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THIRD READING

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Bill No: AB 1137  
Author: Maienschein (R)  
Amended: 9/1/17 in Senate  
Vote: 21

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SENATE TRANS. & HOUSING COMMITTEE: 13-0, 6/6/17  
AYES: Beall, Cannella, Allen, Atkins, Bates, Gaines, McGuire, Mendoza,  
Morrell, Roth, Skinner, Wieckowski, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 9/1/17  
AYES: Lara, Bates, Beall, Bradford, Hill, Nielsen, Wiener

ASSEMBLY FLOOR: 77-0, 5/11/17 (Consent) - See last page for vote

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**SUBJECT:** Housing developments: pet permissibility

**SOURCE:** American Society for the Prevention of Cruelty to Animals

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**DIGEST:** This bill requires the Department of Housing and Community Development (HCD) to require housing developments financed by HCD to authorize residents to own or maintain one or more common household pets within the resident's dwelling unit, subject to existing laws.

**ANALYSIS:**

Existing law:

- 1) Establishes HCD within the Department of the Business, Consumer Services, and Housing Agency.
- 2) Establishes a number of programs at HCD to make housing more affordable to California families and individuals, including the following main programs:

- a) Multifamily Housing Program, which funds the new construction, rehabilitation, and preservation of permanent and transitional rental homes for lower income households through loans to local governments, non-profit developers, and for-profit developers.
  - b) Joe Serna, Jr., Farmworker Housing Program, which funds the development of ownership or rental homes for agricultural workers through grants to local governments and non-profit organizations.
  - c) CalHome Program, which funds downpayment assistance, home rehabilitation, counseling, self-help mortgage assistance programs and technical assistance for self-help and shared housing through grants and loans.
- 3) Requires reasonable accommodation for disabled persons, allowing individuals to have assistance to support animals through the Federal Fair Housing Act (FHA) and the California Fair Employment and Housing Act (FEHA).
  - 4) Requires, pursuant to federal law, the federal Department of Housing and Urban Development (HUD) to have pet-friendly requirements for the housing it supports. These requirements include a pet-friendly requirement for any housing development that serves elderly or disable people and is subsidized or insured by HUD. Any public housing development financed by HUD has a pet-friendly requirement.
  - 5) Requires, under the Mobilehome Residency Law, that no lease agreement entered into, modified, or renewed on or after January 1, 2001, shall prohibit a homeowner from keeping at least one pet within the park, subject to reasonable rules and regulations of the park.
  - 6) Requires, under the Davis Sterling Common Interest Development Act, that no governing documents shall prohibit the owner of a separate interest within a common interest development from keeping at least one pet within the common interest development, subject to reasonable rules and regulations of the association.
  - 7) Allows, pursuant to federal law, public housing programs and housing programs to place reasonable limitations on the size, weight, and type of common household pets allowed in the project.

This bill:

- 1) Requires HCD to require each housing development financed after January 1, 2018 to authorize a resident of the housing development to own or otherwise

maintain one or more common household pets within the resident's dwelling unit, subject to state laws and local government ordinances related to public health, animal control, and animal anticruelty.

- 2) Defines "common household pet" as a domesticated animal, such as a dog or cat, commonly kept in the home for pleasure rather than commercial purposes.
- 3) States that nothing shall be construed to limit or otherwise affect other statutes or laws that require reasonable accommodations to be made for an individual with a disability who maintains an animal to provide assistance, service, or support.

### **Comments**

- 1) *Purpose of the bill.* According to the author, California's housing crisis has far reaching implications for household struggling with rising housing costs. One lesser known but growing impact is to put families in a position in which they must choose between keeping their household pet and keeping a roof over their head. This trend is especially pronounced in high cost housing markets where evictions are prevalent, housing demand is high, and the availability of pet-friendly housing is severely limited. In these cases, often the only choice is for families relinquish their family pet to the local shelter. This bill seeks to address this dilemma for that portion of low-income households that are fortunate to live in housing financed by HCD.
- 2) *Pets in housing.* The high cost of housing has had a growing impact on families with pets. A lack of pet friendly housing options has put some pet owners in a position of choosing between keeping their household pet or keeping a roof over their head. According to the author, in Los Angeles, county shelters are filled past capacity with approximately 170,000 animals being taken every year. The American Society for the Prevention of Cruelty to Animals (ASPCA) Safety Net program recently found that over 30,000 dogs and cats are in Los Angeles shelters because their families surrendered them due to problems with housing.

Contributing to this problem is the increase in financial evictions across the state, particularly in high cost housing markets. This puts emotional strain on families and burdens county shelters. A lack of pet friendly housing options is regularly cited as a reason that families relinquish their pet to local shelters.

Pets provide social and health benefits to families and individuals that they live with. According to the Centers for Disease Control and Prevention, pets have positive impacts at nearly every stage of life. They influence social, emotional, and cognitive development in children and promote an active lifestyle. They also provide emotional support, improve moods, and contribute to the overall morale of their owners, and promote socialization among the elderly and disabled. Studies have also shown that people with pets tend to have lower blood pressure, cholesterol, and triglyceride levels.

Developers of affordable housing generally strive to address multiple aspects of a household's quality of life. The benefits provided by pets are consistent with goals to holistically address the social, economic, and health outcomes for residents of affordable housing. Not only does pet friendly housing promote happier and healthier families, but it reduces the financial burden to shelters and the public.

This bill requires HCD to develop regulations to authorize a resident of housing developments financed by HCD to own or otherwise maintain one or more common household pets within the resident's dwelling unit, subject to existing laws.

- 3) *Appropriations Amendments.* This bill was amended in the Senate Appropriations Committee to remove a requirement for HCD to draft a pet friendly housing regulation.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, minor and absorbable HCD costs to ensure housing developments allow residents to own one or more household pets. (General Fund)

**SUPPORT:** (Verified 9/1/17)

American Society for the Prevention of Cruelty to Animals (source)  
 Beagle Freedom Project  
 Best Friends Animal Society  
 Brock Real Estate  
 California Animal Control Directors Association  
 California Rural Legal Assistance Foundation  
 ConAm Management Corporation – Southern California Affordable  
 Domus Development

Hitzke Development Corporation  
Inner City Law Center  
Life Steps Training and Educational Programs, Inc.  
Los Angeles County Board of Supervisors  
Sacramento Steps Forward  
San Diego Humane Society  
San Francisco SPCA  
Tenants Together  
The Humane Society of the United States  
Western Center on Law and Poverty

**OPPOSITION:** (Verified 9/1/17)

None received

**ASSEMBLY FLOOR:** 77-0, 5/11/17

**AYES:** Acosta, Aguiar-Curry, Travis Allen, Arambula, Baker, Berman, Bigelow, Bloom, Bocanegra, Bonta, Brough, Burke, Caballero, Calderon, Cervantes, Chau, Chávez, Chen, Chiu, Choi, Chu, Cooley, Cooper, Cunningham, Dababneh, Daly, Eggman, Flora, Fong, Frazier, Friedman, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gomez, Gonzalez Fletcher, Gray, Grayson, Harper, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Levine, Limón, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Melendez, Mullin, Muratsuchi, Nazarian, Obernolte, Quirk, Quirk-Silva, Reyes, Ridley-Thomas, Rodriguez, Rubio, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Voepel, Waldron, Weber, Wood, Rendon

**NO VOTE RECORDED:** Dahle, O'Donnell, Patterson

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9/3/17 17:41:13

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