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TRANSMITTED VIA EMAIL

April 25, 2023

San Jose City Council
200 E Santa Clara St

Re: 8.3 Housing Stabilization: Community Opportunity to Purchase Act

Mayor Mahan, Vice Mayor Kamei and members of the San Jose City Council.

On behalf of SV@Home, we are writing in support of the Community Opportunity to Purchase Act (COPA), as a component of a comprehensive housing preservation strategy. We are well aware that the COPA program, as proposed, does not have the Council support necessary for approval. However, the need for a concrete preservation strategy and a robust community preservation infrastructure remains.

Towards this end, we support the memorandum from Councilmembers Cohen, Jimenez, and Ortiz (the "Memo"), which supports the core principles and functions of the work staff has done and is prepared to do. The Memo reflects the community desire for new solutions to the displacement crisis. **We ask the City Council to adopt the policy recommendations offered in this Memo.**

This has been the most comprehensive policy making process we have seen in San Jose. There have been dozens of community sponsored meetings to better understand the role these smaller properties play in displacement pressures throughout the city. City staff did extensive technical research, convened working groups, and held stakeholder meetings, engaging over 1,000 community members. Using the feedback from these meetings, city staff has proposed a realistic timeframe, built in requirements for tenant engagement and created pathways for community and tenant ownership. To address ongoing concern we would recommend review of [their updated FAQ](#) on the proposed program.

This COPA policy proposed by staff offers a meaningful tool to address displacement in San Jose. We do not have enough affordable housing to meet our needs. The majority of lower-income renters living in multi-unit homes in the private market pay over half their monthly incomes in rent. As rents go up or older properties are torn down, existing tenants are displaced. And, the less costly rental homes in our community are lost. Converting these properties to permanently affordable communities is going to be critical to sustaining many current residents and households.

At SV@Home, we advocate for housing solutions through the framework of the "3Ps": **Produce** housing at all levels of affordability, **Preserve** existing housing as affordable, and **Protect** tenants in our neighborhoods. We understand that it will take more than one solution, and that our success will require investments and commitments across all three strategies. This is well understood across the state, within the region, and was central to the Council direction given to staff in 2020 to develop a COPA preservation policy.

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COPA provides a framework for creating the local capacity to do this preservation work. It supports the investment in, and support of, community-grounded nonprofits to acquire and rehab existing properties without displacing existing tenants and to ensure these homes are a lasting affordable resource in our communities. We do not currently have the robust local organizational or community infrastructure to take advantage of preservation opportunities. And, we ask the City of San Jose to take this opportunity to create that much needed infrastructure.

Throughout this process Housing Department staff have done a tremendous amount of work - beyond setting notification timelines and requirements - developing a framework for what needs to be in place to build this infrastructure. This work deserves your continued support.

Dismissing the staff recommended policy, developed based on prior council direction, will be considered in HCD's final review of the city's housing element. COPA was proposed as a response to the established need for anti-displacement measures to address disproportionate risks faced by Black, Indigenous, and People of Color populations under the requirements of the affirmatively furthering fair housing (AFFH) guidance. Preservation programs are enumerated as a measure to AFFH. In addition, guidance from HCD has been clear that public engagement with impacted communities should drive the policies and programs in the housing element. Removing this policy/program, without proposing alternatives to replace it - with clear timelines and projected outcomes - will need to be addressed directly with HCD.

The need for housing preservation tools and capacity is pressing. San Jose must invest in these tools, grounded in community, now or face increasing displacement pressures stemming from the continued loss of existing more-affordable homes.

Sincerely,



Regina Celestin Williams
Executive Director

