In September 2021, Governor Newsom signed AB 215. This law makes a number of changes including stronger provisions regarding enforcement of California housing regulations. ABAG will release a more detailed summary of all new housing laws in the coming months, but the Agency want to ensure that jurisdictions are away of an important change AB 215 makes regarding Housing Element certification timing.

Specifically, AB 215 lengthens the time for HCD to complete the review of a Housing Element, but does not change the January 2023 submission deadline for jurisdictions.

Specifically, before submitting a Housing Element to HCD, cities must post the document for at least 30 days and then must consider those comments for 10 days. Additionally, HCD now has 90 days to review and provide comments, compared to 60 days in previous cycles.

This could in practice add two and half months to the timeline, while the deadline remains January 2023. If timing is tight, cities can post the Housing Element for public review concurrent with Planning Commission and City Council review, ensuring that the full 40 days (30 days for public review; 10 days for responding to comments) are provided for during the Commission and Council review period. Still, at least 30 additional days will be needed for HCD’s review compared to what you previously planned.

Due to these changes, ABAG recommends that jurisdictions plan to complete their draft Housing Element and initiate the public review period by April or May 2022 at the latest.

[Please see ABAG’s sample Housing Element timeline](https://nam10.safelinks.protection.outlook.com/?url=https%3A%2F%2Fabag.ca.gov%2Ftools-resources%2Fdigital-library%2Fhousingelementtimelineoctober2021xlsx&data=04%7C01%7Cblu%40bayareametro.gov%7C391573823ae44ae9ff3708d9af68bf3c%7Cb084c4a0bb194142b70382ea65a5eeb2%7C0%7C0%7C637733686842614305%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C2000&sdata=Ls%2ByGnbdsjz0CXoq1G8df27QZSpuao6QC8sy3LtLPsw%3D&reserved=0).