YIMBY Law

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hello@yimbylaw.org

YIMBY LAW

{date}

Dear Local Municipality,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Accountability Act. Should you fail to follow the law, YIMBY Law will not hesitate to pursue any and all available means to ensure the law is followed.

Your municipality does not currently have a Housing Element which has been adopted and found by the California Department of Housing and Community Development to be in substantial compliance with Gov. Code, § 65588.5 (Housing Element Law). As you do not currently have a compliant Housing Element, your municipality is subject to Gov. Code, § 65589.5(d), which requires approval of any 20% low-income, or 100% moderate-income housing development project, regardless of its consistency with the general plan land use element, or a zoning ordinance. This provision of housing element law is the so-called "Builders' Remedy" of the Housing Accountability Act.

YIMBY Law is also aware of a housing development project which qualifies for approval under the Builders' Remedy, which has been submitted to your municipality for review and approval. The Builder's Remedy, prohibits localities from denying housing development projects, or imposing conditions of approval on a project which render the project infeasible, when the project is consistent with the above-listed affordability requirements, unless the locality can make findings that the proposed housing development would cause a threat to public health and safety that cannot be mitigated.

[project description}

Conclusion

The Project proposal is consistent with the provisions of the Builders' Remedy, therefore, you must approve the application, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above. Should the City fail to comply with the law, YIMBY Law will not hesitate to take legal action to ensure that the law is enforced.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,



Sonja Trauss
Executive Director
YIMBY Law