

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: July 1, 2019

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

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No: 19-0002-S118
Assignment No: 19-06-0694

SUBJECT: Resolution to Support SB 222 (Hill)

CLA RECOMMENDATION: Adopt Resolution (O'Farrell - Krekorian) to include in the City's 2019-2020 State Legislative Program, SUPPORT for SB 222 (Hill) which would add military and veteran status to the list of characteristics protected against housing discrimination under the Fair Employment and Housing Act (FEHA) and define source of income as including VASH vouchers.

SUMMARY

The Resolution (O'Farrell - Krekorian), introduced June 26, 2019, advises that there are 9,612 homeless veterans in California, many of whom are suffering with injuries and disorders which make it difficult to obtain employment and housing. Veterans Affairs Supportive Housing (VASH) vouchers which subsidize housing and provide supportive services for homeless veterans have the lowest housing placement rate of housing vouchers from the Housing Authority of the City of Los Angeles (HACLA). FEHA currently prohibits discrimination in employment for military or veteran status but does not extend protections for housing discrimination. The lack of protections at the State-level have allowed discrimination against veterans in housing and have rendered VASH vouchers impractical.

The bill further advises that pending before the California State Senate is SB 222 (Hill) which would add military and veteran status to the list of characteristics protected against housing discrimination under FEHA and would define source of income as including VASH vouchers. This would allow victims of veteran discrimination in housing to file a complaint with the State Department of Fair Employment and Housing (DFEH). The bill would also prohibit landlords from turning away tenants based on VASH voucher usage and would prohibit marketing units as unavailable to VASH vouchers holders. Source of income discrimination protections result in an increase in voucher acceptance and would protect veterans from falling into homelessness.

The Resolution recommends that the City support SB 222 which would add military and veteran status to the list of characteristics protected against housing discrimination under the Fair Employment and Housing Act and define source of income as including VASH vouchers.

BACKGROUND

FEHA is the State of California's anti-discrimination law covering housing and employment discrimination for sixteen protected classes. FEHA is enforced by the DFEH which accepts complaints, mediates cases, and provides remedies for complainants who have experienced discrimination. Although FEHA includes protection from employment discrimination based on military or veteran status, this protected class is not included in the housing discrimination protections of FEHA. Through the addition of military or veteran status to the protected classes, the entirety of FEHA's housing discrimination protections are available to victims of military or veteran discrimination without a further need to amend FEHA.

Source of income is also a protected class under FEHA, however, “source of income” as defined by the State, does not include housing vouchers or other housing assistance, including VASH vouchers. Including VASH vouchers in the source of income definition would prevent any kind of discrimination in housing based on VASH voucher usage and would provide a victim of discrimination the option of filing a complaint with the DFEH. Many cities in California have defined source of income as including housing assistance in local anti-discrimination laws. On June 16, 2018 the City Council approved a source of income discrimination ordinance which would prohibit housing discrimination based on housing voucher or assistance usage this would include VASH vouchers. Several bills at the State level have been introduced to expand the definition of source of income in order to target the discrimination of voucher users.

VASH vouchers are crucial in preventing veteran homelessness, which has seen a significant decrease since 2012 as a result of this program. In addition to housing assistance, VASH vouchers also provide supportive services for veterans which include case management and clinical services. The California Department of Veteran Affairs has found that approximately 55 percent of homeless veterans suffer from mental health issues, 70 percent are affected by substance abuse issues, and 40 percent of female homeless veterans report sever forms of mental illness. The high cost of housing, medical needs, and psychological conditions often act as barriers to housing for veterans. SB 222 seeks to increase the acceptance rate of VASH vouchers which have a significantly lower placement rate than Housing Choice Vouchers (formerly known as Section 8).

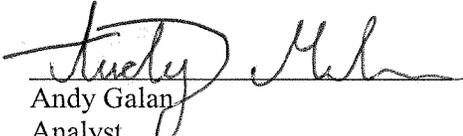
Support for SB 222 is consistent with past City efforts to provide equal housing opportunities, to provide relief for victims of discrimination, to address the homelessness crisis, and to provide aid to veterans.

DEPARTMENTS NOTIFIED

None

BILL STATUS

02/07/19	Introduced
02/21/19	Referred to Committee on Judiciary.
04/10/19	Approved by the Committee on Judiciary and re-referred to Committee on Appropriations.
04/29/19	Ordered to second reading by Committee on Appropriations.
04/30/19	Read second time. Ordered to third reading.
05/06/19	Read third time. Passed. Ordered to the Assembly.
05/07/19	Read first time in Assembly.
05/16/19	Referred to Committee on Judiciary.
05/27/19	Amended, re-referred to Committee on Judiciary.


Andy Galan
Analyst

Attachments: 1. Resolution (O'Farrell - Krekorian)

RESOLUTION

RULES, ELECTIONS & INTERGOVERNMENTAL RELATIONS

WHEREAS, any official 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, there are 9,612 homeless veterans in California, many of whom suffer from conditions, such as post-traumatic stress disorder and traumatic brain injury, that make it difficult to obtain employment or housing; and

WHEREAS, Veterans Affairs Supportive Housing (VASH) vouchers, which subsidize rental payments for homeless veterans and provide supportive services, have the lowest housing placement rate among vouchers issued by HACLA with a 33 percent placement rate; and

WHEREAS, the Fair Employment and Housing Act (FEHA) is the State of California's anti-discrimination law currently prohibits discrimination in employment for military or veteran status, but does not extend the same protections for housing discrimination; and

WHEREAS, the lack of protections at the State-level have in essence declared that discrimination against veterans in housing is acceptable and have left many veterans unable to utilize their VASH vouchers to secure housing; and

WHEREAS, currently pending before the California State Senate is SB 222 (Hill) which would add military and veteran status to the list of characteristics protected against housing discrimination under FEHA and define source of income as including VASH vouchers; and

WHEREAS, by including military and veteran status in FEHA, this bill would provide veterans with protection from discrimination in housing and would allow victims to file a complaint with the Department of Fair Employment and Housing in order to seek relief; and

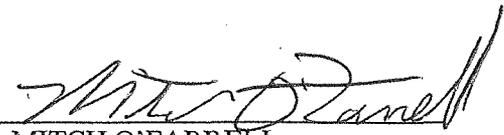
WHEREAS, expanding the scope of the "source of income" definition in FEHA would prohibit landlords from turning away a prospective tenant based on VASH voucher usage and would prohibit advertising accommodations as not available to VASH voucher holders; and

WHEREAS, source of income discrimination protections result in an increase in voucher acceptance and would ensure that vulnerable veterans are protected from falling into homelessness; and

WHEREAS, these common sense inclusions into FEHA would aid in correcting the injustice of a status quo which consents to the discrimination of veterans and would ensure that veterans can be adequately housed with the supportive services they need;

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 2019-2020 State Legislative Program SUPPORT for SB 222 (Hill) which would add military and veteran status to the list of characteristics protected against housing discrimination under FEHA and define source of income as including VASH vouchers.

PRESENTED BY:


MITCH O'FARRELL
Councilmember, 13th District

JUN 26 2019

SECONDED BY 