

**REPORT OF THE  
CHIEF LEGISLATIVE ANALYST**

---

DATE: April 14, 2017

TO: Honorable Members of the Rules, Elections, Intergovernmental Relations, and  
Neighborhoods Committee

FROM: Sharon M. Tso   
Chief Legislative Analyst

Assignment No: 17-03-0338

SUBJECT: Resolution (Bonin – Blumenfield) to OPPOSE HR 482 (Gosar) and S. 103 (Lee).

CLA RECOMMENDATION: Adopt Resolution (Bonin – Blumenfield) to include in the City's 2017-2018 Federal Legislative Program OPPOSITION to HR 482 (Gosar) and S. 103 (Lee) which would nullify the Affirmatively Furthering Fair Housing rule.

SUMMARY

Resolution (Bonin – Blumenfield), introduced March 28, 2017, discusses the Fair Housing Act, which was adopted with the goal of ending discrimination in housing matters. The Resolution describes HR 482 and S. 103, which would weaken the Act by prohibiting housing data collection tools that allow communities to affirmatively further fair housing. Citing that the right to live in the area of housing of one's choice is fundamental to the free and equal order of American society, the Resolution calls on the City to oppose HR 482 and S. 103.

BACKGROUND

In 2015, the U.S. Department of Housing and Urban Development (HUD) released the Affirmatively Furthering Fair Housing rule, which created a program to allow communities that receive HUD funding access to data and tools that will help them meet fair housing obligations. The Fair Housing Act of 1968 directs HUD and its program participants to affirmatively further fair housing and equal opportunity. HUD will provide open data to cities on patterns of integration and segregation, racially and ethnically concentrated areas of poverty, disproportionate housing needs, and disparities in access to opportunity. The rule further requires cities that receive HUD funding to document barriers to integration and opportunity and provide policies to mitigate them.

HR 482 and S. 103, the Local Zoning Decisions Protection Act of 2017 would do the following:

- Nullify the Affirmatively Furthering Fair Housing rule;
- Bar federal funds from being used to maintain a federal database of geospatial information on community racial disparities or disparities in access to affordable housing; and
- Direct HUD to report on recommendations to further the Fair Housing Act's purposes and policies.

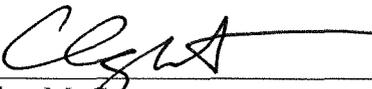
This legislation would limit the City's ability to adhere to the Fair Housing Act and make it difficult to use data to track areas of segregation and concentrated poverty. Therefore, our Office recommends that the City oppose these bills and adopt the Bonin – Blumenfield Resolution.

DEPARTMENTS NOTIFIED

Housing and Community Investment Department

BILL STATUS

01/12/2017 Introduced in House

  
\_\_\_\_\_  
Clay McCarter  
Analyst

Attachment: 1. Resolution (Bonin – Blumenfield).

RESOLUTION

WHEREAS, any position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, the Fair Housing Act was passed in 1968 with the goal of ending discrimination based on race, color, religion, sex, disability, familial status, or national origin in any and all housing matters in the United States; and

WHEREAS, the Fair Housing Act has protected the rights of millions of vulnerable citizens since its enactment and led to landmark court victories for fair housing supporters across the United States; and

WHEREAS, Rep. Paul Gosar (R-AZ) and Sen. Mike Lee (R-UT) have introduced H.R. 482 and S. 103, proposed legislation intended to weaken the Fair Housing Act and interfere with its implementation and enforcement; and

WHEREAS, the proposed bills aim to prohibit diligent housing data collection tools that allow communities to affirmatively further fair housing and establish more equal and inclusive communities; and

WHEREAS, the Department of Housing and Urban Development and its Office for Fair Housing and Equal Opportunity (FHEO) have a mission to administer the Fair Housing Act and establish national policies that protect American citizens' right to housing of their choice, including the rule to affirmatively further fair housing; and

WHEREAS, affirmatively furthering fair housing means to address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws; and

WHEREAS, the right to live in the area and housing of one's choice is fundamental to the free and equal order of American society and has an impact on the equality in the workplace and education that individuals and families can attain, such fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS, hindering the implementation of fair housing principles undermines the strength and vitality of America and its people;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-18 Federal Legislative Program OPPOSITION to H.R. 482 and S. 103, inasmuch as they would undermine the Fair Housing Act, the principles of desegregation, access to fair housing, inclusiveness of communities, and equal protection under the law.

PRESENTED BY:   
MIKE BONIN  
Councilmember, 11<sup>th</sup> District

SECONDED BY: 

ORIGINAL

MAR 28 2017

  
MAR 28 2017