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May 18, 2022   mmorales@cbia.org

CBIA Announces List of Housing Killer and Creator Bills for 2022; Calls on California's Elected Officials to Advance Policies to Increase Homes and Equity in Homeownership

SACRAMENTO - The California Building Industry Association (CBIA) today announced its 2022 list of Housing Killers and Housing Creators bills. These measures have been identified by CBIA as exceptionally harmful or helpful to increasing equity in homeownership and achieving much-needed Housing For All in California.

"Due to the shortage of homes, too many California families are unable to achieve the dream of homeownership," said Dan Dunmoyer, President and CEO of CBIA. "This is especially true for families of color that lack access to homeownership equity due to a legacy of racial discrimination in housing laws and policies."

To achieve housing for all, California's elected leaders must ensure that more housing can be built for California families at all income levels. Housing Killers and Creators are identified based on how they would restrict or increase housing production and advance equity in homeownership. We call on the Legislature and the Governor to pay attention to this list and take action to end the housing crisis in our state that is denying the benefits of homeownership to too many California families.

Housing Killers
Bills identified as Housing Killers would add cost, time and unreasonable limitations on housing construction which exacerbates California's current housing crisis. CBIA has identified the following bills in this legislative session as Housing Killers:

- **AB 1001 (C. Garcia) Environment: mitigation measures for air quality impacts: environmental justice.** Expands the California Environmental Quality Act (CEQA) by adding unmeasurable standards that will discourage housing production in California at the very time we need it most. AB 1001 will impede local governments' ability to approve new housing projects, depress jobs directly in and associated with the construction industry, and further exacerbate the cost-of-living crisis in California.

- **AB 1771 (C. Ward) The California Housing Speculation Act: income taxes: capital gains: sale or exchange of qualified assets: housing.** Would impose an additional tax of up to 25% on a homeowner's net capital gain from the time of purchase until the final sale or exchange of a property if sold within the first 7 years of purchase. This targeted tax penalty would result in higher home prices, pushing sky-high housing costs further out of reach for California families.

- **AB 1778 (C. Garcia) State transportation funding: freeway projects: poverty and pollution: Department of Transportation.** Would prohibit freeway expansion projects. Many new housing projects are required to pay for or build freeway expansion or interchange improvements as a condition of approval – particularly if they are located within 10 miles of a freeway. AB 1778 would kill housing projects by prohibiting those improvements and associated permits.

- **AB 2840 (E. Reyes) Qualifying logistics use projects.** Would place a ban on certain warehouse/logistics facilities, overriding local authority in lieu of all environmental processes. The bill is contrary to the state's planning and greenhouse gas reduction goals of decreasing vehicle miles traveled by designing communities with mixed uses. CBIA Members are designing new communities, with walking to work, shopping and other services in order to help meet these environmental objectives. By placing undue burdens on the warehouse and logistics industry, AB 2840 also raises massive supply chain concerns. This would place further stress on California's economy, making it difficult to transport basic necessities.

- **SB 12 (M. McGuire) Local government: planning and zoning: wildfires.** Would prevent urgently needed housing development by rendering 50% of all new projects infeasible through regulations to be determined at a later date. SB 12 would give the Governor's Office of Planning and Research excessive control over the land use decision-making process, complicating planning for future housing needs. SB 12 would also impact projects that have already been approved or are in the pipeline. Unfortunately, SB 12 uses fire fear as an excuse to deny more housing for the projects that use proven, fire-tested, science-based, fire-resistant measures that are the safest in the state.

- **SB 1292 (H. Stern) Land use: development restriction: fire hazard severity zones.** Further exacerbates California's housing crisis by providing local jurisdictions with the authority to place sweeping prohibitions on new residential construction ignoring significant regulatory mandates already in place.

- **SB 1404 (H. Stern) California Environmental Quality Act: oak woodlands.** For the first time, the state is creating a one-size-fits all, top-down environmental standard that for decades has been the purview of cities and counties, based upon the diverse conditions in the state and allowing for local public in-put. By requiring a second state-mandated local program to determine whether a project may result in negatively impacting oak woodlands, SB 1404 will make the housing crisis worse by arbitrarily and statutorily defining what is considered a significant environmental impact when removing an oak tree. In short, this measure adds a duplicate layer of bureaucracy for managing oak trees on top of the already most aggressive oak tree protection requirements in the country.

Housing Creators
CBIA has identified the following bills as Housing Creators because they would effectively reduce barriers to homebuilding and help create more homes that are carbon neutral, climate resilient and energy efficient:

- **AB 2656 (P. Ting) Housing Accountability Act: disapprovals: CEQA.** The Housing Accountability Act was created to prohibit local agencies from disapproving housing development projects. In an effort to scuttle additional housing, some jurisdictions are requiring further environmental studies in addition to complying with CEQA where there is not a legally sufficient basis for doing so. AB 2656 closes this abusive loophole.

- **AB 2705 (S. Quirk-Silva), the Wildfire Land Use Planning Act.** Creates high standards for homebuilding in very high fire hazard severity zones thereby protecting California's ability to meet the urgent need for more homes while addressing climate change concerns. These new development standards for homebuilding will preserve the development of fire-safe, climate resilient and energy efficient master planned communities.

- **SB 1410 (A. Caballero) CEQA: transportation impacts.** The regulatory implementation of Vehicle Miles Traveled (VMT) was intended to incentivize the construction of homes in urban areas with a goal of reducing greenhouse gas emissions, but the VMT policy has failed to achieve these results while adding huge costs to home construction where lower and middle income families can actually afford to live and disproportionately impacting families of color. As originally introduced, SB 1410 would have modified the VMT regulations to limit their use to Transit Priority Areas, but during its first hearing in the Senate, the bill was amended and is currently a work in progress to address this difficult regulation that has increased the cost of housing.

"CBIA will monitor changes in legislation and will add bills to the Housing Killer and Housing Creator lists as appropriate," Dunmoyer added. "We look forward to working with legislators and the Governor to advance policies that will address the housing crisis, increase equity in homeownership, and achieve Housing For All."

About the California Building Industry Association
The California Building Industry Association is a statewide trade association based in Sacramento representing thousands of member companies including homebuilders, trade contractors, architects, engineers, designers, suppliers and industry professionals in the homebuilding, multi-family and mixed-use development markets.

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