

## ADVOCACY ORGANIZATIONS:

# Role in premise plumbing solutions

POLICY BRIEF | JANUARY 2024

## Summary

Advocacy organizations that work alongside residents can play an essential role in addressing premise plumbing problems and ensuring access to safe, affordable tap water. The pipes that move water from a distribution network to a tap point (i.e., home, school, or business) are called premise plumbing. Typically, tap water issues are first identified by those who regularly use the tap water (i.e., residents, tenants in rental properties). While the burden of securing support to address plumbing issues would ideally not be carried by residents and tenants, this is the current status quo. Typically, in multifamily rental housing, multiple households have to voice tap water concerns in order to garner sufficient attention and intervention. This is particularly true when tap water issues are caused by poor premise plumbing, given every household has a different set of pipes.

Advocacy organizations can help governments at all levels better understand the tap water issues that residents face and work with communities to develop and implement solutions. Government policymakers should engage organizations that advocate for tenants, low-income households, and other historically [marginalized](#) populations<sup>1</sup> who face undue burden in obtaining clean drinking water.



## Recommendations

Advocacy organizations can help advance solutions to premise plumbing concerns by implementing the following:

1. Facilitate tap water testing beyond what is routinely provided by local water systems and regulators
2. Serve as a communication intermediary between residents and other interested parties
3. Advocate for permanent changes to city, county, and state codes and programs to support trust in premise plumbing



Coalition for Economic Survival - Los Angeles representative talks to tenants about their rights.

Photo credit: [Coalition for Economic Survival](#)

## DETAILED RECOMMENDATIONS

### RECOMMENDATION 1

#### Facilitate tap water testing beyond what is routinely provided by local water systems and regulators

► **Background:** State [law](#) requires public water systems to create annual consumer confidence reports with information about the system's [water quality](#). However, these reports can be hard to understand, may not be available in a resident's preferred language, and may not have information about plumbing issues at the property level that are beyond the water system's direct control. Increasing tap water testing options provides residents, water systems, and local governments with the data needed to better understand local issues, draft effective solutions, and address issues of water equity. In many places, water testing facilitated by local community-based [organizations](#) has helped create community-level data and supported larger policy changes and advocacy efforts. The Los Angeles County Department of Public Health has various data dashboards that help visualize trends for [COVID-19](#), [HIV](#), substance abuse, and other public health issues. It would be valuable for public health officials to have

information about tap water quality so they can better take action where there are known hazards.

Some water systems provide opportunities for residents to test their tap water; however, these efforts often fall short of meeting demand. Currently, one of the only water systems in Los Angeles County that guarantees tap water testing for any customer is the city's [Los Angeles Department of Water and Power](#). There are limited testing opportunities for residents who get their water from a well. For instance, the Central Coast Regional Water Board provides free well [testing](#) to households who get their drinking water from a domestic well.

Tap water testing in urban areas is an equity issue because poor water quality disproportionately affects historically marginalized communities.<sup>2</sup> Residents may not know who operates their water system or know how to contact them. For instance, tenants whose water bills are included in their rent may never receive correspondence from their water system directly; and tenants from historically marginalized communities may feel they have no agency to request information from landlords, leasing companies, or other housing authorities due to immigration status, language

barriers, discrimination, etc. For residents who want to test their own tap water, private labs may charge over \$300 per test, which is cost prohibitive for many. The State Water Resources Control Board (Water Board) provides an online map with accredited [labs](#) that can test tap water.

Advocacy organizations are uniquely positioned to compel water systems and regulators to provide more readily accessible, affordable, and convenient tap water testing. Some advocacy organizations have also provided tap water testing using home testing kits or by working with a certified testing firm such as SimpleLab. The Bay Area Disadvantaged Community and Tribal Involvement Program Tap Water Quality Testing [Program](#) serves as the largest [example](#) of nonprofits supporting large-scale tap testing.

► **Related Code:** There is no state or local [code](#) that requires water systems to provide free tap water testing for contaminants other than lead. California’s Safe Drinking Water Act requires every public water system to annually prepare a consumer confidence report and deliver a copy to each customer, but these reports include testing and reporting only on certain types of contaminants and do not cover premise plumbing or water quality at the tap itself.

► **Best Practices:** The Bay Area Disadvantaged Community and Tribal Involvement Program was a relatively successful tap water testing program that can serve as an example. Having trusted organizations in a community facilitate tap testing and collect the associated data is key to building public [trust](#), especially if the tests show that water is safe to drink. These programs could coordinate with state agencies to ensure the data collected can be used by the Water Board and inform future policy. Furthermore, organizations could advocate for the Water Board’s online maps to be made accessible for those with limited English proficiency and limited computer literacy.

Advocacy organizations could compel current housing programs and resources to include tap water testing. Organizations like the Los Angeles Tenants Union could incorporate a testing program as part of their habitability code advocacy, while resources like the Apartment Association of Greater Los Angeles can

help landlords find resources to maintain premise plumbing as part of providing safe housing.

## **RECOMMENDATION 2**

### **Serve as a communication intermediary between residents and other interested parties**

► **Background:** Information on water quality, premise plumbing issues, how to report problems, and potential solutions can empower residents to address some issues on their own or call on responsible parties to address them.

There is a history of distrust between historically marginalized communities and publicly regulated water agencies because these communities have repeatedly experienced water service failures and attempted cover-ups.<sup>3</sup> Therefore, intentional and direct engagement is needed to heal relationships, identify and address issues where they exist, and increase trust in tap water.

Advocacy organizations are often essential in communicating between residents and public agencies. Furthermore, they are essential in providing user-friendly and culturally relevant guidance to communities regarding the health, sustainability, and financial implications of alternative water solutions (i.e., bottled water, filters, plumbing fixes), information that water systems often do not provide for legal reasons and landlords are ill equipped to communicate. Moreover, if tap water is tested and is proven safe, advocacy organizations can help share this information with the community.

The bottled water industry has aggressively used targeted advertising and marketing strategies to increase bottled water consumption in historically marginalized communities. But bottled water is not subject to the same regulations as tap water, and evidence shows bottled water is no safer than tap water on average.<sup>4</sup> However, public agencies often [resist](#) publishing counter-campaigns because staff are typically not experts in or trained to actively market the agency’s “product” or defend it in the media. Advocacy organizations are likely able to address this by providing concise information on the health and financial benefits of tap water reliance.

► **Related Code:** Proposition 65 (1986) [requires](#) certain apartment owners and managers to share information regarding lead from plumbing and fixtures with tenants.

► **Best Practices:** Organizations like Strategic Actions for a Just Economy offer tenant action [clinics](#) to support and advise tenants in multiple languages. These clinics could include more direct information on premise plumbing (i.e., legal responsibilities and maintenance requirements), implications of alternative water sources, and tap testing programs. Tenants associations like the Los Angeles Tenants [Union](#) hold meetings to help resolve habitability concerns and could include information on premise plumbing. WaterTalks recently created a user-friendly web map in [English](#) and [Spanish](#) with information about premise plumbing that can serve as a helpful reference.

Advocacy organizations can help overcome the information and communication gaps faced by many tenants dealing with premise plumbing issues. For instance, an outreach effort with user-friendly and culturally appropriate information could help tenants recognize that landlords are legally responsible for addressing premise plumbing issues, identify ways to compel landlords to address these issues, and empower residents to report and document the issues they experience. (For more info, see our [Landlords Policy Brief](#).)

[Esperanza's Promotores de Salud](#) serves as a great model on how to disperse information to community members and could be expanded to include information on identifying and addressing issues with tap water and premise plumbing. Organizations like [Watts Clean Air & Energy Committee](#) and [Strategic Concepts in Organizing and Policy Education](#) run community-based academies to provide training and capacity building to residents. These academies can include sections that focus specifically on premise plumbing (i.e., understanding their water quality, legal responsibilities for premise plumbing, and how to report tap water issues). Black Women for Wellness is [developing](#) a series of videos focused on water equity from Black women's perspective; this series could be expanded to promote more culturally appropriate information about premise plumbing.

Landlords are required to provide tenants with an EPA [pamphlet](#) regarding lead. Its section on concerns for lead in drinking water could be used as a guide to provide information on maintenance requirements and legal responsibilities of premise plumbing. In addition, the California Tenants [Guide](#) requires landlords to notify “current and prospective tenants on possible exposure” to contaminants and includes information on landlords’ repair responsibilities. This guide could include more information on premise plumbing and how to report and address issues, and would ideally be provided in a tenant’s preferred language.

The biggest challenge in this space for advocacy organizations will be serving as long-term providers of information to residents as well as documenting the history of cases and tap water testing data to inform policy. This requires long-term funding and technical capacity (website maintenance, etc.) that nonprofit and community-based organizations often lack and foundations and other philanthropic organizations could support.

### RECOMMENDATION 3

## Advocate for permanent changes to city, county, and state codes and programs to support trust in premise plumbing

► **Background:** The State of California, through its Water Board’s Division of Drinking Water (DDW), serves as the regulator of drinking water systems. It may be able to intensify its enforcement and compliance measures to require water systems to advance solutions to certain premise plumbing issues, but this will likely require legislative changes. In the past, state funding programs to alleviate pressing drinking water issues for historically marginalized communities and communities with low incomes (i.e., the SAFER Drinking Water Program and the Arrearage Payment Program) were created, in large part, because of community advocacy.

The County of Los Angeles is the operator of some drinking water systems and has the capability to collect, report, and share data regarding water

quality and tenant rights. Through these and other mechanisms, it can proactively assist residents in addressing premise plumbing issues.

Landlords and property owners are responsible for providing safe and well-maintained plumbing facilities that are compliant with the law at the time of installation.<sup>5</sup> Including aesthetic water issues or maintenance of premise plumbing in city housing codes can offer protections to tenants who may fear addressing these issues with a landlord.

The City of Los Angeles offers a variety of programs for landlords to keep buildings up to code and hold them accountable when needed. One such program is the Tenant Habitability [Program](#), which incentivizes landlords to renovate, repair, or alter a building (i.e., to replace an existing water line) through rent adjustments.<sup>6</sup> Cities like Newark, New Jersey, and Cincinnati, Ohio, have [laws](#) and [ordinances](#) that make it easier to replace lead pipes in rental buildings.

► **Related Code:** California [law](#) describes that a landlord is responsible for repairs that make a property [uninhabitable](#), including “plumbing facilities.” [Municode](#) provides online access to various city and county codes in California; for instance, the City of El Monte has a set of [codes](#) specific to the city’s water service system. California [law](#) gives the Water Board the authority to enforce the federal and state Safe Drinking Water Acts.<sup>7</sup>

► **Best Practices:** Advocacy organizations can play a role in adding premise plumbing protections to existing city codes. These code changes can then inspire similar enforcement and regulation changes at the county level, which oversees code enforcement for unincorporated areas, as well as the state, which serves as the regulator of many water systems. We’ve included recommendations for changing county and state level codes in our [Los Angeles County Policy Brief](#) and [State of California Policy Brief](#).

[For example](#), advocacy organizations can push cities to adopt a proactive inspection program similar to the City of Los Angeles’ Systematic Code Enforcement Program, which is similar to the city’s Rent Escrow Account Program. This type of program holds landlords accountable for noncompliance.

Los Angeles’ Tenant Habitability Plan also may be a model, as it ensures that property owners take appropriate measures to ensure tenants are safe in the case of serious code violations that require construction work.

Moreover, city codes that include maintenance requirements can be expanded to cover faucets, showerheads, other fixtures, and under-counter pipes. This can help address affordability issues as well. City codes to minimize or avoid public health or safety hazards could also incorporate premise plumbing solutions, because issues that lead a household to fear for their health and safety could present a hazard to public health, safety, or welfare.

## AUTHORSHIP

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## FOR MORE INFORMATION

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## NOTES

- 1 We use “historically marginalized” to mean individuals or groups who are systematically distanced from access to power and resources and excluded from mainstream social, economic, cultural, or political life. This exclusion is often based on race, ethnicity, gender, sexuality, ability, preferred language, socioeconomic status, age, etc. We base this definition on [UCLA’s EDI glossary of terms](#).
- 2 See [Drinking water quality and social vulnerability linkages at the system level in the United States](#), [Disparities in drinking water water compliance](#), and [The Prevention Institute’s 2018 report](#)
- 3 See [The Human Right to Water in Poor Communities of Color](#), [Dissecting Distrust in the Tap](#), and [Tapping Out Bottled Water](#)
- 4 See [NRDC Guide](#) and [U.S. Households’ Perception of Drinking Water as Unsafe and its Consequences: Examining Alternative Choices to the Tap](#)
- 5 See WaterTalks Path to Tap tool in [English](#) and [Spanish](#)
- 6 See [Tenant Habitability Program webpage](#) and L.A.’s [Article 2 Tenant Habitability Program](#)
- 7 [California Health & Safety Code 116270 et. seq.](#); [California Health & Safety Code 116470](#); [California Code of Regulations Title 22](#)