



# Does AB 1482 Apply to Tenants Using Section 8 Vouchers or Tenants Living in Affordable Housing?



## Some Housing is Exempt From AB 1482's Protections

AB 1482 does not apply to housing where:

- A housing provider has agreed in a deed, an agreement with a local, state, or federal government agency, or other document, to rent housing at below-market "affordable" rates. The deed or agreement must be "recorded" which means that it will be a part of the property's official paperwork giving notice that it is subject to this agreement;

OR

- A housing provider has agreed to rent specific units in a property at a below-market "affordable" rate.

## Section 8 Voucher Tenancies Are Covered by the Protections of AB 1482

The language exempting certain types of properties from the protections of AB 1482 is not referring to the section 8 housing choice voucher (HCV) program because:

- HCV tenancies do not involve a deed or other recorded document.
- Although housing providers accepting HCVs do have an agreement with the local housing authority, it is not an agreement to provide affordable housing. Instead, the housing provider is charging market-rate rents and is agreeing to accept a portion of that rent from the housing authority.
- The housing exempted by AB 1482 refers to situations where a landlord is agreeing to rent specific units at an affordable rate. Section 8 housing choice vouchers are portable and are not tied to a particular unit. HCVs allow low-income tenants to rent market-rate housing with the assistance of the housing authority.
- Other California laws that refer to the section 8 housing choice voucher program (including SB 329 enacted at the same time as AB 1482) refer to the program by name. AB 1482 doesn't specifically mention the HCV program in the exemption section.

## Housing Programs that are Exempt from AB 1482

- Low-Income Housing Tax Credits
- Project-Based Section 8
- Project-Based Vouchers
- Public Housing



(Note: this is not a complete list. )