

## **A conversation with Sonja Trauss, August 29, 2016**

### **Participants**

- Sonja Trauss – Co-Founder and Co-Executive Director, California Renters Legal Advocacy and Education Fund (CaRLA)
- Alexander Berger – Program Officer, U.S. Policy, Open Philanthropy Project

**Note:** These notes were compiled by the Open Philanthropy Project and give an overview of the major points made by Sonja Trauss.

### **Summary**

The Open Philanthropy Project spoke with Ms. Trauss of CaRLA for an update on an Open Philanthropy Project grant to support the organization's activities. The \$300,000 grant was awarded to CaRLA on June 2016 as part of the Open Philanthropy Project's work on land use reform to increase housing affordability.

Conversation topics included CaRLA personnel and financial updates, progress on CaRLA's lawsuit against the city of Lafayette, and other projects that CaRLA is currently working on or may pursue in the future.

### **Staff and Board updates**

#### **Staff**

Brian Hanlon, Co-Executive Director of CaRLA, left his other job and became CaRLA's second full-time employee at the beginning of September 2016. CaRLA does not currently have plans to hire more staff.

#### **Board of Directors**

CaRLA added Stephen Menendian as a member of its Board. Rafael Solari is moving to New York, but he plans to remain on the Board of CaRLA.

In accordance with Internal Revenue Service policy, Ms. Trauss and Mr. Hanlon will not be present when the Board is meeting to discuss their compensation.

### **Financial update**

Since last speaking to the Open Philanthropy Project and receiving the first half of the grant awarded to it in June 2016, CaRLA raised an additional \$50,000 from donors. It currently has cash reserves of \$200,000.

CaRLA has spent about \$100,000 to date. Roughly half of this has gone to Ms. Trauss's salary – about \$30,000, plus an additional \$15,000 for payroll taxes – and the remaining \$50,000 has gone to paying for the legal services of Ryan Patterson, the attorney working with CaRLA on the Lafayette lawsuit.

## **Current work of CaRLA**

### **Progress on the lawsuit in Lafayette**

The developer and the city of Lafayette filed a demurrer, challenging the legal basis of CaRLA's lawsuit against Lafayette. The judge ruled in favor of CaRLA, and the lawsuit will proceed to trial, tentatively in January or February of 2017.

The trial will be split into two parts:

1. Based on the process agreement entered into by the developer and the Lafayette City Council, can the two development projects submitted to the city be considered the same project? The answer to this question will help determine if the city is violating the California Housing Accountability Act of 1982 (HAA).
2. The California state version of the Federal Fair Housing Act of 1968.

#### *Estimated cost*

The first part of the trial alone will cost approximately \$50,000. CaRLA will fundraise at the end of 2016 to pay for the trial.

### **Similar development projects in the San Francisco Bay Area**

There may be similar development projects in other cities. In Los Gatos, CaRLA has been writing letters in support of a lawsuit occurring in this city and is monitoring the situation, but it is not otherwise involved. Additionally, a developer in Monte Sereno has reached out to CaRLA to advise on a proposed project in this city. CaRLA has not yet evaluated this project.

### **San Francisco Bay Area "Yes In My Backyard" (SFYIMBY) social movement**

Membership on the SFYIMBY mailing list has been growing quickly.

Ms. Trauss and Diego Aguilar Canabal are starting a new website, [sfbamo.com](http://sfbamo.com) (Bay Area Metropolitan Observer), to respond to the need in the local community for more coverage of housing-related news and activities. Grow SF is currently paying Mr. Canabal's salary, and he writes one to three articles a day on YIMBY-related topics.

## **Potential CaRLA projects**

### **Nexus studies**

One potential future focus area for CaRLA is challenging Nexus studies in court. California state law currently states that a Nexus study should be conducted to determine whether a local affordable housing need is met by a proposed housing development. However, one of the ramifications of the California Supreme Court ruling in favor of San Jose in the 2015 case of the California Building Industry Association v. City of San Jose is that a Nexus study is not required in cities.

While not necessarily impacting existing inclusionary housing programs, challenging Nexus studies should positively impact the public conversation about housing development.

## **Including the California Housing Accountability Act in staff reports**

The city of Berkeley is planning to enact a new policy to include an HAA treatment in every staff report – e.g., for a development planning commission, design review, or city council meeting.

CaRLA would like to see this policy adopted by more cities. A bulletin communicating new laws and changes to the interpretation of existing laws is sent out every few years by the California State Attorney General to city attorneys and planning departments. A mention of Berkeley's new policy and some example HAA treatments for other cities to follow should be included in this bulletin.

*All Open Philanthropy Project conversations are available at  
<http://www.openphilanthropy.org/research/conversations>*