



AB 282: Rental Assistance Programs

Principal Coauthor: Senator Laird

Introduced 01.22.2025

BACKGROUND

The Housing Choice Voucher (HCV) Program is a federal rental assistance program for low-income families. Eligible families can use a voucher to rent a unit in the private rental market. The family will pay an “affordable” portion rent, which is usually about 30% of their income. The HCV program pays the remainder of the rent to the landlord on the tenant’s behalf. Historically, families with a voucher have had difficulty finding a unit in the private rental market. This includes blatant refusal from some landlords to rent units to tenants with a voucher.

CURRENT LAW

Housing discrimination based on “source of income” has been prohibited for many years. In 2019, Governor Newsom signed SB 329 (Mitchell) to redefine “source of income” to include housing subsidy payments. Under current law, it is unlawful for the owner of any housing accommodation to discriminate against any person because of their source of income. The legislation was drafted in acknowledgement that many households with rental assistance face discrimination in their housing search, and the bill intended to eliminate that discrimination and ultimately to promote housing opportunity for households receiving rental assistance.

PROBLEM

Although SB 329 was an important step in combating housing discrimination and expanding housing opportunities for families with a voucher, the law as currently written also prohibits any *preference* based on source of income. Therefore, while it is now prohibited to discriminate against households with rental assistance, it is also prohibited to establish a preference that *benefits* households with rental assistance. As a result, the extent to which SB 329 can expand housing

opportunities to voucher households is limited, which counters the intent of the original legislation.

SOLUTION

AB 282 will explicitly state that the prioritization of applicants for tenancy who qualify for or participate in rental assistance programs does *not* constitute discrimination based on source of income. This amendment will allow housing providers to establish a preference for voucher households, potentially expanding housing opportunities for low-income renters.

Additionally, this bill will benefit owners of inclusionary housing units, such that they could meet inclusionary requirements while receiving market rate rents. Finally, AB 282 will stimulate rental housing development by making private market rental housing subject to inclusionary requirements more financially viable.

SUPPORT

Housing Authority of the County of Santa Cruz (sponsor)

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