

# **Social Activists, The Two Hundred File Preliminary Injunction Against Governor Gavin Newsom Administration to Halt Pre-Pandemic Vehicle Miles Traveled (VMT), a Restrictive Home Ownership Regulation**

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San Bernardino, CA – While the most vulnerable marginalized communities are suffering disproportionately from the Covid-19 pandemic, social change activists, The Two Hundred, are intensifying their efforts to mitigate the state’s growing racial wealth gap through homeownership. Jennifer Hernandez, the lead attorney for The Two Hundred and a partner at Holland & Knight LLP, has filed for a temporary injunction against the Governor Gavin Newsom administration, in the Superior Court of the State of California in and for the County of San Bernardino (Case No.: CIV-DS-1938432) to halt the prohibitive Vehicle Miles Traveled (VMT) regulation. VMT regulation, created before the pandemic, and slated to pass on July 1, 2020, continues to bolster the discriminatory California Environmental Quality Act (CEQA), a law that has been dangerously used as a tool to deny people of color access to homes in their communities. Led by co-founder, Robert J. Apodaca, The Two Hundred, is a statewide organization of community leaders, opinion makers and minority advocates, dedicated to securing homeownership for

communities of color.

VMT regulation proposes to increase the cost of new housing by \$40,000 to over \$400,000 per home, based on making the act of driving any vehicle a negative “impact” to the environment, while incorporating estimated added mileage cost into the overall housing pricing structure. This new fee is intended to force Californians to live in small urban apartment complexes, and ride public transit, to reduce “greenhouse gas emissions” that cause global climate change. In essence, the farther a family has to move to afford housing, the higher their new “vehicle miles traveled” (VMT) fee will be.



Cofounder, The Two Hundred  
Robert J. Apodaca

“California produces less than one percent of the planet’s greenhouse gas emissions, yet environmental advocates would lead us to believe that making homes even more expensive is going to make a dent in climate change,” cites The Two Hundred cofounder, Robert J. Apodaca. “In addition, California’s climate regulators are providing financial incentives used mostly by wealthy coastal residents, like solar rooftops and electric cars, paid for by charging the rest of the state among the highest gasoline and electricity prices in the country. The ongoing practice of redlining in real estate is

alive and well, and it just has a new face. Under the pretense of 'saving the environment', regulators are putting homeownership further out of reach of Californians, particularly Californians of color!"

Attorney Jennifer Hernandez is extremely concerned about the harm that VMT regulation will bring to communities of color. She notes, "With VMT regulation, California's most notoriously abused environmental law, the California Environmental Quality Act (CEQA), converts what is already a racially-discriminatory anti-housing law into an even more potent weapon to deprive minority families of homes they can afford. California's most vulnerable communities are being hit hard, first the pandemic and now by nationwide civil unrest. How will we ever recover economically if laws and legislation do not favor immediate needs? It is a travesty of justice!"

This preliminary injunction comes on the heels of The Two Hundred working to defeat another bill, the SB 950. Authored by Senator Hannah-Beth Jackson, the SB 950 seeks to strengthen the California Environmental Quality Act (CEQA) and will inhibit access to affordable homeownership in California. The Two Hundred is seeking to delay VMT regulation, as recommended by Governor's Office of Planning and Research, for two years so that the disastrous effects of the COVID-19 and the impending recession have subsided enough to safely pursue a sensible path forward that benefits citizens, businesses and workers. Their effort was first initiated in December 2019 with the filing of a groundbreaking civil rights lawsuit against the California Air Resources Board. Senator Anna Caballero was also recently joined by a cadre of legislators who support The Two Hundred's effort and sent an urgent letter of VMT delay request to Governor Gavin Newsom.

As the co-founder of The Two Hundred, Robert J. Apodaca has a lengthy professional and civic career that spans the private and non-profit sectors. He has served low-income communities

in housing, education, employment training, community philanthropy and public policy for five decades. He is the founder of ZeZen Advisors, which offers business development services in the real estate development and architectural sectors. He also founded ZeZen Alliance, a firm specializing in public and government affairs. He currently serves on the Jobs and Housing Coalition Board of Directors, The Greenlining Institute Board of Directors, California Community Builders Board of Directors and the Casita Coalition, where is the co-founder and treasurer.

With “shelter in place” and “social distancing” critical pillars of California’s efforts to contain the COVID-19 pandemic, affordable housing has become a forefront concern now more than ever. The Two Hundred remains firmly committed to campaigning on behalf of communities of color for the American Dream of homeownership made accessible for all.

To learn more about The Two Hundred, log on at <http://www.thetwohundred.org>. Follow them on Facebook [@The Two Hundred](#) and Twitter at [@The 200 Leaders](#).