

Anti-Displacement Strategies List

Major Projects (High Impact, High Effort, High Resource)			
Idea	Category	Description	
1	Increase Funding for Affordable Housing	Production/ Preservation/ Protection	This would recommend the City pursue an affordable housing bond in 2020.
2	Amend General Plan	Production	This would recommend the City make changes to the General Plan to plan for more affordable housing than planned for currently.
3	Eliminate In-Lieu Fees	Production	This would recommend the City eliminate the in-lieu fee option in the Inclusionary Housing ordinance, while still providing other alternatives for compliance besides constructing on-site. It's important to keep in mind that San Jose's inclusionary Housing Ordinance was upheld at the California Supreme Court because of it provides alternatives for compliance.
4	Flip Tax Aka Anti-Speculation Tax	Production	This tool would impose an additional fee on the total sales price of certain multi-unit residential properties that are sold within five years of purchase. The intent of the policy is to dissuade properties from being flipped, i.e. purchased and resold for a higher value within short periods of time.
5	Minimum Zoning Near Transit, Including SFH	Production	This would recommend the City support bills such as SB 50 or SB 4 to provide developers an incentive to building housing above the currently zoned density near transit. SB 50 currently proposes to up zone areas a 1/4 mile from transit and major bus stops with 10-minute headways in 2 directions. The legislation would allow up to ~ a 5 story building by-right around transit and fourplexes by right in all areas zoned residential. The legislation also allows for a step down in densities to encourage for transitions into neighborhoods.
6	Regional Housing Enterprise	Production, Preservation, Protection	This would recommend the City support the creation of a regional housing enterprise, the Housing Alliance for the Bay Area (HABA). This entity would provide funding and financing to advance production, preservation, and protection strategies and deploy technical assistance to bolster local capacity and generate useful data to inform our local housing policies and programs.
7	Public Land Prioritized for Affordable Housing	Production	The City already prioritizes affordable housing on City-owned land. This would recommend the City prioritize identifying potential sites for affordable housing on city-owned land and other public land.

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8	Prioritization of New Affordable Housing in Specific Areas	Production	This would recommend the City adopt a policy to prioritize which areas in the City may need more affordable housing sooner. Staff may conduct an analysis to determine which parts of the City are most affordable housing deficient, such as through number of existing affordable housing units per low-income resident, number of homeless encampments, etc. while affirmatively furthering fair housing.
9	Community Land Trusts/Land Bank	Production/ Preservation	Community land trusts are nonprofit, community-based organizations designed to ensure community stewardship of land. Community land trusts can be used for many types of development (including commercial and retail), but are primarily used to ensure long-term housing affordability
10	Anti-Displacement Strategies for Major Transit and/or Other Public Investments	Production/ Preservation/ Protection	This would recommend the City develop a city-wide policy with a standardized process to stop, mitigate, or decrease potential displacement for all major transit and public investments. This could include requiring displacement analysis for all major transit and public investments, expanding noticing requirements, requiring relocation benefits or other monetary assistance.
11	Limited Equity Cooperative Housing	Production/ Preservation	Unlike a condominium resident, in a limited equity coop, the resident does not own the individual unit. They own a share of ownership with other residents. A limited equity co-op has income limits for new shareholders and places restrictions on how much each share may increase in order to keep the units affordable without subsidy.
12	Mobile Home Park Preservation	Preservation	There are 59 mobile home parks in San Jose with approximately 35,000 residents, many of whom are low or moderate income. If sufficient resources were available, it would be possible to convert a portion of these mobile home parks into resident ownership of possibly a Community Land Trust. There are 2 parks that may face redevelopment pressure in the near term. The City is in the process of preserving these parks by removing them from Urban Villages. City has also recently tightened the Mobile home conversion ordinance.
13	Deed-Restricted Housing Preservation	Preservation	This would recommend the City focus on rehabbing and preserving housing with expiring affordability restrictions to avoid displacement of current residents. There is deed-restricted housing in San Jose that may expire in the next 5-10 years.
14	Tax Credits for Unregulated Units	Preservation	This tool would offer a City tax benefit to owners of private, unsubsidized rental units to keep their units affordable by offering below-market rents. The intent of the policy is to preserve the stock of unregulated affordable housing.

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15	Preservation Investment Funds	Preservation	With a private preservation investment fund, investors provide equity investments in a fund that supports the acquisition and rehabilitation of at-risk multifamily properties.
16	Citywide No Net Loss	Preservation	This tool would prevent the number of rental units that are affordable to households at or below a specified Area Median Income level or range from dropping below the number of such units established at a baseline year.
17	Preserving Affordability of Unsubsidized Housing	Preservation	This would recommend the City acquire, rehabilitate, and preserve the affordability of existing multi-family housing properties at risk of being demolished or repositioned to high cost housing.

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18	Community Benefits Agreements and/or Policies	Protection	A Community Benefits Agreement or "CBA" is a contract signed by community groups and a real estate developer that requires the developer to provide specific amenities and/or mitigations to the local community or neighborhood. Site-specific community benefits agreements (CBAs) ensure that particular projects create opportunities for local workers and communities.
19	Right to Legal Counsel for Tenants Facing Evictions	Protection	This would recommend the City study expanding its current legal assistance programs to provide legal assistance for tenants facing eviction regardless of the tenant's ability to pay.
20	New Housing Resources for Mixed Status/ Undocumented	Protection	This would recommend the City research and remove barriers to service for mixed status households and undocumented residents in its current housing programs where possible.
21	Repeal Costa Hawkins	Protection	This would recommend the City support state legislation to repeal Costa-Hawkins or legislation which would expand the types of housing the City may apply under rent control.
22	Equitable Code Enforcement/City Receivership	Protection	This would provide a means to transfer ownership of housing from negligent owners to either the tenants or another entity to preserve quality affordable housing.
23	Reducing Tenant Harassment by Landlords/Construction Protections	Protection	This would recommend the City adopt similar protections to New York City: A landlord would be required to acquire a certificate of no harassment prior to applying for change of use permit or demolition permit and reduce the ability for landlords to use construction as a method of tenant harassment.
24	Anti-Displacement Task Force/Advisory Group	Protection	This recommendation would create an Anti-Displacement task force or advisory group which would be involved in guiding the implementation of the Anti-Displacement Strategy.
25	Community-Driven, Neighborhood-Scale Displacement Mitigation Plans	Protection	This type of plan would include annual goals, strategies, and priorities, and annual performance assessments to prevent, mitigate, stop, or reverse displacement in a specific neighborhood with community oversight on the implementation of the plan.
26	Rent Stabilization/Rent Control	Protection	This would recommend the City support legislation which would expand the type of rental units which are covered under rent control to the single family homes, duplexes, and rent restricted affordable housing.

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27	Just Cause Eviction Protection	Protection	This would recommend the City expand just cause eviction protections to all rental units, including single family homes, duplexes, and affordable housing.
28	Community Impact Analyses	Protection	Community impact analyses require developers and public agencies to analyze how proposed developments, zoning changes, public investments, or infrastructure projects will impact a community. Austin currently requires affordable housing impact statements to determine how "any ordinance, rule, or process impacts housing affordability," and other cities such as Seattle require a Racial Equity Analysis.
29	Communities at Risk of Displacement Involved in Decision Making/Create A Countywide Renters Group/Create Tenant Councils	Protection	The City's current public engagement processes can be inaccessible for communities in the City that have been historically disenfranchised or excluded, including non-property owners. This recommendation would be to reform or create new processes to further increase renters influence in shaping policies that affect them.

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Quick Wins (High Impact, Low Effort or Low Resource)			
Idea	Category	Description	
30	Affordable Housing Development Support for Nonprofits/ Religious Institutions	Production/ Preservation	This would recommend the City provide assistance and education to nonprofits and religious institutions that would like to learn how to donate land or resources to develop affordable housing.
31	Speculation Watch List	Preservation, Protection	This tool creates a "Speculation Watch List" of recently sold apartment buildings where low rent-paying tenants may be at increased risk of harassment and displacement pressure. Under this program, the City will compile and disseminate a list of buildings where data suggests that the sale of the building was based on speculative assumptions. With this Watch List, community groups and the City can better target outreach, education, and other program strategies to protect tenants.
32	Affordable Accessory Dwelling Units (Backyard or In-Law Units)	Production	This would recommend encouraging the development of accessory dwelling units by waiving City fees for development.
33	Fund Pilot Programs for Modular Units	Production	This would recommend the City pursue a pilot project comprised of modular type housing. This type of housing is often factory built.
34	Affordability Requirements in New Developments (Inclusionary)	Production	This recommendation would increase the in-lieu fee in the City's Inclusionary Housing Ordinance to increase the viability of building affordable housing onsite.
35	More Affordable Family Sized Units	Production	This would recommend the City adopt a goal of producing larger unit sizes in affordable housing, such as 2 and 3 bedroom apartments.
36	Streamlining Land Use Approvals for Affordable Housing	Production	This would advocate the City promote existing streamlining tools through SB 35 and AB 2162. The City could also advocate for SB 744, which would allow for by-right permanent supportive housing.
37	Regulation of Short-Term Rentals (E.G. Airbnb)	Production	The City currently has the has an ordinance to regulate short-term rentals which collects transit occupancy tax to fund the General Fund. This would recommend the City amend its ordinance to include additional types of short-term rentals and also collect tax for the purpose of affordable housing.
38	One-To-One Replacement for Redevelopment of Subsidized Units or Rent Controlled Units	Production	This would recommend the City require a 1-1 replacement of demolished rent controlled or rent-restricted units in the new housing development.

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Quick Wins (High Impact, Low Effort or Low Resource)			
Idea	Category	Description	
39	Public-Private Below Market Debt Funds	Production/ Preservation	Below-market debt funds offer low-cost loans to affordable housing developers or those seeking to purchase and preserve existing affordable housing. They are capitalized with funds from a combination of public, private, and philanthropic institutions.
40	Tenant Opportunity to Purchase/First Right of Refusal	Preservation/ Protection	This would give tenants the opportunity to purchase their unit if the property owner wishes to sell the property.
41	Proactive Rental Inspections	Protection	This would recommend the City expand its current proactive rental inspection program to include single family home and duplex rental units.
42	Rental or Utilities Assistance	Protection	This would recommend the City increase its investment in homelessness prevention assistance and explore administrative changes to widen the reach of the existing program.
43	Relocation Assistance	Protection	This would recommend the City require relocation assistance to residents displaced by redevelopment of existing housing. This would recommend the City require relocation assistance for additional rental unit types - single-family homes, duplexes, and affordable housing.
44	Ban The Box On Housing for People with Criminal Records	Protection	This recommend banning the criminal history question in housing applications.
45	Study Demolition Impact Assessment Tool for Women Headed Housings and Homes with Young Children	Protection	When housing is planned to be demolished, interview women headed households with young children, record the potential negative impacts due to displacement, if any.
46	Tenant Education and Neighborhood Leadership Development	Protection	Invest in community organizing and legal support to assist tenants and other communities with forming and operating associations, building inclusive neighborhood organizations, and actively participating in planning and redevelopment decisions, including through negotiated agreements. Low-cost suggestion from the community: partner with school's community liaisons to host annual know your rights trainings at schools.
47	Financial Planning Services	Protection	This would recommend the City research potential partnerships with existing financial planning organizations to provide low cost or free financial planning services to assist the financial and budgeting skills for low-income residents. This would assist residents to meet financial goals, including planning for stable and secure housing.

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48	Disclosure On ARO Building Ads	Protection	This would recommend the City require realtors and property owners disclose on advertisements of buildings for sale whether the building is overseen by the Apartment Rent Ordinance to decrease the potential for speculative ARO building sales.
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Low Impact, Low Effort			
Idea	Category	Description	
49	Home Repair Assistance for Low-Income Homeowners	Preservation	Grants or low-cost assistances for home repairs for low-income homeowners. The City currently funds some projects through Habitat for Humanity and Rebuilding SV primarily for low-income mobile home owners.
50	Reduce Documentation to House Homeless	Protection	This would recommend the City research alternatives to the current level of documentation required to house homeless individuals.
51	Encourage Alternatives to Credit Worthiness in Housing Applications	Protection	This would recommend the City research and implement alternatives to credit worthiness in order for residents to qualify for affordable housing.
52	Increase Pathways to Affordable Homeownership	Protection	The recommendation would increase down payment assistance programs currently available through the Housing Trust.
53	Property Tax Assistance for Low-Income Homeowners	Protection	This would provide some property tax assistance for low-income homeowners.
54	Probate Court Prevention/ Assistance	Protection	This would recommend the City work with probate court to help prevent homelessness of tenants when homes are sold.
55	Anti-Displacement Strategies in Housing and Other Related Plans	Institutionalizing Anti-Displacement in plans and systems	This recommendation would be to insert Anti-Displacement into other housing plans such as the Affordable Housing Investment Plan, the Consolidated Plan, the Annual Action Plan, Housing Crisis Response Plan, Community Plan to End Homelessness, Housing Element and others. Other City plans may include the General Plan, Climate Smart San Jose, Green print, etc.
56	Data Collection and Reporting	Institutionalizing Anti-Displacement in plans and systems	This would recommend the Housing Department to track and report on population-level indicators that demonstrate progress toward decreasing displacement as related to the Anti-Displacement Strategy. Potential indicators include evictions and avoided evictions, school enrollment, compliance to ARO/TPO, increased number of families with children and women-headed households in long-term affordable homes, and others.

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Low Impact, High Effort			
Idea	Category	Description	
57	Empty Parcel Tax	Production	This tool requires landlords to pay an annual tax for parcels that are declared vacant for six or more months of a year. The intent of the policy is to dissuade landlords from holding habitable building stock offline and thereby decreasing the City's overall available housing stock.
58	Residential Infill Project (No Mansions)	Production	This would restrict the creation of large sized single family homes (2,500 and larger) for the purpose of preserving more affordable smaller sized single family homes.
59	Deconstruction Ordinance	Production	A deconstruction ordinance requires projects seeking a demolition permit to deconstruct the building, meaning the home or other building must be disassembled, rather than simply demolished, to salvage as much material as possible for reuse.
60	Anti-Displacement Zoning Overlay District	Preservation	There are multiple types of Anti-Displacement or affordable housing overlays. This would recommend expanding the provisions of City's existing 1.5-acre rule to additional site city wide to streamline affordable housing development.
61	Neighborhood Stabilization Overlay	Preservation	This policy would preserve single family home neighborhoods from redevelopment pressures.
62	Foreclosure Prevention Programs	Protection	The City could reopen its foreclosure prevention program. The program assisted with loan modification documentation packaging, information and referrals services for homeless prevention, employment and legal services, and referral to HUD-certified counselors qualified to provide advice on options to foreclosure.
63	Landlord Licensing	Protection	This tool would require landlords of residential properties to apply for and receive a license as a stipulation of operating and maintaining non-owner occupied residential units in the City. In NYC, the license requires proactive inspections of rental properties. The City of San Jose already conducts proactive rental inspections, without a license program.
64	Non-Bank Multi-Family Lender Licensing (Responsible Lending Guidelines)	Protection	This would recommend the City support ongoing Anti-Displacement financing efforts, including state guidance and public oversight to discourage speculative lending.
65	Sanctioned Encampments	Production	This would recommend the City pilot a sanctioned encampment.
66	Blacklisting Ban	Protection	This would recommend the City research if blacklisting of tenants due to prior eviction is an issue in San Jose.

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Already in Place or in Progress			
Idea	Category	Description	
67	Unused Gyms as Shelters	Production	This would recommend the City promote shelter in gyms in the City. This is already allowed under the City's temporary and incidental shelter ordinance.
68	CAR and RV PARKS	Production	This would recommend the City identify and manage more locations for safe parking.
69	Small Rental Acquisition and/or Rehab Program	Preservation	This program would buy and rehab existing non-restricted affordable buildings to preserve them as affordable housing. This can be done by creating a program to provide low cost financing for these types of projects. The City of San Jose has recently dedicated \$10M in its last Affordable Housing Investment Plan and is currently developing a small rental acquisition/rehab program.
70	Limitations On Condominium Conversions	Preservation/ Protection	This would set a limit to a number of condo conversions in a timeframe to preserve the availability of rental housing and prevent displacement of current residents.
71	Rental Properties Registry	Preservation	Rental Properties registry exists for units under the Apartment Rent Ordinance, but not for 2/3rds of SJ rental properties that are not under the ordinance.
72	Source of Income Non-Discrimination (E.G. Section 8)	Protection	State law includes source of income as a "protected class", ensuring that landlords and other housing providers throughout the state cannot discriminate against renters in making housing decisions based on their use of a voucher or a rental subsidy. The City of San Jose also has a Housing Payment Equality Ordinance.
73	Cultural District/Corridor	Protection	Cultural districts are defined as well-recognized, labeled areas of a city in which a high concentration of cultural facilities and programs serve as the main anchor of attraction. They help strengthen local economies, create an enhanced sense of place, and deepen local cultural capacity.
74	Zoning Incentives/Density Bonus	Production	This would recommend the City explore further ways to incentivize the use of the density bonus to encourage development of affordable housing.
75	Right to Return	Protection	This would require property owners to notice and guarantee units in redeveloped housing to the previous tenants of the demolished building with the same rent of their prior lease.
76	Resident Preference Policy for New Projects	Protection	This would recommend the City adopt a policy of prioritizing some potential tenants of affordable housing that may potentially be displaced, have been displaced, or live and work in San Jose.

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77	Assessment of Fair Housing/Analysis of Impediments	Institutionalizing Anti-Displacement in plans and systems	The City of San Jose is required under Federal and State law to ensure fair access to housing for all. An analysis that includes a fair housing data, fair housing issues and contributing factors, and priorities and goals to affirmatively further fair housing.
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Anti-Displacement Strategies List

Small Business Ideas (not the focus of this report)			
Idea	Category	Description	
78	Small Business Impact Mitigation for Transit/Infrastructure Construction	Institutionalizing Anti-Displacement in plans and systems	Public institutions can mitigate impacts to small businesses created by major public projects by offering resources help offset losses expected during construction. This can include leasing private land for public parking for affected businesses, posting signs to guide customers through roadwork and paying cash to business owners who will take a financial hit from the construction.
79	Small Business Supports and Technical Assistance	Institutionalizing Anti-Displacement in plans and systems	The City currently has a small business ally that acts as a concierge to help with city processes, and a small business web portal. This could recommend expanding this program or increasing City funding to the Silicon Valley Small Business Development Center (Hispanic Chamber of Commerce).
80	Neighborhood-Jobs Pipeline Programs	Institutionalizing Anti-Displacement in plans and systems	This would propose creating or expanding job development programs based in San Jose to train residents in desirable skills and connect them directly to jobs at local companies.
81	Rent Control for Small Businesses	Protection	This would propose an annual rent increase limit for commercial space for small businesses.
82	Expansion of Business and/or Nonprofit Ownership of Commercial Space	Production	This proposes supporting programs prepare for acquire space for their operations to sustain their organizations in the long term.