

# NOAH KAZIS

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## EDUCATION

**Yale Law School**, J.D., May 2015

Honors:

- Received honors in all graded courses
- Quintin Johnstone Prize – for best paper in the area of real property law
- Stephen Massey Prize – for the student best exemplifying the values of the clinical program

Activities:

- *Yale Law Journal*, Comments Editor (2014-15); Editor (2013-14)
- Conference Chair, “New Directions in Environmental Law”
- Research Assistant, Professor Abbe Gluck
- Research Assistant, Professor Jerry Mashaw

**Yale University**, B.A., *cum laude* Political Science, urban studies track, December 2009

Honors: Distinction in the major

## TEACHING INTERESTS

*Primary Interests:* Local Government Law, Property, Land Use, Legislation, Administrative Law

*Secondary Interests:* Environmental Law, Anti-Discrimination Law, Housing Law and Policy, Constitutional Law, Torts

## EXPERIENCE

**New York University, Furman Center for Real Estate and Urban Policy: Legal Fellow**, New York, NY (2019-present)

- Lead research on preempting restrictive zoning in New York City's suburbs, converting distressed hotels into housing post-COVID, redesigning land use approval process for New York City Housing Authority, reforming rent control, and assessing racial equity impacts of affordable housing policies
- Drafted comments to HUD on proposed rollbacks of fair housing rules
- Advised legislators in multiple states on drafting of land use reform legislation

**New York City Law Department: Corporation Counsel Honors Fellow & Assistant Corporation Counsel**, New York, NY (2017-2019)

- Staffed City’s top lawyer on wide range of municipal matters, including agency counseling, affirmative litigation and appeals, and legislative drafting
- Representative matters: Drafted first-in-nation ordinance regulating carbon emissions from buildings; counseled City Hall on implementation of and litigation over “sanctuary city” policies; advised City Charter Revision Commission on adoption of ranked-choice voting; co-wrote complaint against fossil fuel companies for climate change damages; drafted U.S. Supreme Court amicus brief

**United States Court of Appeals for the Third Circuit: Law Clerk to Judge Joseph A. Greenaway, Jr.**, Newark, NJ (2016-2017)

**United States District Court, District of Massachusetts: Law Clerk to Judge Douglas P. Woodlock**, Boston, MA (2015-2016)

**Jerome N. Frank Legal Services Organization: Student Director, Community and Economic Development Clinic**, New Haven, CT (2013-2015)

- Authored report on HUD enforcement of “affirmatively furthering fair housing” obligations
- Successfully lobbied in support of Connecticut anti-exclusionary zoning statute
- Won zoning and planning approvals for church-based affordable housing developer; represented developer in transactional negotiations for site assembly

**Streetsblog New York City: Staff Reporter**, New York, NY (2010-2012)

- Served as chief reporter for local transportation and urban planning news site, covering zoning, transit funding, bike and bus infrastructure development, and highway removal

## **ACADEMIC PUBLICATIONS**

*The Failed Federalism of Affordable Housing: Why States Don’t Use Housing Vouchers* (work-in-progress) (job talk paper)

- Uncovers surprising pattern in affordable housing policy: while federal policy’s fiercest fight has been between tenant-based and project-based forms of rental assistance, states and cities overwhelmingly reject tenant-based strategies. Identifies legal underpinnings of this divergence and offers suggestions for a healthier federalism in rental assistance.

*Fair Housing for a Non-Sexist City*, 134 HARV. L. REV. 1683 (2021)

- Shows that while sex discrimination is built into American housing laws, the Fair Housing Act has been used almost exclusively to address individual, intentional acts of sex discrimination. Illustrates how the FHA could be used to take on subtle and structural forms of sex discrimination in housing—from bans on in-home child care to patterns of suburbanization that reduce women’s earnings—and advances an expanded understanding of “fair housing.”

- Responded to in Olatunde C. A. Johnson, *Towards a Law of Inclusive Planning: A Response To "Fair Housing for a Non-Sexist City,"* 134 HARV. L. REV. F. 312 (2021).

*Transportation, Land Use, and the Sources of Hyper-Localism*, 106 IOWA L. REV. 2339 (2021) (invited symposium essay)

- Identifies local transportation law as centralizing power in mayoralty and expert agencies, even as local transportation politics remain under hyper-local neighborhood control. Uses this disjunction to question scholarship arguing that legal procedures drive the hyper-localism of land use law.

*Exclusionary Zoning: Constitutional and Federal Statutory Responses*, in THE LEGAL GUIDE TO AFFORDABLE HOUSING DEVELOPMENT (Tim Iglesias, Rochelle E. Lento & Rigel C. Oliveri eds.) (forthcoming 2021) (with Ken Zimmerman) (work-in-progress)

- Provides primer on federal and state constitutional limits on exclusionary zoning, the Fair Housing Act's application to land use, and recent trends in FHA litigation.

*Service Provision and the Study of Local Legislatures: A Response to Professor Zale*, 81 OHIO ST. L. J. ONLINE 1 (2020) (invited response to Kellen Zale, *Part-Time Government*, 80 OHIO ST. L. J. 987 (2019))

- Reviews Zale's investigation of part-time legislatures, arguing that service provision should be re-centered in the study of local governments and asking when local governments act efficiently in adopting government structures.

*Federalism: The Cure for What Ails Localism*, HARV. L. REV. BLOG (2019)

- Responds to arguments that "partisan federalism" helps the national government and hurts state and local autonomy, adding that nationalizing local politics can overcome the status quo bias and narrow self-interestedness of local politics.

*American Unicameralism: The Structure of Local Legislatures*, 69 HASTINGS L.J. 1147 (2018)

- Explains how and why cities converged on unicameral councils, after early prominence of local bicameralism. Argues that unicameralism reflects alternative constitutional vision for local government, which should be recognized in legal doctrine, including statutory interpretation methodologies and modes of judicial review.

*Special Districts, Sovereignty, and the Structure of Local Police Services*, 48 URB. LAW. 417 (2016)

- Finds that despite proliferation of special districts for most local service provision, policing is provided almost exclusively by general-purpose governments. Explores implications for understandings of municipal incorporation and local government autonomy.

Comment, *Tort Concepts in Traffic Crimes*, 125 YALE L.J. 1131 (2016)

- Traces unacknowledged migration of tort concepts like contributory negligence and conduct-based definitions of negligence into the criminal law governing driving and traffic crashes.

Note, *Public Actors, Private Law: Local Governments' Use of Covenants to Regulate Land Use*, 124 YALE L.J. 1790 (2015) (winner of Yale Law School faculty's Johnstone prize)

- Argues that local governments actively choose between private-law covenants and public-law zoning in regulating land use, and choose covenants when they wish to limit citizen enforcement of land use controls.

Note, *Environmental Review as an Incentive for Parking Provision*, 41 TRANSP. L.J. 157 (2014)

- Identifies state environmental review as unappreciated incentive for over-supply of parking, and argues that environmental review should prioritize ecological outcomes rather than preservation of status quo.

## **SELECTED OTHER PUBLICATIONS**

*Challenges and Opportunities for Hotel-to-Housing Conversions in NYC*, NYU Furman Center Working Paper (2021)

- Analyzes state of NYC hotel market post-COVID, identifies most significant land use law barriers for hotel-to-housing conversions, and assesses prospects for conversions to affordable and supportive housing.

302.6: *How New York's Next Mayor Can Shape Land Use and Planning*, NYU Furman Center Policy Briefs (2021)

- Provides set of six briefs exploring the most important land use questions facing the next mayoral administration.

*Ending Exclusionary Zoning in New York City's Suburbs*, NYU Furman Center White Paper (2020)

- Provides comprehensive guide to addressing exclusionary zoning in New York State. Identifies New York's suburbs as arguably the most exclusionary in the United States. Offers menu of policy strategies to reform suburban land use and policy framework for adapting those strategies to New York context.
- Discussed in *New York Times* editorial endorsing state zoning reform.

## **PRESENTATIONS**

*State Housing Vouchers*

- Advanced Property seminar, Yale Law School (Aug. 2021)
- AALS Poverty Law Workshop (June 2021)
- Lawyering Scholarship Colloquium, New York University School of Law (Apr. 2021)
- State and Local Government Works-In-Progress Conference, Willamette University College of Law (Sep. 2020)

*Fair Housing for a Non-Sexist City*

- Association for Law, Property and Society Conference, Tulane University Law School (May 2020) (cancelled due to COVID-19)

*Transportation, Land Use, and the Sources of Hyper-Localism*

- The Future of Law and Transportation Symposium, University of Iowa College of Law (Nov. 2020)
- Lawyering Scholarship Colloquium, New York University School of Law (Mar. 2020)

Moderator, “Reforming State Zoning for Affordability, Integration and Growth”

- NYU Furman Center Policy Breakfast (Nov. 2020)

“Zoning for Racial Equity”

- “Inclusive by Design” Conference, Panel on “Racial Equity & Housing: Obstacles & Opportunities,” New York Housing Conference (Dec. 2019)

Moderator, “The Political Process and the Potential for Reform”

- Zoning Reform Roundtable, Suffolk Law School (Nov. 2019)

*American Unicameralism: The Structure of Local Legislatures*

- Fourth Annual International and Comparative Urban Law Conference, Cape Town, South Africa (July 2017)

## REFERENCES

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