

## Handout #17 Instructions for the Housing Policy and Program Activity

- Go to the group with the topic that interests you most.
- Quietly read the policies in your chosen area (about 5 min)
- Circle the ones you like.
- Put a check by the ones you don't understand.
- With your group, seek to find one that together you like—seek to build consensus (10 min)
- Plan how you might get this passed in your city (10 min)
- Choose someone to report out to the rest of the group (2 min each)

### **I. PRESERVATION OF AFFORDABLE HOUSING AND HOMELESSNESS AND FORECLOSURE PREVENTION**

| <b>Policy</b>                  | <b>Policy Description</b>   | <b>Model/Example</b>  |
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| <b>A. No Net-Loss Overlays</b> | A zoning policy that compels a local government to preserve a baseline level of affordable units in a neighborhood that is experiencing rapid reinvestment. The policy is implemented either by (1) obligating funding to keep pace with market-rate development, or (2) freezing development until the affordability deficit rises back to the baseline level. | <a href="#">City of Los Angeles</a> , <a href="#">The Greenlining Institute</a>             |
| <b>B. Zoning Incentives</b>    | Zoning and redevelopment plans can offer higher floor-area and unit-density limits and reduced parking requirements for development projects that provide a minimum portion of income-restricted (i.e. affordable) units. Planning departments can also offer reduced permit fees and expedited permit reviews for affordable housing developments.             | <a href="#">Los Angeles</a> , <a href="#">Grounded Solutions</a> , <a href="#">Bay Area</a> |

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| <b>C. Condo Conversion Allowance/Moratorium</b>                  | The transformation of rental apartments into for-sale condominiums is a common driver of gentrification. These conversions usually require permits and therefore can be limited to an annual allowance or placed in a moratorium by local regulators, to prevent the rapid reduction of affordable housing stock. Policies may require a one for one replacement of converted units or require that a percentage of the converted condominiums are sold at affordable prices.                         | The City of Oakland ordinance requires that existing tenants are given the right to buy their units at the same or better terms than the general public, and receive a 10% discount on the purchase price. The owner must develop a program to help tenants relocate, including incentives to help them become owners.<br><a href="#">Democratic Party of the San Fernando Valley</a>                    |
| <b>D. 1-for-1 Replacement</b>                                    | One-for-One Replacement is a requirement to replace all occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than lower-income housing, even in the case of providing a shelter or transitional housing. The goal is to prevent the loss of housing units and the displacement of lower income households.  | <a href="#">1974 Housing and Community Development Act.</a><br><b>SB 330</b> prohibits local jurisdictions from enacting new laws that would have the effect of reducing the legal limit on new housing within their borders, and makes changes to land use and zoning law to remove barriers and impediments to building new housing.   |
| <b>E. Section-8 Preservation</b>                                 | Communities are struggling to retain affordable housing as a wave of Section-8 contracts expire and market pressures rise. Advocates can work with public agencies to track the status of subsidized rental agreements, inform owners and renters of future options, and offer loan packages and tax incentives for owners who retain affordability.  | <a href="#">Ogden Utah</a><br>Of the 1,420,093 Project-Based Section 8 properties, 98,490 (29%) have expiring contracts in the next five years and therefore are at risk of losing their affordability status, according to the National Housing Preservation Database.<br><a href="https://www.hud.gov/program_offices/housing/mfh/mfhsec8">https://www.hud.gov/program_offices/housing/mfh/mfhsec8</a> |
| <b>F. Mandatory Displacement Findings</b>                        | Displacement in America today is the result of policy choices that have made housing unaffordable, evictions more likely, and opportunity for upward mobility less accessible. Findings on who and how many people are being displaced by Local Planning Commission, City Council, or other body can provide transparency, whenever a land use approval or development proposal is up for consideration. Enhances awareness and accountability of public decisions relating to housing affordability. | See: <a href="https://www.americanprogress.org/article/localized-anti-displacement-policies/">https://www.americanprogress.org/article/localized-anti-displacement-policies/</a><br>A Right of first refusal policy for potentially displaced residents can be adopted.  |
| <b>G. Short-term rentals</b>                                     | Disincentivizing conversion of homes to short-term rentals, which can displace people from homes or take long-term rental units off the market. Some cities have regulations that allow short-term rentals only in owner-occupied dwellings or limit the length of time for short-time rental to, say, one or two months out of the year.   | Several Southern California cities—including Hermosa Beach, Laguna Beach, Manhattan Beach and Santa Monica—ban Airbnb rentals.   |
| <b>H. Limit the Ability of Landlords to “Go Out of Business”</b> | Prohibit landlords from “going out of the rental business” within the first five years after purchasing their property for any reason except redevelopment into higher-density housing. Prohibit property owners from converting to non-residential uses, condos, or tenancies in common (TICs) without the consent of all existing renter households.  | <i>The Affordable City</i> by Shane Phillips, p. 212 suggest this. It's a great idea, but cities do not yet have ordinances that discourage landlords from “going out of business”   |

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| <b>I. Eviction and foreclosure prevention</b>                                 | Helping people stay in their homes is the most cost-effective way to reduce homelessness. Organizations like Friends In Deed and Door of Hope offer services foster that financial stability and emotional health, helping at-risk families maintain their housing and regain self-sufficiency. They provide emergency rental assistance, case management, landlord remediation, and financial counseling making this intervention not just a band-aid, but a long-term solution  | Door of Hope, Friend In Deed (Pasadena)<br><br>“Rentful” works collaboratively with funders and nonprofit providers across Franklin County in Central Ohio with families struggling to pay rent. They helped thousands of people avoid eviction--50,000+ LOCAL Families Assisted \$115 million+ Rent Aid distributed in Franklin County in <a href="https://www.rentful614.com/">https://www.rentful614.com/</a>   |
| <b>J. Buy naturally occurring affordable housing (NOAH) with public funds</b> | Utilize local, state and federal funds for acquisition of existing low-cost housing. Individual properties may be operated with a mix of market-rate and below-market units with a target of zero operational surplus revenue (i.e. any surplus is spent on deeper and broader subsidies for below-market units.)<br>Local cities can purchase NOAH with covenants is a way to preserve naturally occurring affordable housing (NOAH) that low-income households already occupy. It is also a way to prevent the displacement of low-income households. If the city does not want to own the housing, they can transfer it to a local community land trust for operation and ownership. <u>Shelter force article on Naturally Occurring Affordable Housing.</u> | The <b>NOAH Impact Fund</b> is a \$32.5 million regionally based fund that exclusively invests in the seven counties in the Twin Cities region in Minnesota. In 2017, four buildings comprising 239 units in Bloomington and Brooklyn Center, Minnesota, were preserved using the NOAH Impact Fund. Before the purchase, rents were market rate, but they’re now restricted to 60 percent AMI for 15 years.<br><br>For years Pasadena has been using affordable housing covenants to pay down the cost of units at Castle Green. |
| <b>K. Fund a Tenant Opportunity to Purchase Program (TOPA)</b>                | These programs enable tenants to purchase a property before it’s put on the market. .TOPA bills promote the transfer of property ownership into the hands of tenants and affordable housing developers by enabling tenants to exercise a first right of purchase.   | <a href="https://shelterforce.org/2020/07/24/giving-tenants-the-first-opportunity-to-purchase-their-homes/">ShelterForce Report on Tenant Opportunity to Purchase Acts https://shelterforce.org/2020/07/24/giving-tenants-the-first-opportunity-to-purchase-their-homes/</a>   |

## II . PROTECTIONS FOR TENANTS

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| <b>L. Rent Control/Stabilization</b>              | Establishes a maximum annual rent increase for an occupied unit. Has been an essential policy for protecting vulnerable residents in highly unaffordable rental housing markets. More beneficial to long-standing residents than to younger or newer households. Can incite no-cause evictions, unless paired with vacancy control regulations. | <a href="#">San Francisco Rent Ordinance</a><br><a href="#">Tenants United Santa Ana</a><br><a href="#">City of Pasadena</a>   |
| <b>M. Rent-Burdened Household Safety Net Fund</b> | Housing that is built using tax credits, redevelopment funding, or other public subsidies can be required to provide a “safety net” reserve fund that assists severely rent-burdened households. The policy complements affordable housing development by helping extremely low-income households retain access to income-restricted units.     | Wharton professors Benjamin Keys, Robert Collinson, University of Notre Dame, and professor Ingrid Gould Ellen, New York University authored a study called “Bolstering the Housing Safety Net: The Promise of Automatic Stabilizers,” proposing policy reforms to help people stay in their homes and support affordable housing construction and rehabilitation. <a href="https://knowledge.wharton.upenn.edu/article/strengthen-housing-safety-nets/">https://knowledge.wharton.upenn.edu/article/strengthen-housing-safety-nets/</a> |

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| <b>N. Fair Utility Costs and Energy Efficiency Requirements</b> | Housing units that are built or maintained through the use of tax credits, Section-8 vouchers or other public subsidies can be required to meet energy and water efficiency performance standards, which reduce utility cost burdens on low-income households and affordable housing operators. | Example: <a href="#">HUD public housing energy conservation requirements</a>  |
| <b>O. Right to Counsel</b>                                      | In the landlord/ tenant context, a right to counsel means that eligible tenants will have legal representation in an eviction proceeding, and potentially in related proceedings (such as terminations of a housing subsidy or certain affirmative actions to enforce tenant rights).           | <a href="#">Right to Counsel Los Angeles</a>  |
| <b>P. Just Cause Eviction</b>                                   | Requires “just causes” for eviction and ensures the legal rights of tenants who are faced with eviction.  | <a href="#">Just Cause For Eviction Ordinance (JCO) – LAHD.</a>   |
| <b>Q. Right of First Refusal</b>                                | Requires any housing unit to be offered to existing tenants before being sold or re-rented on the private market.   | Washington, DC’s Tenant Opportunity to Purchase Act (TOPA) (§ <a href="#">42-3404.91</a> ) gives DC tenants the right of first refusal should the owner decide to sell the property. The law formerly applied to all rentals, including multifamily buildings and single family homes.<br><a href="#">Rights of first refusal - Local Housing Solutions</a> |
| <b>R. Fair Relocation Requirements</b>                          | Ensures that any resident displaced as a result of no-fault eviction receives just compensation and comprehensive relocation assistance.  | <a href="#">Pasadena Tenant Protection Ordinance</a> , <a href="#">Berkeley Relocation Assistance</a> , <a href="#">Los Angeles Relocation Assistance</a> , <a href="#">Alexandria Relocation Assistance</a>  |
| <b>S. Fair Lease Requirements</b>                               | Provides tenants with a copy of the lease (translated if necessary) and explanation of the technical terms.   | <a href="#">Santa Ana</a> , <a href="#">National Housing Law Project</a>  |
| <b>T. Fair and Proactive Code Enforcement</b>                   | Prioritizes investor-owned properties and assists owner-occupants and tenants to stay in their homes.   | <a href="#">Long Beach</a> , <a href="#">Montgomery</a> , <a href="#">Perris</a>  |
| <b>U. Right to Information</b>                                  | Requires landlords to post and inform tenants about their rights and creates a publicly accessible regional database.   | Landlords in LA were required to do this during COVID pandemic.<br><a href="https://housing.lacity.org/highlights/renter-protections">https://housing.lacity.org/highlights/renter-protections</a>  |
| <b>V. Anti-coercion/harassment</b>                              | Prevents landlords from coercing tenants into leaving their homes due to negligence, intimidation, or buy-outs.   | Los Angeles has an anti-harassment ordinance.<br><a href="https://housing.lacity.org/residents/tenant-anti-harassment">https://housing.lacity.org/residents/tenant-anti-harassment</a>  |

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| <b>W. Landlord Licensing</b>                 | For a fee, landlords are issued licenses to operate rental properties, when certain conditions that protect tenants are met. Some are mandated, such as ensuring the unit(s) meets safety and health standards; others are recommended, such as addendums, for example the unit must remain crime free.  | California doesn't require landlords to have a business license. However, some cities may require landlords to have a license before renting out units within city limits. To legally operate as a landlord in Los Angeles, a property owner must first register her rental units with the Los Angeles Housing Department for routine code inspections before applying for a business tax certificate with the city.  |
| <b>X. Hazardous Siting</b>                   | Low-income housing is more likely than higher-income housing to be located near environmental hazards for reasons associated with economic and political capital and institutionalized racism. Hazardous siting ordinances can require that housing is not built on or near any site that could be hazardous to a person of any age or health.                   | An estimated 77,000 people who live in federally assisted housing across the United States are at risk of being poisoned by dangerous toxic contamination and the federal government has been aware of this hazard for years but taken no action, according to <a href="#">a new report</a> released today by the Shriver Center on Poverty Law, Earthjustice, and faculty at the University of Chicago. Tougher laws are needed to protect those living in low-income housing. |
| <b>Y. Enforce Housing and Building Codes</b> | Increase code enforcement staffing to a reasonable high ratio of staff to rental units. Require residential property-owning limited liability companies (LLCs) to reveal the identity of their owners and agents. Institute high finds for property owners who violate code enforcement standards, with escalating fines for repeat offenders.                   | Cities that have rent stabilization or rent registries can sometimes withhold occupancy if they don't pass inspections. But most cities state they are to inspect all rental units every year or every four years—but this rarely happens. Pasadena's Rent Control Ordinance provides a fund to help landlords to bring their unit up to code.  |
| <b>Z. Bring Unpermitted ADUs up to Code</b>  | Create a process for owners of unpermitted dwelling units (UDUs) to bring their units into the formal housing market. Consider income restrictions or price controls or both that are high enough to encourage enrollment in the UDU program but low enough to discourage future development of UDUs.  | Los Angeles, San Francisco, Daly City, Pasadena, and San Diego are actively working on programs to allow homeowners to bring unpermitted Accessory Dwelling Units (ADUs) up to code, often through "amnesty programs" that provide pathways to legalize existing non-compliant units, requiring them to meet current building standards to be permitted; this includes bringing garage conversions  |
| <b>AA. Sustainable Design</b>                | Unfortunately, using cheaper materials and giving up green space can be ways that private developers provide affordable housing. A sustainable design policy would require that all developments that use government funding be designed to utilize natural resources effectively and provide green space to ensure the health of residents and the environment. | Habitat for Humanity requires EnergyStar compliance in construction <a href="https://www.habitat.org/our-work/home-construction/technologies">https://www.habitat.org/our-work/home-construction/technologies</a> Roof gardens are a way to strive towards this requirement.<br>In order to win the Tax credits to fund affordable housing many of points to score high on the application relate to environmental aspects of the building and location.                        |

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| <b>BB. Fair Relocation Requirements</b> | <b>Fair Relocation Requirements:</b> Ensures that any resident displaced because of no-fault eviction receives just compensation and comprehensive relocation assistance. Pasadena provides \$5K, LA \$20K for relocation ( <a href="#">see here</a> ). | <a href="https://housing2.lacity.org/rental-property-owners/relocation-assistance-information">https://housing2.lacity.org/rental-property-owners/relocation-assistance-information</a> |
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### III. FAIR HOUSING AND ACCESSIBILITY—DISCRIMINATION AND FUNDING FOR HOUSING

| Title  |  | Policy Description   | Model/Example   |  |  |  |
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| <b>A. Ban the Box</b>  |  | Eliminate background checks as a barrier to applying for housing; allow formerly incarcerated individuals access to housing. But it is estimated that approximately half of the landlords in CA are still refusing to rent to Section 8<br><a href="https://enewspaper.latimes.com/infinity/article_share.aspx?guid=2b8d1c91-25d4-45c6-a111-318dfd21cc63">https://enewspaper.latimes.com/infinity/article_share.aspx?guid=2b8d1c91-25d4-45c6-a111-318dfd21cc63</a> | More than 150 cities, along with 37 states, have some form of ban the box laws on the books, according to the National Employment Law Project. But stronger enforcement is needed.  |  |  |  |
| <b>B. Disability Rights</b>  |  | Ensure that design and construction of housing provides full accessibility, even where ADA may fall short.   | CA state law prohibits discrimination by sellers, landlords and those who provide housing-related services. Housing policies, practices, terms and conditions must allow people with disabilities equal access to apartments, houses, condos and other dwellings.   |  |  |  |
| <b>C. Language Access</b>  |  | Require that all essential documents be provided in a tenant's native language. These documents would include leases, court papers, and notices. Interpretation should be provided for tenants in housing court and for instances where tenants are interacting with government agencies (i.e., reporting repair complaints or rent overcharges).  | <a href="https://www.nhlp.org/initiatives/fair-housing-housing-for-people-with-disabilities/language-access/">https://www.nhlp.org/initiatives/fair-housing-housing-for-people-with-disabilities/language-access/</a>   |  |  |  |
| <b>D. Jobs, Social Services, Community, Institutions and Schools</b> |  | Ensure that the location of housing that receives any government subsidy is in proximity to jobs and employment opportunities, social services and community institutions, fresh food, and educational institutions and opportunities — or that these can be accessed by affordable and efficient transportation.  |   |  |  |  |
| <b>E. Right to Return/Reparations</b>                                |  | Prioritizes a certain percentage of new affordable housing units for residents and families who were displaced due to publicly funded redevelopment projects.  | Crescent Apartments in Reston, VA (VOICE)<br>Pasadena has a right to return policy local preference with 20% of the affordable units to be set aside for those who have been displaced, but the enforcement is weak.<br><a href="https://www.cityofpasadena.net/housing/wp-content/uploads/sites/23/Local-Preference-Guidelines.pdf">https://www.cityofpasadena.net/housing/wp-content/uploads/sites/23/Local-Preference-Guidelines.pdf</a> |  |  |  |



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| <b>F. A vacancy tax Ordinance</b>  | Assess a fee equal to 1 percent of property value on any home left unoccupied for at least six months in a given year. A vacancy tax is a tax on properties that are vacant for a long time. The purpose of a vacancy tax is to penalize landlords who keep their properties empty for speculative reasons. Vacancy taxes are more common on residential properties than commercial properties.  | <p><b>The Empty Homes Tax was approved by San Francisco voters on November 8, 2022 and became effective on January 1, 2024. Generally, it imposes a tax on keeping certain residential units vacant for more than 182 days in a calendar year. Filing and payment will begin for most people in 2025.</b></p> <p><b>In Oakland, CA vacant lots are taxed at a maximum rate of \$6,000 per parcel and unoccupied condominiums would be taxed at a maximum rate of \$3,000 per parcel vacant if it is in use less than fifty (50) days in a calendar year. See:</b></p> <p><a href="https://www.oaklandca.gov/topics/vacantpropertytax">https://www.oaklandca.gov/topics/vacantpropertytax</a></p>  |
| <b>G. Reform or Eliminate Most Homeowner Subsidies</b>                             | Eliminate the mortgage interest deduction entirely. Eliminate the mortgage interest deduction entirely. The subsidies reduced federal government revenues (\$242.9 billion in 2022, according to the US Treasury Department), and research suggests that they do not increase homeownership rates. In addition, the tax incentives are mostly used by high-income taxpayers who have enough resources to make mortgage payments without a subsidy. | The Tax Cuts and Jobs Act of 2017 raised the standard deduction, capped deductible state and local taxes at \$10,000, and reduced the maximum mortgage principal eligible for deductible interest to \$750,000 (from \$1 million) for new loans. As a result, according to Tax Policy Center estimates, the number of taxpayers who take the mortgage-interest deduction will fall from 34 million (20% of returns) in tax year 2017 to 14 million (8% of returns) in 2018.   |
| <b>H. Fund low and zero interest loans for housing acquisition and development</b> | Explore the possibility of municipal, county, state or federal programs to offer low- or zero-interest construction or take-out loans, or both, in exchange for reduction in rent of the setting aside of additional units for low- or moderate-income households. Loan guarantees may also be considered.   | <a href="https://www.lacda.org/affordable-housing/la-county-housing-innovation-fund">https://www.lacda.org/affordable-housing/la-county-housing-innovation-fund</a>   |
| <b>I. Public Financing Banks</b>   | Public banks are owned by the people to promote public interest and prevent speculative ventures. A public entity using public banks avoids paying interest to a for-profit entity. Profits from loans by public banks return to the state general budget and can be used to help create affordable housing.   | <p><b>Example:</b> All state treasurers deposit their state tax revenues and fees into private banks, except the public Bank of North Dakota, which has existed for over one hundred years and is so successful that even its Republican-dominated government is proud of the performance and its prominence in the state economy. <a href="http://www.occupy.com/article/how-america-can-replace-wall-street-financing-public-banks#sthash.N93TAsgP.dpu">http://www.occupy.com/article/how-america-can-replace-wall-street-financing-public-banks#sthash.N93TAsgP.dpu</a></p> <p><a href="http://www.occupy.com/article/how-america-can-replace-wall-street-financing-public-banks#sthash.N93TAsgP.dpuf">http://www.occupy.com/article/how-america-can-replace-wall-street-financing-public-banks#sthash.N93TAsgP.dpuf</a></p> |

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| <b>J. Affordable Housing Trust Funds</b>   | Housing Trust Funds (HTF) began in the late 1970s and today national, state, county and local and regional trust funds exist to support the construction, acquisition, and preservation of affordable housing and related services. Real estate transfer tax or document recording fees are typical sources of dedicated funding streams. | <b>Dade County, FL; Napa County, CA; Boston.</b><br><b>See: San Gabriel Valley Regional Trust:</b> <a href="https://www.sgvrrht.org/">https://www.sgvrrht.org/</a> |
| <b>K. Fee waivers for affordable units</b> | <b>Fee waivers for affordable units</b> to incentivize developers to build affordable housing.  | For example, in Pasadena a \$20,000 Park fee and a \$8,000 Complete Streets fee per unit is waived when a developer applies to build affordable units              |

#### IV. COMMUNITY EMPOWERMENT

| <b>Title</b>  | <b>EXPLANATION</b>  | <b>Model/Example</b>  |
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| <b>A. Community Land Trusts (CLT) and Cooperative land and housing arrangements</b> | With a CLT you own the home but not the land. The land is held in common by a nonprofit for the purpose of keeping the land and home permanently affordable. It is important to support, resource, and prioritize the development of these community-based solutions.   | Dudley Street, Boston, MA<br>Burlington, VT<br><a href="#">Thrive Santa Ana</a><br><a href="#">T.R.U.S.T. South LA</a>  |
| <b>B. First Look Programs</b>   | Ensure that, after owner-occupants, community land trusts and non-profits have the first opportunity to purchase land or property that has received some form of government funding or subsidy.   | HomePath homes have a first look period that lasts 30 days after a property is listed. During the First Look™ period, offers from buyers who plan to use the home as a primary residence and community service organizations, such as public entities or nonprofits, are prioritized.                           |
| <b>C. Land Banks</b>  | Establish a land bank as a public authority created to efficiently handle acquisition, maintenance, and sale of vacant properties. Land banks will have clear, streamlined procedures to clear titles and acquire tax-delinquent properties without risking their sale to speculators and will transfer properties primarily to nonprofits and community land trusts to create affordable housing. Land banks are a best practice that more than 75 governments have adopted. | <i>Model: Philadelphia, Philadelphia Land Bank Ordinance,</i><br>Governments of Philadelphia, Cleveland, Louisville, Atlanta, and Genesee County, Michigan.   |
| <b>D. Participatory Process</b>   | Set strong standards for public engagement in land-use planning and development decision-making. Support community-based training for residents to participate in planning and development processes. While the public needs to weigh in on   | <i>Model: Oakland, Calif., “Gearing Up for Action” curriculum (Pacific Institute),</i><br><a href="http://pacinst.org/publication/gearing-up-for-actioncurriculum-guide-for-freight-transport-justice/">http://pacinst.org/publication/gearing-up-for-actioncurriculum-guide-for-freight-transport-justice/</a> |



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| <b>E. Right to Organize</b>  | <p>Institute the right of renters to organize renters' associations and to hold meetings within their buildings. Prevent interference by landlords, and penalize landlords who interfere with these rights.</p> <ul style="list-style-type: none"> <li>a. Ensure that renters have the right to withhold rent</li> <li>b. Ensure that renters have the right to a fair judicial process and an attorney.</li> <li>c. Ensure that landlords do not retaliate against renters for exercising any right of tenancy.</li> </ul>   | <p>Organizing or participating in a tenants union or association is a protected right under CA state law. Landlords cannot seek to evict a tenant, give notices, increase rent, or decrease the services available because a tenant exercised their right to organize fellow tenants. If your landlord uses these prohibited actions against a tenant because of organizing activity, this is considered retaliation.</p>   |
| <b>F. Pro-housing city designation</b>   | <p>Increasing the availability of housing statewide is critical to bettering the quality of life of all Californians and to ending homelessness. The 2019-2020 Budget Act provided a spectrum of support, incentives, and accountability measures to meet California's housing goals, and provided for the establishment of the Pro-housing Designation Program. Cities can submit the application and an authorized formal resolution to <a href="mailto:ProhousingPolicies@hcd.ca.gov">ProhousingPolicies@hcd.ca.gov</a>.</p>   | <p><b>As of August 1, 2024, these jurisdictions earned a Pro-housing Designation:</b></p> <ul style="list-style-type: none"> <li><b>CC.</b> City of Berkeley.</li> <li><b>DD.</b> City of Brea.</li> <li><b>EE.</b> City of Citrus Heights.</li> <li><b>FF.</b> City of Crescent City.</li> <li><b>GG.</b> City of El Cerrito.</li> <li><b>HH.</b> City of Emeryville.</li> <li><b>II.</b> City of Eureka.</li> <li><b>JJ.</b> City of Fairfield.</li> </ul>  |
| <b>G. Local Hired, Local Contact and Local materials in the development of locally funded housing.</b> | <p>Local governments should enact local hire provisions to encourage or require the hiring of residents from a particular geographic location, or from a particular population such as women and people of color, to perform work or provide services on new infrastructure and development projects. This should be a requirement for local contractors, and materials as well.</p>  | <p>In Pasadena, CA, anytime the city has invested in a portion of an affordable housing development, 20% of those hired to do the work must be in Pasadena, as well as 20% of the contractors and 20% of the material purchased locally. This for example brought 6 million into the city from just one development of 69 affordable units.</p>   |
| <b>A. Limit Speculative Investment</b>   | <p>Outside investors have been buying up homes and competing with local homebuyers. They take homes off the market and convert them to rental properties, thereby reducing the opportunities for homeownership. Various bills have been proposed to limit such speculative investment. Government-sponsored enterprises (GSE) like Freddie Mac, have made it easier for private equity firms to buy homes in bulk with cash, converting them to SFRs (single family rentals), and RBOs (Rental Backed Securities). Investors with over a specified number of homes should set-aside a percentage as affordable, especially those receiving government support. Freddy Mac's charter requires affordable housing goals; that % of loans be set aside for low-income single family, multifamily and more. The National Reinvestment Coalition is proposing that these goals also be applied to future secondary markets <a href="http://www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Proposes-2015-2017-Housing-Goals-for-Fannie-Mae-and-Freddie-Mac.aspx">http://www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Proposes-2015-2017-Housing-Goals-for-Fannie-Mae-and-Freddie-Mac.aspx</a></p> | <p>Bills have been proposed to limit investor owned properties that restrict the types of properties they can purchase, but none have passed yet.:<br/> <b>The End Hedge Fund Control of American Homes Act:</b> Would require hedge funds to sell off all single-family homes over a 10-year period.<br/> <b>Assembly Bill 2584:</b> Would prevent institutional investors from buying additional single-family homes to rent out. <b>Senate Bill 1212:</b> This would ban institutional investors from purchasing, acquiring, or leasing single-family homes or duplexes. <b>Assembly Bill 1333:</b> This California bill would ban developers from selling homes in bulk to big investors.</p> |

## V. PRODUCTION

| TITLE  | POLICY DESCRIPTION  | MODEL/EXAMPLE   |
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| <b>A. SB 4, By-Right Affordable Housing on Congregational Land</b> | <p>Zoning that would enable religious congregations to have affordable housing built on their land, responding to the barrier of finding sites for affordable housing. Making Housing and Community Happen was part of a coalition that successfully advocated for SB 4, which rezoned the land of congregations and nonprofit colleges for affordable housing by right statewide. 100% of the units must be affordable to lower-income households, with up to 20% affordable to moderate-income households, and 5% of units can be market-rate for staff.</p>  | <p>California, Washington, and Oregon all have similar laws facilitating affordable housing on religious land. Other states like Maryland, New York, and Virginia are actively considering similar legislation; some cities like Seattle and San Antonio have also implemented initiatives to facilitate this on a local level.</p>   |
| <b>B. Inclusionary Zoning.</b>                                     | <p>Inclusionary Zoning requires affordable units within market rate developments. What makes this work financially in CA is the opportunity to provide more units in exchange for providing lower income units. higher densities. After Montgomery County, Maryland began this in the 1980s today hundreds of cities, counties and one state, MA, have variations of IZ. Typically the requirement is between 10-30% of the units to be affordable, on sites with 10 or more units. Jurisdictions that start say at 50 or 100 are missing a great opportunity to have mixed income developments at no cost to the developer or the government, which is a very smart growth plan. These units must be indistinguishable from the other units to prevent any stigma and they need to be affordable in perpetuity</p> | <p>A state wide Inclusionary Ordinance:<br/> <a href="http://Massachusetts.Chapter.40B">http://Massachusetts.Chapter.40B</a><br/> <a href="http://patch.com/massachusetts/">http://patch.com/massachusetts/</a><br/> <a href="https://library.municode.com/ca/long_beach/codes/municipal_code?nodeId=TIT21ZO_CH21.67INHO">https://library.municode.com/ca/long_beach/codes/municipal_code?nodeId=TIT21ZO_CH21.67INHO</a></p> <p>A citywide example: Pasadena's Inclusionary Ordinance:<br/> <a href="https://www.cityofpasadena.net/wp-content/uploads/sites/30/Inclusionary-Housing-Regulations.pdf">https://www.cityofpasadena.net/wp-content/uploads/sites/30/Inclusionary-Housing-Regulations.pdf</a></p> |
| <b>C. Density Bonus</b>  | <p>Summary: Density Bonus laws allow developers to override local zoning if affordable housing is included. These laws include procedures for development agreements that enforce and review the provision and preservation of the affordable housing, whether for sale or for rent. State density bonuses are essential for IZ laws to work.</p>   | <p><b>Example:</b> SB 1818, <a href="https://www.meyersnave.com/wp-content/uploads/California-Density-Bonus-Law.2021.pdf">https://www.meyersnave.com/wp-content/uploads/California-Density-Bonus-Law.2021.pdf</a><br/> One example is 20% if a developments units are for Very Low income, then the developer can include 50% more units in the project. And an 80% increase in density for projects which are completely affordable, see chart for more examples.</p>  |

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| <b>D. Land Banking</b>   | A land bank is a nonprofit or government agency that functions to efficiently maintain clear title to, assemble, and market vacant property in order to transfer it to new owners for productive reuse. In 2013 Philadelphia streamlined a land banking system to put 40,000 vacant properties back to use.  | <a href="#">Philadelphia Achieves Land Bank Through Compromise — Shelterforce</a>   |
| <b>E. Vacant/Underutilized Property Conversion</b>   | Utilize eminent domain, land banks, and/or other methods to acquire vacant or underutilized properties and transfer to CLTs and non-profits for affordable housing.  | <a href="#">Dudley Street created by eminent domain: <u>http://www.dsni.org/http://www.hud.gov/offices/cpd/about/conplan/foreclosure/landbanks.cfm</u></a><br><br><a href="#">San Jose, motels and offices for homeless <u>http://www.sanjoseca.gov/DocumentCenter/View/28230</u></a>   |
| <b>F. Ongoing Supply/Demand Housing Inventory</b>  | <b>Explanation:</b> Jurisdictions need publicly disclosed regular assessments of the gap between the need and the existing supply of affordable housing and the barriers to meeting the need. Inventories should identify sufficient property zoned land for affordable housing including manufactured housing, multifamily, group homes and foster care facilities, shelters and more.  | <a href="#">http://www.wayland.ma.us/Pages/WaylandMA_BComm/Dudley/Highlights/KeyPoints</a><br><a href="#">http://www.townofchapelhill.org/Modules/ShowDocument.aspx?documentid=700</a><br><a href="#">Develop a Comprehensive Inventory of Housing Stock</a>  |
| <b>G. Accessory Dwelling Units, ADUs, Secondary Accessory Dwelling units: "Granny flats"</b> | <ol style="list-style-type: none"> <li>1. ADU are independent second homes, attached or detached to single family homes. ADU help create affordability, generate income for homeowners, and maximize limited land and infrastructure and the property tax base. In the 1960s San Francisco had 20,000 to 30,000 secondary units, 90 percent built illegally which ordinances later legalized.</li> <li>2. Create a local incentive program for ADUs with pre-approved plans, stream-lined processes for approvals, design support, \$25,000 or more to help with predevelopment, and removal of fees including impact fees and school fees in lieu of affordable units (for example section 8 requirement for seven years)<br/>Pasadena is a great example of having a streamlined process of producing ADUs.</li> </ol> | <a href="https://www.portlandoregon.gov/bds/36676">https://www.portlandoregon.gov/bds/36676</a><br><br><a href="https://longbeach.gov/lbds/planning/adus/">https://longbeach.gov/lbds/planning/adus/</a><br><br><a href="https://www.cityofpasadena.net/housing/second-unit-adu-program/">https://www.cityofpasadena.net/housing/second-unit-adu-program/</a> |

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| <b>H. Small-lot Ordinance</b>  | A small lot ordinance allows subdividing lots to create detached townhomes on smaller lots. Buyer owns the land and the structure, rather than a percentage of shared space (as in a condominium). This ordinance should require a percentage of affordability in exchange for the added value by subdividing the land.   | <a href="http://www.huduser.org/portal/casestudies/study_102011_1.html">http://www.huduser.org/portal/casestudies/study_102011_1.html</a>   |
| <b>I. Multi-family Zoning Capacity Requirements</b>                              | Multifamily housing is necessary to meet affordable housing needs, yet some states and jurisdictions zone up to 80% of the city's land for single family housing and concentrate multifamily in "low-opportunity," lower-income areas—thereby perpetuating racial and economic inequity. Eliminate single-family zoning and allow for duplexes, triplexes, split lots and multifamily at appropriate scale in areas currently zoned for single family. Rezone commercial zones for mixed use. SB 4 allows multifamily housing in single-family neighborhoods at appropriate scale.  | In 2021, with the passage of SB 9, California became the third state to end single-family zoning, joining Oregon and Washington. Homeowners in CA can split their lots and build duplexes and fourplexes. They can also build accessory dwelling units.   |
| <b>J. Eliminate Density Limits in Most Places</b>                                | Eliminate density limits within one-half mile of any transit stop (bus, rail, ferry). Maintain setbacks, floor area ratio, lot coverage and other design constraints as desired.  | Minneapolis was the first city to eliminate single-family zoning, allowing triplexes citywide in addition to upzoning transit corridors. In 2019, Oregon approved HB2001, which allows duplexes, triplexes and four-plexes in cities with populations of 25,000 or more.  |
| <b>K. Eliminate Parking Requirements Everywhere</b>                              | Eliminate parking requirements for all new developments. This will lower costs since it can cost between \$30-100 K per parking unit, and most parking is underutilized in multi-family buildings.  | California became the first state to abolish parking minimums for developments near public transportation routes at the beginning of 2023. Oregon also took action by rolling back mandates in 48 cities and five counties. Numerous cities such as San Francisco, Sacramento, etc. have eliminated parking requirements with positive results.   |
| <b>L. Make Development Approvals "By Right" and Speed Up Entitlement Process</b> | Streamline review process and eliminate discretionary approvals to the greatest extent possible. (A two-year design review process cost the developer of affordable housing \$10 million.) This can be accomplished by incorporating resident and stakeholder feedback into clear and objective community planning documents rather than individual projects. Set a goal of approving the vast majority of projects within three months of application submittal. Allow developers to pay for additional staff hours to process application faster, including third-party consultants hired to fill gaps in staffing or surges in applications. | The Transit Oriented Communities (TOC) program in Los Angeles allows developers to build larger, denser projects with less parking without discretionary review for projects with a certain number of homes. A study found that the median approval time for S.B. 35-qualified developments was 2.7 months. (It takes more than 3 years for new housing to be approved in San Francisco.) |

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| <b>M. Let Renters Decide What They Value—and they may want micro units</b>       | Allow micro-units—individual, fully separated housing units (including their own kitchen facilities and bathrooms) as small as 350 or 250 sq ft—and co-living spaces (which include bathrooms, kitchens, and other shared spaces) as small as 150 square feet wherever housing is permitted.   | The Pasadena Studios, Pasadena's first micro-unit project, consists of a six-story building featuring 180 apartments - ranging from 245 to 270 square feet in size - above parking for 25 vehicles. All of those apartments are to be reserved for renters earning no more than \$53,000 per year   |
| <b>N. Upzone Many Places at Once, including “High Opportunity” neighborhoods</b> | Distribute increased development capacity broadly, to many different neighborhoods and across large parts of each neighborhood for which zoning is changed. Allocate disproportionate share to areas where residents have higher income or wealth, jobs are more concentrated or transportation options are most accessible. This can affirmatively further fair housing. Besides this being good city planning, funding for affordable housing scores higher in “high resource” areas | Minneapolis and Oregon have approved geographically distributed upzoning, prohibiting single-family zoning and allowing duplexes or triplexes in nearly all residential areas. LA's Transit-Oriented Communities (TOC), a voter-initiative incentive program, is another example.   |
| <b>O. Vacant/Underutilized Property Conversion</b>                               | Utilize eminent domain, land banks, and/or other methods to acquire vacant or underutilized properties and transfer to CLTs and non-profits for affordable housing.  | <p>Dudley Street created by eminent domain: <a href="http://www.dsni.org/">http://www.dsni.org/</a></p> <p><a href="http://www.hud.gov/offices/cpd/about/conplan/foreclosure/landbanks.cfm">http://www.hud.gov/offices/cpd/about/conplan/foreclosure/landbanks.cfm</a></p> <p>San Jose, motels and offices for homeless<br/> <a href="http://www.sanjoseca.gov/DocumentCenter/View/28230">http://www.sanjoseca.gov/DocumentCenter/View/28230</a></p>          |
| <b>P. Services to help families and young adults obtain housing</b>              | The Los Angeles County Department of Children and Family Services (DCFS) has several programs to help families obtain housing, including Bringing Families Home, the Family Reunification Housing Subsidy, and the Prevention and Aftercare Program. Meanwhile, its Supervised Independent Living Program helps young adults (ages 18 to 21) exiting the foster care system, giving them financial and emotional support to transition into living on their own.                       |   |
| <b>Q. Goal setting</b>   | The City of Irvine has decided to make 10 percent of the all housing stock to be affordable. Housing Elements in CA also have a Regional Housing Needs Assessment that requires that every CA city to plan for a certain number of low, moderate and market rate housing. But the plan needs more enforcement to make it implemented. Setting specific goals and benchmarks can help in reaching those goals.  | <p>Rocklin has his goal for each of the planning areas.</p> <p>The city of Irvine also has a 10% goal.</p> <p>Pasadena has exceeded this goal, even though no such goal is stated. The need for most cities is much higher than 10%. A 25% or much more akin to the actual need.</p> <p>The Housing Element law for CA typically requires in the RHNA (Regional Housing Needs Assessment) numbers approximately half of the future units to be affordable</p> |

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| <b>R. Faculty and Teacher homeownership and rental housing:</b> | This is housing built on the school district and university and on school district land. School districts typically provide rental housing. But universities typically provide limited equity homeownership. When a home is sold for homeownership, the institution sells the home, but retains ownership to the land. Examples: Cal State Channel Islands, Cal Poly San Luis Obispo, Westmont College, and Harvard | Pasadena Unified School District has recently approved 120 affordable units for faculty and staff on a closed campus. Many other school districts in CA have also done this for example LA Unified School District.                     |
| <b>S. Strategic Use of City-Owned Land:</b>                     | Devote City-Owned land exclusively to the creation of 100% affordable and/or supportive housing projects through below-market or no-cost sale or lease to non-profit developers or community land trusts.   | <a href="http://allianceforcommunitytransit.org/wp-content/uploads/2020/10/ACT-LA-Housing-Element-Letter-10.20.20.pdf">http://allianceforcommunitytransit.org/wp-content/uploads/2020/10/ACT-LA-Housing-Element-Letter-10.20.20.pdf</a> |