



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE ▪ BEVERLY HILLS, CALIFORNIA 90210

Robert Wunderlich, Mayor

July 1, 2021

The Honorable Janet Nguyen
California State Assembly, 18th District
State Capitol, Room 4153
Sacramento, CA 95814

Re: AB 1258 (Nguyen) Housing element: regional housing need plan: judicial review
City of Beverly Hills – Support

Dear Assemblymember Nguyen:

On behalf of the City of Beverly Hills, I write to inform you we have adopted a position of SUPPORT for your AB 1258, which would subject the final written determination of a region's housing needs by the State Department of Housing and Community Development (HCD) to judicial review in an action brought by the council of governments. The bill would also subject the final regional housing need plan adopted by the council of governments or HCD to judicial review.

Every eight years, the State undergoes a mandatory housing element update known as the Regional Housing Needs Assessment (RHNA) cycle. HCD is required to determine the current and projected need for housing for each region. For most jurisdictions, the applicable regional council of governments must formulate the methodology to distribute their RHNA housing allocations to the cities and counties in their respective region.

Prior to 2004, a city or council of governments could seek judicial review of the final RHNA allocation. However, currently, cities and councils of government are unable to seek judicial review of HCD's determination of existing and projected need for housing or the regional council of governments' methodology to allocate the HCD's housing need determination. If erroneous data and assumptions are relied on by HCD or a council of governments, cities have no legal recourse to challenge these numbers. This bill will provide a path of recourse for cities that believe their RHNA allocations were derived by HCD or a council of governments from unsound determinative methodology.

For these reasons, we are pleased to SUPPORT your AB 1258. Thank you for authoring this important measure.

Sincerely,

Robert Wunderlich

Robert Wunderlich
Mayor, City of Beverly Hills

Cc: Members and Consultants, Assembly Housing and Community Development Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw Yoder Antwih Schmelzer & Lange