



City of Mission Viejo

Office of the Mayor and City Council

Trish Kelley
Mayor

Wendy Bucknum
Mayor Pro Tem

Brian Goodell
Council Member

Greg Rath
Council Member

Edward Sachs
Council Member

August 27, 2021

The Honorable Jesse Gabriel
State Assembly Member, 45th District
State Capitol Building, Room 4117
Sacramento, CA 95814

RE: AB 989 (Gabriel): Housing Accountability Act: Appeals: Office of Housing Appeals. - OPPOSE

Dear Assembly Member Gabriel,

On behalf of the City of Mission Viejo, I write to express our opposition to AB 989, which would establish an Office of Housing Appeals (OHA) in the Department of Housing and Community Development (HCD) and authorize a developer to appeal a city's decision that resulted in the denial of a specified housing development project or subjected the project to conditions determined to be in violation of the Housing Accountability Act (HAA).

Under current law, the Housing Accountability Act (HAA) has controls and balances built into it to ensure there are no bad actors among local jurisdictions. Additionally, the HAA explicitly gives local jurisdictions the authority to deny a project because it would have a specific, adverse impact upon the public health or safety. While the City understands and appreciates that the existing legal and court process can take significant amount of time to settle disputes, it is the most fair and consistent process to resolve conflicts between local jurisdictions and project proponents.

California is facing a critical housing shortage as a result of housing demand outpacing the speed of housing production. Through the careful and considered process of planning, zoning, receiving public input, and mitigating the implementation of state housing laws and the needs of the building industry, local governments are adept at ensuring developments follow a timeline that attempts to satisfy all stakeholders and standards.

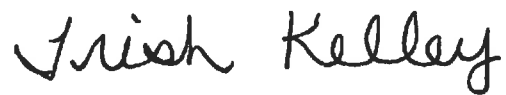
We believe that the creation of the OHA adds an additional layer of Sacramento-based bureaucracy that could hinder the noble goal of increased housing production and



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could potentially create additional problems and draconian oversight of local community health and safety conditions. In fact, doing so will only slow development, increasing conflict and add time to the process. AB 989 will do nothing to bridge the gap between the time a city or county approves a housing project and when a developer begins construction.

Sincerely,



Trish Kelley
Mayor

cc: Senator Pat Bates
Assembly Member Laurie Davies
City of Mission Viejo City Council Members
Dennis Wilberg, City Manager ~ City of Mission Viejo
Elaine Lister, Director of Community Development ~ City of Mission Viejo
Gail Shiomoto-Lohr ~ GSL Associates

