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Community Group Sues City of Los Angeles for Using Illegal Procedure to Block Supportive and Affordable Housing Projects for Homeless

LOS ANGELES, July 26, 2018— Public Counsel, Rosen Bien Galvan and Grunfeld LLP, and the Public Interest Law Project announced today that they have filed suit on behalf of Alliance of Californians for Community Empowerment (ACCE Action) against the City of Los Angeles over an illegal city procedure deceptively labeled the Letter of Acknowledgment (LOA), which gives individual City Councilmembers the power to decide if, whether and where supportive and affordable housing projects are built in the City. LOAs currently allow individual Councilmembers to secretly block, alter or delay affordable and supportive housing projects for any reason or no reason at all, violating multiple provisions of state law. Without obtaining a LOA from a Councilmember, developers cannot be eligible for supportive and affordable housing funding from the City. The Complaint alleges that LOAs are an illegal barrier that stand in the way of the housing solutions that would solve the City's continuing problems of homelessness and segregation -- despite the voters' clear intent to the contrary.

The overwhelming success of Proposition HHH in 2016 authorized \$1.2 billion to fund the construction of 10,000 units of supportive and affordable housing throughout LA. However, almost two years after its historic passage there are still districts in LA where there are no Proposition HHH housing units. "This is a crisis of conscience. Voters have said loud and clear that the City must do everything in its power to fund supportive and affordable housing and help get our neighbors off the street," said **Mark Rosenbaum, Director of Public Counsel's Opportunity Under Law Project**. "Yet the City continues to maintain a policy that thwarts the will of the people by allowing Councilmembers to covertly veto the building of supportive and affordable housing in their districts, in order to placate NIMBYs and interest groups who want to keep homeless residents and low-income people out of their neighborhoods."

"The LOA policy is a clear violation of California state laws, including laws prohibiting discrimination in housing based on race or disability and laws protecting supportive and affordable housing," said **Jeffrey Bornstein, a Partner at Rosen Bien Galvan and Grunfeld LLP**. "No other type of development in the City is subject to the same arbitrary approval by an individual Councilmember, which is a violation of state law," said **Michael Rawson, Director of the Public Interest Law Project**. "This is a known impediment to fair housing that has been nationally criticized for years, yet the City keeps readopting it year after year," said **Shashi Hanuman, Directing Attorney of Public Counsel's Community Development Project**.

In addition to the lack of accountability, the adverse effects of the LOA policy are felt most acutely by people of color and people with disabilities, who are disproportionately homeless. The most recent homeless count in LA showed that on any given night, over 31,000 individuals, including children, seniors, veterans, individuals with mental and physical disabilities, and survivors of domestic violence, have no choice but to live in sidewalk encampments and sleep in tents or sleeping bags. “Every day that our elected officials delay or outright reject supportive and affordable housing projects means another night on the streets for residents in desperate need of a place to call home,” said **Gloria Cortez, of ACCE, the plaintiff in the case.** “It’s time for the City to remove this unnecessary barrier to building the housing we need to solve our homelessness crisis and put roofs over our fellow Angelenos’ heads.”

The plaintiff is represented by **Public Counsel, Rosen Bien Galvan and Grunfeld LLP**, and the **Public Interest Law Project**.

For more information on *ACCE Action v. City of Los Angeles* and to view the complaint in full, please visit [this page](#).

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