



*Housing*

# San José Proposed Tenant Preferences to Fight Displacement

**Virtual Public Meeting**  
**August 24, 2023**  
**6 p.m.**

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# Spanish Interpretation



# Vietnamese Interpretation



# Mandarin Interpretation



# LAND ACKNOWLEDGEMENT

*We, the City of San Jose Housing Department, acknowledge that San Jose sits on the ancestral lands of native people including the Muwekma Ohlone (mah-WEK-mah Oh-loh-nee) people and aboriginal homeland of the Thamien (Thah-mee-en) Nation. We recognize the resilience of native culture and community. Let us acknowledge with respect all indigenous peoples as they have stewarded this land throughout the generations and not forget the painful history of colonization. The Housing Department acknowledges this history as we work towards a more equitable and inclusive future.*



**Ohlone Dancers at Mission San Jose in 1806 (Langsdorff Expedition)**

# Agenda

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- 🏠 Welcome
- 🏠 Introduction to presenters & staff
- 🏠 Tenant Preferences background & purpose
- 🏠 Overview of Tenant Preferences Draft Framework
- 🏠 Q&A
- 🏠 Wrap up & next steps



# Meeting Norms

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- All participants will exhibit respect for each other and for the speakers
- Please mute yourself during the presentation
- Please raise your hand or type in your question in the chat during the 'Questions & Answers' portion of the meeting



# Tenant Preferences that Fight Displacement

- A portion of affordable apartments in certain housing properties will be reserved or prioritized for applicants eligible for preferences
- Lower-income applicants who qualify for preferences apply for affordable apartments
  - Should have a better chance of being accepted into an apartment due to the preference





# Tenant Preferences

## 🏠 Goals

- Prevent displacement of lower-income renters
- Provide appropriate selection of units (sizes and affordability levels)
- Allow residents to stay have housing choice and stay in their communities



# Tenant Preferences: History

- A priority of the Citywide Anti-Displacement Strategy (adopted 2020)
- Prioritized by community groups and stakeholders
- Researched other jurisdictions with preferences, including SF and Oakland

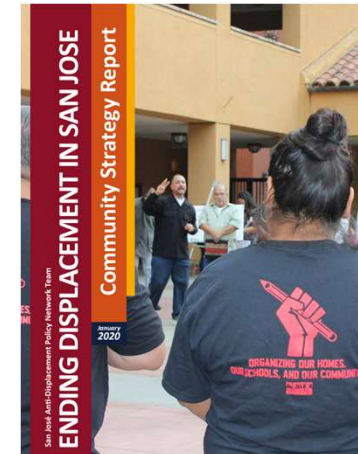


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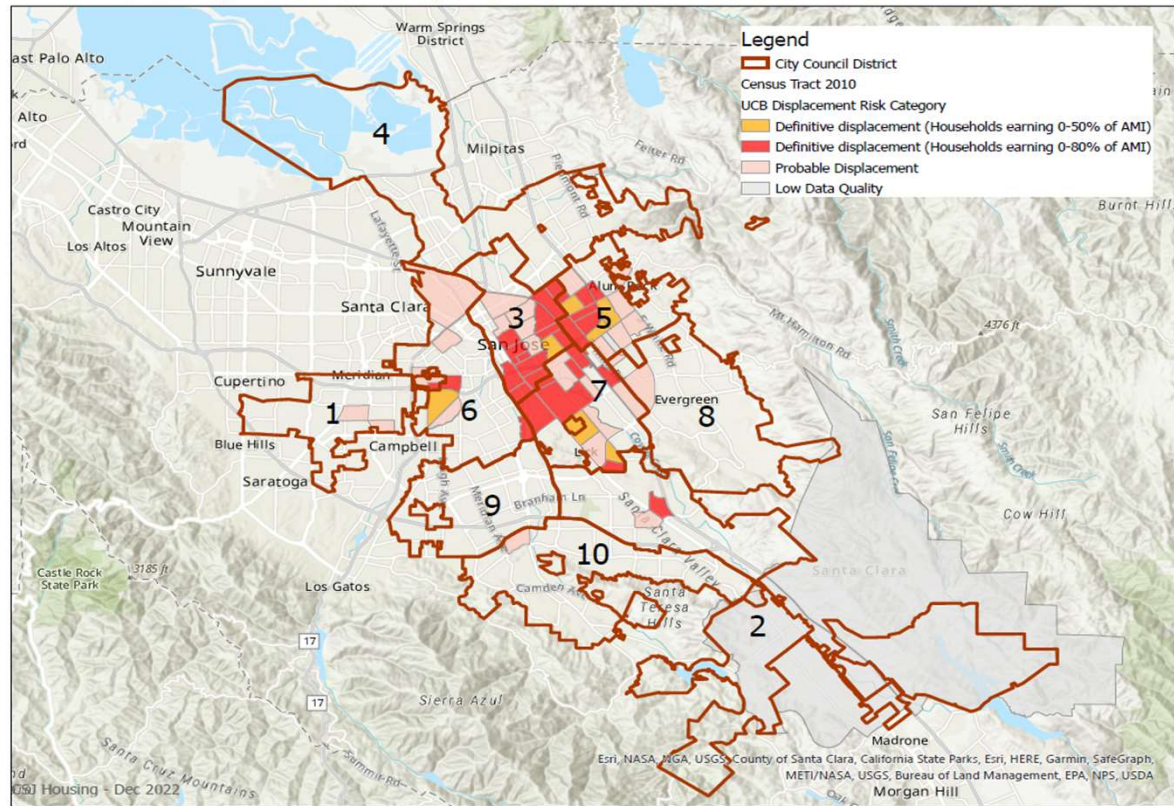
# Requirements to Approve Tenant Preferences

- **Analysis conducted for Fair Housing requirements**
  - Anti-Displacement: Race, Disability, Family Size, Women HOH, Veteran Status, Seniors (protected classes)
  - Neighborhood: 1-mile, 2-mile, Council District for all Races
- **State Housing & Community Development (HCD) requirements & SB 649**
  - HCD: Approve tenant preferences proposals after reviewing analyses
  - SB 649 (2021)
- **City Council approval**



# Displacement Tract Maps

UC Berkeley CA Estimated Displacement Risk Model - June 2022 - San José Census Tracts



# Two Proposed Preferences to Fight Displacement

## Citywide Anti-Displacement Tenant Preference

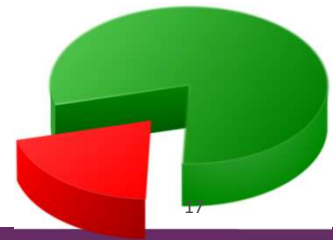
- **Definition:** Requires a portion of affordable apartments in subject properties be reserved/prioritized for applicants from certain areas
- **Applicants:** Lower-income, currently living in Census tract categorized as having high displacement risk or ongoing displacement
- **Affordable properties:** New and existing properties throughout San José



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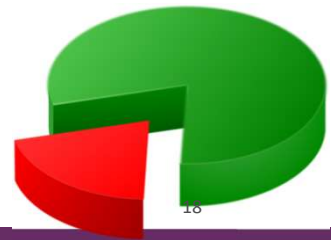
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# Two Proposed Preferences to Fight Displacement

## Neighborhood Tenant Preference

- **Definition:** Requires a portion of affordable apartments in subject properties be reserved/prioritized for applicants who already live in the vicinity of the property
- **Applicants:** Lower-income, currently living in same Council district as subject property
- **Affordable properties:** New and existing properties in San José in same Council district as preferenced applicant



# Proposed Framework: Eligibility

- **Who qualifies?**
  - Lower-income San José residents ( $\leq 80\%$  AMI)
    - Anti-Displacement Preference: Households that currently live in Census tracts with definitive and probable displacement
    - Neighborhood Preference: Households currently living in the same Council District as an affordable housing property



# Proposed Framework: Applicability

## 🏠 Types of deals

- City-funded deals for new construction and acq/rehab
- Deals subject to negotiated agreements (e.g., Development Agreements)
- Existing City-funded affordable deals (worked in on a deal-by-deal basis)
- Does include senior housing
- Does not include:
  - Units for special populations (i.e., permanent supportive housing)
  - Inclusionary Housing affordable rental apartments
  - Units subject only to City bond regulatory agreement
  - HUD-funded properties
  - Units restricted over 80% AMI
  - Unrestricted units

## 🏠 Phase-in

- All subject properties 'in process' by the effective date of the approved ordinance





# Proposed Framework: Applicability

## 🏠 Preferences apply to

- Up to a total of 35% of all restricted affordable units otherwise available to the general public in a subject property
  - Limit of 15% of units for Neighborhood Preference
  - Remainder of the 35% of units for Anti-Displacement Preference



# Proposed Framework: Implementation

## 🏠 Housing Department would:

- Integrate preferences into online tenant application portal (Doorway): <https://housing.sanjoseca.gov/listings>
  - Explanation of preferences
  - Geocoding of Census tracts for both preferences
- Place preferences into new and modified properties' loan documents
- Create manual for property managers



# Proposed Framework: Implementation

## 🏠 Property managers would:

- Receive list of applicants
- Apply the tenant preferences to 35% of the general restricted units in the property
- Qualify applicants, including those eligible for one or both preferences
  - Income eligibility
  - Applicant's current address in displacement Census tract and/or same Council District as the property



# Proposed Framework: Implementation

## 🏠 A San José resident would:

- Apply for a specific property that is accepting applications
  - On Doorway tenant portal, available in English, Spanish, Vietnamese, and Chinese
  - Paper application
- Provide their current residential address, household size, and income with evidence
- Read about the tenant preferences they qualify for and automatically be selected for those preferences
  - Or opt-out of the tenant preferences they qualify for, if they choose
  - Applicants qualifying for both preferences would be placed higher on the priority list
- Be placed on property managers' qualified tenant preferences list(s)



# Proposed Framework: Engagement & Education

- Create materials for community distribution
  - Audience: community partners
  - Target locations: public sites (libraries, City buildings), affordable housing sites
- Hold information sessions with property managers post-adoption
- Make community presentations at or near new affordable sites



## Next Steps

- 🏠 Summer/fall 2023: Present draft framework to property owners and managers, stakeholders, and the public
  - Hold public meetings in August
  - Make presentations to stakeholders
  - Revise framework based on feedback
- 🏠 September - December 2023: Present to public bodies
  - Housing and Community Development Commission: 9/14/2023
  - Community and Economic Development Committee: 10/23/2023
  - City Council
- 🏠 December 2023: Integrate tenant preferences into online affordable housing portal (Doorway)



## Discussion & Q&A

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# Thank You!

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