<sup>1</sup> Sections refer to the California Government Code unless otherwise noted.

proposal a “family” is a group of people living together as a single housekeeping unit.

3. Adds a new zoning code definition, “Parolee-Probationer Home,” which is any dwelling that contains a dwelling unit or guest room that houses more than two “parolees-probationers” who do not have a family relationship to each other. This living arrangement would then be prohibited in all but the most restrictive residential zones, and even in those zones a conditional use permit must be obtained.<sup>2</sup> The conditional use permit process entails at a minimum notice to the occupants of surrounding properties, publication of the proposed use, and a public hearing. L.A.M.C. §12.24.

### **C. The impact of these changes**

As reflected in the Beveridge letter, it is estimated that 6335 residential units and 48,122 residents would have their housing arrangements become unlawful due to the proposed changes to the definitions of boarding house and family alone.<sup>3</sup> If the parking restriction is passed, boarding houses would not likely be able to locate anywhere in the city, because the parking requirement would be impossible to meet at most, if not all, locations. For example, a two bedroom house of 1,000 square feet of living space could be required to have four on-site parking spaces. See L.A.M.C. §12.21(4).

Still more individuals would be impacted by the “Parolee-Probationer” home provision, as anywhere more than two people are parolees or probationers live together, their residence would become illegal. Only if the unit is in the

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<sup>2</sup> The September 13, 2011 report of the City Attorney states, “Finally, the draft ordinance adds a definition of Parolee-Probationer Home and permits them as conditional uses only in R-3 and less restrictive zones.” The January 3, 2013 report explains that under the revised ordinance, “a conditional use permit is ... required where one or more units ... have three or more parolee-probationers.”

<sup>3</sup> Letter from Andrew Beveridge to Laurel Impett, January 29, 2013, attached as Exhibit 1. The full letter with all of its exhibits is submitted to the City Council under separate cover and incorporated herein by reference. The Beveridge letter explains that the potential impact is actually far greater, on as many as 473,396 of the City’s residents.

city's highest density zones would residents even be eligible to apply for a conditional use permit, with no assurance of the result of their application.

To impose the changes prospectively alone would profoundly restrict housing options for the City's residents. Worsening the effects, the proposals would also render illegal *existing* uses, thus subjecting thousands or more of the City's residents to displacement and fear of displacement.

**D. The City Must Reject the Proposals as Inconsistent with the Objectives, Policies, and Programs of the 2006-2014 Housing Element**

Under state law, the City's general plan, specifically the housing element of its general plan, must plan for housing that meets the needs of all economic segments of the community. §65580(d). In so doing, the City must identify and analyze existing and projected needs, and state goals, policies, quantified objectives and programs for the preservation, improvement and development of housing. §65583. The element must specifically assess housing needs, resources, and constraints relevant to meeting these needs specifically for persons with disabilities, among others. §65583(a)(7). Flowing from this assessment, the element must then include a "statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement and development of housing." §65583(b)(1). Although the goals, quantified objectives and policies need not meet all of the needs identified, they must "[a]ddress and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing," specifically including housing for persons with disabilities. §§65583(b)(2), (c)(3).

All subsequent land use decisions, including the adoption and amendment of zoning ordinances, must be consistent with the general plan and its elements, including the housing element. §65860; *see e.g. Leshar Communications, Inc. v. City of Walnut Creek*, 52 Cal.3d 531, 541 (1990). A city zoning ordinance is inconsistent with the general plan if the land uses authorized by the ordinance are not "compatible with the objectives, policies, general land uses, and programs specified in the plan."



§65860(a)(2); *Families Unafraid to Uphold Rural El Dorado County v. El Dorado County Bd. of Sup'rs*, 62 Cal.App.4th 1332, 1336 (1998).

In *Leshner*, the City of Walnut Creek passed a growth initiative, Measure H, to control traffic congestion. At the time the ordinance was passed the general plan of the City of Walnut Creek was "growth oriented," and had an objective to accommodate projected population growth as can reasonably be accommodated in the City. Because it conflicted with the general plan at the time it was passed, Measure H was held invalid. 52 Cal.3d at 541, 544.

In *Building Industry Association of San Diego, Inc. v. City of Oceanside*, 27 Cal.App.4th 744 (1994), voters enacted Proposition A, which adopted a maximum number of dwelling units to be constructed each year. In reaching its conclusion that Proposition A was invalid, the court observed that after the proposition was passed, the City did not meet its regional housing needs objectives for all income categories, in particular for low and moderate income families. Moreover, at the time the proposition was adopted, an element of the general plan stated a policy to "avoid direct controls on the number or location of new housing units to be built...." *Id.* at 766. The proposition also conflicted with the general policy, "Adequate provision for the housing needs of all economic segments of the community is an issue of the highest priority in Oceanside to meet the low income household assistance goals and to protect, encourage and, where feasible, provide low and moderate income housing opportunities within the intent of State policy to address local needs." *Id.* at 767. The Court held, "*Prop. A does not promote this policy and accordingly must be deemed inconsistent with it.*" *Id.* (emphasis added).

The current proposed zoning amendments pose multiple conflicts with the housing element's objectives, policies, general land uses, and programs specified in the plan, and impose new constraints where they did not previously exist. The proposals further conflict with the analysis of governmental constraints upon which those objectives, policies and programs is based.

**E. The Proposed Ordinances Conflict with the 2006-2014 Housing Element**

1. The Proposed Ordinances Add Rather than Alleviate Governmental Constraints on Housing for People with Disabilities

In analyzing housing needs specific to persons with disabilities, the Housing Element states:

*As with any population, a full spectrum of affordable housing is needed, from mobile home, temporary shelters to transitional and permanent housing, including group, congregate and independent housing. Independent, supported living is preferable, either through individual or shared homes or apartments providing each individual with his/her own bedroom. Support services may be provided either on- or off-site. Appropriate housing for persons with mental or physical disabilities includes affordable small or large group homes (near retail services and public transit), apartment settings with support ... [etc.]* City of Los Angeles 2006-14 Housing Element ("HE"), p. 1-16. (Emphasis added)

Thus, rather than finding a need to expand available licensed facilities only, the Housing Element's needs assessment stresses the importance of a *full spectrum* of group, congregate and independent housing.

In its section analyzing governmental constraints on housing for people with disabilities, the Housing Element states:

The City of Los Angeles completed an Analysis of Impediments to Fair Housing Choice (AI)... The latest update recommended...the update of the definition of "family"<sup>4</sup>....

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<sup>4</sup> The 2005 Analysis of Impediments to Fair Housing observed, at pp. 5-14 to 5-15:

Local governments may restrict access to housing for households failing to qualify as a "family" by the definition specified in the zoning ordinance. Even if the code provides a broad definition, deciding what constitutes a "family" should be avoided to prevent confusion or give the impression of restrictiveness. Furthermore, Landlords or property owners may refuse to rent or sell units to households not meeting the definition of family.

The City's Zoning Code defines "family" in a potentially restrictive manner that could limit the number of unrelated individuals from sharing housing. The City's Zoning Code defines a "family" as:

The City of Los Angeles adopted Ordinance No. 177325 (effective March 18, 2006) ... [which] amended the Zoning Code Section 12.03 definition of 'family,' which had previously posed a regulatory impediment due to its effect of discriminating against individuals with disabilities residing together in a congregate or group living arrangement. The definition of family now complies with fair housing laws....<sup>5</sup> HE at p. 2-28 to 2-29.

In conflict with the Housing Element's finding that prior governmental constraints had been removed, the proposed ordinances would:

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*An individual or two or more persons related by blood or marriage, or a group of not more than 5 persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit, except that there may be up to 4 foster children, 16 years of age or under, where the total number of persons living in a dwelling unit does not exceed 8 and providing the keeping of the foster children is licensed by the State of California as a fulltime foster care home.*

California court cases have ruled that an ordinance that defines a "family" as (a) an individual, (b) two or more persons related by blood, marriage or adoption, or (c) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. These cases have explained that defining a family in a manner that distinguishes between blood-related and non-blood related individuals does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the City, and therefore violates rights of privacy under the California Constitution. A zoning ordinance also cannot regulate residency by discrimination between biologically related and unrelated persons.

In general, the City's definition of "family" has the potential to discriminate nontraditional families such as gay and lesbian couples, or certain cultures that prefer living with extended family members and friends.

The 2005 Analysis of Impediments goes on to analyze in great detail fair housing impediments imposed by the zoning code definition of family. Excerpts are attached hereto as Exhibit 2 and the entire 2005 Analysis of Impediments is incorporated herein by reference.

<sup>5</sup> In response to the 2005 Analysis of Impediments' findings, the City specifically committed to adopt an ordinance to "Revise the definition of "family" in the Zoning Code to read "one or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit." Analysis of Impediments at p. 5-22.

1. Add, rather than remove, impediments against individuals with disabilities residing together in a congregated or group living arrangement by imposing new restrictions on the definition of family.
2. Add, rather than remove, impediments against individuals residing together in a congregated or group living arrangement by imposing new and onerous parking restrictions.
3. Conflict with the Housing Element by reinstating a discriminatory criterion requiring a legal relationship for more than two parolees and probationers to live together anywhere in the City without a conditional use permit. The parolee-probationer home restriction reaches residents who are not related to each other by "blood, marriage, foster care status, or legal adoption."
4. As a further conflict with the Housing Element and perhaps illustrating the lack of care in drafting the parolee-probationer home restriction, the ordinances on their face also discriminate against same-sex couples who are *domestic partners* but cannot legally marry in California. Thus, an unmarried same-sex couple with a roommate is treated differently under the proposals than a married heterosexual couple with a roommate, where all are parolees or probationers.

**F. The Proposed Ordinances Add Rather than Alleviate Governmental Constraints on the City's Zoning Capacity**

In analyzing the current governmental constraints on zoning, the Housing Element states:

Multi-family housing (including SROs and permanent supportive housing) are allowed by right in the following residential and commercial zones: [including R2 & RD zones]. "By right" means that no process whatsoever is required for the construction of multi-family housing, SROs or permanent supportive housing in each of these zones.... HE at p. 2-5.

With the exception of density bonus projects that exceed the maximum density permitted by law, multi-family housing projects do not require conditional use permits. Conditional use provisions in the Zoning Code, therefore, do not constrain zoning capacity... HE at p. 2-8.

In conflict with these provisions, and rather than alleviating zoning constraints, the proposed ordinances impose new zoning constraints that:

1. Restrict "by right" multifamily housing uses in zones that currently permit it by expanding the category of persons considered to live in a boarding house and barring boarding houses from new zones, and
2. Impose new conditional use permit requirements that constrain zoning capacity for more than two parolees or probationers who are not related to each other.

**G. The Proposed Ordinances are Incompatible with Housing Element Objectives, Policies, and Programs.**

A City's zoning ordinance is *consistent* with its general plan "if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment. Perfect conformity is not required, but a project must be compatible with the objectives and policies of the general plan." *Endangered Habitats League, Inc. v. County of Orange*, 131 Cal.App.4<sup>th</sup> 777, 782 (2005) (internal quotes and citations omitted). Unfortunately, the proposed ordinances obstruct the attainment of various objectives, policies, and programs of the general plan:

1. **The proposed ordinances conflict with Objective 1.1:** Plan the capacity and develop incentives for the production of an adequate supply of rental and ownership housing for households of all income levels and needs.

**The proposed ordinances further conflict with Policy 1.1.3**  
Facilitate the new construction of housing types that address current and projected needs of the city's households.

The housing element's needs and constraints assessments acknowledge that a variety of housing options, including congregate living, is needed to accommodate the housing needs of the city's residents including homeless persons and persons with disabilities.<sup>6</sup> Rather than planning the capacity, developing incentives, and facilitating new construction, the Beveridge letter shows the ordinance imposes new restrictions on shared housing currently permitted, resulting in a 90% reduction of available residentially zoned land.

Similarly, where *no* restriction currently exists for parolees or probationers who reside together, the ordinances would render illegal *all* occupancy by more than two parolees or probationers who are not legally related to each other and only permit such occupancy to continue upon obtaining a conditional use permit. Moreover, the proposed ordinance takes effect upon existing parcels, with no "grandfathering" provision. It has *no* provision to mitigate the resulting disruption that the rezoning would immediately impose on residents of newly illegal homes.

The proposal thus does the opposite of facilitating new construction of housing types that are acknowledged to be needed, including congregate living options for homeless persons (described further below) and persons with disabilities; instead, it imposes disincentives and obstacles to meeting housing these housing needs. It further does the opposite of planning capacity and developing incentives for an adequate supply of housing options; instead, it imposes new restrictions and fails utterly to plan for the disruption and displacement they would impose.

- 2. The proposed ordinances conflict with Objective 1.5 Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.**

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<sup>6</sup> The housing element's discussion of needs of homeless persons is described in this section below.

**The proposed ordinances further conflict with Policy 1.5.1**  
Streamline land use entitlement, environmental review, and building permit processes.

Rather than reducing regulatory and procedural barriers to preserving a variety of housing options for those who need to live with others as documented by the Housing Element's needs assessment, the proposed ordinances impose new barriers and render existing housing illegal. Rather than streamlining uses, it imposes a new conditional use process and broad geographic restrictions on parolees and probationers who are not in a traditional family.

- 3. The proposed ordinances conflict with Objective 3.1** Assure that housing opportunities are accessible to all residents without discrimination on the basis of race, ancestry, sex, national origin, color, religion, sexual orientation, marital status, familial status, age, disability (including HIV/AIDS), and student status.

**The proposed ordinances further conflict with Policy 3.1.1**  
Promote and facilitate equal opportunity practices in the sale and rental of housing.

As discussed above, the proposed ordinances instead re-inscribe disability and familial status discrimination that had been removed from the city's zoning code. Moreover, a prior version of the ordinance recognized that its target is the regulation of sober living homes, whose residents are persons with disabilities protected by the fair housing. Department of City Planning Recommendation Report, January 10, 2010, re CPC-2009-800-CA at pp. 4-6, 9 (acknowledging community demand to regulate sober living homes, and noting that regulation targeted solely at sober living homes "would be considered discriminatory").

And, the ordinance will have disparate impact on the basis of disability, sexual orientation, race, and national origin. In addition to



the concerns set forth above, parolees and probationers are more likely to be Black or Latino than the general population.<sup>7</sup>

Rather than be compatible, the proposed ordinances instead obstruct the attainment of the objective and policy to promote fair and equal housing opportunities in the City.

Finally, it is notable that as of December 31, 2011 the City has not implemented its Program 3.2.2.A to “provide information and training to Neighborhood Councils and other community organizations on fair housing issues.”<sup>8</sup>

- 4. The proposed ordinances conflict with Objective 4.1** Provide an adequate supply of short-term and permanent housing and services throughout the City that are appropriate and meet the special needs of persons who are homeless or who are at high risk of homelessness.

**The proposed ordinances further conflict with Policy 4.1.3**

Provide permanent supportive housing options for homeless persons and special needs households with services such as job training and placement programs, treatment, rehabilitation and personal management training to assure that they remain housed. Ensure an adequate supply of emergency and temporary housing for people who become homeless or are at high risk of becoming homeless.

**The proposed ordinances further conflict with Policy 4.1.6**

Eliminate zoning and other regulatory barriers to the placement and operation of housing facilities for the homeless and special needs populations in appropriate locations throughout the City.

In analyzing housing needs of homeless persons, the Housing Element states:

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<sup>7</sup> Laura M. Maruschak, Erika Parks, Probation and Parole in the United States, 2011, Bureau of Justice Statistics (November 29, 2012), available at <http://bjs.ojp.usdoj.gov/content/pub/pdf/ppus11.pdf> and attached as Exhibit 4.

<sup>8</sup> Annual Element Progress Report, Housing Element Implementation, January 1, 2011 to December 31, 2011, Attachment 1, page 38, attached hereto as Exhibit 3 (program on “hold pending budget and staff resources”).



The housing needs of the homeless require special attention because the homeless have little to no income and face physical challenges, mental challenges, social isolation, and transportation limitations, all of which influence their access to appropriate and affordable housing. ...Providing appropriate housing is a critical part of the solution to end homelessness.

...The current 10,062 short-term beds for the homeless ... are not sufficient, evidenced by the large number of homeless people sleeping on the street and in cars. nor are they a long-term solution to end homelessness.

*More short-term housing options (emergency shelters and transitional housing facilities) are needed as well as affordable housing, permanent supportive housing and other forms of service-enriched permanent housing. HE at pp. 1-21 to 1-22 (emphasis added).*

In conflict with these needs and the accompanying objective and policies, the proposals reduce and restrict available sites for transitional housing in residential zones. The group homes restrictions consider only “non-transient” households to be families. Although transient is not defined, *transitional* housing presumably would *not* be considered “non-transient” by nature.

In addition, homelessness has been identified as a significant national and local concern for persons on parole or probation.<sup>9</sup> The California Department of Corrections has reported that at any given time 10 percent of the state’s parolees are homeless, and as high as 30 to 50 percent in major metropolitan areas such as Los Angeles.<sup>10</sup> The restrictions on parolees’ and probationers’ ability to live together anywhere in the city without a conditional use permit thus conflicts with their access to housing options that would provide a long-term solution to end homelessness. The proposals also conflict with state realignment and efforts to house parolees and probationers in

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<sup>9</sup> Katherine Brown, Council of State Governments, Homelessness and Prisoner Re-Entry: Strategies for Addressing Housing Needs and Risks in Prisoner Re-Entry

<sup>10</sup> *Id.*

integrated but supervised settings in the community, reflected in California Assembly Bills AB109 and AB117 (2011).

**5. The proposed ordinances conflict with various Housing Element Programs, including:**

- a. **Program 1.1.3.C Innovative Housing Design.** Rather than “encourage alternative multi-family residential design, such as congregate living and conversion of large homes to ... shared housing,” the ordinance again does the opposite. This program sets forth a schedule of actions:

Establish Task Force to review City Codes – 2009  
Task Force report and recommendations – 2010  
Revised regulations – 2011

As of December 2011, none of these steps had been implemented; instead, the City reports, “Task Force and recommendations for revised regulations [are] on hold pending budget and staff resources.”<sup>11</sup>

Although the proposals expand potential sites for certain state licensed homes, as to independent group living it *discourages, obstructs, and limits* congregate living options.

- b. **Program 1.5.1.F Amend the Zoning Code to Facilitate Non-Conventional Housing**

This program requires the City to “Identify modifications needed in the Zoning Code to facilitate innovative housing types, such as shared housing, congregate living, ... and group quarters, including consideration of parking requirements ... and other development standards, and the need to better regulate through conditional use permits.” The City considers the proposed ordinances its action to implement this program<sup>12</sup>;

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<sup>11</sup> Annual Element Progress Report, Housing Element Implementation, January 1, 2011 to December 31, 2011, Attachment 1, page 8, attached hereto as Exhibit 3.

<sup>12</sup> December 31, 2011 Housing Element Progress Report at p. 25.

however, the ordinance must be considered in context with the City's needs assessment and constraints analysis.

Nothing in the Housing Element supports the City's focus exclusively on permitting licensed group housing while severely curtailing informal and independent arrangements by nonprofits, other third parties, and parolees and probationers. Rather than "facilitate" shared housing, congregate living, and group quarters, and in conflict with the needs assessment and analysis of constraints, the ordinance *limits* shared housing to licensed facilities while curtailing shared housing in independent settings. It is notable that these zone changes are proposed without benefit of the task force contemplated in Program 1.1.3.C, as that program was never implemented.

**c. Programs 4.1.3.I, J, & K and 4.1.6.A and B**

The restrictions on group living outside of licensed contexts, and on unrelated parolees and probationers living together, call into question the City's ability to meet its programs to expand the availability of: permanent supportive housing; new housing serving the mentally ill; permanent housing for persons with disabilities; and permanent and supportive homeless housing siting by right throughout the City. Again, it is notable that Program 4.1.6.B to "identify and adopt changes to the Zoning Code to facilitate by-right siting of a greater variety of shelter and transitional facilities throughout the City" is also "On hold pending budget and staff resources."<sup>13</sup>

**6. The City has not met its Regional Housing Needs Allocations**

As of December 31, 2011, the City had yet to meet its allocations for 23,721 very low-income units, 15,435 low-income units, and 99,068 units overall. As set forth above, the ordinances further restrict the City's ability to meet the housing needs of its residents and thereby conflict with the housing element objective 1.1 to "Plan the capacity and develop incentives

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<sup>13</sup> December 31, 2011 Housing Element Progress Report at p. 41.



for the production of an adequate supply of rental and ownership housing for households of all income levels and needs.”

**H. The City Council Should Reject the Proposals because they Violate the Least Cost Zoning Ordinance**

California law requires cities to zone sufficient vacant land for residential use with appropriate standards to meet housing needs of all income categories. §65913.1. Appropriate standards mean those that “contribute significantly” to the economic feasibility of producing housing at the lowest possible cost for persons and families of low and moderate income. *Id.* By requiring a conditional use permit for unrelated parolees or probationers to live together, the ordinances impose additional and unnecessary costs, time and expense in particular for housing for persons re-entering society and subject to prison realignment. The new zoning restrictions also risk increasing the cost of group housing for homeless persons and persons with disabilities by making available sites more scarce and therefore more costly. *See Building Industry Association of San Diego, 27 Cal.App.4<sup>th</sup> at 771* (growth control proposition facially conflicts with §65913.1 because it does not “comply with standards contributing to the economic feasibility of producing the lowest possible cost housing,” in light of the limited exceptions to the growth controls imposed).

**I. The City Council Hearing Violates the City Charter and Los Angeles Municipal Code Because Major Provisions have not been Considered by the City Planning Commission**

The proposed ordinances have changes substantially since the time they were heard by the City Planning Commission in 2010. New provisions with broad reach that were *never* considered by the City Planning Commission include the Parolee-Probationer Home definition and citywide restrictions, and the proposed expanded parking restrictions on group homes. The municipal code, §11.5.5 provides:

Nor ordinance, order or resolution referred to in Charter Section[] ... 558 shall be adopted by the Council *unless it shall first have been submitted to the City Planning Commission* for

report and recommendation.... The report and recommendation shall indicate whether the proposed ordinance, order or resolution is in conformance with the General Plan ... and any other applicable requirement....

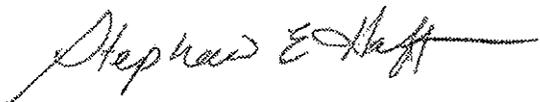
City Charter Section 558 sets forth the requirements for the creation or change of any zones for the purpose of regulating land use. City Charter, §558(a). The requirements include a report and recommendation of the City Planning Commission, which shall be considered by the City Council. City Charter §558(b). The current impactful proposals defining and regulating boarding houses and parolee-probationer homes have never been the subject of any City Planning Commission hearing, recommendation or report. Thus, the full public process to amend the zoning code has not been followed. The ordinances' passage, without benefit of the CPC's input into its new and sweeping provisions, would violate the City Charter and Municipal Code.

### **Conclusion**

For all of the forgoing reasons, the City Council is urged to *reject* the proposed ordinances as inconsistent with the Housing Element and in violation of state law, and the City Municipal Code and the City Charter.

Sincerely,

Autumn M. Elliott  
Associate Managing Attorney  
Disability Rights California



Stephanie E. Haffner  
Senior Litigator  
Western Center on Law and Poverty

City Council Letter on Proposed Ordinances Conflict  
January 29, 2013  
Page 18 of 18

Cc: Antonio Villaraigosa, Mayor  
June Lagmay, City Clerk  
Amy Brothers, Deputy City Attorney

Exhibits:

1. Letter of Andrew Beveridge to Laurel Impett dated January 29, 2013 (text); the complete letter including all exhibits is submitted to the Council File under separate cover and incorporated by reference
2. Analysis of Impediments to Fair Housing (excerpts) (The full report, incorporated by reference, is available here:  
<http://lahd.lacity.org/lahdinternet/Portals/0/Bids/RFPsRFQs/Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice.pdf>.)
3. Attachment 1 to Housing Element Progress Report for January 1, 2011 to December 31, 2011
4. Laura M. Maruschak, Erika Parks, *Probation and Parole in the United States, 2011*, Bureau of Justice Statistics (November 29, 2012)
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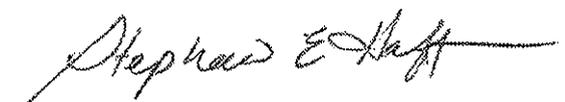
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City Council Letter on Proposed Ordinances Conflict  
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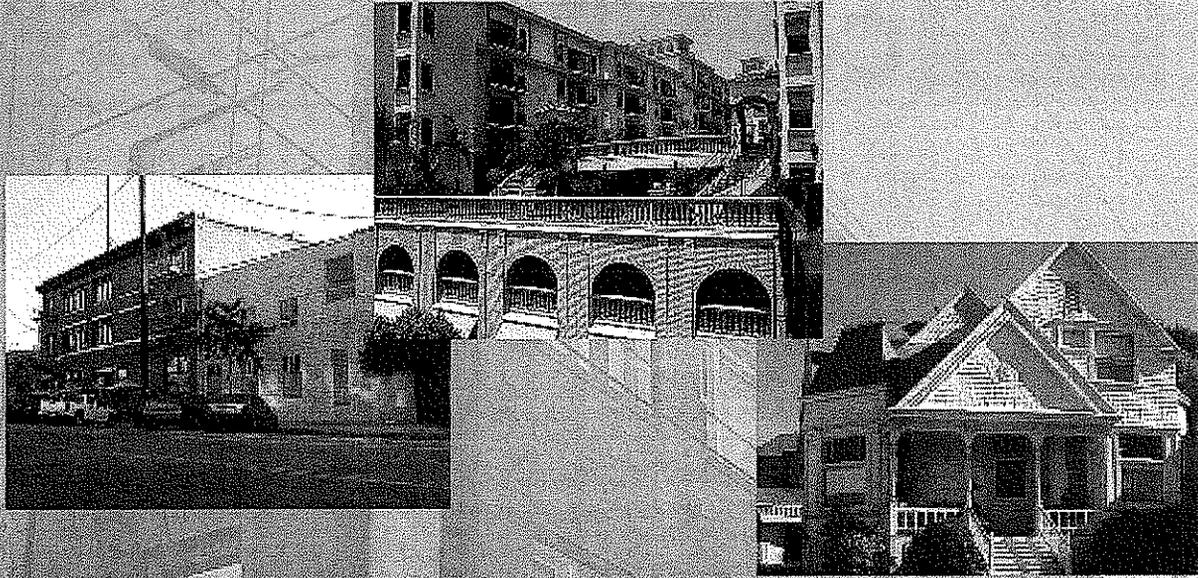
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# EXHIBIT 1

# EXHIBIT 2

DRAFT



# CITY OF LOS ANGELES

## ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

CITY OF LOS ANGELES

NOVEMBER 2005

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# E

# Executive Summary

## E.1 Purpose of the Report

Through the federally funded Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs, among other state and local programs, the City of Los Angeles works to provide a decent living environment for all. Pursuant to CDBG regulations [24 CFR Subtitle A §91.225(a)(1)], to receive CDBG funds the City must certify that it "actively furthers fair housing choice" through the following:

- Completion of an Analysis of Impediments to Fair Housing Choice (AI);
- Actions to eliminate identified impediments; and
- Maintenance of fair housing records.

The City of Los Angeles is committed towards providing equal housing opportunities for all residents. The fundamental goal of this commitment is to eliminate housing discrimination and to make housing choice a reality.

This Analysis of Impediments (AI) to Fair Housing Choice report represents the City's objective assessment of the nature and extent of fair housing concerns in the City, and the potential impediments to making fair housing choice available to its residents. Based on this assessment, the City will develop an action plan with timeline and objectives to address the impediments identified.

## E.2 Defining Fair Housing

Throughout this report, fair housing is defined as:

*Fair housing is defined as a condition in which individuals of similar income levels in the same housing market have a like range of choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, age, marital status, familial status, sexual orientation, source of income, or any other category which may be defined by law now or in the future.*

Impediments to fair housing choice are:

*Any actions, omissions, or decisions taken because of race, color, ancestry, national origin, religion, sex, disability, age, marital status, familial status, sexual orientation, source of income which restrict housing choices or the availability of housing choices; or*

*Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, ancestry,*

*national origin, religion, sex, disability, age, marital status, familial status, sexual orientation, source of income.*

Though critical, the lack of affordable housing is not considered a fair housing issue in itself. Neither federal nor State fair housing laws identify low and moderate income households as a protected class. While housing affordability is not a fair housing issue per se, the increased demand for housing and the dwindling supply may create conditions where fair housing violations become a common part of the competition in the housing market. This study therefore assesses the impact of high housing costs in the City on low and moderate income households, and households with special housing needs. Fair housing concerns may arise to the extent that the lack of affordable housing disproportionately impacts groups that are protected by fair housing laws.

### **E.3 Scope of AI Analysis**

This AI reviews the laws, regulations, conditions or other possible obstacles that may affect an individual or a household's access to housing. Specifically, the AI contains:

- A comprehensive review of the laws, regulations, and administrative policies, procedures, and practices;
- An assessment of how those laws, regulations, policies, procedures, and practices affect the location, availability, and accessibility of housing; and
- An assessment of conditions, both public and private, affecting fair housing choice.

### **E.4 Community Participation**

As part of the AI process, the report incorporates the issues and concerns of residents, housing professionals, and service providers. To assure the report responds to community concerns, an outreach program consisting of the following was conducted:

- Five community workshops
- Residential fair housing survey
- Fair housing focus group meetings with service providers
- Interviews with key service providers
- Interviews with housing industry representatives
- Interviews with financial institutions and housing companies

### **E.5 Summary of Report**

#### **E.5.1 Community Profile**

The City of Los Angeles has the second largest city in the nation, with residents representing hundreds of countries and every continent. Race and ethnicity have implications on housing choice in that certain socioeconomic variables correlate with race. For instance, ethnic minority populations in Los Angeles have not achieved

homeownership as readily as the White population. Minority households are more reliant on the rental housing market for accommodation and may be disproportionately impacted by fair housing issues in the rental market.

Households with different characteristics have unique housing needs and may face different impediments in the housing market. Large households, seniors, and the disabled are “special needs” households examined in the AI, as summarized below.

**Large households** have special housing needs due to their generally lower per-capita income and the lack of adequately sized, affordable housing. Large households often face discrimination in the housing market, particularly in the rental housing market. This special needs group was found to have experienced a higher level of housing problems (cost burden, overcrowding, and substandard housing conditions) than other households did in Los Angeles. Almost all (93 percent) of large renter-households experienced housing problems.

**Seniors**, particularly those with disabilities, often face increased difficulty in finding housing accommodations or face targeted evictions. Their low-income status limits their ability to balance the need for housing and other necessities such as healthcare.

**Single-parent households** are likely to have special needs for housing near day care and recreation facilities and to have access to public transportation. Households headed by females are especially likely to need assistance because women continue to earn less on average than men do in comparable jobs. Low income female-headed households with children experience additional burdens when combined with limited transportation resources.

Fair housing choice for **persons with disabilities** may be compromised based on the nature of their disability. While housing discrimination is not covered by the Americans with Disabilities Act (ADA), the Fair Housing Act prohibits housing discrimination against persons with disabilities, including persons with HIV/AIDS. Persons with physical, mental, and developmental disabilities often require special housing to accommodate their conditions, and may face discrimination in the housing market.

**Persons with HIV/AIDS** face an array of barriers to obtaining and maintaining affordable, stable housing. For many, the persistent shortage of stable housing is the primary barrier to consistent medical care and treatment. Many people face illegal eviction from their homes when their illness is exposed.

## **E.5.2 Lending Practices**

One of the key aspects of fair housing choice is equal access to credit for the purchase or improvement of a home. Using Home Mortgage Disclosure Act (HMDA) data, the AI reviews the lending practices of financial institutions and the access to financing for all households, particularly minority households and those with very low- or low- incomes. The AI also examines lending patterns in low and moderate-income neighborhoods and areas of minority concentration. Both conventional and government-backed loans were examined.

### **E.5.3 Public Policies**

Public policies may affect the pattern of housing development, the availability of housing choices, and access to housing. The AI reviews the various policies that may impact housing choices in Los Angeles. Policy and planning documents adopted by the City and associated agencies were reviewed to evaluate the potential impediments to fair housing choice and affordable housing development, including local municipal, building, occupancy, health, and safety codes.

### **E.5.4 Current Fair Housing Profile**

Implementation of fair housing practices is achieved through a network of realtors, apartment associations, housing associations, fair housing providers, and the courts. The AI provides an overview of issues identified by residents and service providers via interviews and surveys; institutional structure of the housing industry and how they may impact fair housing; and fair housing services available to residents.

## **E.6 Impediments and Recommendations**

### **5.6.1 Impediments**

Impediments identified can be grouped into private sector impediments induced by market conditions and socioeconomic characteristics, and public sector impediments resulted from regulations, policies, and procedures. When identifying recommendations, this AI focuses on actions that are directly related to fair housing issues and can be implemented within the resources and authority of the participating jurisdictions, as well as within the five-year timeframe of this AI. General recommendations, such as supporting the efforts of other agencies or enhancing affordability, are not included.

#### **Access to Financing**

- **Conventional home loan financing, income:** Approval rates were highest among the upper-income applicants and lowest among lower-income applicants. The ability of lower-income households in accessing financing is an ongoing housing affordability issue, but not a fair housing issue per se.
- **Conventional home loan financing, race/ethnicity:** White, Joint, and Asian applicants had the highest approval rates throughout the City while Black applicants consistently had the lowest approval rating. Additionally, approval rates vary widely among ethnic groups within the same income categories. Black and Hispanic applicants frequently received the lowest approval rate regardless of income.
- **Government-backed loans:** Overall applications for government-backed loans were relatively low for most ethnicities. One exception is Hispanics who are overrepresented in the applicant pool.
- **Lenders:** Approval rates differ significantly between lenders in Los Angeles, with the largest discrepancy at 34 percentage points.

- **Subprime lending activity:** This AI found that loan applicants in the Harbor Area had significantly higher approval rates by subprime lenders than all lenders as a whole.

According to HUD's 2000 analysis of HMDA data for Los Angeles County, minorities and residents of low-income neighborhoods are more likely than others to receive loans on the subprime market. UCLA studies also found evidence of a relationship between subprime lending and low-income, highly tax-delinquent areas with many elderly and minority residents. It was also found that African-Americans are approximately twice as likely as White applicants to refinance on the subprime market.

- **Purchased loans:** In recent years, the practice of selling mortgage loans by the originators to other lenders is prevalent. Allegations have been made that predatory lending is more likely to occur with this practice. Within the City's Neighborhood Service Areas, the percentage of loans purchased ranged as high as 43 percent in the North Valley area. Among racial groups, Blacks had the highest percentage of loans purchased, with 17.1 percent, followed closely by Hispanics with 16.9 percent.

## Public Policies

- **Zoning:** Despite the apparent capacity of the City to accommodate additional housing for all income and special needs groups, a study prepared in 2000 concludes that most of the available development capacity is in small parcels that would be difficult to assemble for feasible residential projects and that differences in building code requirements for commercial and residential development could impede mixed-use projects in commercial areas.
- **Regulations Affecting Housing Choice for Special Needs Groups:** According to a study prepared for the Los Angeles Housing Department, the City's zoning code contains several potential impediments to fair housing choice. These potential impediments include definitions affecting occupancy of housing; use definitions; and reasonable accommodations for persons with disabilities. Additionally, recovery homes are currently not permitted within 600 feet of a school.
- **Section 8 vouchers:** Long waiting periods for assistance are common since demand often exceeds the limited resources available. The financial incentives to participate in the Section 8 program are less attractive in a tight housing market than in a housing market with high vacancy rates. Primarily in economically depressed neighborhoods, where the housing and neighborhood conditions are less than ideal, would voucher recipients likely find rental units that accept voucher payments. Researchers have also found that owners accepting Section 8 vouchers prefer senior households to families. This practice creates a potential fair housing concern.
- **Coordination with Housing Authority:** Housing Authority monitors only fair housing issues covered by Federal law. State protected classes are often not listed on Housing Authority materials. There have been complaints that the Housing Authority is non-responsive with regard to fair housing complaints.

## Fair Housing Services

- **Need for expanded capacity:** The City's geography and dense population make outreach and assistance to all residents difficult. The community outreach meetings conducted for the report revealed that residents are oftentimes simply unaware of their rights and do not know where to begin when they feel they have been discriminated against. There appears to be a need for additional fair housing service capacity in order to reach more residents and provide more comprehensive service.
- **Need for increased assistance to homebuyers:** Fair housing services often focus more on the rental market and less on the home purchase market. Although the majority of housing discrimination cases typically arise from rental situations, there are indications that potential homebuyers have experienced discrimination as well.
- **Limited number of fair housing service providers:** Only three fair housing service providers serve the entire County of Los Angeles – Housing Rights Center, Fair Housing Council of San Fernando Valley, and Fair Housing Foundation. Each of these three fair housing councils provides services for specific regions within the County. The limited number of qualified fair housing service providers offers little choice for the City.

## 5.6.2 Actions

While the AI identifies a number of potential issues, certain issues are beyond the ability of a local jurisdiction to address, such as those related to lending practices. The actions identified below represent those that can be feasibly addressed by the City.

### Housing and Household Characteristics

**Reasonable Accommodation Ordinance:** In response to the increased concern over housing problems faced by persons with disabilities, the City prepared the draft Reasonable Accommodation Ordinance that outlines provisions for reasonable accommodation and the process and procedure for requesting accommodation and zoning changes. The Ordinance also addresses most of the impediments identified in the November 2002 Fair Housing Impediments Study by Mental Health Services, Inc. The City will:

- Pursue adoption of the Ordinance by Spring 2005.

### Access to Financing

**Predatory Lending Ordinance:** In response to the rising concerns regarding predatory lending practices in the Los Angeles area, the City adopted the Anti-Predatory Loans Ordinance. Implementation of the Ordinance is pending, due to a similar ordinance adopted by the City of Oakland that is tied up in court. Pending the Supreme Court decision on the Oakland anti-predatory lending ordinance, the City of Los Angeles will pursue either:

- Implementation of the ordinance; or

- Further investigation into the establishment of such an ordinance to curb predatory lending practices in the City.

## **Public Policies**

**Affordable housing policies and incentives:** Many of the City's fair housing issues, particularly those faced by renters, stem from a lack of affordable housing choice for lower income households. The shortage of affordable housing is not a fair housing concern in itself; however, this situation created a market condition that is conducive to discriminatory practices. With an abundance of willing takers and short housing supply, landlords are more likely to discriminate and screen out "undesirable" tenants.

In addition to providing direct subsidies for the construction of affordable housing using a variety of funding sources (e.g. HOME, CDBG, HOPWA, and redevelopment housing set-aside funds), the City may consider developing appropriate incentives and policies to expand affordable housing opportunities. The City may explore the following options:

- Inclusionary housing policy (under study);
- Commercial linkage fees;
- Use of City-owned vacant/underdeveloped properties for affordable housing; and/or
- Incentives to consolidated small lots for affordable housing.

**Improve coordination with Housing Authority:** As an agency receiving HUD funds, the Housing Authority of the City of Los Angeles (HACLA) is also required to actively further fair housing choice through: 1) completion of an Analysis of Impediments to Fair Housing Choice; 2) Actions to eliminate identified impediments; and 3) Maintenance of fair housing records. HACLA is responsible for conducting its own AI to evaluate impediments specific to the agency. However, as part of the City's AI, impediments relating to the policies, procedures, and operation of HACLA have been identified. The City should coordinate with HACLA to address the following:

- Address findings in HACLA's AI that relate to larger City policies, procedures, and operation;
- Coordinate the distribution of fair housing materials that cover not only the federal but also the State protected classes; and
- Arrange with the fair housing service providers to offer fair housing education workshops with Section 8 and public housing residents.

## **Fair Housing Services**

**Fair housing services review:** In order to better design a fair housing program that addresses the specific needs of residents, the City should periodically review the scope of work for fair housing services.

Reporting on fair housing services should not only focus on "outputs" but also "outcomes" of services. Outcome-based performance measures allow the City to better evaluate the cost effectiveness of various service components. For example, instead of reporting outreach efforts based on the number of pieces of literature distributed or number of presentations made, reporting should include information on increased reporting as a result of outreach efforts.

Another concern regarding fair housing services is the lack of qualified comprehensive fair housing service providers in the region. Over the long term, lack of competition may potentially lead to decreased levels of services, responsiveness, and accountability.

Discussions with the fair housing service providers indicate that the appropriate scope of work is often a balance between needs and funding availability. If funding is available, the fair housing service providers recommend the following areas of improvements/additional services:

- Proactive outreach to immigrant communities, persons with disabilities, and gay/lesbian/transgender/bisexual persons
- Increased budget for sales audits
- Technology improvements
- Special study to evaluate the effectiveness of outreach approaches

To improve fair housing services, the City should:

- Initiate a comprehensive review of its contract requirements for providing fair housing services.
- Establish quantitative and qualitative performance measures and research into comparable cities' fair housing services.
- Consider expanding scope of work for future years to address discriminatory practices in the homebuying process. Specifically, audits/testing may need to be performed periodically for home sales and lending.
- Restructure its RFP for fair housing services to allow for more competition in proposals from service providers in order to expand capacity.
- Continue the Don't Borrow Trouble Campaign.

Since the mid-1980s, CRA has committed between 40 to 50 percent of its resources to providing affordable housing for low and moderate income residents, well above the minimum requirements of state law. The CRA also established several citywide housing programs to ensure that the benefits of redevelopment assist low and moderate income residents throughout Los Angeles.

## **5.1.5 Zoning**

### **Capacity to Accommodate Additional Housing**

Each of the land use designations set forth in the City's General Plan corresponds to one or more of the zoning districts established in the Zoning Code. The density requirements specified in the Zoning Code adhere to the General Plan Land Use Element. The City's zoning districts allow for a variety of housing types and densities, from agricultural residential at less than one dwelling unit per acre to high density at over 200 dwelling units per acre.

Table 5-4 summarizes the adjusted remaining dwelling unit development potential reported by the City in 1994. Between January 1, 1994 and January 1, 2004, 33,190 additional dwelling units were constructed in Los Angeles, at least 14,191 units through low density residential land use categories, 15,123 units in the low to medium density categories, and 3,876 units in the medium to high categories.<sup>2</sup> The amount of housing construction over the past ten years represented about six percent of the City's remaining residential development capacity as of 1994. Over 40 percent of the City's remaining housing development potential is in zoning categories that permit densities greater than 54 dwelling units per acre, while an additional 47 percent is in zoning districts permitting multi-family residential densities between 8 and 28 dwelling units per acre. Single-family residential land at densities of less than eight units per acre adds another 10 percent to the City's sites inventory. With a few exceptions, each of the subregions has residential development potential for all housing types (low through high density).

Despite the apparent capacity of the City to accommodate additional housing for all income and special needs groups, a study prepared in 2000 concludes that most of the available development capacity is in small parcels that would be difficult to assemble for feasible residential projects and that differences in building code requirements for commercial and residential development could impede mixed-use projects in commercial areas.<sup>3</sup>

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<sup>2</sup> California Department of Finance, E-5 report. Assumes an approximate correspondence between housing types (for example, single-family detached) and a density range typically associated with that housing type.

<sup>3</sup> "In Short Supply: Recommendations of the Housing Crisis Task Force," May 2000, page 10.

**Table 5-4: Remaining Dwelling Unit Capacity by Subregion**

Subregion	(a <sup>2</sup> )	(b <sup>2</sup> )	(c)	(d <sup>3</sup> )	(e <sup>3</sup> )	(f)	(g)
(MEIR Area)	Commercial	Higher Density Multiples	Total Higher Density	Lower Density Multiples	Single Family	Total Lower Density	Total Capacity
	108 du/ac	(R3, R4, R5) > 54 du/ac	(a)+(b) > 54 du/ac	(R2, RD, &c) < 28 du/ac	< 8 du/ac	(d)+(e) < 28 du/ac	(c)+(f)
NELA	3,595	0	3,595	31,977	0	31,977	35,572
South LA	3,321	0	3,321	63,133	0	63,133	66,453
Metro Center	23,160	4,398	27,558	29,887	4,678	34,565	62,123
SW LA	1,463	15,130	16,593	19,979	0	19,979	36,571
Central	1,789	30,374	32,163	105	1,431	1,536	33,699
SW Valley	1,711	0	1,711	23,389	2,938	26,327	28,038
NE Valley	2,563	4,244	6,806	19,623	16,563	36,186	42,992
NW Valley	30,115	9,776	39,891	16,521	2,440	18,960	58,851
SE Valley	17,907	23,119	41,025	7,446	11,604	19,050	60,075
West LA	2,223	25,531	27,754	2,905	15,616	18,521	46,275
Harbor	7,502	15,365	22,867	36,461	529	36,990	59,857
<b>TOTAL</b>	<b>95,346</b>	<b>127,937</b>	<b>223,283</b>	<b>251,425</b>	<b>55,798</b>	<b>307,223</b>	<b>530,506</b>
<b>%</b>	<b>18.0%</b>	<b>24.1%</b>	<b>42.1%</b>	<b>47.4%</b>	<b>10.5%</b>	<b>57.9%</b>	<b>100.0%</b>

du/ac = dwelling units per acre

1. Assuming that the adjustment factor is 30% in Commercial Zones and 80% in Residential Zones.
2. Corresponds to "Very Low Income", "Low Income", and "Moderate Income" housing.
3. Corresponds to the "Above Moderate Income" housing.

Source: Los Angeles City Planning Department, December 1994.

### Definition of Family

Local governments may restrict access to housing for households failing to qualify as a "family" by the definition specified in the zoning ordinance. Even if the code provides a broad definition, deciding what constitutes a "family" should be avoided to prevent confusion or give the impression of restrictiveness. Furthermore, Landlords or property owners may refuse to rent or sell units to households not meeting the definition of family.

The City's Zoning Code defines "family" in a potentially restrictive manner that could limit the number of unrelated individuals from sharing housing. The City's Zoning Code defines a "family" as:

*An individual or two or more persons related by blood or marriage, or a group of not more than 5 persons (excluding servants) who need not be related by blood or marriage, living together in a dwelling unit, except that there may be up to 4 foster children, 16 years of age or under, where the total number of persons living in a dwelling unit does not exceed 8 and providing the keeping of the foster children is licensed by the State of California as a fulltime foster care home.*

California court cases<sup>4</sup> have ruled that an ordinance that defines a “family” as (a) an individual, (b) two or more persons related by blood, marriage or adoption, or (c) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. These cases have explained that defining a family in a manner that distinguishes between blood-related and non-blood related individuals does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the City, and therefore violates rights of privacy under the California Constitution. A zoning ordinance also cannot regulate residency by discrimination between biologically related and unrelated persons.

In general, the City’s definition of “family” has the potential to discriminate non-traditional families such as gay and lesbian couples, or certain cultures that prefer living with extended family members and friends. Specific impediments to housing for persons with disabilities presented by this definition are discussed in Section 5.1.6.

### **Alternative Housing Types that Can Expand Housing Choice**

The Los Angeles Zoning Code defines several alternative housing types that increase housing choices for special needs groups and lower-income residents of Los Angeles.

**Secondary (Accessory) Living Units:** Under the requirements of state law, the City is required to permit second units in all residential zones that allow single-family homes according to an administrative permit process. The City permits secondary dwelling units in single-family zones by right provided certain conditions are made. The required conditions vary by zone but relate primarily to minimum lot size and lot width, kitchen facility, adjacent land use, and height limit.

**Factory-Built Homes, Mobilehomes, and Mobilehome Parks:** State law requires factory built homes and mobilehomes complying with the federal Manufactured Housing Construction and Safety Standards Act of 1974 and that are installed on a permanent foundation be permitted on any parcel on which the City allows conventional single-family homes that are built on site and under the same development standards as the “site-built” homes. Mobilehome parks are permitted in the City’s Residential Mobilehome Park district.

**Shelter for the Homeless:** The City permits homeless shelters in R-4, R-5, and C-2 through CM zones. The Housing Element indicates significant development capacity in these zones to accommodate residential uses and facilities, including homeless shelters, although most sites with development capacity are either small, vacant sites that are difficult to develop, or underused sites that require redevelopment.

**Boarding or Rooming Houses:** The City permits boarding and rooming houses in R-3 through R-5 zones and in all commercial zones. These provisions of the City’s Zoning Code greatly expand housing opportunities for individuals who cannot afford, or who may prefer the benefits of, a boarding or rooming home over a conventional dwelling unit.

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<sup>4</sup> *City of Santa Barbara v. Adamson* (1980) and *City of Chula Vista v. Pagard* (1981), among others.

### **5.1.6 Impacts of Land Use and Zoning Regulations and Practices on Housing for Persons with Disabilities**

In 2002, the City of Los Angeles commissioned Mental Health Advocacy Services, Inc. to conduct a fair housing impediments study to review the City's Zoning Code and identify land use and zoning regulations, practices, and procedures that serve to impede the development, siting, and use of housing for persons with disabilities.<sup>5</sup> Specifically, the study focused on the following aspects:

- The Zoning Code's definition of "family" may illegally restrict the residential zones in which housing for persons with disabilities may be located; and
- The use of a variance process for the siting of housing for persons with disabilities in all residential zones except in high density multi-family residential zones; and
- The lack of a reasonable accommodation procedure to relieve housing for persons with disabilities from strict compliance with land use and zoning regulations and practices.

Much of the following discussion is summarized from the *Fair Housing Study: How Land Use and Zoning Regulations and Practices Impact Housing for Individuals with Disabilities*, by the Mental Health Advocacy Services, Inc.

#### **Impediments Related to the Definition of "Family"**

As discussed earlier, the City's Zoning Code definition of "family" could restrict the number of unrelated individuals, including individuals with special needs, from sharing housing. This definition of "family" has led to a number of fair housing impediments either directly in the Zoning Code or indirectly in the interpretation (practice) of the Code.

##### **Zoning Code Impediment: Potential Discrimination against Unrelated Persons Living together**

The City's definition of "family" infringes upon the privacy rights of unrelated persons to live together. A restrictive definition of "family" may illegally limit the development and siting of group homes for persons with disabilities but not the housing for families that are similarly sized or situated.

##### **Practice Impediment: Consideration of Personal Characteristics in Land Use and Zoning Decisions**

The Zoning Code should regulate based on the type of housing, but fair housing laws prohibit land use and zoning decisions be based on certain personal characteristics of the residents, including that they are individuals with disabilities. In implementing the Code, the City distinguishes between a congregate living arrangement for individuals with disabilities in recovery from that for elderly individuals, many of whom have disabilities.

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<sup>5</sup> Fair Housing Impediments Study: How Land Use and Zoning Regulations and Practices Impact Housing for Individuals with Disabilities. Kim Savage, Mental Health Advocacy Services, Inc., November 2002.

**Practice Impediment: Restrictions Imposed on Households More than Six Individuals with Disabilities**

California law does not require a Conditional Use Permit for housing for individuals with disabilities. The Community Care Facilities Act requires that local jurisdictions in their zoning regulations treat residential care facilities for six or fewer individuals with disabilities as a single family for purposes of siting. However, most jurisdictions in California interpret this act as allowing the imposition of restrictions on residential care facilities for more than six persons. While under the Fair Housing Act, jurisdictions may have reasonable restrictions on the maximum number of occupants permitted to occupy a unit, the restrictions cannot be based on the characteristics of the occupants. Rather, the restrictions must apply to all residents and are based on health and safety standards. Therefore, imposing restrictions on community care facilities for six or more persons with disabilities violates the Fair Housing Act.

**Practice Impediment: Mischaracterization of Housing for Individuals with Disabilities**

The City has a general practice of determining that housing for more than six individuals with disabilities as a boarding or rooming house or hotel use that is permitted by right only in high density multi-family residential zones. In order for a boarding or rooming house to be located in lower density residential zones, a variance must be obtained from the City. A hotel use is not permitted in any residential zone. Therefore, the practice of categorizing housing for more than six individuals with disabilities as a boarding or rooming house or hotel use has the effect of denying housing opportunities for individuals with disabilities in violation of fair housing laws.

**Practice Impediment: Mischaracterization of Housing with Supportive Services on Site for Residents with Disabilities**

There is a common view that housing for individuals with disabilities is a commercial use because the residents pay to live in a group living arrangement and receive medical care and other assistance on site. This interpretation subjects such housing to commercial land use and zoning regulations and often, a business license. However, a single family engages in comparable management functions (e.g., gardener or housekeeper) is not subject to the same regulations. A practice or regulation that treats housing for individuals with disabilities as a commercial use when the same determination is not applied to similarly situated and functioning families singles out individuals with disabilities in a discriminatory manner.

**Impediments Related to the Lack of a Fair Housing Reasonable Accommodation Procedure and the Variance Process**

Both State and federal fair housing laws mandate provisions for reasonable accommodation for housing for persons with disabilities. The State Housing Element law also requires that local jurisdictions address constraints to housing for persons with disabilities, including the provision of reasonable accommodation.

**Zoning Code Impediment: Lack of a Fair Housing Reasonable Accommodation Procedure**

The City has a duty to provide reasonable accommodation in land use and zoning regulations and practices to individuals with disabilities. However, the City lacks an established procedure to comply with this requirement, potential denying housing opportunities for individuals with disabilities.

**Zoning Code Impediment: Variance Process is Overused for Siting Housing for Individuals with Disabilities**

The City's Zoning Code permits housing for individuals with disabilities for more than six persons by right only in the R3 and higher density multi-family residential zones. A variance process is used for siting housing for individuals with disabilities in lower density residential zones. Typically, use of a variance requires the applicant prove "hardship" based on certain unique characteristics of the property. Most jurisdictions use the Conditional Use Permit (CUP) process, which requires a showing that the proposed use will not negatively impact the surrounding properties. While both the variance and CUP processes may serve to impede housing for individuals with disabilities, the CUP process may be more appropriate in some instances. Specifically, a variance is granted on the basis of the physical characteristics of the property, and therefore does not constitute a compliance with the reasonable accommodation requirement which considers the disabilities of the residents.

**Impediment Related to the Siting of Treatment Programs for Individuals with Disabilities**

The California Welfare and Institution Code provides that any zone in which hospitals or nursing homes are permitted either by right or via a CUP process, mental health treatment programs (both inpatient and outpatient) are permitted.

**Zoning Code Impediment: Distinguishing, for Purposes of Siting Restrictions, between Types of Treatment Facilities Based on Service to Individuals with Disabilities**

The City's Zoning Code makes distinction between treatment facilities based on service to individuals with disabilities. Treatment facilities that serve individuals with contagious diseases, mental disabilities, or drug or alcohol substance abuse problems are prohibited from locating in any residential zone unless a variance is obtained from the City. They are permitted by right in the C2 zone.

In contrast, treatment facilities that do not serve those with contagious diseases, mental disabilities, or drug or alcohol substance abuse problems are permitted by right in R5 and via a CUP in R2, RD, R3, and R4. They are also permitted by right in C1, C1.5, and C2 zones.

**Zone Code Impediment: Prohibition against Locating Treatment Programs for those with Disabilities within 600 feet of Schools**

The State has imposed a 300-foot spacing requirement between licensed residential care facilities, but local jurisdictions have the option to waive the requirement. However, the City Zoning Code prohibits the siting of a hospital, sanitarium or clinic for mental, or drug or liquor addict cases within 600 feet of a school. This prohibition singles out

individuals with disabilities, those with mental disabilities, and those in recovery for substance abuse. This restriction violates State fair housing laws with regard to residential clinics or ADA with regard to non-residential uses, as well as the Welfare and Institution Code that requires mental health treatment programs be permitted in any zone where hospitals and nursing homes are permitted.

## **Impediment Related to Political Influence**

### **Practice Impediment: In Land Use and Zoning Decision-Making and Funding Approval for Housing for Individuals with Disabilities, Political Concerns are Given Too Much Weight**

The City's Area Planning Commissions (APCs) and Neighborhood Councils are intended to make government more localized and increase neighborhood involvement in decision-making. However, both systems have the potential for cultivating "Not-In-My-Backyard" (NIMBY) opposition to the development, siting, and use of housing for persons with disabilities (see further discussions under Section 5.7, Community Participation). APC members are political appointees with substantial authority in land use and zoning decision-making. Neighborhood Councils have the ability to use early notification system to communicate and gather community opposition to housing projects.

## **City Response**

To address the constraints identified by the Fair Housing Impediment Study, the City proposed to adopt a Reasonable Accommodation Ordinance. As adopted, the Ordinance would achieve the following:

- Establish a standard procedure for requesting reasonable accommodation.
- Revise the definition of "family" in the Zoning Code to read "one or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit."
- Remove the distinction between treatment facilities based on service to individuals with disabilities for land use and zoning purposes.

## **5.2 Rent Stabilization**

The Los Angeles City Rent Stabilization Ordinance (RSO), adopted in 1979 as Chapter XV of the Los Angeles Municipal Code, is intended to safeguard tenants from excessive and unjustified rent increases and unfair evictions. The City Council designed the law to protect tenants from excessive rent increases while allowing the landlords a reasonable return on their investment. Rental units subject to the Ordinance, and which must be registered, include: apartments, condominiums, townhouses, duplexes, two or more dwelling units on the same lot, mobile homes, mobile home parks, and rooms in a hotel, motel, rooming house or boarding house occupied by the same tenant for 30 or more consecutive days.

The Rent Stabilization Ordinance addresses allowable rent increases, the registration of rental units, the 12 legal reasons for eviction, and the causes for eviction requiring

# EXHIBIT 3

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**Table A**  
**Annual Building Activity Report Summary - New Construction**  
**Very Low-, Low-, and Mixed-Income Multifamily Projects**

Housing Development Information									Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income			See Instructions	See Instructions	
10625 Bloomfield St.	5+	R	1			13	14	14	N/A	DB	
1866 S. Greenfield Ave.	3	R	1			2	3	3	N/A	DB	
11818-11822 Dorothy St.	5+	R	2			24	26	26	N/A	DB	
5315 N. Bellingham Ave.	5+	O	1			16	17	17	N/A	DB	
14309 Burbank Blvd.	5+	R	1			7	8	8	N/A	DB	
10227 Mason Ave.	5+	R		3		47	50	50	N/A	DB	
1303 Wellesley Ave.	5+	O	2			23	25	25	N/A	DB	
12412 Pacific	5+	R	1			11	12	12	N/A	DB	
7651 Laurel Canyon Blvd.	5+	R/O	2			34	36	36	N/A	DB	
7857 W Manchester	5+	R/O	3			29	32	32	N/A	DB	
7045 N. Remmet Ave.	2	R	1			1	2	2	N/A	DB	
1611 S. Beverly Glen Blvd.	5+	R/O	1			11	12	12	N/A	DB	
5200 Wilshire Blvd.	5+	R			14	464	478	478	N/A	Zone Change, Conditional Use	
7621 S. Figueroa	5+	R		35		0	35	35	DWP, ARRA-NSP	DB	
11904-11976 Culver Blvd.	5+	R	17	70		37	124	124	Bond Proceeds, HOME		
5555 Hollywood Blvd.	5+	R	9	110		1	120	120	Bond Proceeds, MHP, CRA, DWP, HOME		
1230, 1236, 1240 S. Menlo Ave.	5+	R		60		0	60	60	PBValue, CRA, MHP, DMH-MHSA, HOME		

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5525 Klump Ave.	5+	R	6	42		1	49	49	DMH-MHSA, CRA, HOME		
8904 Willis Avenue	5+	R	20	21		1	42	42	PBValue, DMH- MHSA, HOME	DB	
12230 - 12232 W Osborne Pl	5+	R		59		0	59	59	PBValue, MHP, DMH-MHSA, CRA, HOME		
240 E. 6th	5+	R	77	23		2	102	102	PBValue, MHP, McKinney, DWP, HOME	DB	
505 S. San Pedro	5+	R	57	50		1	108	108	PBValue, CRA, HOPWA, HOME	Greater Downtown Housing Incentive	
7135 N Wilbur	5+	R		11		62	73	73	CRA, HOME, ARRA-NSP		
808 N. Spring St.	5+	R	103	19		1	123	123	ARRA-NSP	DB	
4201-4261 S. Central Avenue	5+	R		17		1	18	18	CRA, Bond Proceeds, NSP, AHTF		
4020 - 4070 S. Buckingham Road	5+	R		69		1	70	70	CRA, HOME		
15301 Lanark St.	5+	R	66	20		1	87	87	CRA		
538-548 S. Normandie	5+	R		65		1	66	66	CRA, HOME, LADWP		
7238-7248 Canby Ave	5+	R	65	32		1	98	98	CRA, AHTF, Bond Proceeds		
975 N. Vendome St.	5+	R	35			1	36	36	MHP, HOME, HACoLA		
741 W. 39th St.	1	R		1		0	1	1	N/A		
12735 W. Venice Blvd.	1	R			1	0	1	1	N/A		
6201 W. Hollywood Blvd.	5+	R	13	39		483	535	535	N/A	Zone Variance	
2619 Wilshire Blvd.	5+	R		5		45	50	50	N/A	Zone Variance	
1539 S. Shendoah St.	5+	R			1	0	1	1	N/A		
(9) Total of Moderate and Above Moderate from Table A3						0	4,593	4,593	4,593		
(10) Total by income Table A/A3			484	751	16	5,915	7,166	7,166			
(11) Total Extremely Low-Income Units*											

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**Table A2**

**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				TOTAL UNITS	(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income			
(1) Rehabilitation Activity					0	
(2) Preservation of Units At-Risk					0	
(3) Acquisition of Units					0	
(5) Total Units by Income	0	0	0		0	

\* Note: This field is voluntary

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Table A3

**Annual building Activity Report Summary for Above Moderate-Income Units**  
**(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for <b>Moderate</b>	0	0	0	0	0	0	0
No. of Units Permitted for <b>Above Moderate</b>	635	472	3,468	18		4,593	4,593

\* Note: This field is voluntary

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**Table B**

**Regional Housing Needs Allocation Progress**

**Permitted Units Issued by Affordability**

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2006	2007	2008	2009	2010	2011				Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	27,238		1,019	692	423	899	484			3,517	23,721
	Non-deed restricted											
Low	Deed Restricted	17,495		595	384	67	263	751			2,060	15,435
	Non-deed restricted											
Moderate	Deed Restricted	19,304		14	60		3	16			93	19,211
	Non-deed restricted											
Above Moderate		48,839			146	1,474	1,925	4,593			8,138	40,701
Total RHNA by COG. Enter allocation number:		112,876										
Total Units ▶ ▶ ▶				1,628	1,282	1,964	3,090	5,844			13,808	99,068
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

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Table C

## Program Implementation Status

Program Description (By Housing Element Program Names)	<p align="center"><b>Housing Programs Progress Report - Government Code Section 65583.</b>            Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.</p>		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Homebuyer Assistance: Purchase Assistance	366 loans for low-income homebuyers 200 loans for moderate-income homebuyers 72 loans for above moderate-income	2006-2014	Loans Funded: Low-Income - 78 Moderate-Income - 7 Above Moderate-Income - 0
Homebuyer Assistance: Mortgage Credit Certificates	168 MCCs for low income homebuyers 252 MCCs for moderate income homebuyers	2006-2014	Stand-Alone MCCs Issued: Low Income - 13 Moderate Income - 38
For-Sale Developer Assistance: Forward Commitment Program	Contracts for 30 moderate income homebuyers Contracts for 85 above moderate income homebuyers	2006-2014	Assisted 1 moderate-income homebuyer and 3 low-income homebuyers in 2011
For-Sale Developer Assistance: Small Sites Development Opportunities	Finance for-sale developments, providing 44 low-income ownership units	2006-2014	Assisted 1 moderate-income homebuyer and 1 low-income homebuyer in 2011.  Extended contract for development of up to 11 low-income homebuyers by 08/31/2012.
For-Sale Developer Assistance: In-fill Housing Development	45 for-sale moderate income units annually 5 low income units annually	2006-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.
For-Sale Developer Assistance: New Housing Opportunities	45 for-sale moderate income units annually 5 for-sale low-income units annually in CRA/LA Downtown project areas	2006-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.

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For-Sale Developer Assistance: Response to Housing Opportunities	25 for-sale moderate income units annually 25 for-sale low income units annually in CRA/LA project areas	2006-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.
For-Sale Developer Assistance: Small Lot Subdivisions	314 market-rate units within small lot subdivisions annually	Developer Workshop - 2010 Simplified forms and procedures - 2011 Individual developer consultations - 2006-2014	15 small lot subdivision cases filed with DCP in 2011, 13 cases moved forward as small lot projects, representing 205 units of for-sale housing.  Outreach to developers and architects on possible improvements to the program's policies and procedures, as well as an update to the Small Lot Design Guidelines, is planned to begin in 2012.
Mortgage Revenue Bond Financing for New Rental Housing	75 low-income rental units and 300 above moderate income units annually, through CRA/LA 180 very low-income rental units, through LAHD	2006-2014	No Bond-Only units for new construction projects were developed in 2011. The bond market was beginning to recuperate from prior years' market instability.
Affordable Housing Trust Fund for New Rental Housing	4,789 very low income units 479 low income units	2006-2014	In 2011 the AHTF financed the construction of 10 housing projects, consisting of a total of 539 units.  2011 also saw the permitting of 12 new housing projects, consisting of a total of 816 affordable units (288 very low income, 466 low income), which received AHTF funding. 5 of these projects were also funded by the CRA/LA.
New Rental Housing Opportunities	70 very low income, 70 low income, and 60 moderate income rental units annually	2006-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.
Response to Rental Housing Opportunities	50 very low income, 50 low income, and 50 moderate income rental units approved annually in CRA/LA project areas	2006-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.
Project-Based Rental Assistance	1,074 (430 extremely low, 644 very low income) households housed through project-based rental assistance vouchers 745 low income units of rental housing	2006-2014	HACLA has a total of 2,121 allocated project-based units as of 2011.
New Generation Fund -- New Affordable Housing	Support the construction of 2,560 new units	2008-2014	Two projects comprising 197 units were funded in 2011.

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Housing for Senior and Disabled Persons	50 units for very low income seniors annually 50 units for very low income disabled persons annually	2009-2014	DCP Ordinance in development to allow by-right licensed community care facilities for 7 or more residents citywide.  CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.  HACLA Activity: Under Construction: Del Rey Senior Housing 124 units (30 public housing units serving senior and disabled, 79 PBV/LIHTC units, 14 LIHTC units) on the West side of Los Angeles, to be completed by December 20, 2012
Housing For All Household Sizes and Types	75 large family low income units 75 small low income units	2006-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.  HACLA acquired twelve 4-bedroom townhomes of public housing in Watts. Acquired 1 single family residence as public housing in Watts.  DCP reviewed projects for land use entitlements and project readiness to support public funding applications.
Innovative Housing Unit Design	50 very low income units of alternative multi-family housing 50 very low income units with universal design elements Provide assistance to developrs and property owners during project review	Establish Task Force to review City Codes - 2009 Task Force report and recommendations - 2010 Revised regulations - 2011 Individual developer consultations - 2006-2014	Task Force and recommendations for revised regulations on hold pending budget and staff resources.
Alternative Multi-Family Development	20 second units on lots annually, including 6 low income units, 7 moderate income units and 7 above-moderate income units	2006-2014	Building permits were issued for 18 second units on single-family zoned residential lots, per AB 1866.
New Programs to Increase the Production of Affordable Housing	Introduce Motion	December 2008	The Mayor's Office has worked with the City's family of housing-related agencies in order to find ways to increase the City's production of affordable housing. Despite budgetary pressures on the traditional sources of funds used to create affordable housing, the City has managed to produce units. For example, the City continues to finance the creation of permanent supportive housing units, as well as continues to acquire multi- and single-family units through the federal NSP for rehabilitation.
Small Sites for Affordable Housing	Report to Mayor and City Council Draft ordinance, policies, procedures as determined in study	Ordinance, policies, procedures - 2010	On hold pending budget and staff resources.  CRA/LA activity: Unknown due to dissolution of Redevelopment Agencies.

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Jurisdiction	City of Los Angeles		
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Adaptive Reuse	450 market rate and 50 affordable housing units annually	Report on impediments and analysis of requiring affordable component - 2009 Revised ordinance - 2010 Facilitate proposed developments - 2006-	As best as can be determined, building permits were issues for one Adaptive Reuse Ordinance project in 2011, totaling 17 units.
Redevelopment of City-Owned Property	Post updated inventory of City-owned property at least once a year Create opportunity for development of 50 low-income rental units through CRA/LA 188 low-income rental units 31 low-income homeownership units 15 moderate income homeownership units 15 above-moderate homeownership	2008-2014	There was varying activity related to several sites in 2011. For the Eastlake site: Prospective buyers were notified of RFP to buy property. One proposal was received. For the Rampart site: Received authority from City Council to sell the property through a Request for Proposals. Notified prospective buyers of opportunity to buy property. For the Plaza Vermont site: Took possession of property through a foreclosure action. Received City Council authority to sell property through a RFPs. For the Dunbar Hotel / Somerville Apartments I & II site- Buyer selected for purchase and rehabilitation of properties through a Request for Proposal process. Properties transferred to buyer and rehabilitation started.
Industrial Land: Redevelopment Opportunities	Complete Industrial Land Use Study and 16 Community Plan Updates Adopt regulations requiring affordable housing set-aside with redevelopment of industrial land. Create opportunity for development of 400 market rate work force housing units and 100 affordable housing units during the planning period, including 25 extremely low-income units, 25 very low-income units, 25 low-income units, and 25 moderate-income units	Industrial land survey - 2007 Identify housing potential - 2008 Industrial land use recommendations in 16 Community Plans - 2009-2014	The results of the 2007 industrial land use study are being incorporated into the various planning efforts across the City. In particular, zoning changes for industrial areas identified as "Transition Districts" (ie. areas where transition to other uses such as housing may be permitted) in the Southeast LA, Central City North and Hollywood are being proposed.
Redevelopment of Brownfield Industrial and Commercial Sites	Environmental clean-up of at least five brownfield sites Create opportunity for 100 units, including 10 very low and 10 low income units	Site identification, acquisition and clean-up - 2008-2011 Development of up to 100 units - 2011-2014	The Rockwood Park brownfield site was successfully converted into a park in 2011.  The City was selected to receive two Brownfields Assessment grants from the EPA in 2011, which target the Wilmington and Pacoima neighborhoods.  The City's Brownfields Program continues to provide assistance regarding a wide range of individual development sites throughout the City.

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Public Facilities Zoned Land: Joint Use Opportunities	Create opportunities for 50 very low and 50 low income units during the planning period	Identify potential LAUSD sites - 2006-2008 Secure entitlements for housing on 2 LAUSD sites - 2008-2011 Propose 5 sites to LAUSD Board - 2010-2014	The Los Angeles Unified School District (LAUSD) partnered with a non-profit developer to finalize construction on 50 units of affordable housing (2-3 BRs/30-60% AML) on school-district owned surplus land in the Glassel Park community. Opening is planned for early 2012. A second project by the same partners is also being discussed.
Infill Opportunities	Assist planners and developers to identify 10 new locations for residential development annually	Identify software needs and costs - 2011 Create pilot on ZIMAS - 2012	On hold pending budget and staff resources.
Infill Opportunities: Downtown Center	Create locations for 700 housing units, including 40 moderate, 30 low, and 30 very low income units	2008-2014	A 108 unit affordable housing development (107 affordable units - 57 Very Low/50 Low) took advantage of the Greater Downtown Housing Incentive Program, which offers increased height and FAR rights in exchange for the provision of affordable housing.
Coordination of Infrastructure Improvements	Facilities financing plan in up to 8 updated Community Plans	Develop template for community plan-specific infrastructure needs - 2009 Matrix of infrastructure costs - 2010. Create financing methodology	A facilities chapter for each of 7 new Community Plans was in development. The facilities chapter will identify existing infrastructure programs/plan/services and projects to be implemented by various agencies. Financing Plans are not being prepared due to lack of funding necessary to conduct the required studies for such plans. The idea of linking infrastructure funding to housing provision has been deemed unfeasible.
Permanent and New Funding Sources for the Affordable Housing Trust Fund	\$100,000,000 annually	2006-2014	2011 Sources for the AHTF:  CRA and HOME \$38,612,063 DWP - AHTF \$1,085,000 DWP - PSH \$3,940,814 HOPWA - \$1,001,933 PSHP Bond - \$219,165 LHTF - \$2,650,000 <b>Total \$47,508,975</b>

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Advocate for State and Federal Housing Funds	Support State and Federal bills that provide funds for affordable housing development in the City of Los Angeles in each legislative session	2006-2014	<p>CLA activity: recommended that Council support the following State bills: 1) SB 184, the Costa-Hawkins Act, which would restore the ability of local governments to enact/implement inclusionary housing programs by clarifying that the California Costa Hawkins Rental Housing Act does not apply to inclusionary housing programs and 2) AB 221 which would give communities more flexibility in ending homelessness throughout California by allowing "permanent, supportive housing" to be an eligible use under the Emergency Housing and Assistance Program-Capital Development (EHAP-CD) program.</p> <p>Recommended that Council support the following Federal bills or administrative actions: 1) fund the National Housing Trust Fund and 2) fund the Preservation, Enhancement, and Transformation of Rental Assistance (PETRA) initiative, which would help cover the incremental cost of converting public housing, Section 8 Moderate Rehabilitation, Rent Supplement, and Rental Assistance programs to long-term project-based Section 8 contracts</p>
Affordable Housing Public Benefit Fee	Complete nexus study to establish a Public Benefit Fee Adopt amendments to the Zoning Code to implement a Public Benefit Fee Target \$20 million in fees collected to support affordable housing development and/or infrastructure improvements	Nexus Study - 2009 Adopt Ordinance - 2010 Collect Fees - 2010-2014	The Affordable Housing Public Benefit Fee Study was completed in 2011. The study looked at the nexus between new market-rate development and the subsequent increase in demand for affordable housing in the City of Los Angeles. The report was not publicly released in 2011.
Downtown TFAR Public Benefit Fee	\$20 million for affordable housing development	2007-2014	Affordable housing remains one of give public benefits that can be funded through the Downtown TFAR Public Benefit Fee program. There has been no action on dedicating a portion of the Fee to the Affordable Housing Trust Fund in 2011.
Off-Site Parking Options	Reduce the cost of housing production by reducing the cost of parking in 10 neighborhoods	Draft State Building Code amendments for robotic parking structures - 2010 Amend State Building Code for rebotic parking structures - 2012 Robotic parking for 10 projects - 2010-2014	Continued collecting funds for the Venice parking impact trust fund. The funds will be used for improvements identified in the Westside Parking Study, which is an element of the Westside Mobility Study currently being prepared.
Cooperative Labor Agreements and Cooperative Materials Purchasing Agreements	Demonstration cooperative agreement for labor and/or materials among several residential developers	2009-2014	CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.

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Land Ownership Alternatives	Demonstration project with one or more developers employing alternative land ownership structures	2010-2014	CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
Case Management and Case Processing Assistance	Assist 50 projects per year	Identify roles; program structure, fees; train staff - 2007-2009 Individual developer consultations - 2006-2014	CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
Employer-Assisted Housing	Create 50 moderate and 50 above moderate housing units as demonstration project with one employer	2008-2014	No activity in 2010.
Systematic Code Enforcement Program (SCEP)	Inspect 1,629,553 units	2006-2014	In 2011, 176,755 units were inspected under SCEP.
Single Family Rehabilitation	3,052 extremely low income units 2,050 very low income units 1,178 low income units	2006-2014	Minor home repairs or installation of safety & security devices in 2011: Extremely low-income - 1,185 Very low-income - 215 Low-income - 472
Residential Rehabilitation	189 very low income units 290 low income units	2006-2014	LAHD residential rehabilitation programs were discontinued due to funding reductions in 2008.  CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
Utility Maintenance Program	Prevent the vacation of 2,050 master-metered apartment buildings	2006-2014	During Calendar Year 2011, 154 utility shut offs were prevented. The actual number of cases is significantly lower than expected due to a lower number of utility shut-off prevention (water and gas) cases referred by the Los Angeles Department of Water and Power to the Department. Further, a separate escrow account for UMP is not to be opened if there is an active Rent Escrow Account Program (REAP) escrow account at the same property at the time of referral. Provision of REAP services includes UMP-type utility shut-off prevention payments from the escrow account.

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Residential Rehabilitation of Obsolete Public Housing	Complete revitalization of Harbor View and Jordan downs  77 above moderate-income, 200 moderate-income, 25 low-income, and 103 very low-income units in the Harbor View Development  280 extremely low income, 280 very low income, and 140 low income 1-for-1 replacement Public Housing units, 700 workforce housing units and market rate homeownership, 700 market rate rental units in the Jordan Downs Development	2006-2014	In 2011 HACLA made significant progress in obtaining entitlements for the proposed Jordan Downs redevelopment project. The Final Environment Impact report was released, and the first public hearing was held.
Residential Hotel and Single Room Occupancy (SRO) Hotel Preservation	Acquisition and rehabilitation of SRO hotels	2008-2014	CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
Regulation of Conversion and Demolition of Residential Hotels	Preserve 15,000 residential units in 315 hotels or convert to affordable units	2008-2014	In 2011, the Rent Division has processed 2 exemption applications, approving exemptions for 2 hotels. RHO Exemption Review process is complete.
Section 8 Moderate Rehabilitation Single Room Occupancy	Maintain Section 8 rental assistance for existing 1,300 participating SRO units	2006-2014	HACLA has a total of 1,107 allocated units.
Mobile Home Park Preservation	Assist 100 mobile park tenants 250 market-rate mobile home park pads in residential areas preserved	Council motion to amend relocation assistance ordinance - 2008 Adopt revised ordinance - 2009	No activity in 2011.
Preservation of Affordable Housing	Preserve affordability in up to 15,850 expiring units	2006-2014	A total of \$2 million dollars was set aside for gap financing for properties that applied to the Affordable Housing Trust Fund (AHTF) 2011 Round 2 Notice of Funding Availability (NOFA). Through the competitive process, the Los Angeles Housing Department (LAHD) funded one at-risk preservation deal - L.A. Pro II. The L.A. Pro II is a Department of Housing and Urban Development (HUD) at-risk, scattered site property consisting of a total of 123 units in South Los Angeles. The project involves the demolishing of one site and replacing that site with new construction. Additionally, the other three sites will be rehabilitated, thus preserving the HUD Project-based Section 8 through a long-term contract and new rental use agreement of 55 years.
Preservation of the Rental Housing Stock - Condominium Conversions	Propose Zoning Code amendment	2009	Program continued to be on hold, pending budget and staff resources.

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Condominium Conversions	Complete Study Draft ordinance	Complete study - 2009 Ordinance to City Planning Commission - 2010 Ordinance to City Council - 2010	Program continued to be on hold, pending budget and staff resources.
Demolitions - Preservation of Community Character	Complete Study Draft ordinance	Complete study - 2009 Ordinance to City Planning Commission - 2010 Ordinance to City Council - 2010	Program continued to be on hold, pending budget and staff resources.
Preservation of Rent-Stabilized Housing Units	Preserve 633,000 RSO units	2006-2014	In 2011, 262 rent adjustment applications were processed and over \$14 million in property improvements were approved.
RSO Enforcement	Refer 60 cases to the city Attorney annually	2006-2014	In 2011, 4,808 cases were investigated and 38 cases were sent to the City Attorney's Office (CAO). The remainders were resolved in-house. Goal is to reduce the number of cases referred to the City Attorney by resolving complaint issues in-house. Outreach on tenant & landlord rights has been expanded.  The CAO reports that 3 of the cases they received were filed and 41 City Attorney Office hearings (CAOH) conducted in 2011. During the same period, the City Attorney closed 26 cases due to voluntary compliance pre and post-CAOH.
Preservation through Transfer of Ownership	Rehabilitate 20 substandard housing units per year	2006-2014	CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
Mortgage Revenue Bond Financing for Rehabilitation of At-Risk Rental Housing	Rehabilitate 524 low-income units annually	2006-2014	No Bond-only (Rehab of At-Risk) units were developed in 2011. The bond market was beginning to recuperate from prior year's market instability.
Affordable Housing Trust Fund (AHTF) - At-Risk Rental Housing Rehabilitation	Rehabilitate 113 low-income units annually	2006-2014	In 2011, one preservation project was awarded funding through the AHTF. The LA Pro II development included the preservation of 80 at-risk, affordable units.
Public Housing Annual Inspections	All public housing units inspected annually All Section 8 units inspected annually	2006-2014	HACLA will continue to conduct annual inspections of all units under the Public Housing and Section 8 programs.
Lead-Safe Housing: Privately-owned Housing Units	Complete lead abatement in 90 extremely low income units Complete lead abatement in 135 very low income units Complete lead abatement in 225 low income units	2006-2011	Completed lead abatement in housing units: Extremely low-income - 59 Very low-income - 46 Low-income - 30
Lead-Safe Housing: HACLA Housing Units	Abate lead-based paint hazards in 35 units annually	2008-2014	HACLA abated or stabilized lead-based paints in 6 units in 2011 due to fire damage.

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At-Risk Affordable Housing Tenant Outreach and Education	Involve up to 8,000 residents of identified at-risk units in preservation efforts	2006-2014	The LAHD conducted outreach and education to a total of 2,796 families living in 47 properties. These efforts resulted in renewals of rental subsidies, and physical condition inspections of at-risk buildings, as well as compelling the owners to make necessary repairs, smoothing the conversions from Project-based to Tenant-based subsidies and preventing any illegal evictions or rent increases of large foreclosed multifamily properties.
Preserve Affordability Covenants of At-Risk Units	Monitor all 15, 850 units with expiring covenants Extend and preserve affordability of up to 2,000 at-risk units	2006-2014	The LAHD continued to use third-year MacArthur Foundation grant funds to enhance its Affordable Housing Preservation Program (AHPP). A critical component of monitoring activity is the quality of data and the development and deployment of tools that capture, archive and process data. The AHPP has been working with LAHD Systems staff to develop and test an online, dynamic data module of the in-house Housing Information Management System (HIMS). In CY2011, AHPP and Systems staff developed the business requirements for the module; laid the groundwork for testing and deployment in 2012.
Mortgage Revenue Bond Financing -- Rehabilitation of Affordable Rental Housing	Rehabilitate 540 very low-income units	2006-2014	No Bond-only (Rehab) units for 2011. The bond market was beginning to recuperate from prior year's market instability.
Urgent Repair Program	Prevent the vacation of 4,509 market-rate apartment buildings due to life-safety Housing Code and the California Health and Safety Code violations	2006-2014	During 2011, LAHD's Urgent Repair Program ensured the timely repair of hazardous Code violations for 457 cases.
Nuisance Abatement in Vacant Residential Buildings	Respond to 3,500 nuisance complaints" and "resolve 2,500 nuisance issues.  Please note that this information has been changed since 2010, due to a technical error.	2006-2014	LADBS opened 16,528 customer service requests (CSRs) in 2011 and successfully resolved 16,341 cases. 102 cases were turned into the Office of the City Attorney (OCA) for criminal filings.
Citywide Nuisance Abatement Program	1,200 chronic problem properties and nuisance issues resolved annually	2006-2014	OCA activity: In 2011, CNAP opened cases on 638 properties. Of these, 506 cases were Medical Marijuana Dispensaries. During the same period, the City Attorney closed 784 cases (many from prior reporting years.)  During the same year, TOUGH reviewed approximately 393 properties. Of these, 14 lawsuits were filed, 15 case conferences conducted and 12 evictions enforced.
Rent Escrow Account Program (REAP)	5,820 cases	2006-2014	Number of new cases accepted: 619 Total number of open cases at the end of 2011 - 1470

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Housing Enforcement (Inter-Agency Slum Housing Task Force)	500 properties subjected to Task Force review and/or prosecution annually	2006-2014	OCA activity: In 2011, the City Attorney's Housing Enforcement Section received and reviewed 531 cases submitted by the participating Task Force agencies. *In addition, the City Attorney personnel conducted 99 Pre-Filing Case Management Conferences (PFCMC) with property owners.  During the same period, Housing Enforcement filed 162 cases, charging over 1,055 code violations. A total of 233 cases were returned to agencies for supplemental investigation and 67 cases were returned due to pre-filing compliance. *This effort resulted with 1,256 rental units brought into compliance often via post-conviction court hearings.
New Ownership of Substandard Housing	Adopt a receivership program Place 25 properties into receivership annually	2006-2014	CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
American Dream Program	Place 25 properties into American Dream Program annually	2006-2014	CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
Expedited Residential Recovery	In the event of a natural disaster, issue entitlement approvals within 4 weeks of application for reconstruction	2006-2014	There were no natural disasters in 2011, therefore there was no activity in 2011.
Emergency Allocation of Residential Reconstruction Funds	In the event of a natural disaster, issue loans and grants within 4 weeks of application for reconstruction funds	2006-2014	LAHD was awarded \$3.5 Million by the State of California, Department of Housing and Community Development (HCD), Disaster Recovery Initiative (DRI) grant funds for disaster victims of the 2008 Sayre Wildfire in Sylmar. The program will offer eligible homebuyers purchase assistance in the form of a deferred loan for downpayment, closing costs and acquisition financing to purchase a mobile, manufactured or single-family home.

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Resources for Preservation of Affordable Housing	Preserve affordability in up to 15,850 expiring units Expand resources for program administration Expand resources for the preservation of affordable housing	2006-2014	<p>HACLA accepted the invitation to administer 91 Enhanced Vouchers in 2011.</p> <p>LAHD continued to use third-year MacArthur Foundation grant funds to enhance its Affordable Housing Preservation Program (AHPP) to better coordinate its efforts with other City departments and target its resources to preserving affordable rental housing by channeling resources to continue its outreach, technical assistance and training initiative. A Project Assistant and a Student Professional Worker were dedicated to support the day-to-day operation of the AHPP. The LAHD was successful in obtaining a no-cost extension of the grant term through the end of CY 2012.</p> <p>The LAHD held its first City of Los Angeles Affordable Housing Preservation Summit. The Summit was attended by more than 130 participants, representing owners and management companies of at-risk expiring affordable housing, policy makers, tenant advocates, preservation purchasers, housing developers, and federal and local housing officials. The Summit offered in-depth presentations and discussions to initiate an intimate, practical discussion on the preservation of affordable housing in the City.</p>
Advocate for Affordability Preservation Funds	Support State and Federal Bills that provide funds for preserving affordable housing in each legislative session	2008-2014	<p>The Los Angeles Housing Department (LAHD) tracked and supported federal and state legislation that will increase resources and regulatory modifications for the preservation of federally-assisted affordable housing at risk of conversion to market-rate. The LAHD tracked and supported the following legislation/laws:</p> <ul style="list-style-type: none"> <li>• Transportation, Housing, and Urban Development (T-HUD) FY11 and FY12 Appropriations</li> <li>• National Housing Trust Fund (NHTF)</li> <li>• Rental Assistance Demonstration (RAD)</li> <li>• Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act</li> </ul> <p>CLA activity: See response under Program 1.1.5.B "Advocate for State and Federal Housing Funds" on page 11.</p>
Tenant and Tenant-Approved Nonprofit Buyouts of At-Risk Buildings page 6-34	Create an effective strategy to assist in tenant and tenant-approved nonprofit buyouts of affordable housing projects where at-risk units would remain affordable under tenant or nonprofit control Identify the possible funding sources, including a recommended set aside of funding resources appropriate per year	Complete study - 2009 Develop ordinance - 2010	Study initiated in 2008, resulting in the City Council instructing the City Attorney's Office and Department of City Planning to further review programs such as the District of Columbia's Tenant Opportunity to Purchase Act (TOPA) and provide legal analysis (including a review of the Ellis Act) relative the development of a similar law/program in Los Angeles.

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Los Angeles Inter-Agency Preservation Working Group	Citywide and subregional efforts to create strategies for preserving at-risk housing Regular reports on strategies identified	2008-2014	The Los Angeles Housing Department (LAHD) participated in convening five meetings of the Los Angeles Preservation Working Group (LAPWG). The LAPWG is comprised of LAHD, Housing Authority of the City of Los Angeles (HACLA), Department of Housing and Urban Development (HUD) staff, affordable housing developers, advocates, and legal services organizations. The five meetings served to strategize around preservation of the City's affordable housing stock by sharing information, tracking expiring inventory, and developing creative preservation strategies and transactions. The LAPWG was instrumental in the planning of the LAHD's First Annual City of Los Angeles Affordable Housing Preservation Summit in 2011.
New Generation Fund - Preservation of At-Risk Housing	Support preservation of 640 low-income units	2008-2014	No predevelopment or acquisition loans were executed for at-risk projects in 2011.
Rent Stabilization Ordinance (RSO)	Maintain registration of 633,000 units annually. Protect tenants from unreasonable rent increases while providing landlords with a just and reasonable return	2006-2014	In 2011, 349 Landlord Declarations of Intent to Evict were processed and 328 tenant evictions were provided approximately \$3.2 million in relocation assistance through the LAHD contractor.
Housing Choice Voucher Program	Maintain 37,000 Section 8 vouchers for very low-income households	2006-2014	HACLA has a total of 41,228 vouchers for very low-income households. This includes HUD-VASH for homeless veterans, of which 200 new vouchers were awarded to HACLA in 2011.
Section 8 Vouchers for Disabled and Elderly Households	Continue to provide 518 vouchers	2006-2014	HACLA has a total of 375 units allocated specifically for the disabled.
Real Estate Owned (REO) Acquisition	50 REO properties purchased by low-income households 50 REO properties purchased by moderate-income households	2006-2014	This program was combined with the NSP - Foreclosed Properties program described below.
Neighborhood Stabilization Program--Foreclosed Properties	1,000 moderate income units (120% of AMI) or below acquired, rehabilitated, and resold/rented 25 percent of all funding for very low income units (50% of AMI) and below	2009-2014	Acquired and committed to develop: 530 units Rehabbed: 74 units
Mortgage Revenue Bond Financing -- Affordable Units in Market Rate Housing	Rehabilitate 90 units for very low-income households	2006-2014	No Mortgage Revenue Bonds were issued for Market Rate Housing units in 2011. The bond market was beginning to recuperate from prior years market instability.

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Historic Preservation	25 units per year in historic structures for moderate income households Accessible unit(s) in every project	2006-2014	Pre-development: Rehabilitation of the historic Dunbar Hotel, including CRA/LA and LAHD properties, totaling 83 units.  Under construction: Construction continuing for rehabilitation of the historic Boyle Hotel in the Eastside/Adelante Redevelopment Project Area, including reconfiguration of 32 hotel rooms into 31 affordable units and new construction of an addition of 20 affordable units on an adjacent parcel.  Rehabilitation of the 28th Street YMCA (designed by Paul Williams) into affordable housing began in 2011. The project provides 48 units of studio-style affordable housing.
Incentives for Affordable Housing in Historic Preservation Overlay Zones	Rehabilitation of 10 homes occupied by low-income households in HPOZs annually	Establish interdepartmental working group to identify potential incentives - 2010 Report to Council on incentives - 2011 Incentives established and posted - 2012	On hold pending budget and staff resources.
Mills Act Implementation	25 homes annually	2006-2014	A total of 38 Mills Act contracts were processed in 2011. Two were multi-family residential properties including Lincoln Place Apartments - a significant Garden City Movement property located in the Venice community. A total of 35 properties were single-family residences. One property was a commercial office building in downtown.
Rent Stabilization Training Program	Complete development of training materials Distribute information	Report to Council - 2009 Adopt new measure - 2010	In 2011, LAHD coordinated and provided 24 Property Management Training Program (PMT) sessions annually for approximately 720 landlords and managers who failed to comply with the Department's Orders to repair health and safety Code violations.
Property Management Training Program	Training completed for 3,413 management entities	2006-2014	During 2011, LAHD referred 1,575 property owners who failed to comply with the Department's orders to repair Health and Safety Code violations to attend the Property Management Training Program to receive instruction pertaining to property management and maintenance, as well as related rental topics.
Coastal Zone Monitoring	Annual reports on the status of the affordable housing stock in the Coastal Zone Monitor and enforce compliance with affordability covenants	2006-2014	5 new covenants for affordable units in the Coastal Zone were executed in 2011, resulting in 8 new affordable units.

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Affordable Housing Monitoring	Annual reports on the status of the affordable housing inventory Monitor and enforce compliance with affordability covenants	2006-2014	Incorporation of affordability covenant information into ZIMAS on-hold pending budget and staff resources.  HACLA continues to participate in providing information on the affordable housing inventory.  CRA/LA prepared annual reports to State HCD.  LAHD monitored over 23,000 restricted units.
Citywide Housing Production System	Create new inter-departmental system Generate reports	2008-2014	The program objectives were met in calendar year 2010. The system continues to collect data and generate reports.
RSO Monitoring	Annual report on the status of RSO properties	2006-2014	Registration of approximately 638,000 RSO units is required annually. RSO Determinations Unit reviews exemptions & records findings. Demolitions of RSO units are tracked through required filings of Landlord Declarations of Intent to Evict for Demolition and Permanent Removal from the Rental Housing Market. In 2011, 45 removal applications were processed.
Inventory Update	Annual report on development of sites included in the Inventory of Sites	2006-2014	An annual report on the development of sites in the Site Inventory was not published due to budget constraints.
Monitor Housing Production Goals	Periodic report on the City's housing production and preservation goals and accomplishments	2006-2014	DCP efforts to better monitor housing production goals are on hold pending budget and staff resources.  HACLA participated in meetings and provided information for the CHPS (Citywide Housing Production System).  LAHSA on a yearly basis updates the Housing and Services Inventory that gets submitted to HUD. This report is vetted with the 10 Homeless Coalitions and Planning Bodies throughout the County of Los Angeles, as well as with LAHSA Programs and HMIS staff. For 2011, the HMIS bed coverage rate approached 60%, and LAHSA HMIS is on track to reach 85% overall bed coverage by June 2013.  CRA/LA activity in 2011 was unable to be ascertained due to the statewide dissolution of Redevelopment Agencies.
Annual Report on the City's Housing Stock	Quarterly and annual reports on residential building activity Periodic report on changes in the rental housing stock	2006-2014	Quarterly and annual reports for 2011 not posted due to budgetary and resource constraints.

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Monitor the Affordable Housing Incentives Program	Periodic report on affordable housing units produced as a result of land use incentives	Create multi-department systems working group - 2009 Draft of new tracking system - 2010 Final tracking system developed; pilot tracking - 2011 Track affordable housing; post results quarterly - 2011-2014	LAHD developed a HIMS Module to track compliance of land use covenants. A monthly report was created to record the number of applications received and covenants recorded as well as the status of each application received. Lastly, a year-end report was developed to reflect the total covenants recorded by affordability, the number of affordable units, type of covenant and the purpose of the covenant.  44 density bonus covenants, representing 146 affordable units were recorded in 2011.
Advocacy for State and Federal Data Production	Support State and Federal bills that provide for the production and collection of data that supports the City's planning needs	2006-2014	No activity by CLA.
Collaboration on Data Production and Collection	Additional data from Federal, State, regional and County agencies Homeless Count with City of Los Angeles data	2006-2014	LAHSA: As of the 2011 Homeless Count, the City of LA was found to have 23,539 homeless individuals and family members, and youth. Crucial to the cause of data collection is the number of municipalities that "opt-in" to conduct their counts and achieve a higher coverage rate of census tracts. The 2011 Count included 35 opt-in areas, and LAHSA is well on track to double that number for the 2013 Homeless Count.
Census 2010	Census forms and methodologies that better reflect the City's needs	2006-2010	No activity in 2011, as the 2010 Census was completed.
Housing Needs Assessment by Community Plan Area	Adopt revisions of Community Plans that include the designation of appropriate locations and densities of housing Adopt implementation measures to assure that such sites are designated and zoned appropriately Develop different scenarios for each community to reach fair share goals in the Community Plans where updates will not be completed by 2014 and conduct public participation process to discuss and select the preferred scenario	2006-2014	Six Community Plans were in development, including consideration of housing opportunities at planned or potential station areas.
Database for Evaluating Housing Needs	Database of current socioeconomic and demographic data Periodic reports of socioeconomic and demographic data	2006-2014	DGP maintained database and produced reports on specialized issues upon request.

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Adjust Production and Preservation Goals on a Periodic Basis	Periodic adjustment of housing production and preservation goals and program priorities	2006-2014	Revisions to the 2011 AHTF NOFA included an increase in the subsidy boost for projects with New Generation Fund or Supportive Housing Loan Fund awards. Also, a cap was imposed on the number of commitments that can be awarded to any one applicant, in addition to a limit on the number of awards to projects serving seniors. Another revision to the adopted NOFA included the assessment criteria for evaluating the true and immediate risk of preservation/at-risk projects.
Density Bonus	Adopt amendments to the Zoning Code to reflect current State density bonus law Adopt amendments to the Affordable Housing Incentives Program Guidelines to facilitate implementation of the most recent density bonus requirements 45 very low income units annually 129 low income units annually 118 moderate income units annually	2006-2014	In 2011, a total of 17 "market-based" Density Bonus received affordable housing covenants, to produce 75 affordable units (29 VL, 31 L, and 15 Mod) and 478 total units. A total of 11 subsidized projects received a density bonus, resulting in 709 affordable units (211 VL, 416 L) and 817 total units.
Downtown Affordable Housing Bonus	Adopt amendments to the Zoning Code to implement incentives in Downtown 40 moderate, 30 low, and 30 very low income affordable units annually	Adopt ordinance - 2007 Post on web site and disseminate to developers - 2008-2014 Individual developer consultations - 2008-2014	In 2011, one subsidized rental project downtown received a density bonus through the Greater Downtown Housing Incentives Ordinance, creating 107 affordable units (57 VL, 50 L) in a 108 unit development.  DCP continued to provide one-on-one consultations with residential developers interested in the incentive program.
Affordable Housing in the Coastal Zone (Mello Act Implementation)	Adopt amendments to the Zoning Code to implement inclusionary and replacement housing requirements in the Coastal Zone Adopt amendments to the Affordable Housing Incentives Program Guidelines to facilitate implementation of affordable housing requirements in the Coastal Zone 45 very low income units 30 low income units 50 moderate income units	2006-2014	No amendments to the Zoning Code or the Affordable Housing Incentives Program Guidelines in 2010.

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Expedite Affordable Housing Projects	Adopt amendments to the Affordable Housing Incentives Program Guidelines to facilitate implementation of expedited processes for affordable housing development Prioritize affordable housing projects to expedite processing of permits and any related entitlements Reduce building permit processing time by up to 3 months Reduce entitlement processing time by up to 3 months	2010-2014	LADBS began a new expediting process called Parallel Design Permitting Process (PDPP) in 2010. It allows for project design and permitting process (including zoning pre-check) to run concurrently, thereby saving significant time and resources. LADBS allows all affordable housing projects to take part in the program.  DCP activity on hold pending budget and staff resources.
Community Plan Affordable Housing Targets	Break down the citywide RHNA housing goals plus other unmet housing needs (fair share goals) among the 35 community plans by affordability level and units	2008-2014	6 Community Plans in development (one was put on hold in 2011), including policies and objectives addressing affordable housing needs.
Neighborhood Level Affordable Housing Programs	Central City West: 670 low-income units Playa Vista: 190 moderate-income for-sale and 100 low-income rental units in Phase 1, and 125 moderate-income for-sale and 83 low-income rental units in Phase 2 Warner Center: 1200-1300 workforce housing units (200 per year for the next 6 years) by 2014	2006-2014	The neighborhood-level affordable housing programs in Central City West and Warner Center have been discontinued with the 2009 Palmer vs. Los Angeles decision, which ruled these "inclusionary"-type programs are in violation of the State's Costa-Hawkins legislation.  In 2011, 74 condos and 4 model homes/offices were built in Playa Vista.
Redevelopment Project Area Housing Programs	Adopt inclusionary affordable housing requirements within each redevelopment project area's Five Year Plan in conformance with the Community Redevelopment Law	2006-2014	Affordable housing requirements have been removed with the dissolution of the Redevelopment Agencies by the State.
Redevelopment Project Area Workforce Income Housing Programs	Adopt Workforce Income Housing Program Guidelines	2008-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.

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Preservation Barriers Assessment	Identify development standards that pose compliance difficulties for preservation projects Adopt amendments to the Zoning Code to alleviate challenges	2006-2014	On hold pending budget and staff resources.
Streamlined Review Process for Redevelopment Project Areas	Reduce entitlement processing time for residential development by at least 3 months	2006-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.
Improvements to Entitlement Processing	Complete fee study of entitlement processing costs Amend the Zoning Code to implement full cost recovery Reduce entitlement processing time for residential development by at least 3 months Reduce the number of City departments involved in approving and signing-off for building permit issuance	Issue request for proposal for consultant - 2008 Fee study completed and approved by Council - 2009 Ordinance adopted with new fees - 2010 Streamlined procedures designed by interdepartmental working group - 2008-2009 System for condition clearance designed, tested, implemented - 2009-2014	The Development Services Center was launched in 2011. Applications for all discretionary land use approvals are now accepted at both of the Center's offices. Center staff also clear conditions related to applications for building permits, providing an extra level of service. DCP staff now sits side-by-side with their colleagues at LADBS, LADWP and BoE. Trained to "cut the red tape and roll out the red carpet," DSCM staff are adept at advising applicants on the intricacies of the City's planning and permitting processes, thereby improving the entitlement process for applicants.  In February, the "one project, one planner" model of case processing went into effect. One planner now manages the review and analysis of all cases connected to a single project, including the environmental assessment (with the exception of EIRs). The new model significantly improves the quality of project planning and enhances service to the public.  In February, a consolidated and centralized Major Projects Section was also established within DCP. The Major Projects Section conducts comprehensive review of some of the City's most complex and regionally significant projects and enables the Department to conduct a more thorough and focused analysis of projects that have the potential to generate the most significant effects on the City's infrastructure, local economy and environment.
Development and Design Standards	Reduce need for entitlements for residential development projects Include development and design standards in 16 Community Plans	2008-2014	Development and design standards are being incorporated into the 6 new Community Plans being developed in 2011. The Plans will facilitate improved design of new and renovated structures and public spaces, as well as provide the specific, neighborhood-level detail, relevant policies, and implementation strategies necessary to achieve the General Plan objectives. The Hollywood Community Plan is set for adoption in 2012, and the other 5 are aiming for 2013.

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Zoning Code Reform	Adopt Zoning Code amendments to streamline the review and approval process Adopt various packages of grouped code amendments	2008-2010	In 2011, DCP began embarking on a five-year year work program to completely rewrite and simplify the City's Zoning Code. The central purpose of comprehensively revising the City's antiquated zoning code is to enable and facilitate better implementation of the City's General Plan. Completion of this project will result in simplified, more accessible land use regulations, understandable to both neighborhood stakeholders and developers.
Amend the Zoning Code to Facilitate Non-Conventional Housing	Adopt amendments to the Zoning Code to accommodate innovative multifamily types	2008-2014	Ordinance in development to allow by-right licensed community care facilities for multiple residents citywide.
Update the Los Angeles Building Code	Adopt the CBC	2006-2008	The new building code was updated in 2011 to incorporate provisions of the 2009 International Building Code the 2010 California Building Code. The Green Building Code was added to the Code at the end of 2010.
Complete Community Plan EIRs	Minimal environmental review (i.e., Negative Declaration) required for residential development projects	2008-2014	6 Community Plans and corresponding Program EIRs in development. The Program EIRs are designed to provide a basis for preparation of future environmental documents. Lead agencies for individual projects may use this EIR as the basis of their cumulative impacts analysis and may also use the information contained within the EIR in order to "tier" subsequent environmental documentation of projects within the Community Plan Area (CPA).
Modifications to Small Lot Subdivision Process	Identify development standards, code requirements, and procedures that pose compliance difficulties for small lot subdivisions Adopt amendments to the Zoning Code to alleviate challenges	2006-2014	Outreach to developers and architects on improvements to the program's policies and procedures began in 2011 and is planned to result in modifications in 2012.
Modifications to Second Unit ("Granny Flat") Process	Identify development standards and code requirements that pose compliance difficulties to Second Unit Process Adopt amendments to the Zoning Code to alleviate challenges	2008-2014	ZA Memo #120 (2010) provides guidance on implementing State provisions governing the development of second units on residential lots. Zoning Code amendment is not needed because City is not pursuing additional standards or provisions at this time.
Streamline Affordable Housing Covenant Process	Reduce time needed to prepare affordable housing covenants Reduce time needed to obtain clearance from LAHD for building permits Annual report on covenant production and processing time	2006-2014	A guide for preparing affordable housing covenants was produced in October 2011 and put on the Housing Department's website. Guidelines for the Department's handling of covenants were updated on December 2010.  A Land Use database is used to track the progress of covenant preparation. The Los Angeles Housing Department (LAHD) is part of the "Build LA" working group [led by the Department of Building and Safety (DBS) and the Department of City Planning (DCP)], which aims to streamline the permit application processing.

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Inter-Agency and Inter-jurisdictional Coordination	Leverage 7:1 (instead of current 4:1) in additional County, regional, State and Federal funds to local funds for residential development	2006-2014	<p>The leverage ratio for 2011 AHTF projects was 3.85:1 and 6.22:1 for permanent supportive housing projects.</p> <p>HACLA coordinated the Permanent Supportive Housing NOFA with LAHD and Los Angeles County in 2011.</p> <p>LAHSA, as the Continuum of Care lead, submits on an annual basis the SuperNOFA application for federal funds. This year the LA CoC's Coordinating Council partnered with CoC Housing Authorities in developing the Request for Proposal (RFP) to ensure the new project selection process was as coordinated and uniform as possible as well as guarantee continued funding for quality permanent supportive housing projects in the coming years.</p>
Crime Prevention through Environmental Design (CPTED)	40 residential projects given technical assistance and recommendations annually	2008-2014	<p>DCP provided one-on-one developer consultations and referred applicants of proposed developments to LAPD for assistance.</p> <p>The LAPD's Crime Prevention Unit continues to consult with private developers to incorporate CPTED techniques into projects. The CPTED techniques are also incorporated into HACLA public housing sites.</p>
Neighborhood Watch	Technical support and assistance to 20 new Neighborhood Watch programs annually	2008-2014	Data not available.
Safer City Initiative	10% reduction in criminal activity on Skid Row annually 400 homeless persons directed to housing and service programs annually	2007-2014	Operation Healthy Street was launched in 2011 to clean Skid Row streets and provide a cleaner and safer environment. Five miles of street and sidewalks were cleaned. Personal locker system increased by 500 units for a total of 1136 lockers for the homeless. A new bathroom, shower and laundry facility were made available. The City also opened an abandoned item 90-day storage program for items left in Skid Row so the homeless could claim them.
Health-based Buffer Zones for Residential Neighborhoods	Establish appropriate buffers in 12 Community Plans Make modifications to the Zoning Code and project-based mitigation measures as necessary	2008-2014	On a case-by-case basis, DCP has required Health Risk Assessments (HRAs) on projects to gauge health risks from polluting sites and determine appropriate mitigation.
Reducing Construction-Related Pollution	Revised construction-related pollution guidelines Changes to Zoning Code, Building Code and project-based mitigation measures as necessary	2008-2014	Construction related pollution regulations were enacted as part of the City's adoption of the Green Building Code in December 2010.

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Increase Access to Parks, Recreation Areas and Green Spaces	Increased accessibility to parks and open spaces designated in 16 Community Plan Updates	2008-2014	DCP's Urban Design Studio played leadership role in developing "Streets 4 People", a pilot program to create small parks, bicycle facilities, or pedestrian amenities using excess right-of-way. DCP also helped shape Council motion to initiate creation of "parklets", extending sidewalks for public seating, gardens, bike parking and other amenities  6 Community Plans in development, including consideration of guidelines to facilitate access to parks and open spaces.
Zoning and Neighborhood Implementation Tools for Mixed Use Development	1,000 housing units in mixed use development Identify targets in all Community Plans Adopt ordinances if appropriate	2008-2014	6 Community Plans in development, 5 of which are likely to include a new tool called a Community Plan Implementation Overlay (CPIO), which was created in 2010. CPIOs can be used to promote mixed-use nodes and boulevards, requiring a mix of uses or ground-floor commercial in appropriate areas, along with development and design standards.  One case was filed for zone changes to Residential Accessory Services (RAS) zone - a proposed 15-unit project.
Healthy Neighborhoods	Adopt Healthy Neighborhood Policy with guidelines for sustainable practices and implement policy 30 units for extremely low income (30% AMI) annually 90 units for very low income (50% AMI) annually 130 units for above-moderate income (up to 200% AMI) annually	2009-2014	CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.
Childcare Facilities	5 childcare facilities and 375 slots in residential projects 6 childcare facilities and 450 slots in commercial development and/or near transit	2008-2014	DCP tracking of the development of childcare facilities on hold pending budget and staff resources.  CRA/LA status update unable to be received due to dissolution of Redevelopment Agencies.
Million Trees LA – Public Property and Rights-of-Way	300,000 trees planted on public property and public rights-of-way	2006-2014	Since the program launch in September of 2006, Million Trees LA (MTLA) has planted over 330,000 trees increasing the overall new tree planting rate by as much as 6 fold. Prior to the MTLA program, the City, non-profits and new developments was planting approximately 10,000 annually (based on City's Urban Forestry Division information).
Walkability Checklist	Integrate Walkability Checklist into the project review process	2006-2014	Guided by DCP's Urban Design Studio, the Citywide Planning Commission adopted the Walkability Checklist in the summer of 2007 and directed that it be applied to all projects seeking discretionary approval, primarily Site Plan Review and Zone Change.
Urban Design Studio	Establish Urban Design Studio as a division within the DCP Maintain Urban Design Studio with an annual operating budget Increase staff to run Urban Design Studio	2006-2014	Urban Design Studio maintained in 2011 but with reduced staff due to budget constraints. Completed projects include: the Walkability Checklist, Downtown New Street Standards, Downtown Design Guide, Central City Community Plan: Urban Design Chapter, 21st Century City Plan, Urban Design Principles, Placemaking Academy, etc.

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Stormwater Collection and Mitigation	Adopt on-site stormwater design guidelines Integrate on-site stormwater design guidelines into project review process	2008-2014	Low-Impact Development (LID) Ordinance was adopted by City Council in 2011 and will begin to be implemented in May 2012. The LID Ordinance aims to promote and facilitate on-site adherence to the Standard Urban Stormwater Mitigation Plan in order to capture, treat and infiltrate stormwater and urban runoff, as well as promote best management practices such as bioswales and permeable pavement.
Green Streets	Adopt stormwater design guidelines for public rights-of-way Integrate stormwater design guidelines into project review process regarding needed off-site improvements	2008-2014	Stormwater design guidelines and Green Street Standard Plans adopted in 2010. Their aim is to provide construction details for green street elements. The Guidelines are being integrated into project review regarding best stormwater anagement practices.
Landscape Design	Integrate Landscape Ordinance into project review process	2008-2014	Landscape Ordinance continued to be part of project review throughout 2011. DCP prepared a Technical Bulletin for DCP staff regarding implementation of the Ordinance.
Reduced Requirements for Housing near Transit	Adopt revised traffic impact study policies Reduce traffic mitigation requirements for housing near transit	2006-2014	In 2011, the City updated the Traffic Study Guidelines. The new guidelines continue to allow projects near transit to reduce their overall assumed vehicle trip generation. This helps some projects reduce their overall traffic impacts. Also, the new guidelines listed possible mitigation measures aimed at further reducing vehicle trips for residential projects that would result in significant impacts.

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<p>Transit Oriented District Studies</p>	<p>Complete 10 transit oriented district studies Incorporate study recommendations into the Community Plans</p>	<p>Complete TOD plan for La Cienega/Jefferson TOD - 2007 Council authorization to fund 9 TOD plans - 2007 Contracts approved for consultant teams - 2008 Complete 9 TOD plans, adopt ordinances - 2009-2010</p>	<p>DCP released the Draft Plan and EIR for the new Warner Center Regional Core Comprehensive Plan, reinventing Warner Center as a Transit-Oriented District. Released Draft EIR and held public workshops for the Cornfield-Arroyo Seco Specific Plan (CASP), which contains two light-rail stops.</p> <p>Intensive planning efforts for the neighborhoods surrounding transit stations along the Blue and Green lines in South and Southeast Los Angeles continued in 2011 through a grant program funded by CDC/ARRA and the LA County Public Health Dept. The recommendations will be incorporated into the Community Plans being done for each area. DCP also completed a TOD Plan and Market Study for the Exposition Line station areas in South and Southeast Los Angeles. The recommendations will be incorporated into the Community Plans being done for each area.</p> <p>DCP Successfully applied for \$3.105 million in grant funds from Metro for 10 TOD plans along the Exposition and Crenshaw light rail corridors.</p> <p>The Jordan Downs Master Plan was adopted in 2011, which includes the plan for revitalizing a large public housing complex near a transit station in Southeast Los Angeles.</p> <p>A Framework of Sustainable Transit Communities was completed by Reconnecting America for the Mayor's office in 2011. The study identifies the qualities that ideally would be present in every Sustainable Transit Community (STC).</p>
<p>Innovative Parking Strategies</p>	<p>Complete studies of parking alternatives including maximum and shared parking feasibility study Incorporate parking study recommendations into Community Plans and the Zoning Code where appropriate</p>	<p>2008-2014</p>	<p>The Modified Parking Requirements (MPR) Ordinance passed the City Planning Commission in 2011. The MPR creates seven optional parking requirement modification tools that can be used in different areas of the City. The Ordinance would allow: 1) change of use parking standards, 2) use of a new Parking Reduction Permit, 3) off-site parking with 1500 feet, 4) decreased parking standards, 5) increased parking standards, 6) commercial parking credits, 7) maximum parking limits.</p> <p>On May 12, 2011, the Los Angeles City Planning Commission, hosted a Workshop on Los Angeles' Parking History, Context, and Examples. The Workshop informed the discussion of the proposed Modified Parking Requirement ordinance.</p> <p>Received SCAG grant funds and launched TOD Parking Study to analyze parking supply and needs near key transit stations</p>
<p>Congestion Management Program Land Use Strategy</p>	<p>Report on all projects developed and all demolitions around major transit stations and transit corridors annually Certify compliance with the Los Angeles County Congestion Management Program annually</p>	<p>2008-2014</p>	<p>Congestion Management Program report and certification of compliance with the Los Angeles County Congestion Management Program was adopted by City Council on November 22, 2011.</p>

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Jobs/Housing Balance Incentives: Residential Exemptions in Transportation Specific Plans	Add fee exemption for residential units to Transportation Specific Plans that govern employment centers	2008-2014	Residential uses continues to be exempted from Traffic Impact fees or assessments in the following jobs-heavy Specific Plan areas: Central City West, Coastal Transportation Corridor, Warner Center and the West Los Angeles Transportation Improvement and Mitigation. In 2011, work progressed on the update to the Warner Center Specific Plan and the Coastal Transportation Corridor Specific Plan.
Education about Growth, Housing Need, Mixed-Use and Mixed-Income Neighborhoods	100 presentations Develop training curriculum Quarterly training workshops throughout the City of Los Angeles 100 participating neighborhood council members and community organization members annually	2008-2014	<p>HRC hosted 3 presentations in 2011, with approximately 60 stakeholders (1 neighborhood council and 2 Community Task Forces). Two of the presentations/workshops were in the South LA area, and one was in the North Valley. HRC reported a significant reduction in this area due to staff capacity and additional workload in other areas.</p> <p>HACLA continued to work with the Jordan Downs Community Advisory Committee and various Watts Stakeholders to provide updates on the redevelopment of Jordan Downs. HACLA also hired SHIELDS for Families, Inc. as their on-site human capital team for Jordan Downs. HACLA continues to be a collaborative partner with LAUSD and other Watts organizations for outreach and recruitment. HACLA also hired SHIELDS for Families, Inc. as the on-site human capital team for Jordan Downs. HACLA continues to be a collaborative partner with LAUSD and other Watts organizations for outreach and recruitment.</p> <p>DCP continues to educate the public about housing, growth, mixed-use and mixed-income communities in all of its public outreach.</p> <p>CRA/LA outreach is unknown due to the dissolution of the Redevelopment Agencies.</p>
Targeting Growth in Community Plan Areas	Identify targeted growth areas and incorporate appropriate land use designations in 16 Community Plans Identify targets in all Community Plans	2008-2014	<p>6 Community Plans in development in 2011, as well as two Specific Plans that encourage growth in areas where it is deemed appropriate (Warner Center, Cornfield-Arroyo). Growth targets are not being included, but capacity for growth is.</p> <p>Completed Proposed Hollywood Community Plan and EIR; Achieved City Planning Commission approval of Proposed Plan, which aims to direct growth to appropriate transit-accessible areas.</p>
Housing Element Relationship to Land Use Entitlement and Long-Range Planning	Report to City Planning Commission	December 2008	No activity in 2011.

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Priority Plan Check and Expedited Permitting for Green Building Projects	Reduce plan check and permit process time for any LEED-Silver residential projects	2006-2014	With the implementation of the LA Green Building Code (ie. Cal Green), projects filed on or after January 1, 2011, must satisfy LA Green Building Code, as defined in Los Angeles Municipal Code Section 99.01.101.1, Tier 1 or higher in order to obtain expedited processing. The previous LEED Silver threshold has been replaced, as that is essentially the citywide standard for most significant projects.
Entitlement Case Mangement and Expediting for Green Building Projects	Reduce entitlement processing time for 100 LEED-Silver residential projects	2008-2014	DCP's policy is to provide priority entitlement processing green projects that go beyond the new mandatory requirements (essentially LEED Silver) and meet the new Tier 1 and Tier 2 levels of sustainability in the LA Green Building Code. In 2011, no new projects appeared to qualify for this service.
Sustainable Practices: Green Team	Establish Green Team Establish and maintain Standard of Sustainability Establish and maintain Standard of Excellence Develop and implement ordinances as necessary	2008-2014	Green Building Code was adopted in 2010, effective January 1, 2011, to implement the CalGreen Code and to: sunset the Standard of Sustainability; modify the Standard of Excellence to comport to CalGreen; establish LADBS as lead agency; and direct that Green Team meetings be held as needed, as determined by LADBS. In 2011, the Green Team was effectively re-configured. A new Green Division was implemented in LADBS in 2011 responsible for checking Green Code compliance.
Reduce Impediments to Innovative Design	Improved and streamlined procedures	2008-2014	A downtown Permanent Supportive Housing project that seeks to employ 102 pre-fabricated stacked apartment units was permitted in 2011.
Financial Incentives to Conserve Water	Installation of high efficiency clothes washers in 5,000 households per year	2006-2014	Program continues with a total of 8,328 residential washers rebated per year from 2011 - 2012
Manage Water Resources	Adopt changes in procedures as needed to allow stormwater reuse Facilitate integration of stormwater capture into site plan review	2009-2014	The LADWP is following the Low Impact Development (LID) Ordinance, which was adopted by City Council in 2011, where 100% of a ¾ inch storm event of required area is captured and managed using LID Best Management Practices. The priority order of implementation are Infiltrate, Capture and Use, High Efficiency Bio-Filtration / Retention System BMP, or Combination of above. Integration of stormwater capture into site plan review is being done by standard language incorporated into Scope of Work documents. LADWP Project Managers receive technical assistance for stormwater capture implementation from the Watershed Management Group.  LADWP is also monitoring the development of various state bills pertaining to rainwater harvesting, alternate water systems and other water conservation measures as well as the development of the 2013 California Plumbing Code with Chapters 16 and 17 which addresses both graywater and rainwater reuse systems.

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Incentives to Conserve Energy	50,000 low income households obtain more energy-efficient refrigerators 2,000 household retire non-energy efficient refrigerators annually	2006-2014	LADWP reports the following for 2011: *14,324 Consumer Rebates Paid *80,190 Refrigerators exchanged since program inception: 19,912 Exchanged in 2011 *34,544 Refrigerators recycled since program inception: 3,789 recycled in 2011
Loans for Energy Conservation in Affordable Housing Development	2,900 affordable housing units with energy efficient systems	2006-2014	344 Grants issued in 2011 totaling \$1,200,000 to assist affordable housing projects gain energy efficient systems.  Qualifying criteria was changed in 2011 - New Construction projects must now exceed Title 24 requirements by a minimum of 25% for low-rise multifamily projects (three or fewer habitable stories) and 20% for high-rise multifamily projects (four or more habitable stories). A minimum of 50% (was 10%) aforementioned percentages must be related to implementing electrical energy efficiency measures.
Encourage Energy Conservation through Pricing	10,000 residential customers on the Time of Use (TOU) rate	2008-2014	The average monthly energy consumption per single family reduced from 514 kWh/month in 2008 to 477 kWh/month in 2011.  Residential customers whose monthly energy use exceeds 3,000 kWh are now required to use TOU pricing (encourages energy conservation & can help lower a customer's bill). Nearly 10,000 residential customers on the TOU rate as of end of 2011.
Green Power for a Green LA	25,000 households choosing alternative energy sources	2006-2014	The LADWP reports a total of 17,045 Green Power Customers at the end of 2011.
Million Trees LA -- Private Property	700,000 shade trees planted citywide	2006-2014	Since the program launch in September of 2006, Million Trees LA (MTLA) has planted over 330,000 trees increasing the overall new tree planting rate by as much as 6 fold.
Building Design for Energy Efficiency	Guidelines developed and updated Integrate guidelines into all project reviews	2008-2014	Guidelines regarding energy efficiency in residential buildings were integrated into project reviews through the introduction of the LA Green Building Code on January 1, 2011 (the adoption of CALGreen). In an effort to expedite the strengthening of water and energy efficiency requirements, LADWP established a Codes and Standards Program to address water and energy conservation and sustainability through direct involvement with the code setting bodies.  Guidelines continued to be made available on-line at <a href="http://www.environmentla.org">www.environmentla.org</a> .

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Building Design for Improved Air Quality	Guidelines developed and updated Integrate guidelines into all project reviews	2008-2014	Guidelines continued to be made available on-line at <a href="http://www.environmentla.org">www.environmentla.org</a> . LEED guidelines regarding indoor air quality in residential buildings were integrated into project reviews.  LADBS implements the improved air quality standards found in the new Green Building Code.
Loans for Conservation	700 loans to households for installing solar systems	2008-2014	No loans written in 2011.  Program was re-designed in 2011, when demand far exceeded \$30m budgeted. Increased to \$60m but lowered the subsidies to stretch the program further.
Incentives to Encourage Green Building Solutions in Existing Buildings	Develop green building incentives program for existing buildings	2006-2014	In 2011, LADWP developed four new green building incentives for existing buildings. The three residential incentives include cool roof, whole house fan and whole house retrofit bonus rebates; on the commercial side, LADWP added a Retrocommissioning Express rebate.
Recycle Construction Waste	Establish incentive program for source separation of construction and demolition waste Establish rebate program for construction and demolition waste taken to a City-certified waste processor Adopt ordinance to require construction and demolition waste to be taken to a City-certified waste processor	2006-2011	The Citywide Construction and Demolition (C&D) Waste Recycling Ordinance became effective January 2011. Requires that all mixed C&D waste generated within City limits be taken to City certified C&D waste processors (BOS is responsible). All haulers and contractors responsible for handling C&D waste must obtain a Private Solid Waste Hauler Permit from BOS prior to collecting, hauling and transporting C&D waste and C&D waste can only be taken to City Certified C&D Processing Facilities.
Sustainable Building Materials	Issue and maintain guidelines Integrate guidelines into project review process	2009-2014	The LADBS and LADWP implements the sustainable building materials requirements of the new Green Building Code (effective January 1, 2011). Guidelines regarding sustainable building materials were integrated into project reviews. LADBS created a "Mandatory Requirements Checklist" for additions and alterations to residential buildings to assist developers and owners in 2011.  In addition to fulfilling the (new) mandatory requirements of the City's LA Green Building Code, DCP continues to encourage developers to seek the voluntary standard of sustainable excellence and take advantage of the procedural incentives (priority processing of discretionary cases) afforded at the LEED Silver, or higher, USGBC certification rating.  Guidelines continued to be made available on-line at <a href="http://www.environmentla.org">www.environmentla.org</a> .

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Recycling Collection in Residential Development	Provide on-site recycling bins and weekly pick-up for all residential developments	2006-2014	The City of Los Angeles collects a variety of recyclables from over 750,000 households every week.  AB341 requires mandatory commercial recycling in California beginning July 1, 2012. Multi-family dwellings of 5 units or more will be required to recycle.
Information and Referral and Technical Assistance Regarding Sustainable Practices	Develop and maintain an outreach website 1,000 residential development stakeholders (architects, engineers, developers, general contractors, and others) trained in sustainable practices annually Produce Green Building Report Card annually	2009-2014	The LADWP website (LADWP.com) now includes tips pages for conservation, water efficient landscape systems and calculators for energy consumption. Information is provided for the Solar Incentive Program, Feed-In Tariff, and electric vehicles.  The LADWP website has been updated to provide information regarding the Green Building Initiatives. Information is provided regarding the transition from LEED to the new state green code (CALGreen) and the LA Green Building Code. The Cal Green Tips pages are provided for both commercial and residential constructions types with detailed information regarding, plumbing, mechanical and electrical code requirements for compliance with the building codes, green codes and the Water Efficiency Ordinance. Detailed information is provided for residential graywater collection and reuse systems now recognized by the code. Website links are provided for the green building requirements, graywater, as well as links pertaining to other Technical Assistance Programs.
Sustainable Practices Demonstration Projects	One multi-family demonstration project and five single family demonstration projects annually	2009-2014	On hold pending budget and staff resources. Dissolution of CRA/LA has likely ended this program.
Neighborhood Stabilization Program	6 residential neighborhoods served by program Adoption of new Community Plans	2008-2014	6 Community Plans in development, which include land use and urban design chapters to help protect neighborhood character. Plans also include policies to encourage and incentivize increased support and better services (such as healthy food stores and parks) in underserved areas.  CDD reports that 489 individuals residing in Pacoima or Panorama City were provided workforce services during 2011. An additional 1,270 individuals received comprehensive social services with increased income or educational outcomes.
Services in Public Housing	50 residential clients served by educational assistance programs 100 residential clients served by computer training programs 100 youth served by recreational, educational and cultural programs 1,600 residential clients served by career assistance programs	2006-2014	HACLA Resident Services Division continues to provide seamless program services to the 14 housing developments. The HACLA Work Source portal received 165 new computers and printers for the Employment Technology Centers (ETC). 30,000 repeat customers received employment, computer or educational services. HACLA successfully enrolled and placed 499 clients for the South Bay Workforce investment Board (SBWIB) Transitional Subsidized Employment Program (TSE).

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Improved Street Standards, Streetscapes and Landscaping	Adopt new street standards	2008-2014	In 2011, through the Community Plan Update process, the City developed new street standards that provide an enhanced balance between traffic flow and other important street functions including transit routes and stops, pedestrian environments, bicycle routes, building design and site access. The Community Plan Updates with the modified street standards will proceed through the City Council approval process in 2012.
Improved Quality of Bicycle and Pedestrian Paths	Adopt policies in Bicycle Plan, Transportation Element and Community Plans that promote pedestrian and bicycle transit linkages 10 bicycle route segments constructed/improved 100 pedestrian paths improved	2008-2014	The City's 2010 Bicycle Plan adopted by City Council in March 2011. In addition to the Plan, a Five-Year Implementation Strategy and Technical Handbook were adopted at that time as well. Furthermore, two quarterly reports were produced in 2011.  The City's Walkability Checklist, adopted in 2008, continued to be used for encouraging pedestrian-orientation in new discretionary projects.
Urban Design Standards	Adopt urban design standards in 16 Community Plans	Develop template for urban design chapter of Community Plans - 2008 Incorporate into plans and tailor to each community - 2008-2014	6 Community Plans are in development, which each include a Land Use and Urban Design chapter, which will help address specific design concerns for residential development.  In addition, the City Planning Commission approved the use of Citywide Design Guidelines for all projects requiring a discretionary action. Based on community feedback, the Guidelines are planned to become a mandatory part of discretionary review in 2012, not just informational guidance.
Bicycle Facilities	Establish guidelines and development standards 40 bicycle facilities developed in residential projects annually	2009-2014	On September 30, 2011, the City Council approved DCP's proposed ordinance to expand bicycle parking requirements throughout the City. The actions will expand bicycle parking requirements to cover multi-family residential developments with more than three units or more than five guest rooms; include commercial, industrial, and manufacturing uses of less than 10,000 square feet; increase the levels of bicycle parking required under the current code for commercial, institutional, and industrial projects; define acceptable locations for bicycle parking; require that both short-term and long-term bicycle parking be provided; improve design standards; amend the amount of bicycle parking that may be substituted for automobile parking, and provide rules for the installation of bicycle parking within the public right-of-way by private businesses.
Response to Development Opportunities	20 developers and property owners provided with technical assistance annually	2006-2014	CRA/LA outreach is unknown due to the dissolution of the Redevelopment Agencies.
Planning for Neighborhoods	16 updated Community Plans Implementation tools as appropriate	2008-2014	6 Community Plans in development, with one draft (Hollywood) presented to City Planning Commission in 2011. New Community Plans for West Adams-Baldwin Hills-Leimert Park, South LA, Southeast LA, San Pedro, Granada Hills and Sylmar are in an advanced phase of development and plan to be introduced in 2012. The Plans will include heightened implementation measures for urban design and land use.

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Community and Neighborhood Council Development Review	Duplicate case files provided to CNCs for proposed projects Notifications to CNCs for filed applications bi-weekly Case filing activity posted on DCP website bi-weekly Case activity maps posted on DCP website quarterly	2006-2014	DCP continued bi-weekly posting of cases filed by Neighborhood Council and Community Plan areas. DCP continued to provide duplicate copies of cases filed to CNCs.  In January, DCP introduced a new "Neighborhood Liason" position, which is meant to be the point of contact for community and neighborhood groups seeking more information about planning processes or pending plans and projects.  January also saw the beginning of DCP's new Public Participation Policy, which increased to 60 days the time the public has to review preliminary reports before the City Planning Commission (CPC) meets.
SurveyLA -- The Los Angeles Historic Resources Survey	Complete citywide survey Publish results	2006-2012	In 2011, Phase 1 of the SurveyLA field surveys continued. Survey were completed in 6 community plan areas (Central City North, San Pedro, Harbor Gateway, Wilmington -- Harbor City, Palms-Mar Vista-Del Rey, West Los Angeles) covering approximately 74,000 parcels.
Anti-Mansionization Regulations	Adopt an ordinance to regulate new single-family home construction in flatland areas Adopt an ordinance to regulate new single-family home construction in hillside areas	Adopt ordinance for flat lands - 2008 Adopt ordinance for hillsides - 2009	City Council adopted the permanent Baseline Mansionization Ordinance in February 2011. The Ordinance is intended to curb the construction of homes that are excessively large and thus out-of-scale with nearby homes in the City's various single-family residential zones.
Neighborhood Preservation -- Downzoning	Rezone appropriate areas in 16 Community Plans	2008-2014	6 Community Plans were in different stages of development. The furthest along, Hollywood, proposed some targeted downzoning to preserve neighborhood character. The proposed downzoning was balanced with upzoning in areas with good transit access.
Homeownership Properties Acquisition Demonstration Project	150 affordable units sold to moderate income families	2008-2014	Status of CRA/LA projects in 2011 was unable to be obtained due to the State's dissolution of the Redevelopment Agencies.
Home Ownership on Large Lots in Pacoima	1 pilot project in Pacoima	2008-2014	Status of CRA/LA projects in 2011 was unable to be obtained due to the State's dissolution of the Redevelopment Agencies.
Reasonable Accommodation	Train DCP staff on processing Reasonable Accommodation requests Produce and disseminate materials regarding Reasonable Accommodation process	2007-2014	Reasonable Accommodation Checklist, a standard DCP application form, was maintained and used to confirm an applicant's qualification for reasonable accommodation provisions.
ADA Compliance Officer(s)	Reasonable accommodation provided in all appropriate and covered facilities and programs including residential shelters	2006-2014	There were 257 sign language interpreter services and 67 Communication Access Realtime Translation (CART) reasonable accommodation requests that were processed and provided.
Office of the City Attorney Dispute Resolution Program (DRP)	Refer and resolve 50 housing disputes related to persons with disabilities	2006-2014	OCA activity: In 2011, the Department of Disability (DOD) made 3 referrals to DRP.

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Citywide Fair Housing Program	Receive 600 fair housing inquiries annually Resolve 480 fair housing investigations annually Conduct 67 fair housing training sessions annually Train 35 new fair housing testers annually	2006-2014	In 2011, the LAHD through a contract with the Housing Rights Center (HRC), received 757 fair housing inquiries; resolved 488 fair housing investigations; conducted 151 fair housing training sessions; trained 96 new fair housing testers; answered 1,245 calls regarding fair housing issues through the Fair Housing/Predatory Lending Hotline; and, received 8,081 hotline calls that included tenant/landlord issues, fair housing concerns, and housing/predatory lending calls.
Community Reinvestment	Implement a demonstration program in at least one low or moderate income neighborhood	2008-2014	The City continues to seek ways to reinvest in communities with dwindling public sources of funding.
Responsible Lending Training with Financial Institutions	Implement a demonstration outreach and training program	2008-2014	The City continues to seek ways to incent and compel financial institutions to reinvest and conduct business with the City's residents and businesses.
Housing Information Clearinghouse	Establish a consolidated housing information database on the City's website	2006-2014	In 2011 HACLA coordinated information on permanent supportive housing with LAHD for the Citywide Housing Production System (CHPS) database. HACLA continued to use Social Serve for property listings in 2011 as well.
Housing Information Services	Identify avenues to distribute and disseminate information	2008-2014	HACLA continued to conduct voucher issuance sessions, worked with program partners to disseminate information and used Social Serve for property listings.
Don't Borrow Trouble: Education against Home Equity Fraud and Predatory Lending Scams	Answer 60 DBT/predatory lending calls annually through the Fair Housing/Predatory Lending Hotline	2006-2014	The Housing Rights Center (HRC) answered 76 Don't Borrow Trouble (DBT)/predatory lending calls in 2011 through the Fair Housing/Predatory Lending Hotline.
Education for Buyers and Homeowners	3,000 individuals assisted annually	2006-2014	4,800 homebuyers attended homebuyer education classes
Education for Property Owners	Provide education about housing management practices and regulations and promote knowledge of housing rights	2006-2014	Status of CRA/LA projects in 2011 was unable to be obtained due to the State's dissolution of the Redevelopment Agencies.
RSO Tenant/Landlord Outreach and Education Program	Develop mechanism to assure disclosure	2008-2014	In 2011, completed development of comprehensive Landlord Tenant Outreach Plan through \$150,000 contract. Outreach activities, videos, web upgrades & staff training initiated per plan. Series of educational workshops was launched; training provided for approx. 500 participants. Hotline assisted 123,000 callers & public counters assisted 64,115 clients with housing inquiries. Approximately 80 printed informational items are updated and distributed citywide (3,302 mailings). Briefings are provided to realtor associations; however, no legal mechanism to require disclosure of RSO status and this would pose legal liability for the City.

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Fair Housing Awareness Training Program (Neighborhood Councils)	Establish fair housing education programs Pursue funding for training initiatives	2008-2014	On hold pending budget and staff resources.
Fair Housing Research	Complete the AI Identify and implement action items	2006-2014	In 2011, the Los Angeles Housing Department (LAHD) determined the key tasks to be undertaken, developed the scope of work and timeline, negotiated and executed a contract with ICF International to produce a new <i>Analysis of Impediments (AI)</i> for the City.
Domestic Violence Shelter Program	Provide 2,850 individuals with access to public services annually Maintain up to 1,006 shelter and transitional beds annually for domestic violence victims	2006-2014	CDD reports that 1597 individuals were provided access to public services and 575 shelter and transitional beds were provided in 2011.
HOPWA Emergency Shelter and Transitional Housing Program	20 existing HIV/AIDS emergency shelter beds funded annually 152 existing HIV/AIDS transitional housing beds funded annually 30 new HIV/AIDS transitional housing beds funded annually	2006-2014	1,186 clients received emergency and transitional housing.
Shelter and Transitional Housing Facilities	829 existing emergency shelter beds funded annually 2,880 existing transitional housing beds funded annually	2006-2014	Emergency Shelter beds: Total 375 Beds - 106 beds (ESG) and 269 beds (CDBG) Transitional Housing: Total 2,575 beds - 582 beds (CDBG), 824 beds (SHP - LAHSA) and 1,169 (SHP - Directs )
Overnight Shelter (Winter Shelter and Year-Round Shelter)	954 temporary shelter beds year round Serve 30 or more families by vouchers in the Year Round Shelter Program 1,768 temporary winter shelter beds Serve 200 or more families and 15 or more individuals by vouchers in the Winter Shelter Program	2006-2014	Year Round Shelter: Total 1,037 (General Funds) Permanent Housing: Total 1,171 beds - 1,047 beds (SHP - LAHSA) and 124 (SHP - Directs) Temporary Winter Shelter Beds: Total 870 beds (City General Funds and ESG) Family Transitions Program: 1,173 Families vouchered from Dec 2011 to June 2012
Resources for Shelters	Distribute goods to 220 or more homeless service agencies and housing providers annually	2006-2014	Data not available.
Priority Occupancy for Homeless Persons	Adopt citywide policy and amend city codes and regulations to facilitate priority housing occupancy for homeless and special needs households	2007-2014	In 2011, HACLA targeted permanent supportive housing development to chronically homeless individuals. HACLA utilized excess grant funding to provide 459 new Shelter Plus Care units for the chronically homeless. HACLA implemented a policy allowing the transfer of hundreds of Shelter Plus Care residents who no longer required the intensive supportive services of that program into the voucher program, thereby freeing those units to serve new chronically homeless individuals. HACLA continues to play a central role in the regional Home For Good plan to end chronic and veteran homelessness.

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Community Based Development Organization (CBDO)	Provide educational/vocational training and employment placement/retention services to 280 homeless persons annually	2006-2014	Over an 18 month period, HACLA: Completed Educational/Vocational Training for 3899 persons. Obtained (and retained) employment for 319 persons.  LAHSA does not provide educational or vocational training. Obtained Employment: 357 persons Retained Employment: 92 persons
HOPWA Supportive Services for Persons Living with HIV/AIDS	Provide 13,500 clients with supportive services annually	2006-2014	7,329 clients received supportive services.
Rental Assistance for Homeless Persons	Distribute 4,000 Housing Choice Vouchers to homeless households annually	2006-2014	HACLA had a total of 4,011 tenant-based vouchers set aside for the homeless in 2011.
Rental Assistance for Homeless Persons with Disabilities	Maintain housing of 2,000 homeless households with disabilities annually	2006-2014	HACLA has 2,957 units of supportive housing allocated for the homeless with disabling conditions.
HOPWA Rental Assistance for Persons Living with HIV/AIDS	63 extremely low income and 21 very low income households receive TRA annually 13 extremely low income and 18 very low income households receive PBRA annually 305 low income households receive STRMU assistance annually	2006-2014	In 2011 HACLA has 165 allocated TRA units and 32 allocated PRBA units to assist low-income individuals living with HIV/AIDS.  LAHD reports that 815 clients received housing subsidy assistance through the program.
Citywide Rent-to-Prevent-Eviction Program	Assist 110-125 individuals or families at risk of homelessness annually	2006-2014	LAHSA: This program was discontinued.
New Resources for Rental Assistance	Increase the funding base for rental assistance for homeless households and households at high risk of homelessness	2008-2014	LAHSA is funding homeless activities through its ESG grant. All HPRP funds fully expended.
HOPWA Housing Development for Persons Living with HIV/AIDS	Financing commitment to, at minimum, one housing development per year dedicated to serving persons living with HIV/AIDS and their families	2006-2014	\$2 million in HOPWA funds were committed to housing development.
Permanent Supportive Housing Program	2,224 permanent supportive housing units financed for homeless households	2008-2014	Five projects with 308 permanent supportive housing units financed for homeless households in 2011.  HACLA continued to allocate 2,224 permanent supportive housing units, of which 397 were awarded to 7 new developments in 2011.  LAHSA: Under the 2011 SuperNOFA application 194 NEW units of Permanent Supportive Housing were submitted for funding for homeless persons. The LA Continuum of Care was awarded \$88,177,272.

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New Resources for Housing Serving the Mentally Ill	Pursue funding towards permanent housing units for homeless mentally ill annually	2008-2014	<p>LAHSA is taking a targeted approach to assessing need and setting regional priorities for CH, Vets, families &amp; youth in coordination with the federal Opening Doors plan and the local Home for Good plan. Based on our 2011 Homeless Count, approximately 35% of the homeless in LA county are severely mentally ill--this represents an 11% increase from the previous count. LAHSA's approach to targeting services for mentally ill clients involves emphasizing this subpopulation in new applications for LAHSA funding under the SuperNOFA process, funding two safe haven programs to provide 50 beds to individuals with severe mental illness, and funding the year round program</p> <p>The City will continue its work with interested stakeholders, particularly at the County level, to fund affordable housing with intensive, wrap-around services.</p>
Permanent Housing (for persons with disabilities)	Maintain 1,477 permanent supportive housing units for homeless households annually	2008-2014	LAHSA: Permanent Housing (for persons with Disabilities): 1,171
Los Angeles Supportive Housing Acquisition Fund	Support site acquisition and pre-development of up to 1,500 housing units	2008-2014	Four permanent supportive housing projects comprising of 157 units were funded in 2011.
Homeless Housing and Services Coordination	Citywide and sub-regional plans to reduce and end homelessness adopted by the City Council Regular reports on financial management Regular reports on contract management and program implementation	2008-2014	<p>As the lead for the Los Angeles Continuum of Care, LAHSA, conducts 10 quarterly meetings to discuss efforts on how to combat homelessness effectively and efficiently. Attendees include City and County representatives to ensure a information sharing and coordinated process. Through November 2011, there were over 30 Continuum meetings featuring between 575 to 625 attendees, including representatives of homeless service providers, city and county representatives, school districts, policy makers, faith based and grass roots organizations, and other homeless stakeholders. In addition to the quarterly meetings, LAHSA staff also participate in monthly meetings of the 8 homeless Coalitions that cover the county's Service Planning Areas. Finally, the LAHSA coordinating council meets 3 to 5 times yearly to give a COC-wise perspective and advise the agency on SuperNOFA and other funding policies and priorities. The Coordinating Council serves as the advisory board to the LAHSA commission. Regarding financial and contracts management, on a monthly basis, LAHSA provides status reports to the Finance, Contract, and Grant Management Committee and the Program and Evaluation Committee of the LAHSA Commission of which 5 board members are representatives of the City of Los Angeles (10 member board).</p> <p>The City continues to work with the United Way and other partners in the pursuit of fulfilling the goals of its <i>Home for Good</i> plan.</p>

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Access New Resources and Services for the Homeless	Periodic reports on state and county legislative and budgetary initiatives	2008-2014	LAHSA provides quarterly programmatic and qualitative data to the United Way to be included in their Home For Good progress reports.  The Mayor's office and LAHD continue to participate.
Housing and Services Planning for Persons Living with HIV/AIDS	Regularly updated plan for the use of HOPWA grant funds	2006-2014	2011 Housing Opportunities for Persons living with AIDS (HOPWA) Request For Proposals (RFP) included input from focus groups with providers; held and staffed bimonthly meetings w/ Los Angeles County HIV/AIDS Committee (LACHAC); HOPWA technical services provider completed assessment of the Hotel/Food Voucher Program and Housing Case Manager position, and recommendations for changes to programs.
City Homeless Coordinator	Periodic reports on homeless housing and service delivery and recommendations for improvement	2008-2014	LAHSA's Executive Director served on the Mayor's Housing and Homelessness Cabinet during 2011.
Temporary Housing Facilities for Disaster Response	120 sites available throughout the City within 24 hours of a natural disaster	2006-2014	In 2011, the City Council granted the authority to execute a grant agreement with the CA Department of Housing and Community Development for a Disaster Recovery Initiative (DRI) grant of up to \$8.5 million for disaster victims of the 2008 Sayre Wildfire and for disaster planning efforts and related actions.
Outreach and Training for Emergency Preparedness and Response	4 fairs during Emergency Preparedness Month annually 2 Neighborhood Preparedness Ambassadors Trainings annually Outreach to neighborhood and community groups as requested	2006-2014	Information was unable to be obtained.
Siting Homeless Housing and Services	Identify locations for housing with supportive services in 16 Community Plans Identify targets in all Community Plans	2008-2014	6 Community Plans in development, including incentive areas for affordable housing.
Zoning and Development Standards for Shelters	Adopt amendment to Zoning Code to facilitate by-right siting of shelter and transitional housing facilities	2008-2014	On hold pending budget and staff resources.
Zoning for Health Facilities	Adopt amendment to Zoning Code to remove restrictions on locations of public health and treatment program facilities	2008-2014	Ordinance in development to allow by right licensed community care facilities for 7 or more residents citywide.  DCP obtained a grant for \$250,000/year for five years, through the 2011 Community Transformation Grant (County Health), to create first-ever Health Chapter of General Plan Framework and related health ordinances

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Assistance for Homeless Persons in Accessing Housing and Services	Continue funding 1 organization to reach 300 or more homeless individuals Explore expanding outreach funding to community-based organizations within the City	2006-2014	Homeless Individuals reached: 2465 (LAHSA ERT) LAHSA has been implementing various programs to ensure that outreach funding is expanded. In response to the HEARTH Act and ESG guidelines, LAHSA, in collaboration with the City and County of Los Angeles is building regional systems of care that will provide coordinated assessments for receipt of homeless services, prevents homelessness by helping families remain within their communities and retain their current non-shelter housing, or diverts people to housing options other than homeless shelters. The first step in this process was the Family Transitions Project (FTP), which streamlined intake of homeless families seeking motel vouchers during the winter months. The improved coordination through the pilot FTP project resulted in more families being diverted away from homelessness and more families exiting homelessness and being rapidly rehoused in permanent housing. Building on the success of the FTP, LAHSA, in partnership with the City and County of Los Angeles, is pooling resources to fund the Family Solutions Centers (FSC), which will provide coordinated entry, intake assessment, and housing and supportive services interventions to homeless families and families at-risk of homelessness across the various regions of Los Angeles County. In collaboration with mainstream resources and targeted homeless resources, this new integrated Countywide system will provide the appropriate level of services and housing to each family in need. The ultimate goals of this coordinated system will be to divert families from becoming homeless and to end families' homelessness as rapidly as possible
Computerized Information Center (CIC)/Information and Referrals for Persons with Disabilities	Assist 150 or more clients seeking homeless services and housing resource referrals annually	2006-2014	The CIC uses a custom software program to provide information on and referral to critical services offered throughout the greater Los Angeles area. CIC staff provide referrals to over 1000 persons with disabilities and agencies annually. The database resources include: housing, emergency shelter, accessible transportation, employment training, job placement, and recreational opportunities. We were not able to determine the number of housing referrals made in 2011.
HOPWA Centralized Countywide Housing Information Services Clearinghouse	Assist 2,640 clients seeking HIV/AIDS housing information referrals	2006-2014	54,554 website hits from clients seeking HIV/AIDS housing information referrals; 533 live contacts and 12 training meetings occurred.

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Awareness of Special Needs Housing (Neighborhood Councils)	Establish outreach curriculum Pursue funding for training program	2008-2014	LAHSA's Emergency Response Team (ERT) is considered one of the lead Outreach Programs in Los Angeles City and County. The ERT provides support to Los Angeles County and City Departments as well as Elected Officials offices. LAHSA continues its networking with other outreach workers countywide. In 2011, there was a focus providing information and training on Los Angeles County Department of Health Services "Healthy Way LA" Program, and participation in the United Way's "Home for Good" Outreach Programs Survey. LAHSA also assistance and supported local outreach teams on conducting special projects. This year, special outreach projects included the Hansen Dam/Sunland-Tujunga region, LAC/USC Medical Center Emergency Room Outreach, Venice Beach and Westchester Outreach, Occupy LA Homeless Participant Outreach, CEO/LASD/LAHSA Outreach Protocol Project, and the Skid Row Families Outreach Project. LAHSA's ERT also continues to work with LA City Dept. of Public Works - Bureau of Street Services Investigation and Enforcement Division (SSIED) by providing outreach and notification services to encampment dwellers to ensuring they receive assistance with accessing shelter and related services.
Homeless Needs Outreach	Disseminate information about the housing needs of special needs populations to 2,000 people	2008-2014	LAHSA provided information and referral services to 3,159 people. This includes direct requests for assistance received through the emergency services line, by email, and by encounters and engagements made with homeless individuals and families at locations throughout Los Angeles City and County.
Technical Assistance to Homeless Housing Providers	Technical assistance provided to 20 providers annually	2006-2014	Data not available.
A "Project 50" Pilot Program Targeting the Chronically Homeless	50 long-term chronically homeless individuals housed	2008-2010	Project 50 was completed, and housed 43 of the initial 50 chronically homeless individuals that were identified.

General Comments:

# EXHIBIT 4



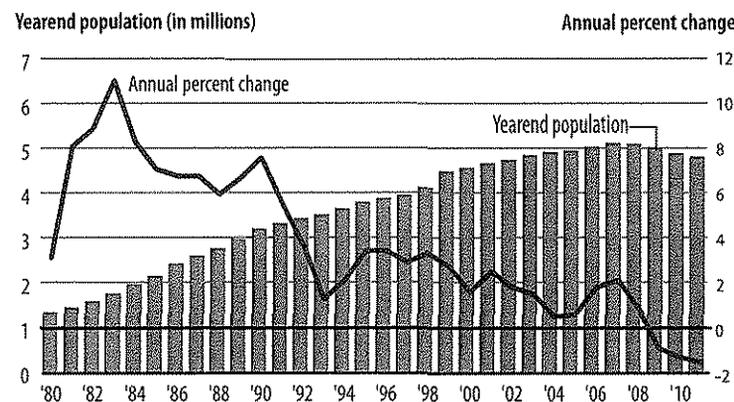
# Probation and Parole in the United States, 2011

Laura M. Maruschak, *BJS Statistician*  
and Erika Parks, *BJS Intern*

During 2011, for the third consecutive year, the number of adults under community supervision declined. At yearend 2011, there were about 4,814,200 adults under community supervision, down 1.5% or 71,300 offenders from the beginning of the year (figure 1). The community supervision population includes adults on probation, parole, or any other post-prison supervision (see text box on page 2 for definitions of probation and parole).

The drop in the probation population drove the decline in the total number of adults under community supervision. In 2011, the probation population fell 2%,

**FIGURE 1**  
Adults under community supervision at yearend, 1980–2011



Note: Annual change was based on the difference between the January 1 and December 31 populations within the reporting year. See *Methodology* for more details. The apparent decrease observed in the community supervision and probation rates between 2007 and 2008 was due to a change in scope for two jurisdictions and does not reflect actual declines in the populations. See *Probation and Parole in the United States, 2010*, BJS website, NJC 236019, November 2011, for a description of changes in reporting methods.

Source: Bureau of Justice Statistics, Annual Surveys of Probation and Parole, 1980–2011.

## HIGHLIGHTS

- The number of adults under community supervision declined by about 71,300 during 2011, down to 4,814,200 at yearend.
- A 2% decline in the probation population along with a 1.6% increase in the parole population accounted for the overall change in the community supervision population.
- At yearend 2011, for the first time since 2002, the U.S. probation population fell below 4 million.
- During 2011, about 4.3 million adults moved onto or off probation; probation entries (2,109,500) declined for the fourth consecutive year while probation exits (2,189,100) declined for the second consecutive year.
- Two-thirds (66%) of probationers completed their term of supervision or were discharged early during 2011, about the same percentage as in 2009 and 2010 (65% in both years).
- The rate of incarceration among probationers at risk for violating their conditions of supervision in 2011 (5.5%) was consistent with the rate in 2000 (5.5%).
- Nearly 853,900 adults were on parole at yearend 2011; about 1.1 million adults moved onto or off parole during the year.
- Both parole entries (down 3.4%) and exits (down 5.3%) declined between 2010 and 2011.
- During 2011, the state parole population grew 1.1%, from about 736,800 to 744,700, while the federal population grew 5.1%, from 103,800 to 109,100.
- Slightly more than half (52%) of parolees completed their term of supervision or were discharged early in 2011, unchanged from 2010.
- Among parolees at risk for violating their conditions of supervision, about 12% were reincarcerated during 2011, down from more than 15% in 2006.

from an estimated 4,053,100 to 3,971,300. While the parole population increased 1.6% during 2011, the increase was not enough to offset the overall decrease in the community supervision population. At yearend 2011, 1 in 50 adults in the U.S. were under community supervision.

Data in this report were collected through the Bureau of Justice Statistics' (BJS) Annual Probation Survey and Annual Parole Survey. Both surveys began in 1980 and collect data from U.S. probation and parole agencies that supervise adults. (See text box at the bottom of the page.) In these data, an adult is any person subject to the jurisdiction of an adult trial court or corrections agency. Juveniles prosecuted as adults in a criminal court are considered adults. Respondents are asked to report the number of adults on probation or parole at the beginning and end of each reporting year, the number entering and exiting supervision during the reporting year, characteristics of the populations at yearend, and other information. The reporting methods for some probation and parole agencies have changed over time (see *Methodology*). See appendix tables for additional 2011 data by jurisdiction.

### Community supervision population in 2011 fell below the 2003 level

The number of U.S. adults under community supervision (4,814,200) declined during 2011 (appendix table 1). This represents the third consecutive within-year decrease in this population. In 2011, the population fell below the level not observed since 2003 (4,847,500).

#### BJS definition of probation and parole

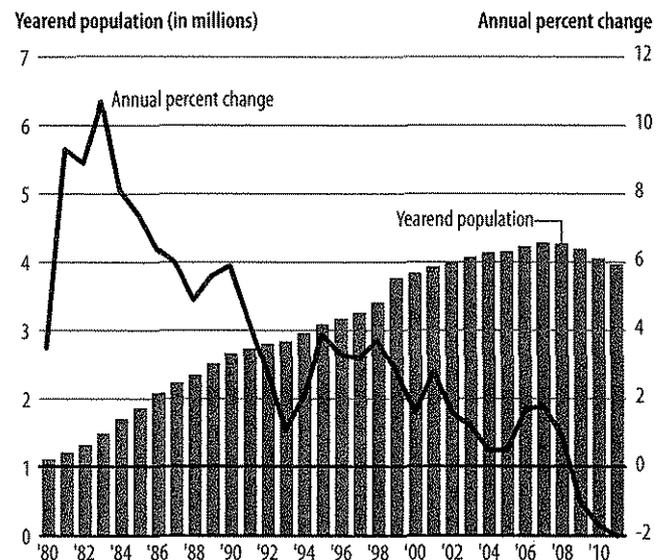
**Probation** is a court-ordered period of correctional supervision in the community, generally as an alternative to incarceration. In some cases, probation can be a combined sentence of incarceration followed by a period of community supervision.

**Parole** is a period of conditional supervised release in the community following a prison term. It includes parolees released through discretionary or mandatory supervised release from prison, those released through other types of post-custody conditional supervision, and those sentenced to a term of supervised release.

This downward trend in the community supervision population is relatively recent. The U.S. saw increasing numbers of adults under community supervision from 1980 through 2008. During that period, growth rates fluctuated from a high of 10.9% in 1983 to a low of 0.5% in 2004. The number of adults under community supervision declined for the first time in 2009 and continued to decline through 2011.

During 2011, the probation population declined by about 81,800, falling below 4 million (figure 2; appendix table 2). This level was last observed in 2002 (3,995,200) and marked the third consecutive within-year decline in the population. Since probationers accounted for about 82% of the adults under community supervision, the trend observed among the community supervision population was largely driven by the trend in the probation population. Between 1980 and 2008, the growth of the probation population fluctuated from a high of 10.7% in 1983 to a low of 0.5% in 2004 and 2005. In 2009, the probation population declined for the first time since BJS began tracking this population in 1980.

**FIGURE 2**  
Adults on probation at yearend, 1980–2011

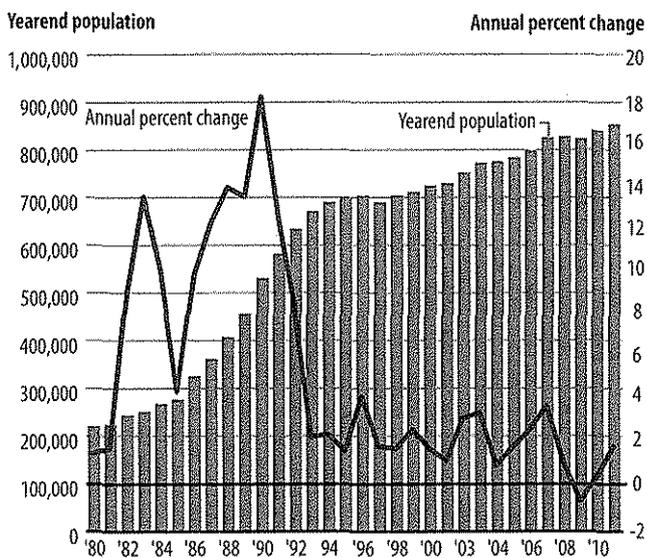


Note: Estimates are based on most recent data and may differ from previously published estimates or other BJS statistical series. Counts reflect data reported by probation agencies within the reporting year, and annual change was based on the difference between the January 1 and December 31 population counts within the reporting year. Reporting methods for some probation agencies changed over time and probation coverage was expanded in 1998 and 1999. See *Methodology* for more details. The apparent decrease observed in the community supervision and probation rates between 2007 and 2008 was due to a change in scope for two jurisdictions and does not reflect actual declines in the populations. See *Probation and Parole in the United States, 2010*, BJS website, NJC 236019, November 2011, for a description of changes in reporting methods.

Source: Bureau of Justice Statistics, Annual Probation Survey, 1980–2011.

During 2011, the parole population grew by about 13,300 to nearly 853,900, a 1.6% increase from the beginning of the year (figure 3; appendix table 4). This increase slightly offset the decline in the community supervision population caused by the decreased probation population. (See text box for discussion of the California Public Safety Realignment.) The change in the number of adults under community supervision observed between the beginning of the year and yearend 2011 was slightly different from the cumulative change in probationers and parolees over the same period because community supervision numbers were adjusted to account for parolees who were also serving a sentence of probation (see *Methodology* for discussion of adjustments).

**FIGURE 3**  
**Adults on parole at yearend, 1980–2011**



Note: Estimates are based on most recent data and may differ from previously published estimates or other BJS statistical series. Counts reflect data reported by parole agencies within the reporting year, and annual change was based on the difference between the January 1 and December 31 population count within the reporting year. Reporting methods for some parole agencies changed over time. See *Methodology* for more details.

Source: Bureau of Justice Statistics, Annual Parole Survey, 1980–2011.

### California Public Safety Realignment

On May 23, 2011, the U.S. Supreme Court upheld the ruling by a lower three-judge court that the State of California must reduce its prison population to 137.5% of design capacity (equivalent to approximately 110,000 prisoners) within two years to alleviate the overcrowding that was ruled a violation of the Eighth Amendment of the U.S. Constitution. In response, the California State Legislature and Governor enacted two laws, AB 109 and AB 117, to reduce the number of inmates housed in state prisons starting October 1, 2011. The policy, termed Public Safety Realignment (PSR), will reduce the prison population through normal attrition of the existing population and will place new offenders who have not been convicted of a violent or sex offense or are not considered "serious" as defined by California's Penal Code §§ 667.5(c) and 1192.7(c) under the jurisdiction of the counties for incarceration in local jail facilities. Inmates not convicted of violent, serious, or sexual offenses who are released from prison or local jails after October 1, 2011, will be placed under a county-directed post-release community supervision program (PRCS) instead of the state's parole system.

As BJS continues to collect data on incarcerated and community supervision populations, we will continue to report trends. For BJS counting purposes, we have included the reported 12,339 persons released to PRCS between October 1, 2011, and December 31, 2011, in California's 2011 parole numbers.

**Rate of adults under community supervision was below the 2000 level for the third consecutive year**

The community supervision rate declined to 2,015 probationers or parolees per 100,000 U.S. adult residents at yearend 2011, down from 2,067 per 100,000 at yearend 2010. For the third consecutive year, the rate was below the 2000 level (2,162 per 100,000) (table 1). The supervision rate of probationers followed a similar trend. At yearend 2011, 1,662 offenders per 100,000 U.S. adult residents were on probation, down from 1,715 per 100,000 at yearend 2010. The probation supervision rate in 2009 (1,796 offenders per 100,000 U.S. adult residents) also fell below the 2000 rate (1,818 per 100,000) and remained below that level in 2010 and 2011.

The trend in the supervision rate of parolees was unlike the trends in the community supervision and probation rates. While community supervision and probation rates have declined, parole supervision rates increased from 353 per 100,000 U.S. adult residents at yearend 2009 to 357 per 100,000 at yearend 2010.

**Five states accounted for more than half of the decline in the probation population**

The probation population declined by nearly 81,800 probationers during 2011 to reach an estimated 3,971,300 at yearend (appendix table 2). Thirty-two states reported a cumulative 112,700 fewer probationers and 20 jurisdictions, including the District of Columbia and the federal system, reported a cumulative 30,900 more probationers at yearend 2011 than at the beginning of the year.

Among the states with declining probation populations, California, Texas, Michigan, Florida, and Georgia accounted for 56% of the total decrease. California (down 28,600) alone accounted for a quarter of the total decline.

Maryland (up 8,200) and Alabama (up 7,600) reported the largest increases in the probation population during 2011. These two states accounted for about half (51%) of the total increase in the probation population among those states reporting increases.

**TABLE 1**  
**U.S. adult residents under community supervision, on probation, and on parole, 2000–2011**

	Number per 100,000 U.S. adult residents			U.S. residents on —		
	Community supervision <sup>a</sup>	Probation	Parole	Community supervision <sup>b</sup>	Probation	Parole
2000	2,162	1,818	344	1 in 46	1 in 55	1 in 291
2001	2,184	1,842	342	1 in 46	1 in 54	1 in 292
2002	2,198	1,849	349	1 in 45	1 in 54	1 in 287
2003	2,219	1,865	354	1 in 45	1 in 55	1 in 282
2004	2,226	1,875	351	1 in 45	1 in 53	1 in 285
2005	2,215	1,864	351	1 in 45	1 in 54	1 in 285
2006	2,228	1,875	353	1 in 45	1 in 53	1 in 283
2007	2,239	1,878	361	1 in 45	1 in 53	1 in 277
2008 <sup>c</sup>	2,203	1,846	358	1 in 45	1 in 54	1 in 279
2009	2,147	1,796	353	1 in 47	1 in 56	1 in 284
2010	2,067	1,715	355	1 in 48	1 in 58	1 in 281
2011	2,015	1,662	357	1 in 50	1 in 60	1 in 280

Note: Rates were based on the community supervision, probation, and parole population counts as of December 31 within the reporting year and the estimated U.S. adult resident population on January 1 of each subsequent year. Rates based on most recent data available and may differ from previously published BJS reports.

<sup>a</sup>Includes adults on probation and adults on parole. For 2008 to 2011, detail does not sum to total because the community supervision rate was adjusted to exclude parolees who were also on probation. See *Methodology* for more details.

<sup>b</sup>Includes adults on probation and adults on parole.

<sup>c</sup>The apparent decrease observed in the community supervision and probation rates between 2007 and 2008 was due to a change in scope for two jurisdictions and does not reflect actual declines in the populations. See *Probation and Parole in the United States, 2010*, BJS website, NJC 236019, November 2011, for a description of changes in reporting methods.

Source: Community supervision population estimates are based on the Bureau of Justice Statistics' Annual Surveys of Probation and Parole, 2000–2011. Estimates of the U.S. adult resident population are based on U.S. Census Bureau National Intercensal Estimates, 2001–2010, and population estimates, January 1, 2011, and January 1, 2012.

**Entries to probation down for the fourth consecutive year; exits down for the second consecutive year**

During 2011, movement both onto and off probation declined (table 2). Between 2010 and 2011, entries to probation declined 3.7% (from about 2,190,200 to 2,109,500 offenders) and exits declined 3.2% (from an estimated 2,261,300 to

2,189,100 offenders). Overall, about 4.3 million adults moved onto and off probation during 2011, compared to more than 4.4 million during 2010.

As entries onto and exits from probation diverge, changes in the probation population are larger. When exits and entries converge, the changes are smaller. After a period of convergence in 2008 and 2009, entries and exits once again diverged. While both entries and exits declined, entries onto probation declined at a faster rate than exits, resulting in a larger decline in the probation population in 2011.

**TABLE 2**  
**Estimated probation entries and exits and annual change, 2000–2011**

Year	Probation entries	Probation exits	Annual change in probation population
2000	2,160,900	2,103,000	57,900
2001	2,118,200	2,004,900	113,300
2002	2,136,700	2,072,200	64,500
2003	2,237,300	2,187,500	49,800
2004	2,225,000	2,203,400	21,600
2005	2,235,700	2,217,600	18,100
2006	2,279,900	2,209,500	70,400
2007	2,371,500	2,295,100	76,400
2008	2,348,500	2,320,100	28,400
2009	2,293,400	2,327,800	-34,400
2010	2,190,200	2,261,300	-71,100
2011	2,109,500	2,189,100	-79,600

Note: Estimates are based on most recent data available and may differ from previously published BJS reports. See *Methodology* for details about estimation methods and calculation of annual change.

Source: Bureau of Justice Statistics, Annual Probation Survey, 2000–2011.

**Exit rate for probationers unchanged since 2008**

The rate at which probationers exit supervision—the number that exit probation divided by the average of the probation population at the beginning and end of the year—provides an indication of how quickly the population turns over and an indirect measure of the average time an offender can expect to serve on probation. The turnover in the probation population over the past four years has remained relatively stable. During 2011, 55 probationers per 100 exited supervision, unchanged since 2008 (table 3). Mean length of stay on probation has remained stable at about 22 months since 2008.

Turnover due to completing the term of supervision, either through full-term completion or early discharge, has remained steady at 36 per 100 probationers since 2009.

**TABLE 3**  
**Rate of probation exits, by type of exit, 2008–2011**

Type of exit	Rate per 100 average daily probation population			
	2008	2009	2010	2011
Total exit rate <sup>a</sup>	55	55	55	55
Completion	35	36	36	36
Incarceration <sup>b</sup>	9	9	9	9
Absconder	2	2	1	1
Discharged to custody, detainer, or warrant	--	--	--	--
Other unsatisfactory <sup>c</sup>	6	6	6	5
Transferred to another probation agency	--	--	--	--
Death	--	--	--	--
Other <sup>d</sup>	2	2	2	2
Estimated mean length of stay on probation (in months) <sup>e</sup>	22.0 mo.	21.7 mo.	21.7 mo.	22.0 mo.
Average daily probation population	4,252,694	4,218,373	4,090,274	4,012,217

Note: Details may not sum to total due to rounding.

--Less than 0.5 per 100 probationers.

<sup>a</sup>Exit rate is the ratio of the number of probationers that exited supervision during the year to the average daily probation population (i.e., average of the January 1 and December 31 populations within the reporting year).

<sup>b</sup>Includes probationers who were incarcerated for a new offense and those who had their current probation sentence revoked (e.g., violating a condition of their supervision).

<sup>c</sup>Includes probationers discharged from supervision who did not meet all conditions of supervision, including some with only financial conditions remaining, some who had their probation sentence revoked but were not incarcerated because their sentence was immediately reinstated, and other types of unsatisfactory exits. May include some early terminations and expirations of sentence reported as unsatisfactory exits.

<sup>d</sup>Includes probationers discharged from supervision through a legislative mandate because they were deported or transferred to the jurisdiction of Immigration and Customs Enforcement (ICE); transferred to another state through an interstate compact agreement; had their sentence dismissed or overturned by the court through an appeal; had their sentence closed administratively, deferred, or terminated by the court; were awaiting a hearing; were released on bond; and other types of exits.

<sup>e</sup>Mean length of stay is calculated as the inverse of the exit rate times 12 months. See *Methodology* for more details.

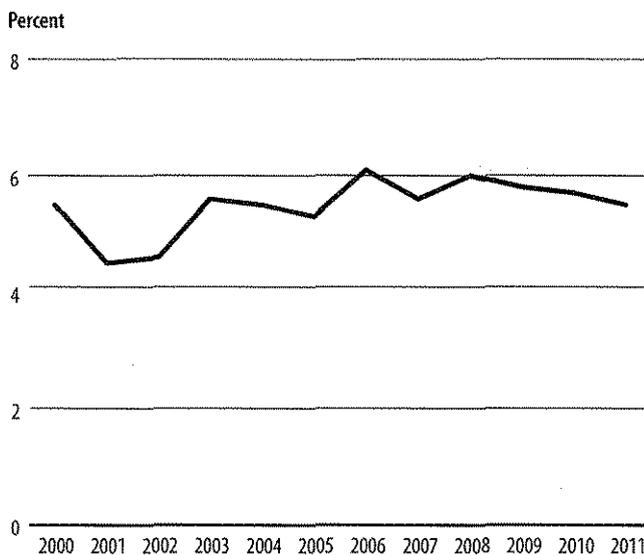
Source: Bureau of Justice Statistics, Annual Probation Survey, 2008–2011.

This finding was consistent with the stability observed in the percentage of probationers who were discharged after completing the terms of their supervision. Of the estimated 2,189,100 probationers who exited probation, the percentage that completed their supervision or were discharged early increased between 2008 and 2011. During 2011, 66% of probationers who exited supervision were discharged after completing the term of their supervision or receiving an early discharge, up slightly from 65% in both 2009 and 2010 (table 4). The increase observed between 2008 and 2009 occurred as overall exits increased over that same period.

#### Rate of incarceration among probationers decreased slightly during 2011

The rate of incarceration among probationers at risk of failing during the year decreased slightly from 2010 to 2011 (figure 4). In 2011, 5.5% of probationers at risk of failing were incarcerated, the same level as 2000, but down from 5.7% in 2010. The rate at which all adults on probation during the year can be incarcerated is defined as the ratio of the number of probationers who are discharged during the year as the result of incarceration to the number of probationers who could have been incarcerated at any point during the year. The number who could have been incarcerated equals the sum of the start of the year population plus entries onto probation. This pool is defined as those at risk of incarceration. The rate of incarceration among probationers, including incarceration for a new offense, a revocation, or other reasons, has remained relatively stable since 2000, fluctuating between a low of 4.5% in 2001 and a high of 6.1% in 2006.

**FIGURE 4**  
Estimated percent of the at-risk probation population incarcerated, 2000–2011



Note: Estimates are based on most recent available data and may differ from previously published BJS reports. See *Methodology* for more detail about the at-risk measure of incarceration, including the method of estimation. The at-risk population is defined as the number of probationers under supervision at the start of the year (on January 1) plus the number who entered supervision during the year.  
Source: Bureau of Justice Statistics, Annual Probation Survey, 2000–2011.

**TABLE 4**  
Probationers who exited supervision, by type of exit, 2008–2011

Type of exit	2008	2009	2010	2011
Total	100%	100%	100%	100%
Completion	63%	65%	65%	66%
Incarceration <sup>a</sup>	17	16	16	16
Absconder	4	3	3	2
Discharged to custody, detainer, or warrant	1	1	1	1
Other unsatisfactory <sup>b</sup>	10	10	11	9
Transferred to another probation agency	1	--	1	1
Death	1	1	1	1
Other <sup>c</sup>	4	4	4	4
Estimated number <sup>d</sup>	2,320,100	2,327,800	2,261,300	2,189,100

Note: Details may not sum to total due to rounding. Distributions are based on probationers for which type of exit was known.

-- Less than 0.5%.

<sup>a</sup>Includes probationers who were incarcerated for a new offense and those who had their current probation sentence revoked (e.g., violating a condition of their supervision).

<sup>b</sup>Includes probationers discharged from supervision who did not meet all conditions of supervision, including some with only financial conditions remaining, some who had their probation sentence revoked but were not incarcerated because their sentence was immediately reinstated, and other types of unsatisfactory exits. May include some early terminations and expirations of sentence reported as unsatisfactory exits.

<sup>c</sup>Includes probationers discharged from supervision through a legislative mandate because they were deported or transferred to the jurisdiction of Immigration and Customs Enforcement (ICE); transferred to another state through an interstate compact agreement; had their sentence dismissed or overturned by the court through an appeal; had their sentence closed administratively, deferred, or terminated by the court; were awaiting a hearing; were released on bond; and other types of exits.

<sup>d</sup>Estimates rounded to the nearest hundred. Includes estimates for nonreporting agencies. Estimates are based on most recent data available and may differ from previously published BJS reports. See *Methodology* for a discussion about changes in estimating probation exits from 2000 to 2011.

Source: Bureau of Justice Statistics, Annual Probation Survey, 2008–2011.

### Most characteristics of probationers in 2011 were unchanged from 2010

Most characteristics of adult probationers in 2011 remained stable when compared to those in 2010 (appendix table 3). Males made up three-quarters (75%) of the adult probation population. Over half (54%) of probationers were white non-Hispanic, and nearly a third (31%) were black non-Hispanic. Nearly three-quarters (72%) were on active status and about 1 in 5 (18%) were being supervised for a violent offense. Fifty-three percent of probationers were being supervised for a felony offense in 2011, compared to 50% in 2010.

### U.S. parole population increased during 2011

After a decline in the parole population during 2009, the population during 2011 increased for the second consecutive year. During 2011, the parole population increased by nearly 13,300 offenders, from about 840,600 at the beginning of the year to 853,900 at yearend (appendix table 4). After two consecutive years of decline, the state parole population increased by 1.1% during 2011. The federal parole population increased 5.1% over the same period.

Among jurisdictions reporting an increase in their parole population during 2011, California (up about 5,900), the federal system (up 5,300), and Texas (up 1,800) accounted for more than half (56%) of the increase. Overall, 28 states and the federal system reported within-year increases totaling about 13,000 additional parolees at yearend 2011.

At yearend 2011, twenty-two states and the District of Columbia reported about 9,800 fewer persons on parole than at the beginning of the year. Four states, Michigan (down 1,900), New York (down 1,300), Pennsylvania (down 1,300), and Massachusetts (down 900) reported 55% of the decline in the parole population among those states reporting declines.

### Entries and exits to parole both declined; exits declined at a faster rate

During 2011, nearly 1.1 million persons moved onto and off parole. About 545,800 adults entered parole and about 532,500 exited parole. While both the number of adults entering parole and exiting parole declined during 2011, the number of entries exceeded the number of exits for the second consecutive year (table 5). The decline in entries to parole from 2008 to 2011 was consistent with the decrease observed in the total number of prisoners released from state jurisdiction during this period, coupled with a decline in the number of prisoners conditionally released to community supervision. (See *Prisoners in 2011*, BJS website, NCJ 239808, forthcoming.) However, the decline in the rate of exits (down 5.3%) exceeded that of the rate of entries (down 3.4%), resulting in the increase in the parole population.

### Mandatory releases made up a smaller portion of entries to parole

About 46% of parolees who entered supervision during 2011 entered through mandatory release from prison, down from 51% in 2010 (figure 5). This marked the third consecutive year of declines in mandatory releases. While the proportion of all types of entries to parole fluctuated slightly, mandatory release remained the most common type of release.

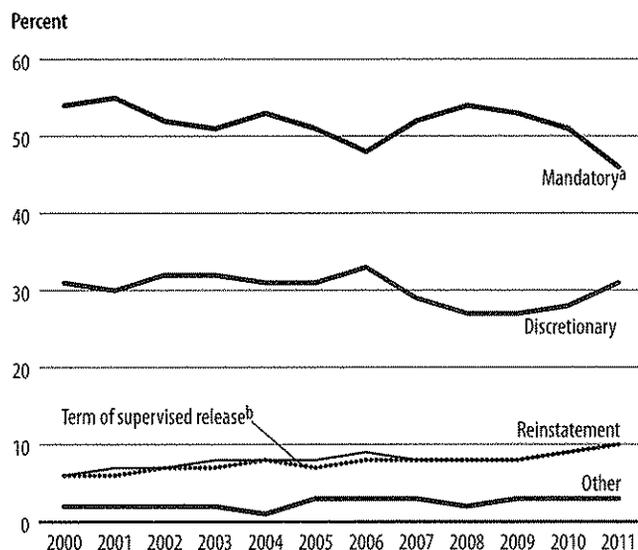
**TABLE 5**  
Estimated parole entries and exits and annual change, 2000–2011

Year	Parole entries	Parole exits	Annual change in parole population
2000	478,800	467,900	10,900
2001	482,100	473,200	8,900
2002	476,900	456,500	20,400
2003	501,100	480,100	21,000
2004	515,600	509,700	5,900
2005	524,400	511,900	12,500
2006	543,100	526,200	16,900
2007	562,900	537,700	25,200
2008	575,000	568,000	7,000
2009	570,400	575,600	-5,200
2010	565,300	562,500	2,800
2011	545,800	532,500	13,300

Note: Estimates are based on most recent data available and may differ from previously published BJS reports. See *Methodology* for details about estimation methods and calculation of annual change.

Source: Bureau of Justice Statistics, Annual Parole Survey, 2000–2011.

**FIGURE 5**  
Entries to parole, by type of entry, 2000–2011



<sup>a</sup>Includes data reported as term of supervised release by states and the District of Columbia from 2008 to 2011.

<sup>b</sup>Federal data only. Includes estimates for 2000 to 2007.

Source: Bureau of Justice Statistics, Annual Parole Survey, 2000–2011.

While mandatory releases to parole decreased, other types of releases to parole increased. Parolees entering through discretionary release by a parole board accounted for the largest increase, from 28% in 2010 to 31% in 2011. Parolees who had their parole reinstated accounted for a slightly larger share of parole entries during 2011 (10%) compared to 2010 (9%). Those who entered through a term of supervised release (10% in 2011 compared to 9% in 2010) also increased. A term of supervised release is a release type designated by the federal system and is similar to that of mandatory release in the state systems. If mandatory and term of supervised release were combined into one category, the decline in those entering parole through mandatory release would be slightly offset by the increase in those entering through a term of supervised release.

#### Parole turnover rate declined for second consecutive year

Following a period of increase, the parole turnover rate declined for the second consecutive year. The rate fell from 67 exits per 100 parolees in 2010 to 63 per 100 parolees in 2011 (table 6). This decline resulted in an increase in mean length of stay on parole, from 17.9 months in 2010 to 19.1 months in 2011.

Contributing to the decline in the overall turnover of the parole population was both the decline in the rate of parolees that exited supervision and returned to incarceration between 2010 (22 per 100 parolees) and 2011 (20 per 100 parolees) and in the rate of parolees that completed the terms of their supervision or received an early discharge between 2010 (35 per 100 parolees) and 2011 (33 per 100 parolees).

**TABLE 6**  
Rate of parole exits, by type of exit, 2008–2011

Type of exit	Rate per 100 average daily parole population			
	2008	2009	2010	2011
Total exit rate <sup>a</sup>	69	70	67	63
Completion	34	35	35	33
Returned to incarceration	24	24	22	20
With new sentence	6	6	6	5
With revocation	17	17	16	13
Other/unknown	1	1	1	2
Absconder	7	6	6	6
Other unsatisfactory exits <sup>b</sup>	1	1	1	1
Transferred to another state	1	1	1	1
Death	1	1	1	1
Other <sup>c</sup>	1	2	1	2
Estimated mean length of stay on parole (in months) <sup>d</sup>	17.4 mo.	17.2 mo.	17.9 mo.	19.1 mo.
Average daily parole population	824,673	826,838	839,247	841,056

Note: Details may not sum to total due to rounding.

<sup>a</sup>Exit rate is the ratio of the number of parolees that exited supervision during the year to the average daily parole population (i.e., average of the January 1 and December 31 populations within the reporting year).

<sup>b</sup>Includes parolees discharged from supervision who did not meet all conditions of supervision, including some who had their parole sentence revoked but were not returned to incarceration because their sentence was immediately reinstated, and other types of unsatisfactory exits. Includes some early terminations and expirations of sentence.

<sup>c</sup>Includes parolees discharged from supervision because they were deported or transferred to the jurisdiction of Immigration and Customs Enforcement (ICE), had their sentence terminated by the court through an appeal, were transferred to another state through an interstate compact agreement or discharged to probation supervision, and other types of exits.

<sup>d</sup>Mean length of stay is calculated as the inverse of the exit rate times 12 months. See *Methodology* for more details.

Source: Bureau of Justice Statistics, Annual Parole Survey, 2008–2011.

Of the estimated 532,500 parolees that exited parole supervision during 2011, 52% completed the terms of their supervision or received early discharge, unchanged from 2010 (table 7). The percent of parolees that returned to incarceration continued to decline from 33% in 2010 to 32% in 2011.

### Rate of reincarceration among parolees declined for the fifth straight year in 2011

During 2011, an estimated 12% of all parolees who were at risk of reincarceration were incarcerated (figure 6). This was down from 13% reincarcerated in 2010, and 16% during 2000. The rate at which all offenders on parole during the year could be incarcerated is defined as the ratio of the number of parolees who were discharged during the year as a result of incarceration to the number of parolees who could have been incarcerated at any point during the year. The number who could have been incarcerated equals the sum of the start of the year population plus entries onto parole during the year. This pool is defined as those at risk of incarceration.

**TABLE 7**  
Parolees who exited supervision, by type of exit, 2008–2011

Type of exit	2008	2009	2010	2011
Total	100%	100%	100%	100%
Completion	49%	51%	52%	52%
Returned to incarceration	36	34	33	32
With new sentence	9	9	9	9
With revocation	25	24	23	21
Other/unknown	1	1	1	2
Absconder	11	9	9	9
Other unsatisfactory exits <sup>a</sup>	2	2	2	2
Transferred to another state	1	1	1	1
Death	1	1	1	1
Other <sup>b</sup>	1	3	1	3
Estimated number <sup>c</sup>	568,000	575,600	562,500	532,500

Note: Detail may not sum to total due to rounding. Distributions are based on parolees for which type of exit was known.

<sup>a</sup>Includes parolees discharged from supervision who did not meet all conditions of supervision, including some who had their parole sentence revoked but were not returned to incarceration because their sentence was immediately reinstated, and other types of unsatisfactory exits; includes some early terminations and expirations of sentence.

<sup>b</sup>Includes parolees discharged from supervision because they were deported or transferred to the jurisdiction of Immigration and Customs Enforcement (ICE), had their sentence terminated by the court through an appeal, were transferred to another state through an interstate compact agreement or discharged to probation supervision, and other types of exits.

<sup>c</sup>Estimates rounded to the nearest hundred. Includes estimates for nonreporting agencies. Estimates are based on most recent data available and may differ from previously published BJS reports. See *Methodology* for a discussion about changes in estimating parole exits from 2000 to 2011.

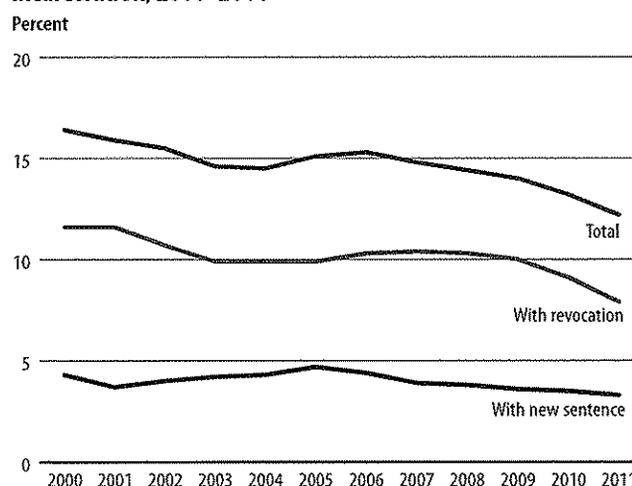
Source: Bureau of Justice Statistics, Annual Parole Survey, 2008–2011.

Contributing to the overall decline in the rate of reincarceration was a corresponding decrease in the rate at which parolees returned to incarceration as the result of a revocation between 2000 (12%) and 2011 (8%). In 2011, 3% of parolees returned to incarceration for a new offense, a rate that has remained relatively stable since 2000.

### Most characteristics of parolees in 2011 were unchanged from 2010

In 2011, most characteristics of adult parolees remained stable when compared to those in 2010 (appendix table 6). Males continued to make up about 9 in 10 (89%) of the adult parole population. About 4 in 10 parolees were white non-Hispanic (41%) or black non-Hispanic (39%), and about 2 in 10 (18%) were Hispanic. Among parolees, 81% were on active supervision and 96% had a maximum sentence of one year or more. More than a quarter (28%) were being supervised for a violent offense.

**FIGURE 6**  
Estimated percent of the at-risk parole population returned to incarceration, 2000–2011



Note: Estimates are based on most recent available data and may differ from previously published BJS reports. The at-risk population is defined as the number of parolees under supervision at the start of the year (on January 1) plus the number who entered supervision during the year. See *Methodology* for more detail about the at-risk measure of incarceration, including the method of estimation.

Source: Bureau of Justice Statistics, Annual Parole Survey, 2000–2011.

## Methodology

The Bureau of Justice Statistics' (BJS) Annual Probation Survey and Annual Parole Survey began in 1980 and collect data from probation and parole agencies in the U.S. that supervise adults. In these data, adults are persons subject to the jurisdiction of an adult court or correctional agency. Juveniles prosecuted as adults in a criminal court are considered adults. Juveniles under the jurisdiction of a juvenile court or correctional agency are excluded from these data. The National Criminal Justice Information and Statistics Service of the Law Enforcement Assistance Administration, BJS's predecessor agency, began a statistical series on parole in 1976 and on probation in 1979.

The two surveys collect data on the total number of adults supervised in the community on January 1 and December 31 each year, the number of adults who enter and exit supervision during the reporting year, and characteristics of the population at yearend. See appendix tables for detailed data.

Both surveys cover all 50 states, the District of Columbia, and the federal system. BJS depends on the voluntary participation of state central reporters and separate state, county, and court agencies for these data.

In 2011, Westat Inc., served as BJS's collection agent for the 50 states and the District of Columbia. Data for the federal system were provided directly to BJS from the Office of Probation and Pretrial Services, Administrative Office of the United States Courts through the Federal Justice Statistics Program (FJSP).

### Probation

The 2011 Annual Probation Survey was sent to 469 respondents: 33 central state reporters; 436 separate state, county, or court agencies, including the state probation agency in Pennsylvania, which also provided data for 65 counties in Pennsylvania; the District of Columbia; and the federal system. The states with multiple reporters were Alabama (3), Arizona (2), Colorado (8), Florida (41), Georgia (2), Idaho (2), Kentucky (3), Michigan (136), Missouri (2), Montana (4), New Mexico (2), Ohio (187), Oklahoma (3), Tennessee (3), Washington (32), and West Virginia (2).

One locality in Colorado, two in Florida, seven in Michigan, thirteen in Ohio, two in Washington, and the central reporter in New Mexico did not provide data for the 2011 collection. For these localities, the agency's most recent December 31 population was used to estimate the January 1 and December 31, 2011, populations.

### Parole

The 2011 Annual Parole Survey was sent to 55 respondents: 50 central state reporters, the California Youth Authority; one municipal agency in Alabama; the state parole agency in Pennsylvania, which also provided data for 65 counties in Pennsylvania; the District of Columbia; and the federal system. States with multiple reporters were Alabama (2) and California (2).

Illinois did not provide data. The December 31, 2010, population count was used to estimate the January 1, 2011, population. Data on the number of parolees at midyear 2011 were used as an estimate for the December 31, 2011, population.

Federal parole (as defined here) includes a term of supervised release from prison, mandatory release, parole, military parole, and special parole. A term of supervised release is ordered at the time of sentencing by a federal judge, and it is served after release from a federal prison sentence. Definitional differences exist between parole reported here and in other BJS statistical series.

Additional information about the data collection instruments is available on the BJS website at <http://www.bjs.gov>.

### Adjustments to account for offenders with dual community correctional status

Some offenders on probation or parole may have had dual community correctional statuses because they were serving separate probation and parole sentences concurrently. With the 2007 data, BJS began collecting data on the number of parolees who were also on probation at yearend. The total community supervision populations from 2008 through 2011 reported in figure 1 (and the 2011 counts in appendix table 1) have been adjusted based on available information by excluding the total number of parolees who were also on probation to avoid double counting. As a result, the probation and parole counts for 2008 through 2011 will not sum to the total community supervision population within the same year.

All of the estimates for parolees with dual community correctional statuses are based on data reported by parole agencies that were able to provide the information for the reporting year (table 8). Because some probation and parole agencies were not able to provide these data, the total number of parolees also on probation from 2008 to 2011 may be underestimates.

**TABLE 8**  
**Parolees on probation who were excluded from the January 1 and December 31 community supervision populations, 2008–2011**

Year	January 1*	December 31
2008	3,562	3,905
2009	3,905	4,959
2010	8,259	8,259
2011	8,259	10,958

\*For 2008, 2009 and 2011, data are based on the December 31 count of the prior reporting year. For 2010, the December 31, 2010, count was used as a proxy because additional states reported these data in 2010.

Source: Bureau of Justice Statistics, Annual Surveys of Probation and Parole, 2008–2011.

## Changes in reporting methods within certain jurisdictions, 2000-2011

### Probation

Eighteen reporting agencies in separate jurisdictions changed their methods of reporting probation data between 2000 and 2011. These changes included administrative changes, such as implementing new information systems, resulting in data review and cleanup; reconciling probationer records; reclassifying offenders, including those on probation to parole and offenders on dual community supervision statuses; and including certain probation populations not previously reported (e.g., supervised for an offense of driving while intoxicated or under the influence, some probationers who had absconded, and some on an inactive status). These changes resulted in a decline of about 61,000 probationers between 2000 and 2011.

See *Probation: Explanatory notes* for a discussion about the 2011 reporting changes in Idaho and Iowa. See *Probation: Explanatory notes in Probation and Parole in the United States, 2010*, BJS website, NCJ 236019, November 2011, for a discussion about the reporting changes that occurred between 2000 and 2010.

### Parole

Reporting agencies in eleven jurisdictions changed their methods of reporting parole data between 2000 and 2011. The reasons for changing their methods of reporting parole data were the same as for probation data—administrative changes, reclassification of offenders, and the addition of certain parole populations not previously reported, which can result from new, enhanced information systems that improve the tracking of all types of parolees. These changes resulted in an increase of about 23,500 parolees between 2000 and 2011.

See *Parole: Explanatory notes* for a description of the 2011 reporting changes in Iowa. See *Parole: Explanatory notes in Probation and Parole in the United States, 2010*, BJS website, NCJ 236019, November 2011, for a description of the reporting changes that occurred between 2000 and 2010.

Reporting agencies in ten jurisdictions changed their methods of reporting parole data between 2000 and 2010. In 2011, no agency reported a change in reporting parole data. See *Parole: Explanatory notes in Probation and Parole in the United States, 2010*, BJS website, NCJ 236019, November 2011, for a discussion about the reporting changes that occurred between 2000 and 2010 and the impact on the trend in the national parole population between 2000 and 2010.

### Probation coverage expanded beginning in 1998 through 1999

The number of probation agencies included in the survey expanded in 1998 and continued to expand through 1999 to include misdemeanor probation agencies in a few states that

fell within the scope of this survey. See *Probation and Parole in the United States, 2010*, BJS website, NCJ 236019, November 2011, for a discussion of this expansion.

### Estimating annual change in population counts

Technically, the change in the probation and parole populations from the beginning of the year to the end of the year should equal the difference between entries and exits during the year. However, those numbers may not be equal. Some probation and parole information systems track the number of cases that enter and exit community supervision, not the number of offenders. This means that entries and exits may include case counts as opposed to counts of offenders, while the beginning and yearend population counts represent individuals. Additionally, all the data on entries and exits may not have been logged into the information systems or the information systems may not have fully processed all of the data before the data were submitted to BJS.

At the national level, 46 parolees were the difference between the change in the parole population measured by the difference between January 1 and December 31, 2011, populations and the difference between parole entries and exits during 2011. For probation at the national level, 2,196 probationers were the difference between the change in the probation population measured by the difference between January 1 and December 31, 2011, populations and the difference between probation entries and exits during 2011.

Estimates of annual change reported in figures 1 through 3 and appendix tables 1, 2, and 4, were calculated as the difference between the January 1 and December 31 populations within the reporting year. Estimates of annual change reported in tables 2 and 5 were calculated as the difference between entries and exits within the reporting year, with a focus on the impact of entries and exits on annual change in populations.

### Imputing entries and exits for nonreporting agencies, 2011

BJS used three methods of ratio estimation, based on the availability of data, to impute probation entries for agencies not reporting these data. We used a single method to impute probation exits, a single method to impute entries to parole, and a single method to impute exits to parole.

The first method was used to estimate entries and exits for probation agencies that were unable to report these data in 2011, but were able to report these data in 2010. We estimated probation entries in 2011 by using the ratio of entries in 2010 to the agency's probation population on January 1, 2010, and applying that ratio to the agency's January 1, 2011, population. We estimated exits from probation by adding the agency's estimated probation entries in 2011 to the agency's probation population on January 1, 2011, and subtracting that estimate from the probation population on December 31, 2011. These methods were used to estimate probation entries and exits

in nonreporting county and district agencies in Arizona, Colorado, Florida, Michigan, New Mexico, Ohio, Rhode Island, and Washington.

A second method was used to estimate probation entries for agencies that were unable to report entries and exits in both 2009 and 2010. The ratio of 2010 entries to the January 1, 2010, population among reporting agencies in the same state was used to estimate the number of entries for nonreporting agencies with similar numbers of probationers. To estimate probation exits for these agencies, we used the same estimation method as described in the previous paragraph. These methods were used to estimate probation entries and exits for nonreporting county and district agencies in Colorado, Florida, Michigan, Ohio, and Washington.

A third method was used to estimate probation entries for one state agency in West Virginia, which only reported interstate compact data. We estimated the number of entries for this agency by using the ratio of 2010 imputed entries to the January 1, 2010, probation population and applying that ratio to the agency's January 1, 2011, population. To estimate probation exits for this agency, we used the same estimation method as described above.

### Calculating mean length of stay

Mean length of stay is calculated as the inverse of the exit rate. Patterson and Preston (2007) provide tests of various methods for estimating expected length of stay and report the results of simulations that show that under assumptions of a stationary population with a small growth rate, the inverse of the exit rate performs well relative to a life-table approach to estimating mean time served.<sup>1</sup> Based on the small growth rates in the probation and parole populations in recent years, the inverse of the exit rate suffices to provide an estimate of mean stay on probation or parole in recent years.

### Community supervision outcome measures

The percentage of probationers and the percentage of parolees who completed supervision are defined as the number of probationers or parolees that completed supervision during the year and were discharged, among all probationers or parolees who were discharged from supervision during the year. The formula used to calculate this outcome measure is  $C(t)/D(t)$ , where  $D(t) = C(t) + I(t) + O(t)$ . In this formula,  $t$  equals the year referenced,  $C(t)$  equals the number of probationers or parolees who were discharged from supervision during the year after completing their terms or who received an early discharge, and  $D(t)$  equals the total number who were discharged from supervision during the year.  $D(t)$  includes

$C(t)$ , the number of offenders who completed supervision;  $I(t)$ , the number who were incarcerated during the year; and  $O(t)$ , the number who were discharged during the year for other reasons.

The percentage of probationers and the percentage of parolees incarcerated are calculated using the formula in the previous paragraph except the numerator is the number of probationers or parolees who were discharged from supervision during the year as the result of being incarcerated.

The rate of incarceration (for parolees this is also referred to as the rate of return to incarceration or the rate of reincarceration) based on the at-risk probation or parole population is defined as the ratio of the number of probationers or parolees who were discharged from supervision during the year because they were incarcerated for a new offense, a revocation, or other reasons, to the number of all probationers or parolees at risk of being incarcerated during the year. The at-risk population is defined as the number of probationers or parolees under supervision at the start of the year (on January 1) plus the number who entered supervision during the year. This pool of probationers or parolees could be incarcerated at any time during the year; hence, they were at risk of incarceration. The formula used to calculate this outcome measure is  $I(t)/(P(t-1) + E(t))$ , where  $t$  equals the year referenced,  $P(t-1)$  equals the start of the year population, and  $E(t)$  equals the number of probationers or parolees who entered supervision during the year.

The at-risk measure of incarceration accounts for all probationers or parolees under supervision during the year (i.e., probationers or parolees who were under supervision on January 1 plus those who entered during the year) who are the probationers or parolees at risk of being incarcerated. This measure is not limited to those who are discharged during the year and permits each probationer or parolee to be incarcerated at any time during the year.

### Change in Annual Parole Survey

In 2008, the Annual Parole Survey included a new category for type of entry to parole that is labeled "term of supervised release" (TSR). It is defined as a fixed period of release to the community that follows a fixed period of incarceration based on a determinate sentencing statute; both are determined by a judge at the time of sentencing. As a consequence, some states began reporting term of supervised releases in 2008. The new category was added to better classify the large majority of entries to parole reported by the federal system. See *Probation and Parole in the United States, 2010*, BJS website, NCJ 236019, November 2011, for detail on estimation methods to analyze national trends for all types of entry to parole.

<sup>1</sup>See Patterson, E.J., & Preston, S.H. (2007). Estimating Mean Length of Stay in Prison: Methods and Applications. *Journal of Quantitative Criminology* 24:33-49.]

## Probation: Explanatory notes

**Colorado**—*Nonreporting agencies in 2011*—one local agency did not report data. This agency's December 31, 2010, population count was used to estimate January 1, 2011, and December 31, 2011, populations. See *Imputing entries and exits for nonreporting agencies in 2011* for additional information on imputing entries and exits for nonreporting agencies.

**Florida**—*Nonreporting agencies in 2011*—two local agencies did not report data. The most recent available December 31 population count was used to estimate January 1, 2011, and December 31, 2011, populations. See *Imputing entries and exits for nonreporting agencies in 2011* for additional information on imputing entries and exits for nonreporting agencies.

**Georgia**—Probation counts may overstate the number of individuals under probation supervision because the agency that reports the county data has the capacity to report probation cases and not the number of individuals under supervision. Probationers with multiple sentences could potentially have one or more cases with one or more private probation agencies in one jurisdiction and/or one or more private probation agencies within jurisdictions.

**Idaho**—*Reporting changes between 2010 and 2011*—data reported by Idaho for 2011 are not comparable to those reported in prior years. Idaho changed its method of reporting starting with the January 1, 2011, population because of changes made by the agency that reported probationers under the jurisdiction of the state. Reporting methods changed in 2011 to reflect more accurately the number of felons and misdemeanants on probation. Counts in prior years over-reported the number of felons. The total change in Idaho's probation population was a decrease of 13,721 probationers on January 1, 2011 (39,172) compared to the population reported on December 31, 2010 (52,893).

**Iowa**—*Reporting changes between 2010 and 2011*—data reported by Iowa for 2011 are not comparable to those reported in prior years. Iowa changed its method of reporting starting with the January 1, 2011, population as the result of changes made by the agency that reported probationers under the jurisdiction of the state. Prior to 2011, Iowa did not include absconders in its probation population count. Beginning January 1, 2011, absconders were included in its counts, resulting in an increase of 6,625 probationers on January 1, 2011 (29,004) compared to December 31, 2010 (22,379).

**Michigan**—*Nonreporting agencies in 2011*—seven local agencies did not report data. The most recent available December 31 population count was used to estimate January 1, 2011, and December 31, 2011, populations. See *Imputing entries and exits for nonreporting agencies in 2011* for additional information on imputing entries and exits for nonreporting agencies.

**New Mexico**—*Nonreporting agencies in 2011*—the state reporting agency did not provide data. The December 31, 2010, population count was used to estimate the January 1, 2011, and December 31, 2011 populations. See *Imputing entries and exits for nonreporting agencies in 2011* for additional information on imputing entries and exits for nonreporting agencies.

**Ohio**—*Nonreporting agencies in 2011*—13 local agencies did not report data. The most recent available December 31 population count was used to estimate January 1, 2011, and December 31, 2011, populations. See *Imputing entries and exits for nonreporting agencies in 2011* for additional information on imputing entries and exits for nonreporting agencies.

**Washington**—*Nonreporting agencies in 2011*—two local agencies did not report data. The most recent available December 31 population count was used to estimate January 1, 2011, and December 31, 2011, populations. See *Imputing entries and exits for nonreporting agencies in 2011* for additional information on imputing entries and exits for nonreporting agencies.

## Parole: Explanatory notes

**California**—California's total parole population on December 31, 2011, included 12,339 persons who were released to post community supervision as a result of California's public safety realignment. See text box on page 3 for more detailed information.

**Illinois**—*Nonreporting agency in 2011*—the state reporting agency did not provide data. The December 31, 2010, population count was used to estimate the January 1, 2011, population. Data on the number of parolees at midyear 2011 were used as an estimate for the December 31, 2011, population. See *Imputing entries and exits for nonreporting agencies in 2011* for additional information on imputing entries and exits for nonreporting agencies.

**Iowa**—*Reporting change between 2010 and 2011*—data reported by Iowa for 2011 are not comparable to those reported in prior years. Iowa changed its method of reporting starting with the January 1, 2011, population as the result of changes made by the agency that reported parolees under the jurisdiction of the state. Prior to 2011, Iowa did not include absconders in its parole population count. Beginning January 1, 2011, absconders were included in its counts, resulting in an increase of 983 parolees on January 1, 2011 (4,180) compared to December 31, 2010 (3,197).

## Appendix tables

### Community supervision

Appendix Table 1. Adults under community supervision, 2011

### Probation

Appendix Table 2. Adults on probation, 2011

Appendix Table 3. Characteristics of adults on probation, 2000, 2010–2011

### Parole

Appendix Table 4. Adults on parole, 2011

Appendix Table 5. Adults entering parole, by type of entry, 2011

Appendix Table 6. Characteristics of adults on parole, 2000, 2010–2011

**APPENDIX TABLE 1**  
**Adults under community supervision, 2011**

Jurisdiction	Community supervision population 1/1/2011 <sup>a</sup>	Entries		Exits		Community supervision population 12/31/2011	Change, 2011		Number under community supervision per 100,000 U.S. adult residents, 12/31/11 <sup>c</sup>
		Reported	Imputed <sup>b</sup>	Reported	Imputed <sup>b</sup>		Number	Percent	
U.S. total	4,885,500	2,586,400	2,655,300	2,653,500	2,721,600	4,814,200	-71,300	-1.5%	2,015
Federal	126,300	61,500	61,500	56,000	56,000	131,800	5,500	4.4%	55
State	4,759,100	2,525,000	2,593,800	2,597,600	2,665,600	4,682,400	-76,700	-1.6	1,960
Alabama	62,200	28,200	28,200	21,000	21,000	69,500	7,300	11.7	1,884
Alaska	9,000	2,200	2,200	1,800	1,800	8,800	-200	-2.2	1,636
Arizona <sup>d</sup>	88,900	36,800	38,100	41,900	43,200	83,800	-5,100	-5.7	1,714
Arkansas	51,200	18,800	18,800	18,000	18,000	52,100	900	1.8	2,328
California <sup>e</sup>	403,500	304,700	304,700	327,900	327,900	380,800	-22,700	-5.6	1,331
Colorado <sup>d,e</sup>	87,100	62,800	63,600	63,400	63,800	86,900	-200	-0.2	2,220
Connecticut	55,800	28,800	28,800	31,600	31,600	51,800	-4,000	-7.2	1,857
Delaware	16,900	13,800	13,800	14,000	14,000	16,700	-200	-1.2	2,364
District of Columbia	14,500	8,300	8,300	9,400	9,400	14,600	100	0.7	2,821
Florida <sup>d,e</sup>	256,900	196,600	198,100	202,700	204,200	248,900	-8,000	-3.1	1,640
Georgia <sup>e,f</sup>	489,500	245,900	245,900	252,700	252,700	478,700	-10,800	-2.2	6,498
Hawaii	22,700	8,200	8,200	6,800	6,800	24,100	1,400	6.2	2,241
Idaho <sup>e</sup>	43,100	34,300	34,300	32,900	32,900	44,500	1,400	3.2	3,825
Illinois <sup>d,e</sup>	157,900	56,000	76,800	62,500	83,900	150,900	-7,000	-4.4	1,539
Indiana	142,800	98,300	98,300	101,500	101,500	139,600	-3,200	-2.2	2,826
Iowa <sup>e</sup>	33,200	20,200	20,200	19,100	19,100	34,100	900	2.7	1,451
Kansas	22,500	22,100	22,100	25,900	25,900	22,400	-100	-0.4	1,039
Kentucky	62,300	26,800	26,800	28,000	28,000	61,200	-1,100	-1.8	1,821
Louisiana	69,900	29,000	29,000	29,400	29,400	69,500	-400	-0.6	2,002
Maine	7,300	3,300	3,300	3,400	3,400	7,200	-100	-1.4	678
Maryland	101,400	54,600	54,600	46,400	46,400	109,600	8,200	8.1	2,433
Massachusetts	75,300	78,100	78,100	82,400	82,400	70,900	-4,400	-5.8	1,361
Michigan <sup>d,e</sup>	218,600	118,100	129,300	127,800	139,700	207,800	-10,800	-4.9	2,733
Minnesota	117,400	66,600	66,600	70,400	70,400	113,600	-3,800	-3.2	2,779
Mississippi	33,200	13,300	13,300	9,900	9,900	36,600	3,400	10.2	1,637
Missouri	78,500	36,100	36,100	36,700	36,700	77,900	-600	-0.8	1,688
Montana	11,000	4,500	4,500	4,600	4,600	10,800	-200	-1.8	1,385
Nebraska	17,300	13,400	13,400	13,600	13,600	17,100	-200	-1.2	1,230
Nevada	16,800	10,600	10,600	10,500	10,500	17,000	200	1.2	823
New Hampshire	6,300	4,500	4,500	4,500	4,500	6,300	/	:	605
New Jersey	135,700	49,000	49,000	51,500	51,500	133,300	-2,400	-1.8	1,959
New Mexico <sup>d,e</sup>	21,700	..	6,700	..	6,600	22,800	1,100	5.1	1,453
New York	165,200	55,500	55,500	61,500	61,500	159,200	-6,000	-3.6	1,044
North Carolina	107,400	63,900	63,900	67,600	67,600	103,800	-3,600	-3.4	1,401
North Dakota	4,800	3,700	3,700	3,500	3,500	5,000	200	4.2	930
Ohio <sup>d,e</sup>	262,100	144,200	162,300	137,600	154,400	265,800	3,700	1.4	2,994
Oklahoma	28,300	10,200	10,200	11,500	11,500	27,000	-1,300	-4.6	941
Oregon	61,000	23,500	23,500	23,200	23,200	61,300	300	0.5	2,027
Pennsylvania	275,200	150,500	150,500	153,300	153,300	272,400	-2,800	-1.0	2,717
Rhode Island <sup>d</sup>	25,700	400	5,300	400	5,900	25,100	-600	-2.3	3,010
South Carolina	38,700	16,300	16,300	15,500	15,500	39,500	800	2.1	1,093
South Dakota	9,300	5,300	5,300	5,100	5,100	9,600	300	3.2	1,536
Tennessee	71,700	27,700	27,700	27,000	27,000	75,100	3,400	4.7	1,522
Texas	521,200	196,300	196,300	204,500	204,500	513,000	-8,200	-1.6	2,718
Utah	14,500	7,700	7,700	7,400	7,400	14,800	300	2.1	758
Vermont	7,300	4,300	4,300	4,500	4,500	7,100	-200	-2.7	1,415
Virginia	57,900	25,600	25,600	27,000	27,000	56,700	-1,200	-2.1	903
Washington <sup>d,e</sup>	98,300	61,800	64,000	61,600	64,100	96,200	-2,100	-2.1	1,822
West Virginia <sup>d</sup>	10,300	1,600	3,000	2,600	2,700	10,600	300	2.9	719
Wisconsin	64,000	29,100	29,100	28,900	28,900	64,300	300	0.5	1,460
Wyoming	5,800	3,300	3,300	3,000	3,000	6,100	300	5.2	1,402

Note: Counts were rounded to the nearest hundred. Because of nonresponse or incomplete data, the community supervision population for some jurisdictions on December 31, 2011, does not equal the population on January 1, 2011, plus entries, minus exits.

.. Not known. / Not reported. Detail rounds to less than 50. : Not calculated.

<sup>a</sup>The January 1 population excludes 8,259 offenders and the December 31 population excludes 10,958 offenders under community supervision who were on both probation and parole. See *Methodology* for more detail on dual status.

<sup>b</sup>Reflects reported data except for jurisdictions in which data were not available. Detail may not sum to total due to rounding.

<sup>c</sup>Rates were computed using the estimated U.S. adult resident population in each jurisdiction on January 1, 2012.

<sup>d</sup>Data for entries and exits were estimated for nonreporting agencies. See *Methodology* for more detail.

<sup>e</sup>See probation, parole, or both *Explanatory notes* for more detail.

<sup>f</sup>Probation counts include private agency cases and may overstate the number of persons under supervision. See *Explanatory notes* for more detail.

Source: Bureau of Justice Statistics, Annual Surveys of Probation and Parole, 2011.

**APPENDIX TABLE 2**  
**Adults on probation, 2011**

Jurisdiction	Probation population 1/1/2011	Entries		Exits		Probation population 12/31/2011	Change, 2011		Number on probation per 100,000 U.S. adult residents, 12/31/11 <sup>b</sup>
		Reported	Imputed <sup>a</sup>	Reported	Imputed <sup>a</sup>		Number	Percent	
<b>U.S. total</b>	4,053,115	2,062,020	2,109,500	2,142,989	2,189,100	3,971,319	-81,796	-2%	1,662
<b>Federal</b>	22,514	11,271	11,271	11,117	11,117	22,668	154	0.7%	9
<b>State</b>	4,030,601	2,050,749	2,098,200	2,131,872	2,178,000	3,948,651	-81,950	-2	1,653
Alabama	53,265	26,104	26,104	18,455	18,455	60,914	7,649	14.4	1,651
Alaska	6,914	1,150	1,150	1,020	1,020	7,044	130	1.9	1,310
Arizona	80,910	24,113	25,400	28,914	30,200	76,109	-4,801	-5.9	1,557
Arkansas	29,820	9,241	9,241	9,706	9,706	29,355	-465	-1.6	1,312
California	298,322	151,226	151,226	179,794	179,794	269,754	-28,568	-9.6	943
Colorado <sup>c,d</sup>	76,100	53,290	54,100	53,575	54,100	76,173	73	0.1	1,946
Connecticut	52,937	25,462	25,462	27,899	27,899	49,195	-3,742	-7.1	1,764
Delaware	16,313	13,331	13,331	13,449	13,449	16,195	-118	-0.7	2,293
District of Columbia	8,641	6,637	6,637	7,544	7,544	9,013	372	4.3	1,741
Florida <sup>c,d</sup>	252,783	190,110	191,600	196,294	197,800	244,686	-8,097	-3.2	1,612
Georgia <sup>d,e</sup>	464,773	232,104	232,104	239,736	239,736	457,141	-7,632	-1.6	6,205
Hawaii	20,874	7,351	7,351	5,909	5,909	22,316	1,442	6.9	2,075
Idaho <sup>d</sup>	39,172	32,427	32,427	31,622	31,622	39,977	805	2.1	3,436
Illinois	131,910	56,000	56,000	62,468	62,468	125,442	-6,468	-4.9	1,279
Indiana	131,881	89,556	89,556	92,038	92,038	129,399	-2,482	-1.9	2,619
Iowa <sup>d</sup>	29,004	17,022	17,022	16,198	16,198	29,828	824	2.8	1,270
Kansas	17,402	17,352	17,352	21,182	21,182	17,352	-50	-0.3	805
Kentucky	49,274	19,175	19,175	21,087	21,087	47,247	-2,027	-4.1	1,406
Louisiana	43,825	13,785	13,785	15,694	15,694	41,916	-1,909	-4.4	1,207
Maine	7,278	3,305	3,305	3,417	3,417	7,166	-112	-1.5	675
Maryland	88,181	48,436	48,436	40,258	40,258	96,359	8,178	9.3	2,139
Massachusetts	72,049	75,674	75,674	79,108	79,108	68,615	-3,434	-4.8	1,318
Michigan <sup>c,d</sup>	194,082	106,962	118,100	114,732	126,600	185,167	-8,915	-4.6	2,435
Minnesota	111,544	60,852	60,852	64,610	64,610	107,786	-3,758	-3.4	2,637
Mississippi	26,793	10,288	10,288	7,615	7,615	29,466	2,673	10	1,318
Missouri	57,434	22,341	22,341	23,015	23,015	56,760	-674	-1.2	1,230
Montana	9,983	3,936	3,936	4,039	4,039	9,859	-124	-1.2	1,265
Nebraska	16,320	11,961	11,961	12,376	12,376	15,905	-415	-2.5	1,144
Nevada	11,834	5,918	5,918	6,115	6,115	11,637	-197	-1.7	563
New Hampshire	4,347	2,876	2,876	3,102	3,102	4,121	-226	-5.2	396
New Jersey	120,115	41,413	41,413	43,397	43,397	118,131	-1,984	-1.7	1,736
New Mexico <sup>c,d</sup>	19,622	..	6,100	..	6,100	19,638	16	0.1	1,251
New York	116,658	32,780	32,780	37,530	37,530	111,908	-4,750	-4.1	734
North Carolina	104,228	60,411	60,411	64,181	64,181	100,479	-3,749	-3.6	1,356
North Dakota	4,339	2,822	2,822	2,645	2,645	4,516	177	4.1	840
Ohio <sup>c,d</sup>	250,021	137,802	156,000	131,555	148,300	253,497	3,476	1.4	2,855
Oklahoma	25,657	9,581	9,581	10,735	10,735	24,503	-1,154	-4.5	854
Oregon	38,753	14,730	14,730	14,782	14,782	38,701	-52	-0.1	1,280
Pennsylvania	179,297	96,084	96,084	97,530	97,530	177,851	-1,446	-0.8	1,774
Rhode Island <sup>c</sup>	25,164	..	4,900	..	5,600	24,513	-651	-2.6	2,939
South Carolina	32,917	13,522	13,522	12,765	12,765	33,674	757	2.3	931
South Dakota	6,540	3,724	3,724	3,445	3,445	6,819	279	4.3	1,091
Tennessee	59,655	23,140	23,140	22,866	22,866	62,568	2,913	4.9	1,268
Texas	418,479	160,877	160,877	170,884	170,884	408,472	-10,007	-2.4	2,164
Utah	11,560	5,927	5,927	5,578	5,578	11,909	349	3	610
Vermont	6,304	3,730	3,730	3,962	3,962	6,072	-232	-3.7	1,210
Virginia	56,654	24,884	24,884	25,853	25,853	55,685	-969	-1.7	887
Washington <sup>c,d</sup>	91,337	56,031	58,200	57,237	59,700	87,825	-3,512	-3.8	1,663
West Virginia <sup>c</sup>	8,552	..	1,400	1,260	1,300	8,599	47	0.5	583
Wisconsin	45,588	22,418	22,418	22,041	22,041	45,965	377	0.8	1,044
Wyoming	5,196	2,888	2,888	2,655	2,655	5,429	233	4.5	1,248

Note: Because of nonresponse or incomplete data, the probation population for some jurisdictions on December 31, 2011, does not equal the population on January 1, plus entries, minus exits. Counts may not be actual as reporting agencies may provide estimates on some or all detailed data.

.. Not known.

<sup>a</sup>Reflects reported data except for jurisdictions in which data were not available. Details may not sum to total due to rounding.

<sup>b</sup>Rates were computed using the estimated adult resident population in each jurisdiction on January 1, 2012.

<sup>c</sup>Data for entries and exits were estimated for nonreporting agencies. See *Methodology* for more detail.

<sup>d</sup>See *Explanatory notes* for more detail.

<sup>e</sup>Counts include private agency cases and may overstate the number of persons under supervision. See *Methodology* and *Explanatory notes* for more detail.

Source: Bureau of Justice Statistics, Annual Probation Survey, 2011.

**APPENDIX TABLE 3**  
**Characteristics of adults on probation, 2000, 2010–2011**

Characteristic	2000	2010	2011
Total	100%	100%	100%
<b>Sex</b>			
Male	78%	76%	75%
Female	22	24	25
<b>Race and Hispanic/Latino origin</b>			
White <sup>a</sup>	54%	55%	54%
Black <sup>a</sup>	31	30	31
Hispanic/Latino	13	13	13
American Indian/Alaska Native <sup>a</sup>	1	1	1
Asian/Native Hawaiian/ other Pacific Islander <sup>a</sup>	1	1	1
Two or more races <sup>a</sup>	...	--	--
<b>Status of supervision</b>			
Active	76%	73%	72%
Residential/other treatment program	...	1	1
Financial conditions remaining	...	1	1
Inactive	9	6	5
Absconder	9	9	9
Supervised out of jurisdiction	3	2	3
Warrant status	...	6	6
Other	3	2	2
<b>Type of offense</b>			
Felony	52%	50%	53%
Misdemeanor	46	47	45
Other infractions	2	2	2
<b>Most serious offense</b>			
Violent	...	19%	18%
Domestic violence	...	3	3
Sex offense	...	3	3
Other violent offense	...	12	12
Property	...	28	27
Drug	24	26	25
Public-order	24	18	17
DWI/DUI	18	15	15
Other traffic offense	6	3	3
Other <sup>b</sup>	52	10	12

Note: Each characteristic is based on probationers with a known status. Details may not sum to total due to rounding.

--Less than 0.5%.

...Not available.

<sup>a</sup>Excludes persons of Hispanic or Latino origin.

<sup>b</sup>Includes violent and property offenses in 2000 because those data were not collected separately.

Source: Bureau of Justice Statistics, Annual Probation Survey, 2000, 2010–2011.

**APPENDIX TABLE 4**  
**Adults on parole, 2011**

Jurisdiction	Parole population, 1/1/2011	Entries		Exits		Parole population, 12/31/2011	Change, 2011		Number on parole per 100,000 U.S. adult residents, 12/31/2011 <sup>b</sup>
		Reported	Imputed <sup>a</sup>	Reported	Imputed <sup>a</sup>		Number	Percent	
U.S. total <sup>c</sup>	840,598	524,423	545,800	510,550	532,500	853,852	13,254	1.6%	357
Federal	103,804	50,190	50,190	44,870	44,870	109,124	5,320	5.1%	46
State <sup>c</sup>	736,794	474,233	495,600	465,680	487,600	744,728	7,934	1.1	312
Alabama	9,006	2,144	2,144	2,549	2,549	8,601	-405	-4.5	233
Alaska	2,089	1,043	1,043	742	742	1,777	-312	-14.9	330
Arizona	7,998	12,686	12,686	12,976	12,976	7,708	-290	-3.6	158
Arkansas	21,363	9,588	9,588	8,247	8,247	22,704	1,341	6.3	1,015
California <sup>c,d</sup>	105,134	153,480	153,480	148,068	148,068	111,063	5,929	5.6	388
Colorado	11,014	9,552	9,552	9,791	9,791	10,775	-239	-2.2	275
Connecticut	2,894	3,334	3,334	3,667	3,667	2,561	-333	-11.5	92
Delaware	560	516	516	553	553	553	-7	-1.3	78
District of Columbia	6,348	1,628	1,628	1,878	1,878	6,098	-250	-3.9	1,178
Florida	4,093	6,511	6,511	6,401	6,401	4,203	110	2.7	28
Georgia	24,723	13,810	13,810	12,985	12,985	25,463	740	3	346
Hawaii	1,850	872	872	931	931	1,791	-59	-3.2	167
Idaho	3,956	1,854	1,854	1,298	1,298	4,512	556	14.1	388
Illinois <sup>d,e</sup>	26,009	..	20,800	..	21,400	25,465	-544	-2.1	260
Indiana	10,912	8,696	8,696	9,454	9,454	10,154	-758	-6.9	206
Iowa <sup>d</sup>	4,180	3,174	3,174	2,908	2,908	4,446	266	6.4	189
Kansas	5,063	4,753	4,753	4,764	4,764	5,052	-11	-0.2	234
Kentucky	13,495	7,642	7,642	6,914	6,914	14,223	728	5.4	423
Louisiana	26,105	15,206	15,206	13,671	13,671	27,640	1,535	5.9	796
Maine	32	1	1	0	0	21	-11	-34.4	2
Maryland	13,195	6,172	6,172	6,130	6,130	13,237	42	0.3	294
Massachusetts	3,212	2,403	2,403	3,312	3,312	2,303	-909	-28.3	44
Michigan	24,486	11,159	11,159	13,047	13,047	22,598	-1,888	-7.7	297
Minnesota	5,812	5,786	5,786	5,758	5,758	5,840	28	0.5	143
Mississippi	6,434	2,985	2,985	2,292	2,292	7,127	693	10.8	319
Missouri	21,085	13,716	13,716	13,683	13,683	21,138	53	0.3	458
Montana	986	527	527	555	555	958	-28	-2.8	123
Nebraska	941	1,411	1,411	1,203	1,203	1,149	208	22.1	83
Nevada	4,964	4,714	4,714	4,346	4,346	5,332	368	7.4	258
New Hampshire	1,973	1,588	1,588	1,357	1,357	2,204	231	11.7	212
New Jersey	15,613	7,619	7,619	8,054	8,054	15,178	-435	-2.8	223
New Mexico <sup>f</sup>	3,146	..	500	..	500	3,135	-11	-0.3	200
New York	48,542	22,684	22,684	23,983	23,983	47,243	-1,299	-2.7	310
North Carolina	3,621	3,530	3,530	3,407	3,407	3,744	123	3.4	51
North Dakota	428	828	828	820	820	436	8	1.9	81
Ohio	12,076	6,354	6,354	6,086	6,086	12,344	268	2.2	139
Oklahoma	2,627	622	622	790	790	2,459	-168	-6.4	86
Oregon	22,260	8,794	8,794	8,408	8,408	22,646	386	1.7	749
Pennsylvania	95,870	54,432	54,432	55,721	55,721	94,581	-1,289	-1.3	944
Rhode Island	505	411	411	373	373	543	38	7.5	65
South Carolina	6,299	2,819	2,819	2,710	2,710	6,408	109	1.7	177
South Dakota	2,799	1,598	1,598	1,633	1,633	2,764	-35	-1.3	442
Tennessee	12,083	4,552	4,552	4,181	4,181	12,533	450	3.7	254
Texas	104,763	35,393	35,393	33,638	33,638	106,518	1,755	1.7	564
Utah	2,925	1,816	1,816	1,801	1,801	2,940	15	0.5	151
Vermont	1,032	576	576	539	539	1,069	37	3.6	213
Virginia	2,624	735	735	1,115	1,115	2,244	-380	-14.5	36
Washington	6,956	5,815	5,815	4,349	4,349	8,422	1,466	21.1	159
West Virginia	1,796	1,608	1,608	1,361	1,361	2,043	247	13.8	139
Wisconsin	20,294	6,686	6,686	6,837	6,837	20,143	-151	-0.7	457
Wyoming	623	410	410	394	394	639	16	2.6	147

Note: Because of nonresponse or incomplete data, the parole population for some jurisdictions on December 31, 2011, does not equal the population on January 1, plus entries, minus exits. Counts may not be actual as reporting agencies may provide estimates on some or all detailed data.

.. Not known.

<sup>a</sup>Reflects reported data except for jurisdictions in which data were not available. Details may not sum to totals due to rounding.

<sup>b</sup>Rates were computed using the estimated adult resident population in each jurisdiction on January 1, 2012.

<sup>c</sup>The December 31 parole population includes 12,339 persons in California under post-release custody supervision.

<sup>d</sup>See *Explanatory notes* for more detail.

<sup>e</sup>Population count reported for December 31 is based on a count provided as of June 30, 2011.

<sup>f</sup>Data for entries and exits were estimated for nonreporting agencies. See *Methodology* for more detail.

Source: Bureau of Justice Statistics, Annual Parole Survey, 2011.

**APPENDIX TABLE 5**  
**Adults entering parole, by type of entry, 2011**

Jurisdiction	Total reported	Discretionary <sup>a</sup>	Mandatory <sup>b</sup>	Reinstatement <sup>c</sup>	Term of supervised release <sup>d</sup>	Other <sup>e</sup>	Unknown or not reported
U.S. total	524,423	144,530	178,933	48,609	83,087	12,936	56,328
Federal	50,190	464	717	68	48,941	0	0
State	474,233	144,066	178,216	48,541	34,146	12,936	56,328
Alabama	2,144	..	..	..	..	..	2,144
Alaska	1,043	73	774	194	0	0	2
Arizona	12,686	40	16	524	10,801	1,305	0
Arkansas	9,588	6,483	1,221	1,456	425	3	0
California	153,480	0	98,288	36,581	0	6,272	12,339
Colorado	9,552	2,558	3,792	2,236	0	966	0
Connecticut	3,334	2,366	0	..	968	0	0
Delaware	516	..	..	..	..	..	516
District of Columbia	1,628	313	~	~	1,315	~	0
Florida	6,511	81	5,827	2	589	12	0
Georgia	13,810	13,788	0	..	0	22	0
Hawaii	872	654	0	28	0	190	0
Idaho	1,854	1,427	~	427	~	~	0
Illinois	..	..	..	..	..	..	..
Indiana	8,696	0	8,696	0	0	0	0
Iowa	3,174	3,174	0	0	0	0	0
Kansas	4,753	104	6	146	3,196	1,301	0
Kentucky	7,642	7,248	0	84	~	310	0
Louisiana	15,206	850	14,170	173	..	13	0
Maine	1	1	0	0	0	0	0
Maryland	6,172	2,361	3,811	~	..	~	0
Massachusetts	2,403	2,213	0	190	0	0	0
Michigan	11,159	9,579	672	908	0	0	0
Minnesota	5,786	0	5,786	0	0	0	0
Mississippi	2,985	2,604	0	381	0	0	0
Missouri	13,716	10,449	920	1,202	0	1,145	0
Montana	527	527	0	0	0	0	0
Nebraska	1,411	1,355	0	56	0	0	0
Nevada	4,714	3,390	1,199	125	~	0	0
New Hampshire	1,588	843	34	708	..	3	0
New Jersey	7,619	5,694	1,925	~	0	0	0
New Mexico	..	..	..	..	..	..	..
New York	22,684	6,823	6,364	0	8,787	710	0
North Carolina	3,530	176	752	~	2,602	0	0
North Dakota	828	828	0	0	0	0	0
Ohio	6,354	133	6,022	199	0	0	0
Oklahoma	622	622	0	0	0	0	0
Oregon	8,794	1,128	7,589	14	6	..	57
Pennsylvania <sup>f</sup>	54,432	10,938	0	2,237	0	0	41,257
Rhode Island	411	411	~	~	~	~	0
South Carolina	2,819	1,839	980	0	0	0	0
South Dakota <sup>f</sup>	1,598	515	1,083	..	..	~	0
Tennessee	4,552	4,311	8	219	0	14	0
Texas	35,393	33,482	1,222	169	~	520	0
Utah	1,816	1,795	0	21	0	0	0
Vermont <sup>f</sup>	576	363	~	178	~	35	0
Virginia	735	167	505	43	0	7	13
Washington	5,815	155	5,660	0	0	0	0
West Virginia	1,608	1,608	0	0	0	0	0
Wisconsin	6,686	227	894	0	5,457	108	0
Wyoming	410	370	0	40	0	0	0

.. Not known.

~ Not applicable.

<sup>a</sup>Includes persons entering because of a parole board decision.

<sup>b</sup>Includes persons whose release from prison was not decided by a parole board. Includes persons entering parole because of determinate sentencing, good-time provisions, or emergency releases.

<sup>c</sup>Includes persons returned to parole after serving time in a prison because of a parole violation. Depending on the reporting jurisdiction, reinstatement entries may include only parolees who were originally released from prison through a discretionary release, only those originally released through a mandatory release, or a combination of both types. May also include those originally released through a term of supervised release.

<sup>d</sup>Includes persons sentenced by a judge to a fixed period of incarceration based on a determinate statute immediately followed by a period of supervised release in the community.

<sup>e</sup>Includes parolees who were transferred from another state, placed on supervised release from jail, released to a drug transition program, released from a boot camp operated by the Department of Corrections, and released from prison through a conditional medical or mental health release to parole. Also includes absconders who were returned to parole supervision, on pretrial supervision, under supervision due to a suspended sentence, and others.

<sup>f</sup>Some or all detailed data are estimated for type of sentence.

Source: Bureau of Justice Statistics, Annual Parole Survey, 2011.

**APPENDIX TABLE 6**  
**Characteristics of adults on parole, 2000, 2010–2011**

Characteristics	2000	2010	2011
Total	100%	100%	100%
<b>Sex</b>			
Male	88%	88%	89%
Female	12	12	11
<b>Race and Hispanic/Latino origin</b>			
White <sup>a</sup>	38%	42%	41%
Black <sup>a</sup>	40	39	39
Hispanic/Latino	21	18	18
American Indian/Alaska Native <sup>a</sup>	1	1	1
Asian/Native Hawaiian/other Pacific Islander <sup>a</sup>	--	1	1
Two or more races <sup>a</sup>	...	--	--
<b>Status of supervision</b>			
Active	83%	82%	81%
Inactive	4	7	6
Absconder	7	6	6
Supervised out of state	5	4	4
Financial conditions remaining	...	--	--
Other	1	2	3
<b>Maximum sentence to incarceration</b>			
Less than 1 year	3%	5%	4%
1 year or more	97	95	96
<b>Most serious offense</b>			
Violent	...	27%	28%
Sex offense	...	8	9
Other violent	...	19	19
Property	...	24	23
Drug	...	35	33
Weapon	...	3	3
Other <sup>b</sup>	...	12	13

Note: Each characteristic is based on parolees with a known status. Details may not sum to total due to rounding.

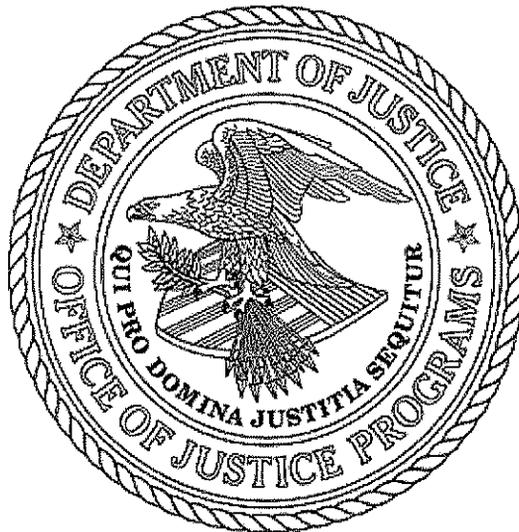
--Less than 0.5%.

...Not available.

<sup>a</sup>Excludes persons of Hispanic or Latino origin.

<sup>b</sup>Includes public-order offenses.

Source: Bureau of Justice Statistics, Annual Parole Survey, 2000 and 2010–2011.



The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. James P. Lynch is director.

This report was written by Laura M. Maruschak and Erika Parks. Thomas P. Bonczar and Sheri Simmons verified the report.

Vanessa Curto and Jill Thomas edited the report, and Barbara Quinn produced the report under the supervision of Doris J. James.

November 2012, NCJ 239686



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# EXHIBIT 5



# Homelessness and Prisoner Re-Entry

An unprecedented number of people are coming out of prison and jail.

- Each year, more than 650,000 people are released from state prisons in the United States, and an estimated nine million are released from jails.<sup>1,2</sup>
- The number of people released from prison has increased 350 percent over the last 20 years.<sup>3</sup>
- During the same time period, the number of people who are homeless has swelled dramatically, to the current level of up to 850,000 people on any given day.<sup>4</sup>
- Most released individuals return to major metropolitan areas across the country, often to a few neighborhoods within central cities. In Wichita in 2004, for example, people released to parole supervision returned to, and sought housing in, just a few neighborhoods. Twenty-eight percent of parolees reside in City Council District 1 alone.

PAROLEES PER 1,000 RESIDENTS IN WICHITA (KS)



Produced by: Justice Mapping Center, 2006  
Data source: Kansas Department of Corrections, December 2004



Many people released from prison or jail are at risk for homelessness, which can increase the likelihood that they will commit new crimes and return to prison.

- More than 10 percent of those coming in and out of prisons and jail are homeless in the months before their incarceration. For those with mental illness, the rates are even higher—about 20 percent. One study found that 22 percent of jailed inmates in New York City reported being homeless the night before arrest.<sup>5</sup>
- The California Department of Corrections reports that at any given time 10 percent of the state's parolees are homeless, and in major urban areas such as San Francisco and Los Angeles, the percentage of parolees who are homeless is as high as 30 to 50 percent.<sup>6</sup>
- 49 percent of homeless adults have reportedly spent five or more days in a city or county jail over their lifetimes, and 18 percent have been incarcerated in a state or federal prison, according to a 1996 HUD study.<sup>7</sup>
- Shelter use, both before incarceration and after release, is associated with an increased risk of return to prison: in a study of 50,000 individuals who were released from New York State prisons and returned to New York City between 1995 and 1998, the risk of re-incarceration increased 23 percent with pre-release shelter stay, and 17 percent with post-release shelter stay.<sup>8</sup>
- A qualitative study by the Vera Institute of Justice found that people released from prison and jail to parole, who entered homeless shelters in New York City, were seven times more likely to abscond during the first month after release than those who had some form of housing.<sup>9</sup>

State and local budgets cannot sustain spending on shelter and emergency costs to serve increasing numbers of people who are homeless; long-term housing solutions can decrease the costs associated with people who would otherwise become homeless, such as people released from prison and jail.

- In New York, it costs more than \$32,000 per year to serve a single person who stays in homeless shelters and returns to prison. Hospitalizations and child welfare involvement drive this price tag even higher.<sup>10</sup>
- Prison and jail are among the most expensive settings to serve people who are homeless: one nine-city study calculated median daily costs for prison and jail at \$59.43 and \$70.00 respectively, compared with \$30.48 for supportive housing.<sup>11</sup>
- Supportive housing has been documented to drastically reduce criminal justice involvement, reducing jail incarceration rates up to 30 percent and prison incarceration rates up to 57 percent.<sup>12</sup>
- According to a cost analysis by the Corporation for Supportive Housing, a single re-entry housing unit in New York used by two people over one year can save \$20,000 to \$24,000 relative to the cost of release to shelter and re-incarceration.<sup>13</sup>

Organizations have developed different housing interventions to prevent homelessness and promote independence and self-sufficiency among re-entering offenders in several states.

**St. Andrew's Court (Chicago, IL):** St. Leonard's Ministries and Lakefront SRO (Single Room Occupancy) work in partnership to provide second-stage housing and support services to men released from prison to the Chicago area, who have graduated from St. Leonard's short-term re-entry programs. St. Andrew's Court comprises 42 affordable housing units for single men with a range of risks and needs. Funding partners include the Illinois Housing Development Authority, the City of Chicago's

Department of Housing, the Illinois Department of Corrections, the Federal Home Loan Bank, and various foundations. St. Leonard's provides an array of case-management services, and a self-governed Residents' Council meets regularly.

**Alliance Apartments (Minneapolis, MN):** Alliance Apartments offers 100 permanent, affordable housing efficiency apartments and 24 transitional housing units, where residents may stay for up to two years, for homeless, single adult men and women who make a commitment to work, remain chemical-free, and live in a drug-free community. Although Alliance Apartments doesn't include units specifically designated for formerly incarcerated individuals, many tenants have recently been released from jail or prison. On-site staff from partner organization RS Eden provide case management, counseling, peer support networks, social and recreational events, and linkages to mental health services as well as education, training and work programs, and work on an informal basis with parole officers and supervision agents. In 1995, Alliance Housing received 100 Section 8 Certificates to create affordable housing; RS Eden received a state grant through the Department of Corrections to provide support services to people coming out of incarceration.

**Fortune Academy (New York, NY):** The Fortune Academy, a residential facility in West Harlem opened in 2002, provides 18 emergency and 41 longer-term beds and access to the Fortune Society's array of supportive services. Prospective clients must be formerly incarcerated, homeless, pose no current risk of violence, and have an interest in and be appropriate for the services being provided. Residents of the Academy are required to provide 10 hours of service to the house and attend weekly house meetings. Although sobriety is not a requirement for placement in the housing facility, residents must demonstrate motivation to become sober. Individuals in emergency housing often go on to live at the Academy long-term. The duration of long-term housing is determined on an individual basis. Generally residents live in housing between six months to a year—until they have stabilized and can be linked to permanent housing, which is often coordinated by Fortune's housing specialists.

1. The number of people released from state prisons each year been steadily increasing—from slightly more than 600,000 in 2000 to more than 670,000 in 2004. See Paige M. Harrison and Allen J. Beck, "Prison and Jail Inmates at Midyear 2005." US Department of Justice, Bureau of Justice Statistics (Washington, DC, 2006), NCJ 213133.

2. The jail numbers (2004) were provided by Allen J. Beck, "The Importance of Successful Reentry to Jail Population Growth" (presentation at The Jail Reentry Roundtable of the Urban Institute, Washington, DC, June 27, 2006).

3. James P. Lynch and William J. Sabol, *Prisoner Reentry in Perspective*, Washington, DC: The Urban Institute, September 2001.

4. Martha R. Burt et al., *Homelessness: Programs and the People They Serve: Findings From the National Survey of Homeless Assistance Providers and Clients*, U.S. Department of Housing and Urban Development (Washington, DC, 1999); cited in Stephen Métraux and Dennis P. Culhane, "Homeless Shelter Use and Reincarceration Following Prison Release: Assessing the Risk," *Criminology & Public Policy* 3, no. 2 (2004): 201–222.

5. Métraux and Culhane, David Michaels et al., "Homelessness and Indicators of mental illness among inmates in New York City's correctional system," *Hospital and Community Psychiatry* 43 (2002):150–155.

6. California Department of Corrections, *Prevention Parolee Failure Program: An Evaluation* (Sacramento, CA: California Department of Corrections, 1997).

7. Burt et al.

8. Métraux and Culhane.

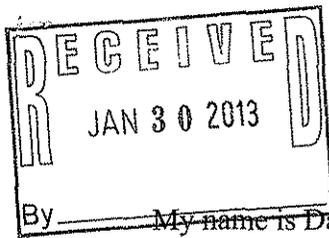
9. Marta Nelson, Perry Deess, and Charlotte Allen, *The First Month Out: Post-Incarceration Experiences in New York City* (New York, NY: Vera Institute of Justice, 1999).

10. Corporation for Supportive Housing, "Re-entry housing promotes public safety while saving public dollars," cost analysis based on data provided by the New York State Division of Parole, 2006.

11. The Lewin Group, 2004. "Costs of Serving Homeless Individuals in Nine Cities." *Chart Book Report*. New York, NY: Corporation for Supportive Housing.

12. Dennis P. Culhane et al. "Public Service Reductions Associated with Placement of Homeless Persons with Severe Mental Illness in Supportive Housing," in *Housing Policy Debate*, Vol. 13, Issue 1: Fannie Mae Foundation, 2002.

13. Corporation for Supportive Housing.



# 13

By \_\_\_\_\_ My name is Dave Ryan, I am an urban planner who has worked in the Los Angeles area for about 30 years. I am commenting in opposition to the Community Care Facilities Ordinance. I am aware that others have already prepared full analyses of the impacts of the ordinance so I will limit myself to a few points.

**Restrictive, not Expansive impact.** Per the City Attorney's report, the ordinance was proposed in response to the State's Community Facilities Act, which required jurisdictions to affirmatively expand housing opportunity for the disabled.

- The proposed ordinance imposes new hurdles which will be detrimental to existing housing, and will impede the expansion of new housing opportunities.
- By carving out the R1 Zone, if this in fact represents 90% of the City's residential land, the result will necessarily be a narrowing of opportunity.
- If the ordinance results in less access to housing for the disabled, there will be no end to the lawsuits, and rightly so.
- The proposed restrictions and requirements for CUP's and other procedures are punitive, where no wrong has been identified. If there are 50,000 persons currently living in shared housing arrangements, where is the problem? We need to expand housing opportunities for the homeless and disabled; to some extent, that does mean "in your backyard".

**Enforceability.** Enforcement of this ordinance is not clearly defined. It seems to require that all landlords conduct criminal background checks. In some cases a landlord might be required to turn away an applicant who was on parole because the structure already had two probationers living there. I think that the result will be that the regulations would be unevenly enforced—and they would fall more heavily on persons of limited means and persons with disabilities. (Not on college students living in a group). And when a regulation is unevenly enforced, there is inequity.

**Appropriateness of the Remedy.** This ordinance will affect, and perhaps derail, some non-institutional permanent supportive housing initiatives. These programs give support to formerly homeless residents so that they can stay in housing—it keeps them off the street.

- These individuals (and couples and families) deserve a roof over their heads, as we all do.
- Those of us who work with the homeless know that we need the broadest "types" of housing in order to get through to our tenants, because we all have our preferences, even the poorest and most downtrodden.
- The problem of housing availability really is urgent—if you live on the street. Congregate, Shared or "roommate" style living doesn't require a huge capital outlay or a long development timeline. Also, some tenants really prefer it.

**Addressing the problem directly:** I support retooling the nuisance ordinances and increasing resources for enforcement. However, if we want to expand housing opportunity we need to spend our time identifying new places for housing, not defining where it shouldn't go. I'm gratified that over half of the City's Neighborhood Councils have opposed this ordinance—what I would like to see is Council and City staff working



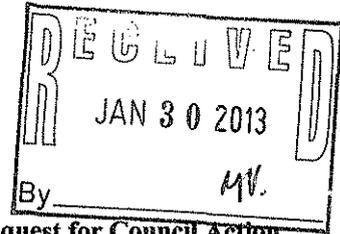
with the Councils to identify real opportunities for siting housing for the disabled. That would be a “neighborly” approach, not a “NIMBY” one.



# Laurel Canyon Association

*A Community Organization Dedicated to Improving and Preserving  
the Quality of Life in Laurel Canyon*

January 30, 2013



**RE: Proposed CCFO – Public Safety Committee Report ITEM (13) and request for Council Action**

To the Honorable City Council:

The Laurel Canyon Association is in agreement with this proposal to establish reasonable controls on community care facilities. Please approve it today.

It is short sided to postpone voting on this ordinance by sending it back for yet more review and further study. Kicking the ball down the road is not the leadership we deserve. Standards need to be set, not for the guys doing it right but for the guys doing it wrong.

But if more study is your decision, then we would request you further strengthen the CCFO to retain the need for Conditional Use Permits with public hearing for Community Care Facilities in single family home zones; limit the number of parolees-probationers in multi-structure units; and adopt Chief Beck's recommendations. In any event, we urge you to include special interim controls for those facilities that are proposed to be opened in Hillside Fire Districts or along Scenic Drives such as Mulholland.

Of course we will need to revisit how the ordinance is working, discuss tweaks, studying unintended consequences. This is a given as we come to terms with a burgeoning new industry.

In its current form this ordinance provides safety officials with clearer guidelines and some tools for enforcement. This proposed ordinance does not discriminate and protects residents from abuse. It is a great start. Please show some leadership and approve it now.

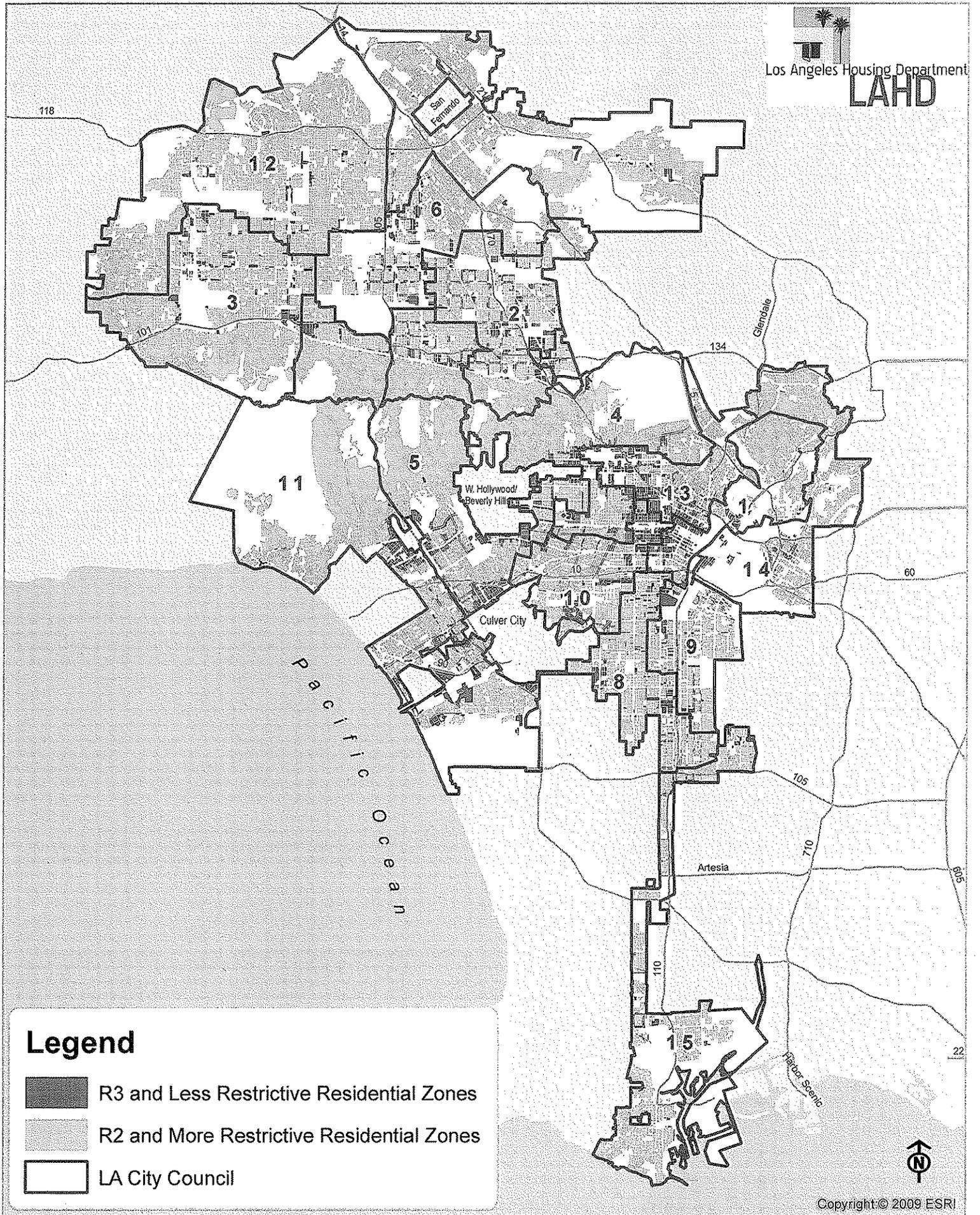
Sincerely,

Cassandra Barrere, President Laurel Canyon Association

Laurel Canyon Association Web Site: [www.LaurelCanyon.org](http://www.LaurelCanyon.org)

# City of LA R2 and More Restrictive Residential Zones Vs. R3 and Less Restrictive Residential Zones

#31

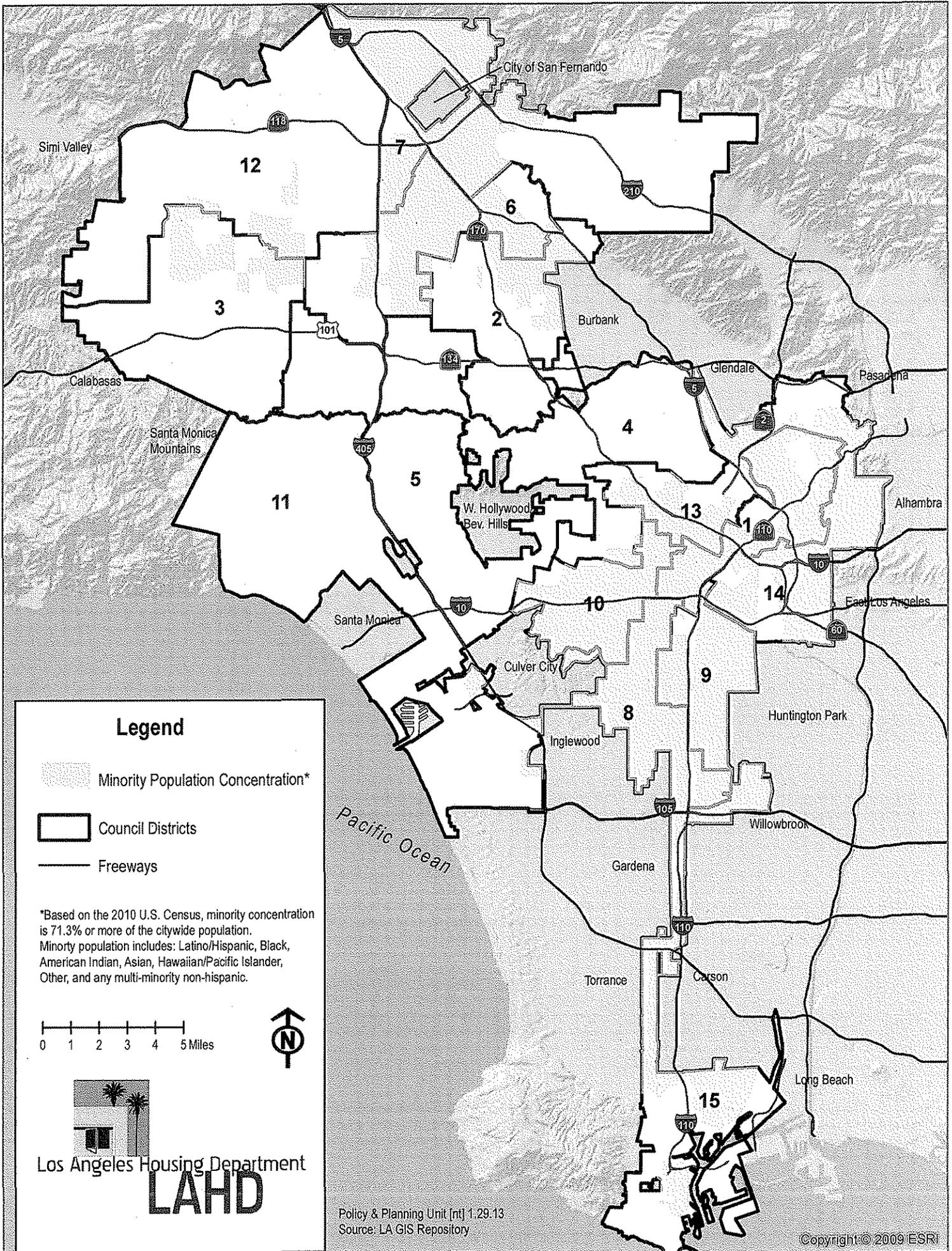


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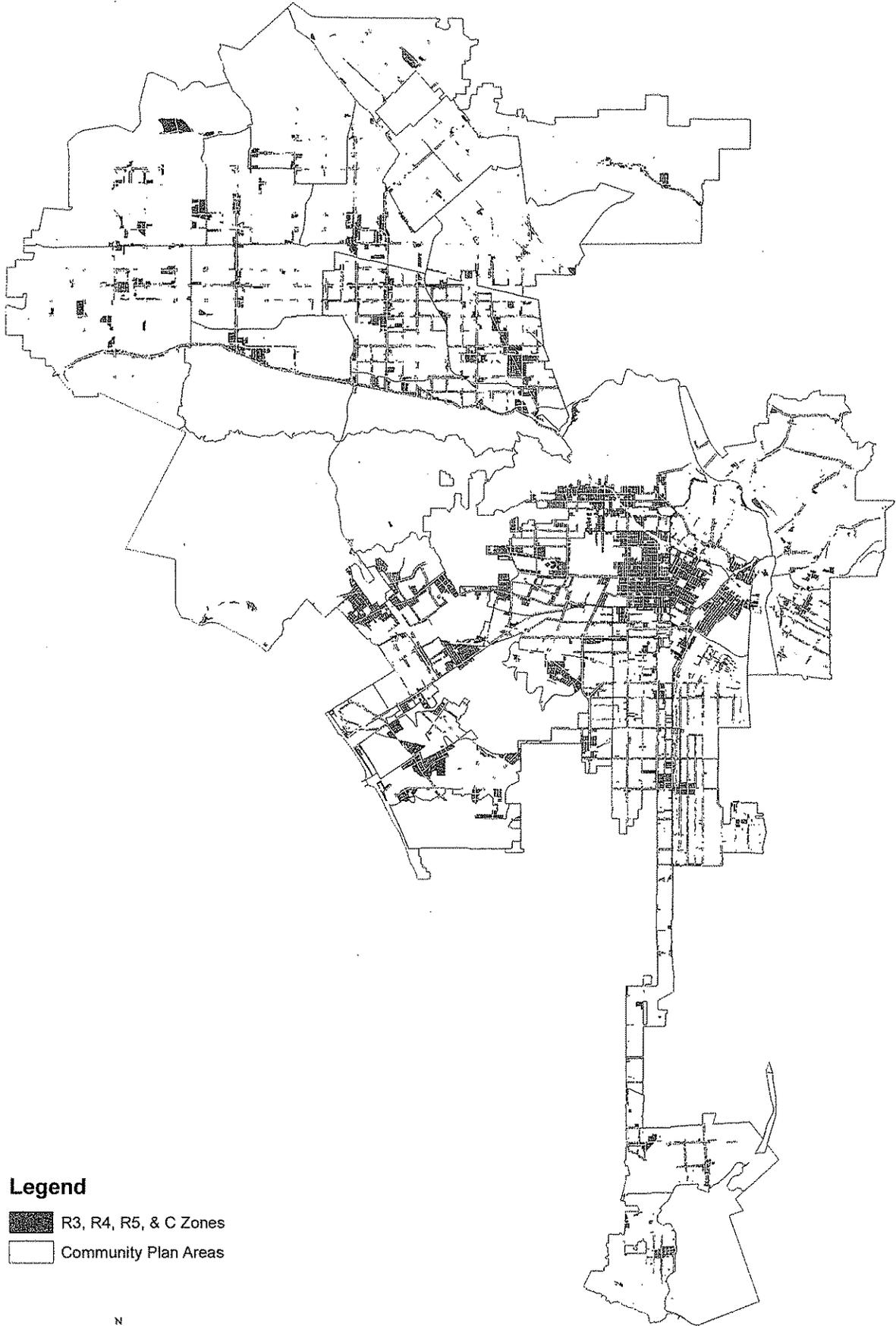
-  R3 and Less Restrictive Residential Zones
-  R2 and More Restrictive Residential Zones
-  LA City Council

# City of Los Angeles: Minority Population Concentration

#31

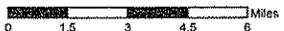


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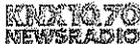


**Legend**

-  R3, R4, R5, & C Zones
-  Community Plan Areas



01/29/13



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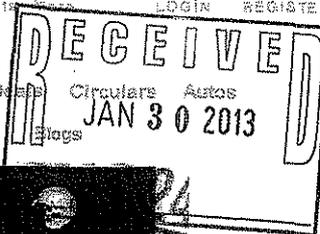
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## LOCAL

*Will Next year's count*

### 3-Day Los Angeles Homeless Count To Begin Tuesday Night

*be higher?*

*It's up to the*

January 29, 2013 11:26 AM

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*LA City Council*



(credit: David McNew/Getty Images)

LOS ANGELES (CBSLA.com) — One of the most ambitious homeless census efforts in the country will begin Tuesday night in Los Angeles County.

Volunteers will fan out to count the number of homeless in Los Angeles, the San Gabriel Valley and East LA over a three-day period.

"We'll be interviewing individuals, determining their vulnerability and creating a list of those

most in need and help to prioritize to them at the end of the day for services like housing and care," Herb Smith, President of the Los Angeles Mission, told KNX 1070.

Homeless Anchor	00:00	Download
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The count, coordinated by the Los Angeles Homeless Services Authority, will go beyond homeless living on the streets to include those in hospitals, jails, parks and beyond.

Southern California is home to more transients than any other place in America.

To sign up for the count click here.

A 2011 count found more than 52,000 homeless people living in the greater Los Angeles area.

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## Neighborhood Councils & Other Organizations That Support the Community Care Facilities Ordinance

**LAPD Chief of Police Charlie Beck**  
**LAFD Chief Brian Cummings**

- Pacific Palisades Community Council
- La Brea Willoughby Coalition
- Empowerment Congress West Area Neighborhood Development Council
- Brentwood Community Council
- West of Westwood Homeowner's Association
- West Los Angeles Neighborhood Council
- Westwood South of Santa Monica Blvd. Homeowner's Association
- Old Granada Hills Residents Group
- Porter Ranch Neighborhood Council
- Granada Hills North Neighborhood Council
- Bel Air Crest Neighborhood Council
- Westchester/Playa Neighborhood Council
- Tarzana Property Owner's Association
- Northridge East Neighborhood Council
- North Hills West Neighborhood Council
- United Neighborhoods Neighborhood Council
- Harbor Gateway North Neighborhood Council
- Encino Neighborhood Council
- Empowerment Congress North Area Neighborhood Development Council
- Northridge South Neighborhood Council
- West Side Regional Alliance of Councils
  - Bel Air Beverly Crest Neighborhood Council
  - South Robertson Neighborhoods Council
  - Brentwood Community Council
  - Neighborhood Council of Westchester-Playa
  - Del Rey Neighborhood Council
  - West LA Neighborhood Council
  - Westside Neighborhood Council
  - Pacific Palisades Community Council
  - Westwood Community Council
  - Palms Neighborhood Council
- Coastal San Pedro Neighborhood Council
- Chatsworth Neighborhood Council
- Sylmar Neighborhood Council
- South Robertson Neighborhood Council
- Granada Hills South Neighborhood Council
- Northwest San Pedro Neighborhood Council
- Northridge West Neighborhood Council
- Reseda Neighborhood Council
- Silverlake Neighborhood Council
- Studio City Neighborhood Council
- Laurel Canyon Association
- Benedict Canyon Association
- Westwood Neighborhood Council