

Overview of Appeal Procedures Presented by Southern California Association of Governments (SCAG)

On May 7, 2020, the Regional Council (RC) of the Southern California Association of Governments (SCAG) approved the 6th Cycle Regional Housing Needs Assessment (RHNA) Appeals Procedures.

Who can file an appeal?

Appeals of a jurisdiction's RHNA allocation can be filed by the affected jurisdiction, other jurisdictions, or by the Department of Housing and Community Development (HCD).

When is deadline to file an appeal?

June 29, 2020 at 5:00 p.m.

What are reasons for appeal?

- SCAG failed to consider information submitted by jurisdictions relating to local factors, and information on affirmatively furthering fair housing
- Significant and unforeseen changes in circumstances that warrant revisions to previously submitted local factors
- SCAG failed to determine a jurisdiction's allocation based on approved allocation methodology

What cannot be considered a reason for appeal?

- Local ordinance, policy, voter-approved measures, or standards limiting development
- Prior underproduction of housing
- Stable populations numbers

Are comments accepted on filed appeals?

Yes, there will be a 45-day comment period on any filed appeal; however, only local jurisdictions and HCD can comment. Deadline to submit comments scheduled for August 13, 2020, by 5:00 p.m.

Will there be public hearings?

- Yes, public hearings will occur over a course of 30 days (August-September 2020)
- Appeals will be reviewed by RHNA Subcommittee; no further appeals possible.
- Applicants will have opportunity to present their appeal

How are units of successful appeals reallocated?

- Housing units must be reallocated back to the region
- If fewer than 93,928 units granted, then reallocated back proportionally to all jurisdictions in SCAG region
- If more than 93,928 units granted, then reallocated back to same county using a formula similar to RHNA Allocation Methodology (50% based on transit proximity/50% based on jobs proximity)
- Disadvantaged communities are exempt from reallocation above 93,928 units

Where can I find more information?

- [SCAG RHNA Website](#)