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End Renovictions Coalition Comments - CEC Draft BPS Report

Additional submitted attachment is included below.



RISING SUN
CENTER FOR OPPORTUNITY



Re: Comments on the Draft California Building Energy Performance Strategy Report

Dear CEC Commissioners and staff,

On behalf of the undersigned organizations of climate, environmental justice, housing, worker, and community organizations, we offer the following comments on the CEC's Draft Building Energy Performance Strategy Report.¹

We strongly support the CEC's recommendation that the Legislature establish a statewide building performance standard (BPS). California cannot achieve its climate goals without

¹ <https://www.energy.ca.gov/publications/2026/draft-california-building-energy-performance-strategy-report-senate-bill-48>

reducing emissions from existing buildings, which account for roughly one-quarter of the state's greenhouse gas emissions.

We especially appreciate the report's recognition that building decarbonization policies must be designed and implemented equitably. The report correctly identifies the risk that building performance standards could contribute to tenant displacement, harassment, or eviction if adequate protections are not in place.

However, while the report clearly identifies the problem, its final recommendations do not offer a sufficiently concrete solution.

Under existing California law, landlords may evict tenants in connection with a "substantial remodel." This provision has increasingly been used as a mechanism to remove tenants from their homes, a practice commonly referred to as "renoviction." Without stronger protections, building performance standards could unintentionally create a powerful incentive for displacement by increasing the number of major capital improvements undertaken by building owners.

While this challenge is mentioned throughout the report, there are no explicit recommendations to the Legislature that this problem must be addressed. Currently, the section on Tenant Protections in the Recommendations section (Chapter 5, page 102) is brief and vaguely gestures at "best practices." While some programs have incorporated tenant protections, administrators of those programs have also noted the challenges of enforcement. Additionally, those programs represent cases where building owners are provided with financial incentives that include those protections; a statewide BPS would not necessarily come with funding for all building owners, making the need for Legislative action to prevent eviction and displacement that is separate from program "best practices."

We therefore recommend that the final report include an explicit recommendation that the Legislature strengthen tenant protections and prohibit building owners from using building performance standard compliance activities as grounds for eviction.

At a minimum, the final report should:

- Assert that existing state law governing substantial remodels presents a significant risk of displacement in the context of building performance standards.
- **Make an explicit recommendation to the Legislature to pursue all possible pathways to prevent renovations, including by removing "substantial remodel" as a basis for eviction in the Tenant Protection Act.**
- Uplift tenant protections as a core component of an equitable building performance standard rather than as a supplemental consideration.

California has an opportunity to demonstrate that ambitious climate action and housing stability are mutually reinforcing goals. Building decarbonization should create healthier homes, lower utility bills, and more resilient communities – not displacement.

Thank you for your consideration.

350 Bay Area Action
Burbank Tenants Union
California Green New Deal Coalition
Canal Alliance
Central Coast Alliance United for a Sustainable Economy
Claremont Tenants United
Communities for a Better Environment
Earthjustice
East Bay Housing Organizations
Health in Partnership
Housing Now!
Inland Equity Community Land Trust
Inner City Law Center
Leadership Counsel for Justice and Accountability
Local Clean Energy Alliance
Long Beach Residents Empowered
Long Beach Tenants Union
Los Angeles Alliance for a New Economy
Los Angeles Tenants Union
Natural Resources Defense Council
Physicians for Social Responsibility- Los Angeles
PODER
Regional Tenant Organizing Network
Resilience OC
Rising Sun Center for Opportunity
San Luis Obispo Food Not Bombs
San Luis Obispo Tenants Union
Strategic Actions for a Just Economy
Strategic Concepts in Organizing and Policy Education
Tenants Together
Western Center on Law and Poverty