



AB 548 (Boerner-Horvath) Healthy Housing: Code Enforcement

Hidden Crisis

Substandard housing conditions are an often-overlooked aspect of our state's housing crisis. According to the US Census Bureau's American Housing Survey data from 2021:

- Over 538,000 homes in California have “severely inadequate” or “moderately inadequate” plumbing and heating systems
- Over 1 million homes have signs of mice
- Over 1.4 million homes report having cockroaches
- Over 1.5 million identified plumbing or other water leaks
- Over 350,000 households have moldⁱ

With few alternatives, unhealthy housing has served as affordable housing for far too many Californians for far too long.

Unequal Impacts

Living in substandard housing conditions can lead to serious health impacts. For example, deteriorated lead-based paint can lead to long-term developmental damage in children, while mold and cockroaches can both exacerbate existing asthma and cause the development of asthma. The same 2021 survey shows that these unhealthy conditions are not shared evenly.

According to the report, renters are 2.6 times more likely to have mold and 2.5 times more likely to have cockroaches in their homes.ⁱⁱ

These disparities are particularly troubling considering that, statewide, 62.9% of African Americans and 55.5% of Latinxs rent their homes compared to just 44.7% of whites.^{iii,iv} There is a clear connection between the disproportionate exposure to unhealthy housing conditions and many of the health inequities we find in low-income communities and communities of color.

Current Law

Existing state and local laws require landlords to adequately maintain their rental housing while designating local code enforcement agencies responsible for enforcing these health and safety standards. Because most jurisdictions rely on tenant complaints to identify potential substandard housing conditions, enforcement of health and safety issues generally do not happen until families are exposed to pests, mold, a lack of heat, or lead hazards. This reactive system triggers action only after families experience lead poisoning, asthma, and other harm.

Improving a Reactive System

Recognizing this challenge, modest changes to existing complaint-based code enforcement can improve their ability to catch the most severe problems. Because we know, in the context of multi-family housing, a substandard condition in one unit indicates an increased risk of

substandard conditions in other units in the same property, requiring code enforcement officers to inspect additional units when uncovering severely substandard conditions during an inspection. By supplementing a complaint-based inspection with additional inspections when needed, jurisdictions will be able to catch problems that previously went unreported or before the problems could grow into more significant health hazards.

This Bill: Locally Tailored Solution

AB 548 would require local code enforcement agencies to develop policies and procedures for inspecting additional units in a multifamily building if violations are found in one unit that the code enforcement officer determines could reasonably impact other units. Local agencies would have the flexibility to:

- Develop the criteria needed to trigger additional inspections, taking into

account building type, age, size and history of violations;

- Determine how many additional units require inspection, with at least adjacent units, including those above and below, included;
- Allow for the inspection of all of the units if severe, building wide violations are found.

Addressing Health Equity

Unhealthy housing conditions play a key, but often unseen, role in our state's housing crisis and are a driver of racial and ethnic health inequities. Improving our system for ensuring renters do not have to accept unhealthy housing conditions in order to afford a place to live is essential to solving our housing crisis. It also is vital to reducing the disproportionate exposure to unhealthy housing conditions in low-income communities and communities of color. AB 548 is a simple and efficient strategy to begin tackling these problems.

Support

Regional Asthma Management and Prevention (Sponsor)
Children Now
Coalition for Economic Survival
Community Action to Fight Asthma
Healing and Justice Center
Kern County Asthma Coalition
Law Foundation of Silicon Valley

ⁱ American Housing Survey Table Creator: https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=00006&s_year=2021&s_tablename=TABLE5&s_bygroup1=1&s_bygroup2=1&s_filtergroup1=1&s_filtergroup2=1

ⁱⁱ American Housing Survey Table Creator: https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=00006&s_year=2021&s_tablename=TABLE5&s_bygroup1=2&s_bygroup2=1&s_filtergroup1=1&s_filtergroup2=1

ⁱⁱⁱ American Housing Survey Table Creator: https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=00006&s_year=2021&s_tablename=TABLE5&s_bygroup1=2&s_bygroup2=9&s_filtergroup1=1&s_filtergroup2=1

^{iv} American Housing Survey Table Creator: https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=00006&s_year=2021&s_tablename=TABLE5&s_bygroup1=2&s_bygroup2=8&s_filtergroup1=1&s_filtergroup2=1