



2018 Annual  
**REPORT**

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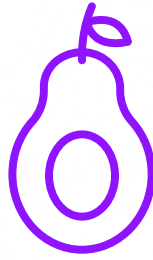
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# INTRODUCTION

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## Dear Supporters,

As 2019 bears down on us all, we feel it is appropriate to declare 2018 as The Year of the YIMBY. The legal and political landscape of California housing law is radically different from where we started in the beginning of the year. To wit, the candidates running for Governor were tripping over themselves trying to outdo each other by promising bigger and more impressive numbers of new housing getting built under their watch.

CaRLA filed four new lawsuits this year; we've already prevailed in one of those, along with another which was initiated in 2017. Cities all over the state are realizing that the days of capricious and arbitrary denials in violation of state housing law are coming to an end. We've heard numerous reports through our new Avocado Watch Network of city councils dedicating entire meetings to discussion and education of their obligations under the Housing Accountability Act. Often, planning commissions will express their immense distaste for new housing proposals, followed by a brief statement that they must approve it anyways or else face the consequences.

Our mission is to restore a legal environment in which California builds housing equal to its needs. Achieving this requires undoing four decades of inadequate housing policy. It will take about as much time, but we're already seeing results. In 2019, we plan to improve our data collection to turn these anecdotes into solid data and prove our effectiveness. We will also be expanding our litigation into new fields of law, such as the Fair Housing Act, impact fees, and beyond.

With love and solidarity,

Dylan, Sonja, and Victoria



# Legal Action

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## Sausalito

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Status: Settled

Summary: Sausalito attempted to deny a modest one-unit expansion to a homeowner's property.

Outcome: The city granted the permits and paid our attorney fees. The project will break ground in early 2019.

## Dublin

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Status: Settled

Summary: Dublin denied 220 homes at their BART station. This was CaRLA's first project to include affordable housing.

Outcome: The city granted the permits and paid our attorney fees. The project is projected to break ground in 2021.

## City of San Mateo

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Status: Proceeding to litigation

Summary: The City of San Mateo bowed to wealthy homeowners and denied a 10 unit apartment building next to the Broadway Caltrain station after a marathon city council meeting about parking. After a series of settlement negotiations fell apart, CaRLA is proceeding to litigation in court.

## Dublin

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Status: Settled

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Outcome: The city granted the permits and paid our attorney fees. The project is projected to break ground in 2021.

## Sonoma

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Status: Proceeding to litigation

Summary: The City of Sonoma ordered three separate environmental impact studies for three separate lots, although they are all part of the same project. That same year, that same city council denied the project on the basis that the three studies were inappropriately split up, and that they should have instead been performed as one, despite having previously ordered the opposite. In their findings, they allude to the project size, indicating their attempt to use CEQA to circumvent the HAA.

Settlement mediation failed and CaRLA has initiated litigation proceedings on the basis that further mediation is unlikely to resolve the issue.

## San Francisco ADU Ordinance

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Status: Litigation on hold to allow for adoption of a new ordinance.

Summary: In 2017, the State Legislature passed laws requiring by-right approval of accessory dwelling units, and further required that cities pass ordinances implementing this. San Francisco passed one such ordinance, but failed to exempt ADUs from Discretionary Review, and prohibited ADUs in new single-family homes.

CaRLA filed suit to ensure that the Board of Supervisors passes an amendment to remedy these problems. The ordinance is currently under consideration, and our lawsuit will proceed in the event they fail to pass it.

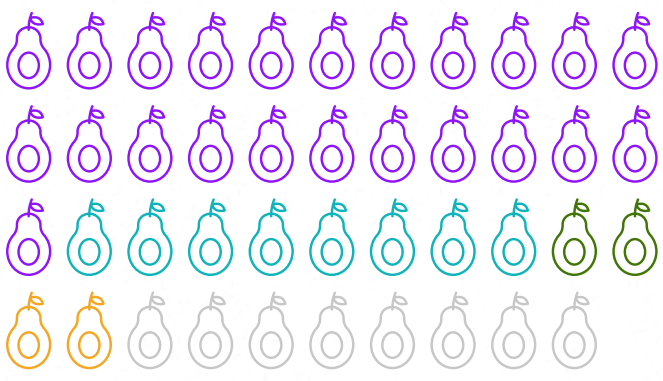


# The Avocado Watch Network

In 2018 we launched the Avocado Watch Network, a statewide membership program of housing watchdogs. Membership provides access to the CaRLA Slack and Discussion communities which members will use to report state housing violations to us. Within less than a month of launching, nearly 50 members signed up from all over the state.

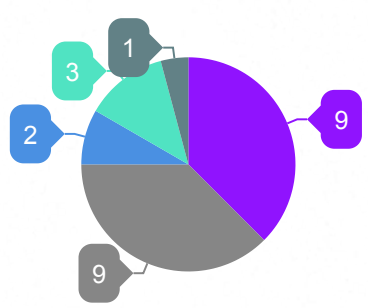
**\$1,700**  
Monthly dues

### Where do they live?



- Bay Area (53.49%)
- Los Angeles Area (18.60%)
- Elsewhere in CA (4.65%)
- Out of state (4.65%)
- Declined to specify (18.60%)

### Membership by Industry



- Technology (37.50%)
- Declined to specify (37.50%)
- Real Estate (12.50%)
- Finance (8.33%)
- Other (4.17%)



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'Change life!  
'Change society!'  
These precepts  
mean nothing  
without the  
production of an  
appropriate  
space.

Henri Lefebvre

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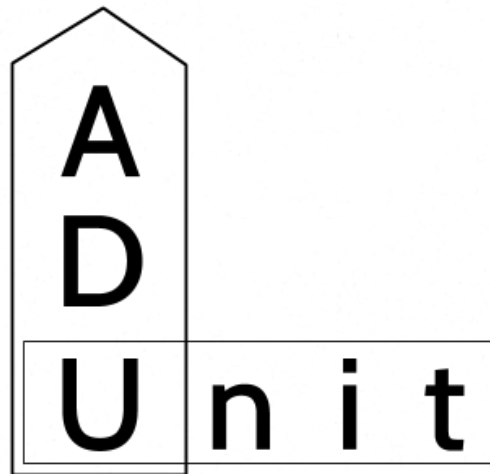


# ADU Unit

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Over the last several years, the California legislature has enacted a series of remarkable, sweeping bills to legalize ADUs statewide. As these changes to state law took effect, homeowners hoping to add ADUs to their houses encountered resistance from their planning departments and local governments. Throughout 2017, homeowners sought assistance from the state to hold local government accountable. The state has no authority to enforce the current law, however, so many of these homeowners came to CaRLA looking for assistance.

As flattering as it was to be recognized by the state as an enforcer of state law, we didn't have anyone on staff at CaRLA with expertise on the new legislation. Unlike the HAA, which is violated the same way everywhere, the new ADU laws are frustrated in ways as diverse, creative and numerous as the localities that do the frustrating.



Luckily, in December 2017, Dylan Casey, reached out to us. Dylan had been working on land use proposals for the New York City Council, and was interested in getting involved in the fight to solve California's housing shortage. In April, 2018 we hired Dylan and opened an ADU unit at CaRLA. By taking inquiries from individual homeowners and walking them through the process, Dylan has become the foremost expert in California on the state ADU law and the ways localities attempt to frustrate it, outside of the people working for state's own Department of Housing and Community Development.

Dylan helps homeowners navigate local ADU permitting requirements, and where necessary pressures cities to come into compliance with state laws. He relays the experiences of applicants and local governments to our advocacy allies in Sacramento, helping to inform yearly amendments to the state law. We also are bringing lawsuits against cities that have passed local ADU laws that are out of compliance with the existing state law, and refuse to correct them on their own. In December, we filed a lawsuit against the City of San Francisco for passing an ADU law that is out of compliance with the state law. We are currently analyzing several other cities' laws for potential enforcement actions.



Dylan Casey

30

Homeowners assisted

1

Lawsuit filed

6

New cases received per month



# 2019 Outlook

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## Legal Action

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CaRLA continues to be the leading statewide expert in enforcement of the Housing Accountability Act. Incoming State Governor Gavin Newsom has made commitments to enforce state housing law for his first term, starting out by filing a lawsuit against the City of Huntington Beach. We see this as a ringing endorsement of the same strategy that led to CaRLA's founding and look forward to collaborating with the Department of Housing and Community Development under their administration.

We anticipate success in our outstanding lawsuits against the City of San Francisco, City of San Mateo, and City of Sonoma. In particular, we hope our Sonoma lawsuit will produce a published opinion in court and create new legal precedent against utilizing CEQA to circumvent state law.

## Education

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Members of the Avocado Watch Network will remain a key component of our legal enforcement activities. However, our Avocacos need to know what to look out for if the program is to be a success. We are planning a series of regular workshops around the state this year. Our first two are scheduled for February and March, with local organizers and Avocado members in the East Bay and Los Angeles, respectively.

As our membership continues to grow, we expect to add workshops in the central valley, northern California, and San Diego regions.

Additionally, we are developing a city staff and planning commissioner specific version of our workshop to offer as a paid settlement option in our Housing Accountability Act lawsuits.

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Some cities [...] willfully stand in violation of California law. Those cities will be held to account.

--California Governor Gavin Newsom, upon filing suit against Huntington Beach

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Special thanks to our  
Inaugural Avocado Watch  
Network members

Kelsey Banes	Walt Milliken
Georgette Bartell	Sam Moss
Sara Barz	Rachel Novak
Andrew Branscomb	Kurtis Nusbaum
Tracey Briones	Rebecca Peacock
Brad Bulger	Guy Penini
Kevin Burke	Shane Phillips
William Cline	Daniel Posch
Ashley Coates	Louis Potok
Milly Coogan	Brian Resendiz
Melissa Davies	Ravi Sankar
Jurg Domenig	Tommaso Sciortino
Michael Ducker	Richard Sheperd
Christopher Elmendorf	Edward Siegel
Matthew Gelfand	Evan Siroky
Dylan Hunn	David Stone
John Kalucki	Matthew Struhar
Max Kapczynski	Andrew Sullivan
Jeff Kraft	Asumu Takikawa
Nick Kraus	Ellen Teapot
Owen Lawlor	Liz Tracey
Cody Little	Alfred Twu

