

February 20, 2020

Fair Political Practices Commission  
Enforcement Division  
1102 Q Street, Suite 3000  
Sacramento, CA 95811

### **Violations of California's Lobby Reporting Requirements by the AIDS Healthcare Foundation**

To the FPPC Enforcement Division,

We have recently become aware of egregious violations of California's lobby reporting requirements by the AIDS Healthcare Foundation ("AHF") and ask that the FPPC immediately address this flagrant disregard for the law.

AHF—run by Michael Weinstein, who has been dubbed “the Koch brothers of public health: a mastermind driven by ideology, accountable to no one, with bottomless funds and an agenda marked by financial opportunism and puritanical extremes”<sup>1</sup>—has over the past several years engaged in an array of brass-knuckle campaign and lobbying tactics at the state and local level in California to the tune of tens of millions of dollars.

Last year, AHF spent hundreds of thousands of dollars in pursuit of Weinstein's crusade against a state Senate bill. As a longtime and sophisticated political player in California, and a registered lobbyist employer under California law, AHF is aware of the requirements of California's Political Reform Act and nonetheless disregarded the plain fact these expenses are clearly reportable under California law. Specifically, AHF filed numerous deceptive California lobbyist employer reports throughout 2019 and 2020 that failed to disclose: (1) significant spending on “other payments to influence legislative or administrative action,” as required by Cal. Gov. Code § 86116(h)(1); and (2) all legislative actions actively lobbied on by AHF during the periods covered under the relevant reports, as required by Cal. Gov. Code § 86116(d).

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<sup>1</sup> <https://www.nytimes.com/2017/04/26/magazine/the-ceo-of-hiv.html>

In early 2019, Weinstein and AHF began a costly advertisement and public relations campaign against SB 50, a housing bill that was pending in the Legislature at that time. In its own words, AHF and Housing as a Human Right, AHF's housing-related lobbying division, "have been two of the leading organizations in opposing" SB 50.<sup>2</sup> This advertising and public relations effort included the following communications encouraging the public to directly contact state legislators to stop SB 50, which are clearly reportable lobbying expenditures under the Political Reform Act:

- On April 2019, AHF aired a racially inflammatory anti-SB 50 TV commercial in San Francisco.<sup>3</sup> AHF also planned to run the problematic ads in Sacramento at a later date, "to be determined." (AHF Press Release, April 15, 2019; attached.) In the ad, AHF solicits viewers to, "TELL SCOTT WIENER TO STOP SB 50 FROM WRECKING HOMES."

Television buys can easily run in the hundreds of thousands, if not millions, of dollars, plus the cost of production. None of these costs are disclosed on AHF's lobby reports.

- AHF also sent out mailers containing the same racially incendiary rhetoric targeting SB 50 and Sen. Wiener (see attachment). As *SF Gate* reported, these mailers were blanketed to residents throughout San Francisco during the spring of 2019. (San Francisco Chronicle, May 6, 2019; see attachment.) In the mailer, AHF implores readers to "CALL SCOTT WIENER AND TELL HIM WHAT YOU THINK ABOUT SB 50," and even provides the Senator's phone number.

AHF sent an additional mailer criticizing Sen. Wiener and SB 50 (see attachment). This mailer also urged readers to call the Senator and provided his phone number.

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<sup>2</sup> <https://www.housinghumanright.org/tv-ad-slams-state-senator-scott-wiener-gentrification/> (also attached). "Housing is a Human Right" is the housing advocacy division of AHF, and not a separate legal entity.

<sup>3</sup> [https://www.youtube.com/watch?v=5-aFAJ1i5no&feature=emb\\_logo](https://www.youtube.com/watch?v=5-aFAJ1i5no&feature=emb_logo)

The costs of designing and distributing these mailers, which runs in the tens of thousands of dollars, are also not disclosed.

- In addition, AHF paid for a web domain specifically for this campaign ([www.stopbSB50.net](http://www.stopbSB50.net)) that redirects users to an AHF website (<https://www.housinghumanright.org/stopsb50>). That webpage is dedicated to opposing SB 50 and explicitly solicits members of the public to “TELL LEGISLATORS NOW TO KILL SB 50.” There is even a “TELL YOUR LEGISLATOR” link to facilitate this reportable grassroots lobbying effort.

Again, no costs associated with the website design, launch, or maintenance are disclosed.

- In April 2019, and perhaps even earlier, AHF launched at least three Facebook and Instagram ads urging users to “Stop SB 50.” AHF spent between \$2,200 and \$6,398 running the ads. (Facebook discloses spending on ads in ranges.)

Facebook details AHF’s ad spending on its platform [here](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&impression_search_field=has_impressions_lifetime&q=aids%20healthcare%20foundation) ([https://www.facebook.com/ads/library/?active\\_status=all&ad\\_type=political\\_and\\_issue\\_ads&country=US&impression\\_search\\_field=has\\_impressions\\_lifetime&q=aids%20healthcare%20foundation](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&impression_search_field=has_impressions_lifetime&q=aids%20healthcare%20foundation)). Attached to this complaint are copies of these Facebook ads, which include the following:

- Between April 23, 2019 and April 30, 2019, AHF paid for an ad urging users to “Oppose SB 50” under Coalition to Preserve L.A.’s Facebook account. AHF spent between \$1,000 and \$5,000 to place this ad on the platform.
- AHF ran a video ad between November 14, 2019 and November 18, 2019 urging Facebook users to “stay no to displacement” and “take a stand against Senate Bill 50.” AHF spent between \$800 and \$899 to place this ad on the platform.

- From Dec. 25 to Dec. 18, 2019, AHF ran a photo ad urging Facebook users to “Stop SB 50.” AHF spent between \$400 to \$499 to run the ad on Facebook and Instagram.

Weinstein’s wide-reaching and prolonged advertising onslaught against SB 50 went unreported by AHF on all its 2019 lobby reports, even though the aforementioned efforts clearly constitute “other payments to influence legislative or administrative action.” Per FPPC regulations, such “other payments” include payments:

- “Soliciting or urging other persons other than filer or the filer’s employees to enter into direct communication with a legislative, agency, or elective state official for the primary purpose of influencing legislative or administrative action” (FPPC Reg. § 18616(a)(4)(C));

and

- “Other expenses that would not have been incurred but for the filer’s activities to influence or attempt to influence legislative or administrative action” (FPPC Reg. § 18616(f)(1)(B)(iii)).

These advertisements explicitly urge members of the public to contact state legislators to oppose SB 50. In addition, the costs for these advertisements would not have been incurred but for AHF’s activities to oppose SB 50. **Accordingly, Weinstein and AHF were required to disclose all expenses related to the planning, design, and placement of these advertisements, but they clearly did not do so.** Based on the dates of the advertisements, the expenses in question were required to be disclosed on at least two quarterly lobby reports (quarter 2 and quarter 4), if not more.

In addition, AHF only disclosed on its fourth quarter 2019 report that SB 50 was a bill on which it lobbied. However, it is clear from the above that the organization actively lobbied against SB 50



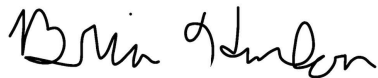
long before the fourth quarter. Even so, the organization failed to include SB 50 as a bill against which it was lobbying on any report prior to quarter 4 2019. (Cal. Gov. Code § 86116(d).)

With an annual budget of \$1.5 billion, Weinstein's organization—an AIDS health organization that has long since morphed into a powerful political and lobbying group that caters to Weinstein's pet causes, many of which bear little relation to combating AIDS—certainly has the resources to ensure compliance with the law (or perhaps has such disposable resources so as to not fear flagrantly disregarding the law). Weinstein and AHF's blatant violations of the important lobby disclosure provisions of the Political Reform Act appear to be an intentional attempt to deny the public vital information regarding the organization's lobbying expenditures, focuses, and activities, causing significant harm to the public. While Weinstein will surely continue to spend much of AHF's money on "petty politics,"<sup>4</sup> he and his organization should at least ensure that members of the public are made aware of their ongoing political activities in accordance with the law.

As Weinstein has publicly stated that, "Stopping SB 50 is just the beginning of the battle,"<sup>5</sup> and has already pounced on new lobbying targets, it is imperative that the FPPC investigate this matter promptly, and commence an enforcement action, to ensure Weinstein and AHF's prior and upcoming lobbying activities are disclosed to the public as required by law.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Brian Hanlon".

Brian Hanlon  
President & CEO  
California YIMBY

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<sup>4</sup> [https://www.thebaycitybeacon.com/politics/why-michael-weinstein-s-attacks-on-sb-are-false-and/article\\_0d92a1c2-6aab-11e9-b535-d70c9ae62c97.html](https://www.thebaycitybeacon.com/politics/why-michael-weinstein-s-attacks-on-sb-are-false-and/article_0d92a1c2-6aab-11e9-b535-d70c9ae62c97.html)

<sup>5</sup> <https://ahf.org/victory-sb-50-shelved>

# TV Ad Slams State Sen. Scott Wiener For Pushing Gentrification

 [housinghumanright.org/tv-ad-slams-state-senator-scott-wiener-gentrification/](https://housinghumanright.org/tv-ad-slams-state-senator-scott-wiener-gentrification/)

April 15,  
2019



A TV advertisement and mailer by Housing Is A Human Right and AIDS Healthcare Foundation slam California State Sen. Scott Wiener for his trickle-down housing, pro-gentrification bill SB 50. The ad and mailer feature renowned writer and civil rights activist James Baldwin, who, in 1963, noted that “urban renewal” in San Francisco means the “removal” of the black community. SB 50 is continuing that inhumane legacy.

Baldwin said: “San Francisco is engaging... in something called urban renewal, which means moving the Negroes out. It means Negro removal...”

Baldwin was sadly prophetic. In San Francisco, the black population has dropped by more than half since 1960. Gentrification has also devastated San Francisco’s Mission District, a longtime home for the Latino community, where more than 8,000 Latino residents have been forced out in the last decade.

“SB 50 does not truly address our housing affordability crisis,” says Housing Is A Human Right Director René Christian Moya. “At its core, Wiener’s bill is trickle-down, luxury housing legislation that will exacerbate existing gentrification crises in the Bay Area and throughout

California, but makes billions for Big Real Estate.”



Watch Video At: <https://youtu.be/5-aFAJ1i5no>

Between 2010 and 2016, Wiener held office as a San Francisco supervisor. Rated the “most moderate, or right-leaning” politician in San Francisco by the San Francisco Public Press and UC Davis, Wiener had a track record that showed him to be “a tool of the landlords, big realtors, and special interests,” according to the San Francisco Tenants Union.

As state senator, he hasn’t changed, aggressively pushing a statewide pro-gentrification, trickle-down housing agenda that greatly benefits his campaign contributors in the real estate industry, but fuels gentrification and displacement. Wiener, in fact, is engaging in government-sanctioned gentrification.

(Read the Housing Is A Human Right special report, “Selling Out California: Scott Wiener’s Money Ties to Big Real Estate.”)

That’s only been underlined by Wiener’s introduction of SB 50. It allows developers to build luxury housing without adequate affordable housing. The bill also provides only temporary protections for middle- and working-class neighborhoods that are under threat of gentrification and displacement. Once those temporary protections are gone, those communities will become prime targets for developers who want to utilize SB 50.

Housing Is A Human Right (HHR) is the housing advocacy division of AIDS Healthcare Foundation (AHF), the world's largest HIV/AIDS organization, which has clinics in the Bay Area. AHF patients, in San Francisco, Oakland, Los Angeles, and other cities in the U.S., have been negatively impacted by rising housing costs and gentrification, which threaten their health. As a result, AHF, which started as a housing organization for terminally ill AIDS patients, has undertaken housing as a serious public health issue. AHF and HHR have been two of the leading organizations in opposing Wiener's pro-gentrification bill, SB 50.

AHF and HHR were also key players in the attempt to overturn the Costa-Hawkins Rental Housing Act, which places statewide restrictions on rent control, through Proposition 10. While the 2018 measure lost statewide, it created a broad, statewide coalition of housing and social justice groups, labor unions, political groups, civic leaders, and tenant rights organizations. Prop 10 also earned a majority of support from voters in San Francisco, Oakland, Berkeley, Los Angeles, Santa Monica, and Pasadena, among other cities.

Yet Wiener, a San Francisco Democrat, refused to endorse Proposition 10. His recent campaign contributors in the real estate industry also gave \$9.9 million to the No on 10 campaign.

To humanely and urgently address California's housing affordability, HHR and AHF urge Gov. Gavin Newsom and state legislators to utilize the "3 Ps": protect tenants through such policies as rent control and just cause eviction; preserve existing affordable housing, such as rent-controlled units; and produce truly affordable housing. SB 50 does none of these things in a substantive, long-term way.

The TV ad featuring James Baldwin will run in San Francisco (Monday, April 15, to Sunday, April 28) and Sacramento (to be determined). The mailer, which also features Baldwin, will be sent to San Francisco residents in the coming days.

Press Esc to exit full screen

# TELL SCOTT WIENER to **STOP** **SB 50** *FROM WRECKING HOMES*

StopSB50.net

Paid for by Housing is a Human Right by AHF







# URBAN RENEWAL MEANS NEGRO REMOVAL

CIVIL RIGHTS ACTIVIST  
JAMES BALDWIN, 1963

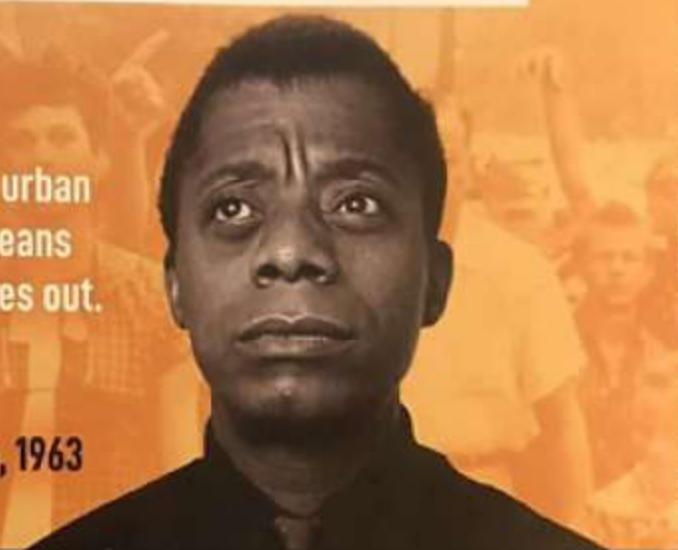
Paid for by Healthy Housing  
Foundation by AHR  
4255 Sunset Blvd 21st Floor  
Los Angeles, CA 90028

75225 P 7 \*\*\*\*\*ECRWSB\*\*C 020  
Walter Thompson  
Or Contact Resident

Presorted  
Standard  
US Postage  
PAID  
KBC Mailing  
97352

"San Francisco is  
engaging... in  
something called urban  
renewal, which means  
moving the Negroes out.  
It means Negro  
removal..."

~ James Baldwin, 1963



**SB 50 IS A HANDOUT TO GREEDY DEVELOPERS BY SENATOR SCOTT WEINER THAT WOULD MAKE OUR HOUSING AFFORDABILITY CRISIS EVEN WORSE.**

This "Trickle-Down Housing" bill would accelerate the consequences of gentrification in California. In San Francisco, the black population has dropped by more than half since 1960\*.

SB 50 would intensify this process, and continue to displace existing working- and middle-class communities.

It would give greedy developers free rein to:

- Displace working class communities of color.
- Build luxury towers without adequate affordable housing to address rising rents and homelessness.
- SB 50 bans cities from rejecting big residential luxury developments containing only a small number of affordable units.

**CALL SCOTT WEINER AND TELL HIM WHAT  
YOU THINK ABOUT SB 50: (415) 557-1300.**

\* [www.sanfranciscochronicle.com/education-world/san-franciscos-black-population-dwindling](http://www.sanfranciscochronicle.com/education-world/san-franciscos-black-population-dwindling)



# Supporters of SB50 fire back after ads liken housing bill to 'Negro removal'

*By Rachel Swan*

A provocative mailer by a deep-pocketed Los Angeles activist equates a state housing bill with “Negro removal,” a comparison that prompted state Sen. Scott Wiener and San Francisco Mayor London Breed to fire back Thursday.

The ad, paid for by Michael Weinstein’s foundation, appeared on cable television, snowballed on social media and popped up in mailboxes throughout the city this week. It features a picture of famous black author James Baldwin with a quote about San Francisco’s urban renewal policies, which displaced thousands of African Americans from the Fillmore.

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“San Francisco is engaging ... in something called urban renewal, which means moving the Negroes out. It means Negro removal,” says the quote, attributed to Baldwin in 1963.

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It’s juxtaposed with a picture of Wiener, whose bill, [SB50, seeks to put more housing near transit stations and job centers](#).

“SB50 is a handout to greedy developers by Senator Scott (Wiener) that would make our housing affordability crisis even worse,” the ad says.

Wiener, D-San Francisco, has long been embroiled in a feud with Weinstein. The senator traces that beef to 2014, when he stopped the foundation from opening a chain pharmacy in the Castro neighborhood without a proper permit. The two have also sparred over HIV-prevention treatment PrEP (pre-exposure prophylaxis), which allows people to have unprotected sex without the risk of getting HIV. Wiener champions PrEP; Weinstein, whose AIDS Healthcare Foundation manages clinics and pharmacies that serve HIV patients, has called it a “party drug.”

Now the two are clashing over housing.

AIDS Healthcare Foundation “presents itself as a community-based nonprofit with ‘AIDS’ and ‘Foundation’ in its name, but in reality, it is a chain pharmacy and insurance company, labeled ‘nonprofit’ but with a budget in excess of \$1 billion,” Wiener wrote Thursday in an email to constituents. He described Weinstein as “a mean bully obsessed with using HIV healthcare funds to engage in politics, settle political scores, and increasingly, oppose new housing in California and fund anti-



housing NIMBY organizations.”

Those remarks drew a sharp response from René Christian Moya, director of Housing Is a Human Right, a housing advocacy division of the AIDS Healthcare Foundation.

“There’s this meme online that the only thing that drives AIDS Healthcare Foundation is NIMBYism...that we’re just here to battle Scott Wiener on Twitter,” Moya said. He argued that the foundation is looking out for the interests of people with HIV, many of whom need affordable housing. Political advocacy accounts for “a very small portion of its operating budget that’s well within the law,” Moya said.

The foundation sponsored the James Baldwin ads through a related group, Healthy Housing Foundation.

But if the fight is personal, the image and messages touch on a larger debate about SB50. Some critics say the bill doesn’t do enough to protect residents from displacement amid a construction boom, while others fear it [will allow the state to supersede local control of development](#).

San Francisco supervisors marshaled those arguments when they [passed a resolution opposing SB50](#), taking a stance that set them against the mayors of Oakland, San Jose, Stockton, Sacramento and Los Angeles, as well as BART’s Board of Directors. The Los Angeles City Council voted to oppose the bill this week, deepening a rift over how to solve the statewide housing crisis.

“I think the gentrification concerns are warranted,” said Laura Raymond, director of Los Angeles’ Alliance for Community Transit, a coalition of housing and tenant rights groups that worked closely with Wiener on SB50, though it hasn’t taken a position on the bill. The alliance was among 55 organizations that submitted a letter to Wiener last month, expressing “significant concerns” that SB50 would not generate enough affordable housing.

Even so, Raymond dismissed Weinstein’s rhetoric, noting that his foundation has a history of sending inappropriate mailers. Two years ago, he backed an ill-fated Los Angeles ballot measure to halt construction of tall, dense buildings. To drum up support, the campaign mailed fake eviction notices, which confused some voters and prompted a cease-and-desist letter from the Los Angeles County Sheriff’s Department.

[#SB50](#) is about tackling our housing crisis, plain & simple. It has nothing to do with urban renewal, & suggesting it does is deeply offensive to communities like mine that are still living with the consequences.  
[@Scott\\_Wiener](#) is an ally to the African-American community in SF.  
<https://t.co/LMSmMNUyTS>

— London Breed (@LondonBreed) [April 18, 2019](#)

Ultimately, the stunt flopped, Raymond said.

“We saw in that instance that voters are smart — Weinstein wasn’t able to confuse the conversation,” she said.

Many of Wiener’s allies see the anti-SB50 mailer blitz as a similar sideshow. Yet the appropriation of Baldwin stings: [the near-decimation of a vibrant African American](#)



[neighborhood](#) is still raw, half a century later. Some chided Weinstein for conflating that painful history [with an effort to house people closer to their jobs](#).

“SB50 is about tackling our housing crisis, plain and simple,” tweeted Breed, who grew up in the Western Addition and Fillmore neighborhoods. She has endorsed the bill.

“It has nothing to do with urban renewal, and suggesting it does is deeply offensive to communities like mine that are still living with the consequences,” Breed continued. “Scott Wiener is an ally to the African American community in San Francisco.”

I'm with [@LondonBreed](#) + [@Scott\\_Wiener](#) <https://t.co/NBTbz8rg2d>

— Libby Schaaf (@LibbySchaaf) [April 18, 2019](#)

Wiener views the ads as a personal attack on his credibility, rather than a policy attack on SB50.

Moya disagreed, citing the historical relevance of the Baldwin quote.

“It was prescient of the displacement of communities of color that we’ve witnessed for decades,” in cities like San Francisco, he said.

Asked whether the ad would persuade people to challenge the bill, Moya paused a beat.

“I think we’ve already started to get a reaction.”

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*Twitter: [@rachelswan](#)*

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## Why Michael Weinstein's Attacks on SB 50 are False and Offensive - Unintended Consequences

Cathy Reisenwitz

Apr 29, 2019



State Senator Scott Wiener and African American leaders denouncing Michael Weinstein's attacks on housing bill SB 50.

Former journalist Walter Thompson didn't pull any punches about the fliers that showed up in his mailbox. "This bullshit mailer panders to white progressives by invoking James Baldwin's moral outrage," Thompson tweeted. "But I doubt most recipients will have more than a passing familiarity with his work."

The flier uses a quote from celebrated civil rights writer and activist James Baldwin to oppose Senate Bill 50, calling it "a handout to greedy developers" that will "make our affordability crisis even worse "

Thompson has written extensive histories of SF urban renewal. When he says the flyer makes a false equivalence and demeans that history, he knows what he's talking about.

SB 50, aka the More HOMES Act, legalizes multi-family housing (apartments) around transit and in jobs-rich areas. And it will permit four plexes by right in all of California. In a recent poll the majority of Californians said they support SB 50.

The New York Times Editorial Board recently wrote in favor of the bill, pointing out that the housing crisis causes gentrification and exacerbates climate change and income inequality. SB 50 upzones wealthy cities like Palo Alto which currently only permit single family homes to be built. Recent research from the Upjohn Institute for Employment Research and Federal Reserve Bank of Philadelphia shows building new homes does not cause rents to increase in neighborhoods experiencing late-stage gentrification. A new paper from the Upjohn Institute found that new homes cause average rents to drop.

In fact, the vast majority of empirical evidence indicates that building more homes reduces the increase in average rents. Evidence is scant that building more homes exacerbates gentrification. Vast troves of data show that building too few homes causes gentrification.

"African-Americans comprise less than 6% of the city's population, and most live in areas that are ALREADY BEING GENTRIFIED," Thompson wrote. These areas won't be impacted by SB 50. It disproportionately impacts wealthier, single-family neighborhoods.

San Francisco Mayor London Breed said “SB 50 is about tackling our housing crisis, plain and simple. It has nothing to do with urban renewal, and suggesting it does is deeply offensive to communities like mine that are still living with the consequences.”

Stockton’s Mayor, who is also black, along with majority-minority Oakland and East Palo Alto all support SB 50.

Thompson is hardly alone in opposing the fliers

"To think that someone would be that unprincipled to prey upon the pain of black people," SF black community leader and former SF supervisor Reverend Amos Brown told SFist of the ad campaign. "As if we don't know how to think and we don't know our history and we're gullible, that's offensive. So I hope that the fair minded, thinking people of San Francisco and this region will rise up and show whoever is behind this, that you don't deserve being heard at all."

San Francisco NAACP President Reverend Amos Brown recently joined Senator Wiener along with African American community leaders and HIV advocates to discuss the ads which Brown described as “racist.”

“We don’t need anyone to pimp the African American’s pain for petty political gain,” Brown said, calling the ad campaign “an insult to the African American community.”

Jacqueline Flin, Executive Director of the A Philip Randolph Institute, spoke next. “Our community will not be fooled by painful, race-baiting tactics,” Flin said. “We stand together with Scott Wiener and the people’s mayor London Breed with a clear message, that we reject these tactics, that use our black faces and black history to manipulate the truth. The truth is, SB 50 makes it possible to build more housing exactly where we need it, near transit hubs and where job opportunities are.”

The Bay Area Reporter Editorial Board also expressed disdain for the ad campaign.

The ads are funded by the AIDS Healthcare Foundation, which is the nation’s largest HIV/AIDS chain pharmacy and insurance company. And, according to the New York Times, the “most controversial.”

AHF’s revenue comes from selling HIV drugs at market prices to some 41,000 patients in the US—drugs the nonprofit acquires at wholesale discounts. These drugs can cost \$3,000 per month, per patient, generating \$1.3 billion per year. Donors make up about \$1 million of their budget

Much of the revenue AHF takes in, mostly from government programs like Medicaid, is spent on petty politics. In 2017 AHF sued to stop two low income residential towers next to its LA headquarters. They didn't even try to hide it: AHF CEO Michael Weinstein told public affairs consultant Steve Afriat that the 731-unit Palladium Residences project would block his views of the Hollywood Hills.

Weinstein is no stranger to controversy. He's been accused of union-busting, giving patients kickbacks, and Medicaid overbilling. But perhaps his most problematic stance is his opposition to PrEP, a drug that nearly eliminates the chance of acquiring HIV when taken daily. He is alone in this stance among AIDS activists and public-health researchers.

"For those who aren't as familiar with HIV drugs and Weinstein, imagine someone who slut-shames women who have sex with men for taking the birth control pill, calling it a "party drug," then builds a \$2 billion empire off chain abortion clinics," Wiener's policy aide Annie Fryman tweeted.

Weinstein spends a lot of money to mislead people about PrEP. Now he's set his sights on California's housing supply.

Last year, AHF funded the "Coalition to Preserve LA," to advocate for Measure S to limit housing construction. Part of the \$4.6 million AHF spent went to mailing fake eviction notices to LA voters. They frightened many low-income residents and led the Los Angeles County Sheriff's Department to send a cease-and-desist letter.

Today, AHF funds "Housing Is a Human Right," a nonprofit with a nice enough name, and shares a lobbyist with the blatantly segregationist group Livable California, both of which oppose SB 50.

Senator Scott Wiener, SB 50's author, recently wrote in an email that "AHF and Weinstein are now effectively California's NIMBY In Chief"

"As someone whose community has been so deeply impacted by HIV, I'm deeply offended by how they misuse HIV healthcare dollars," Wiener, who is gay, recently said of AHF.

This isn't Wiener's first run-in with Weinstein. In 2014 Weinstein attempted to open a new pharmacy in the Castro without applying for a conditional use permit for consideration by the Planning Department and community members. Wiener, then serving on the San Francisco Board of Supervisors enforced Planning Commission rules. Weinstein sued Wiener and spent hundreds of thousands of dollars funding his opponents' campaigns.

If the AIDS Healthcare Foundation truly believes that Housing is a Human Right, they're not doing a very good job of advocating for it.

A recent report from UC Berkeley's Turner Center and Urban Displacement Project takes a close look at local market conditions in four case study neighborhood to predict what would likely happen if SB 50 passes.

One prediction is that SB 50 will result in more homes in wealthier neighborhoods than poorer neighborhoods because their lots near transit are larger and less utilized, offering developers the opportunity to build more homes.

While displacement is a real concern, evidence indicates that building more housing isn't associated with displacement through eviction. The most significant risk factor for displacement is poverty. Rising rents also hurt renters, which happen when demand outstrips supply for homes.

The Urban Displacement Project found that SB 50 is likely to ease displacement. It will cause a four-fold increase in new housing and a five-fold increase in units of affordable housing. Not only that, but more of those new homes will be built in wealthy neighborhoods than without SB 50.

Not only that, but concessions to ease displacement often end up favoring richer communities. For example, pushback from opponents led to changes that mean SB 50 now exempts famously NIMBY and wealthy Marin County from upzoning.

The California State Senate Governance and Finance Committee recently voted five to zero to move SB 50 out of committee. There is absolutely no credible reason to believe SB 50 could possibly exacerbate California's affordability crisis. All the available evidence suggests SB 50 will ease displacement, lower

average rents, shift the burden for building from poor to rich neighborhoods, and increase the production of affordable housing, reduce carbon emissions, shorten commutes, and ease income inequality. Let's hope for the future of California that it passes.

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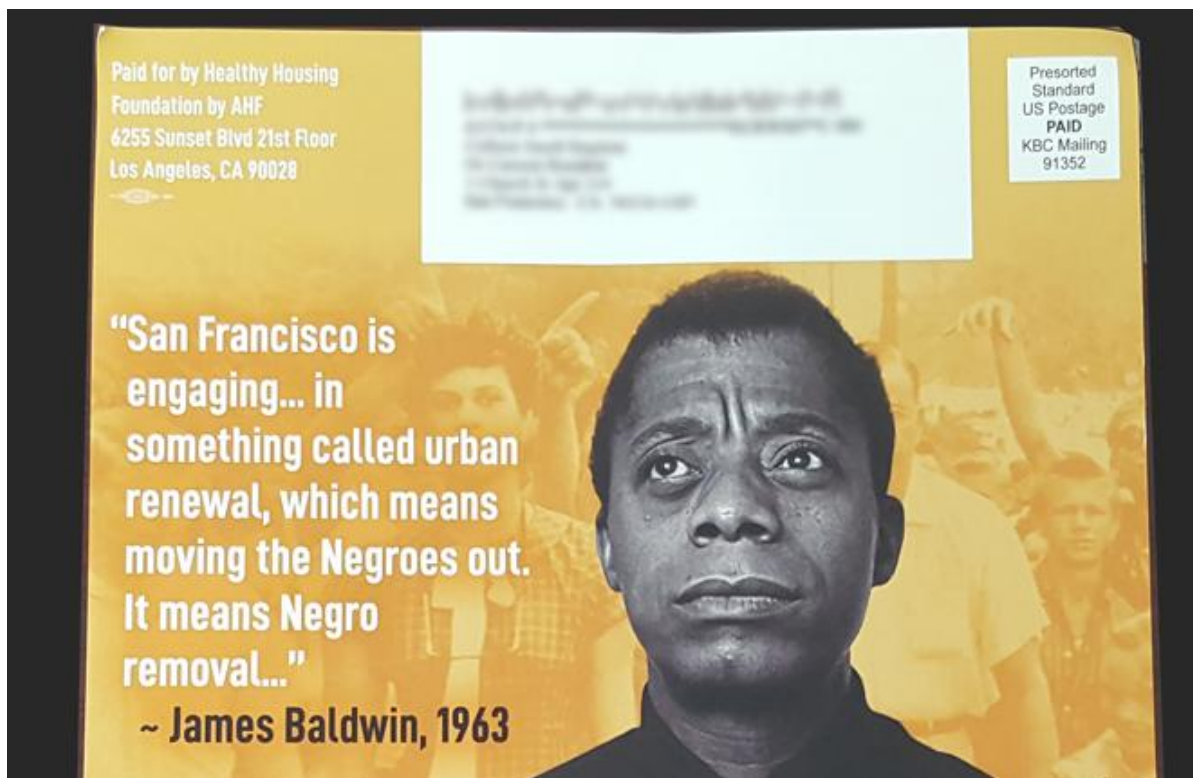


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## Editorial: AHF sinks to new low

by BAR Editorial Board

Wednesday Apr 24, 2019



In the ongoing saga over state housing legislation, the Los Angeles-based AIDS Healthcare Foundation has sunk to a new low that should disgust all participants in the debate. Last week it unleashed an ad blitz directed at opposing gay state Senator Scott Wiener's (D-San Francisco) Senate Bill 50, which would create new zoning standards for constructing housing near job centers and public transportation, along with protections against the displacement of renters and vulnerable communities living in those areas. AHF, through its Healthy Housing Foundation, sent racially incendiary mailers to San Francisco residents using a 1963 quote from gay civil rights con James Baldwin that equates SB 50 with redevelopment policies of a past era that displaced African Americans in the Western Addition. It attributes the nearly 60-year-old quote to Baldwin: "San Francisco is engaging ... in something called urban renewal, which means moving the Negroes out. It means Negro removal."

Obviously, Wiener's bill does not do that — and AHF President Michael Weinstein knows it. SB 50 will help people stay in San Francisco (and other cities) by creating new zoning standards and egalizing apartments and affordable housing in the 70 percent of the city where it is currently illegal to build anything other than single family homes or two-unit buildings. San Francisco has a housing crisis. We hear about it everyday and political leaders all say the city needs more



housing. But when a specific plan is proposed (see: Mayor London Breed's Navigation Center along the waterfront) or a bill is authored (like SB 50), residents start screaming that they don't want homeless people living near them or that development projects will cause them to lose their homes. According to Wiener, SB 50 has the strongest anti-displacement, anti-eviction, and anti-demolition language possible.

The racial content of the AHF mailer is counterproductive and troubling, coming from an HIV/AIDS organization that has served people of all ethnicities. Baldwin's words are taken out of context and applied to an unrelated situation decades later. The ad assumes black people are poor and disproportionately affected by Wiener's legislation. All kinds of people are being priced out of San Francisco, blacks have been leaving the city for years, and so have many others, including queer people. In short, dramatic action is necessary to construct more housing, including affordable and below-market-rate units so people can afford to live here.

Breed, who grew up in the Western Addition and supports SB 50, wrote on Twitter after the AHF flyers hit mailboxes, "SB 50 is about tackling our housing crisis, plain & simple. It has nothing to do with urban renewal & suggesting it does is deeply offensive to communities like mine that are still living with the consequences. Scott Wiener is an ally to the African American community in SF."

At a news conference Monday, Wiener was joined by local civil rights leaders and elected officials who denounced the mailers and TV ads.

This propaganda does not speak for our black community," said Jacqueline Flin, executive director of the A. Philip Randolph Institute San Francisco.

The Reverend Amos Brown, president of the San Francisco branch of the National Association for the Advancement of Colored People, called the ads "despicable."

AHF has tangled with Wiener before over its opposition to PrEP, calling it a dangerous "party drug." While its pharmacy in the Castro will fill PrEP prescriptions, AHF opposes another of Wiener's bills that seeks to make PrEP available without a prescription. When Wiener was a member of the San Francisco Board of Supervisors, AHF sued him over his legislation meant to tighten formula retail rules. (A judge later issued a proposed order granting a motion to dismiss the case and AHF dropped the suit.) So, AHF's latest tactics do not surprise Wiener.

Housing near transit centers, which SB 50 encourages, is one part of the solution to the Bay Area's crisis as it would help reduce vehicle miles traveled and be better for the environment. As Wiener pointed out in an email to constituents, "Communities of color feel the negative impacts of air pollution from cars the most."

AHF should focus on germane arguments against the proposed legislation and not confuse the issues by employing blatant racial overtones by quoting a black gay icon out of context.

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# THE MAN FROM REAL ESTATE

**SCOTT WIENER, A ONE-TIME  
SAN FRANCISCO SUPERVISOR,  
HAS LONG RELIED ON  
VAST AMOUNTS OF CAMPAIGN CASH  
FROM LUXURY-HOUSING  
DEVELOPERS AND OTHER  
REAL ESTATE PLAYERS TO  
WIN ELECTIONS AND  
STAY IN POWER.**



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In 2016, as he ran for the state senate, Scott Wiener hauled in nearly 700 donations from developers, real estate attorneys, brokers, lobbyists, architects, and other real estate insiders, totaling **\$574,276**.

**SB 50 IS A HANDOUT TO GREEDY DEVELOPERS BY SENATOR SCOTT WIENER THAT WOULD MAKE OUR HOUSING AFFORDABILITY CRISIS EVEN WORSE.**

Wiener's SB 50 would:

- Generate billions of dollars in profit for the real estate players who are Senator Wiener's political patrons.
- Fuel a luxury-housing building boom in Los Angeles, San Francisco, and other municipalities.
- Worsen gentrification and displacement crises in California, particularly in working- and middle-class communities of color.

**CALL SCOTT WIENER AND TELL HIM WHAT YOU THINK ABOUT SB 50: (415) 557-1300.**



**STOP  
SB 50**  
FROM WRECKING HOMES  
[stopSB50.net](http://stopSB50.net)



# New SB 50 Mailer Exposes State Sen. Scott Wiener as 'The Man from Real Estate'

 [housinghumanright.org/new-sb-50-mailer-exposes-state-senator-scott-wiener-man-from-real-estate/](https://housinghumanright.org/new-sb-50-mailer-exposes-state-senator-scott-wiener-man-from-real-estate/)

April 24,  
2019



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**STOP SB 50**  
FROM WRECKING HOMES  
[stopSB50.net](https://stopSB50.net)

As California State Sen. Scott Wiener's real estate deregulation bill SB 50 wends its way through legislative committees in Sacramento, housing justice and rent control advocates affiliated with Housing Is A Human Right (HHR) today issued a new campaign mailer raising alarm about Wiener's deep financial ties to the real estate industry — as well as his flawed legislation. HHR is the housing advocacy division of AIDS Healthcare Foundation.

The new mailer, headlined "Scott Wiener: The Man from Real Estate," (mailer front, mailer back) is being mailed today to residents and voters in his San Francisco district.

(Read the Housing Is A Human Right special report: "Selling Out California: Scott Wiener's Money Ties to Big Real Estate.")

The California State Senate Governance and Finance Committee voted today 5 to 0 (with two absences) to advance Wiener's troubling, trickle-down housing bill. Housing Is A Human Right will continue to fight the legislation.

"The Man from Real Estate" mailer points out that Wiener, a one-time San Francisco supervisor who has long relied on vast amounts of campaign cash from luxury-housing developers and other real estate players to win elections and stay in power, that:

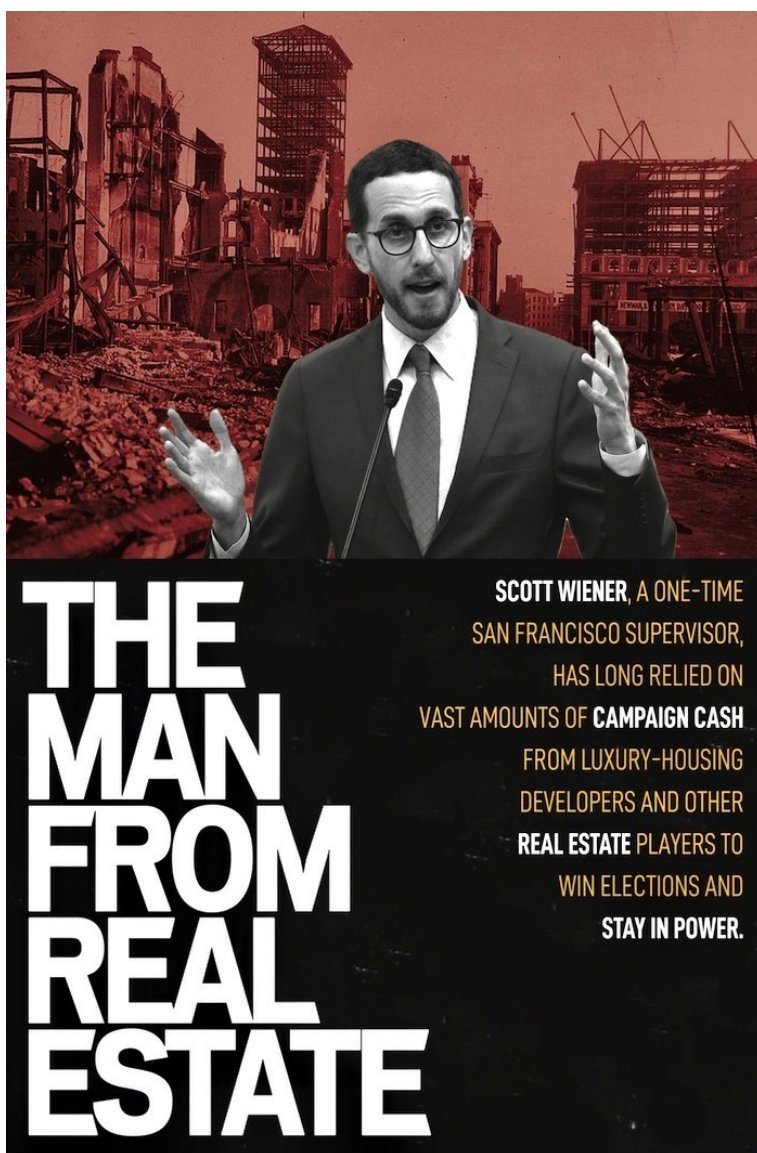
*"In 2016, as he ran for the state senate, Scott Wiener hauled in nearly 700 donations from developers, real estate attorneys, brokers, lobbyists, architects, and other real estate insiders, totaling \$574,276."*

The mailer also notes the devastating impact that SB 50 would have if enacted into law, including the facts that the bill would make California's housing affordability crisis worse and would:

- *Generate billions of dollars in profit for the real estate players who are Wiener's political patrons.*
- *Fuel a luxury-housing building boom in Los Angeles, San Francisco, and other municipalities.*
- *Would therefore worsen gentrification and displacement crises in California, particularly in working- and middle-class communities of color.*

According to the California Secretary of State's Campaign Finance website,

for his entire 2016 senate campaign (and/or in year 2016), Wiener raised a total of \$1.899 million—including the \$574,246 from various real estate stakeholders. The \$574,246 raised from the real estate industry represent more than *one-third* of his total campaign fundraising that year.



By comparison, his senate race opponent Jane Kim, also a former San Francisco Supervisor, raised \$1.462 million. *WITHOUT* the \$574,246 Wiener raised from real estate concerns, he would have raised \$134,724 *LESS* than Kim, whom he beat by just 8,146 votes.

So far, for his 2020 reelection bid, Wiener has hauled in a prodigious \$153,816 from the real estate industry, according to state records.

Earlier this year, HHR released a special report titled "Selling Out California: Scott Wiener Money Ties to Big Real Estate."

HHR urges California Governor Gavin Newsom and state legislators to stop Wiener's fundamentally flawed, real estate deregulation bill. Instead, they should pass legislation that implements the "3 Ps": protect tenants; preserve existing affordable housing; and produce truly affordable housing. It's the most logical, humane, and urgent way to address California's housing affordability crisis.

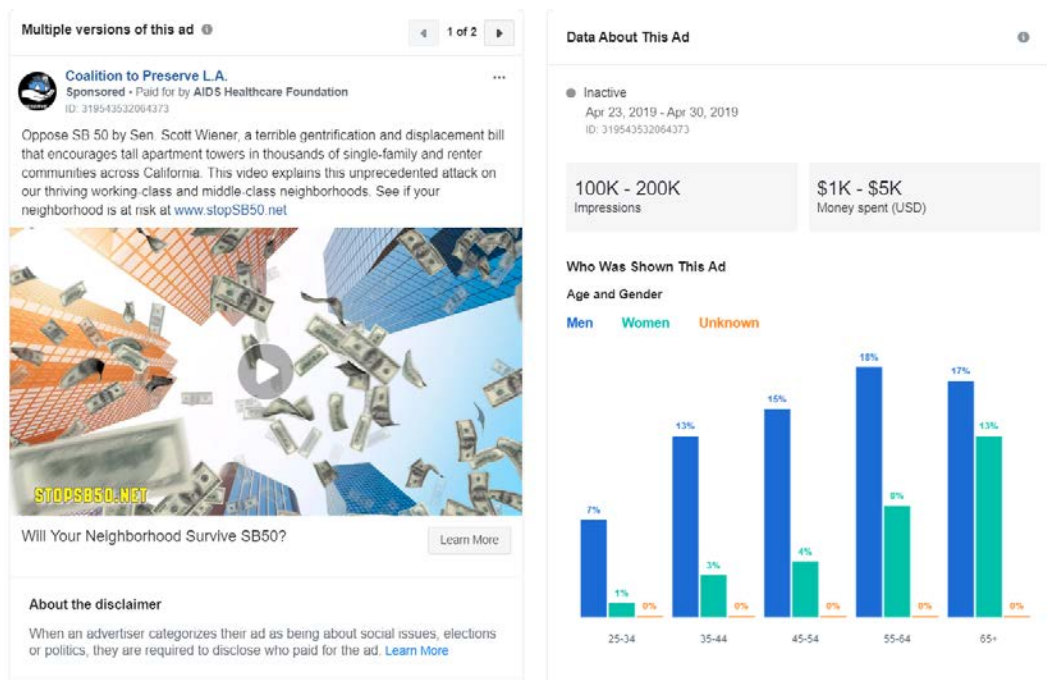
## 2019 Facebook and Instagram Ads on SB 50 by AIDS Healthcare Foundation

In 2019, AHF launched three Facebook ads on urging users to “Stop SB 50.” AHF spent between \$2,200 and \$6398 running the ads. (Facebook discloses the spending on ads in ranges).

Facebook details AHF’s ad spending on its platform here:

[https://www.facebook.com/ads/library/?active\\_status=all&ad\\_type=political\\_and\\_issue\\_ads&country=US&impression\\_search\\_field=has\\_impressions\\_lifetime&q=aids%20healthcare%20foundation](https://www.facebook.com/ads/library/?active_status=all&ad_type=political_and_issue_ads&country=US&impression_search_field=has_impressions_lifetime&q=aids%20healthcare%20foundation)

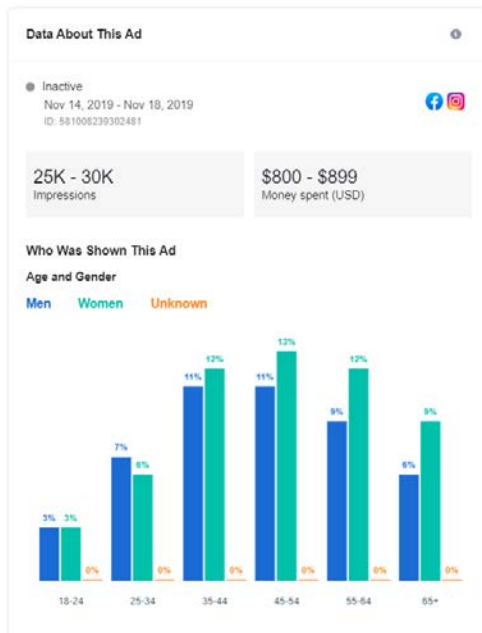
1. From April 23, 2019 and April 30, 2019, AHF paid for an ad urging users to “Oppose SB 50” under Coalition to Preserve L.A.’s Facebook account. AHF spent between \$1,000 and \$5,000.



(Ads continued on next page)



- AHF ran a video ad between November 14, 2019 and November 18, 2020 urging Facebook users to “stay no to displacement” and “take a stand against Senate Bill 50.” AHF spent between \$800 and \$899.



- From Dec. 25 to Dec. 18, 2019, AHF ran a photo ad urging Facebook users to “Stop SB50.” AHF spent between \$400 to \$499 on an ad urging running the ad on Facebook and Instagram.





# Housing Is A Human Right Applauds State Sen. Anthony Portantino for Shelving SB 50

 [housinghumanright.org/housing-is-a-human-right-applauds-state-senator-anthony-portantino-sb-50/](https://housinghumanright.org/housing-is-a-human-right-applauds-state-senator-anthony-portantino-sb-50/)

May 16, 2019



Housing Is A Human Right applauds California State Sen. and Appropriations Committee Chair Anthony Portantino for shelving SB 50, a harmful, trickle-down housing bill that would fuel gentrification and displacement in California. We need urgent, community based solution that address the housing affordability crisis. SB 50 is not that bill.

“SB 50 pushes luxury housing for a housing affordability crisis,” says Housing Is A Human Right Director René Christian Moya. “It will make the real estate industry billions, but will worsen gentrification and displacement throughout the state. Housing Is A Human Right will continue to fight the bill and ensure that it does not pass in 2020.”

SB 50 will not be voted on this year, but state legislators will probably take it up again in early 2020. The bill was introduced by State Sen. Scott Wiener of San Francisco. He has longtime financial ties to the real estate industry.

So far, for his 2016 and 2020 state senate campaigns, Wiener has hauled in more than \$725,000 from developers, landlords, architects, lobbying firms, and other real estate insiders, according to state records. Housing Is A Human Right released the investigative report, “Selling Out California:

Scott Wiener's Money Ties to Big Real Estate." SB 50 would generate billions in revenue for Wiener's political patrons in the real estate industry.

Housing Is A Human Right is the housing advocacy division of AIDS Healthcare Foundation. HHR and AHF have been among the leading organization in fighting SB 50, going back to when the bill was first announced in December 2018. HHR and AHF advance a community-based housing strategy to help the most vulnerable called the "3 Ps": protect tenants, preserve communities, and produce housing.

"Stopping SB 50 is just the beginning of the battle," says AHF President and Co Founder Michael Weinstein. "Wiener will be back with this bad legislation next year. We urgently need rent relief, construction of truly affordable housing, and anti-gentrification protections."

HHR and AHF have recently launched the Rental Affordability Act, aiming to place the initiative on the 2020 statewide ballot. Protecting middle and working class tenants, the Rental Affordability Act will bring much-needed rent control to California during the housing affordability crisis.