



**Community-Government  
Partnerships for  
Equitable Housing:  
Lessons learned from a  
developmental evaluation of  
the Challenge Grants**

**MAY  
2022**

## ABOUT PARTNERSHIP FOR THE BAY'S FUTURE

The Partnership for the Bay's Future (**PBF**) is an innovative and collaborative effort of philanthropic, private, nonprofit, and public sectors using racial and economic equity as the guiding influence to ensure the Bay Area is a place where everyone can live in vibrant, inclusive communities of racial and economic diversity. PBF aims to achieve this goal by addressing the interconnected challenges of housing, transportation and economic inclusion. Starting with a focus on the housing crisis, PBF launched in 2019 with the ambitious goals of protecting 175,000 households over five years, and preserving and producing 8,000 homes over 10 years. PBF is managed by the San Francisco Foundation (**SFF**) and Local Initiatives Support Corporation (**LISC**), and supported by a broad coalition of foundations, corporations, and financial institutions.

Because addressing the housing affordability crisis requires comprehensive, multi-pronged solutions, PBF pairs game-changing policies with innovative investments to change the systems and policies that have put the Bay Area beyond the reach of too many individuals and families. On the policy side, PBF's Policy Fund provides local governments and community partners with much-needed capacity and expertise to implement equity-centered affordable housing policies. These two-year grants partner governments with community organizations while providing technical assistance and housing policy fellows. This process ensures those usually excluded from the policy process are at the center of efforts for change, and develops trusting, effective partnerships between governments and community partners.

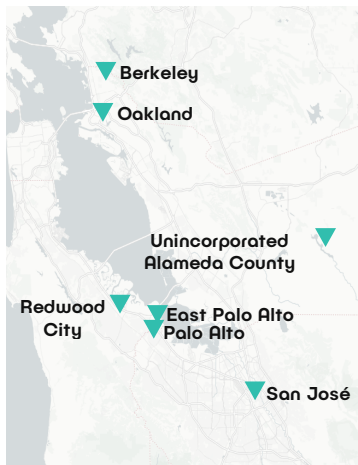
In response to missing financial products, PBF's Family of Loan Funds pilots new financial products designed to address the lack of affordable homes – a reality that disproportionately impacts households of color – and overcomes barriers throughout the Bay Area's rental housing market. These loan products demonstrate the viability of innovative approaches to producing and preserving housing so that they can be replicated and scaled, and are nimble in order to be modified to respond to the demands of an ever-changing market.

PBF's design of combining policy with investment allows these two teams to work under one initiative to collaborate and inform one another. By bringing together leaders across sectors to develop solutions and build lasting political will, the Partnership for the Bay's Future creates an enabling environment to help affordable housing go from concepts to powerful and effective results.

## CHALLENGE GRANTS INTRODUCTION

The Bay Area is one of the country's most vibrant and culturally diverse regions.<sup>1</sup> This appeal, along with good weather and a strong economy, draws people from around the country and world, contributing to a rapid rise in income inequality and displacement. The high demand for housing, exclusionary policies, zoning regulations, and lack of investment in housing production have created an overwhelming housing crisis in the region. The Partnership for the Bay's Future's (PBF) inaugural grant program, the **Challenge Grants for Protection and Preservation**, is an innovative model of government and community collaboration for equitable policy change that aims to address these pressing challenges. Though the Challenge Grants (CG) program launched in March 2020—right before the COVID-19 pandemic shut down economies and social interactions around the world—government and community entities have collaborated across the Bay Area to design, pass, and implement policies that protect vulnerable tenants and preserve existing affordable housing.

**Each CG team includes government and community partners and a CG Fellow working within the local government.** See **Table 1** for a complete list of CG teams.



**Government partners** guide CG Fellows and community partners in navigating city structures and processes. By participating in a CG team, government partners demonstrate their commitment to advance equitable housing policies with strong community participation. Government partners commit staff across various departments, drawing on their experience with previous policy efforts to facilitate the design and implementation of policies.

**Community partners** are local organizations or groups that are deeply embedded in their communities. Many of these entities have a history of advocating for historically under-resourced, excluded, or marginalized communities most impacted by the limited supply of affordable housing. Community partners bring needed technical knowledge such as expertise in legal, policy, and community mobilization spaces, as well as community knowledge and influence.

**CG Fellows** are mid-career professionals who receive professional development and management support throughout the grant timeline. Fellows, serving as full-time government staff, are relationship builders and project managers, adding much-needed staff capacity for advancing housing policies. For government and community partners, Fellows serve as a bridge to increase efficiency in engagement, communication and where to best focus the partnership's efforts. PolicyLink, a research and action institute, managed the CG Fellowship.

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<sup>1</sup> <https://www.census.gov/library/visualizations/interactive/racial-and-ethnic-diversity-in-the-united-states-2010-and-2020-census.html>. Accessed March 2022.

**TABLE 1. CHALLENGE GRANT TEAMS**

Government Partner	Fellow	Lead Community Partner	Additional Community Partners
County of Alameda	Charles Harris	Resources for Community Development	In-Advance; Eden United Church of Christ; La Familia; My Eden Voice, and the Eden Renters United
City of Berkeley	Anna Cash	East Bay Community Law Center	Healthy Black Families; Northern California Land Trust; Bay Area Community Land Trust
City of East Palo Alto	Karen Camacho	EPA CAN DO (East Palo Alto Community Alliance and Neighborhood Development Organization)	Community Legal Services in East Palo Alto; Youth United for Community Action; PAHALI (Preserving Affordable Housing Assets Long-term, Inc.)
City of Oakland	Chris Norman	Bay Area For All (BA4A) Preservation Table	Oakland Property Acquisition Collaborative
City of Palo Alto	Lauren Bigelow	SV@Home	Palo Alto Forward / Palo Alto Renters Association; Alto Housing; Palo Alto Unified School District
City of San José	Aboubacar “Asn” Ndiaye	SOMOS Mayfair	VietUnity
City of Redwood City	Brandon Harrell	Legal Aid Society of San Mateo County	Peninsula Conflict Resolution Center; Faith in Action Bay Area; ONE Redwood City

CG teams receive funding, capacity building, and technical assistance to design, pass or begin implementing protection and preservation policies in the form of:

- Access to funds for community engagement, professional development, and cohort-wide learning and activities
- Access to policy resources and programs, e.g., equity and policy-focused trainings, policy research, and technical guidance
- Technical assistance, e.g., local and regional data collection, housing analysis, and legal technical assistance
- Quarterly convenings with all PBF partners
- Peer cohort meetings and resource-sharing

By bringing local jurisdictions and community partners to the same table, the CG program facilitates collaboration and community engagement in policy making to bridge both community and local government needs and inform more robust, effective, and equitable policy. As we highlight below, this collaborative model, while providing important benefits for communities and governments, is not without tensions. We share lessons learned across the policy journeys of all the CG teams.

### **The Impact of the Pandemic**

The Challenge Grant launched in March 2020—the same month the Bay Area enacted the country’s first **COVID-19 shelter-in-place order**. The newly acquainted CG teams found themselves responding to radically different landscapes of housing needs. As the loss of jobs and income was particularly acute among low-income communities, tenants with limited assets and financial resources were especially at risk of eviction.

The CG teams' meticulous work plans and strategies were no longer crucial in this moment, and certain approaches felt tone-deaf in the face of the mounting pandemic toll. CG team members quickly pivoted to help pass eviction moratoriums and distribute emergency rental and utility assistance. This sudden shift in priorities absorbed the time and energy of both government and community partners for several months, delaying the timeline of all the CG teams.

Even when the CG teams were ready to tackle their policy priorities, community partners also had to contend with the challenges of educating and organizing their communities virtually. Yet, despite all these challenges, the CG teams eventually forged ahead with their policy plans, innovating in their community outreach and policy development along the way.

## THE EVALUATION

In June 2020, PBF commissioned Informing Change to explore how CG partnerships are furthering policy change and deepening collaboration between government and community partners. Given the CG program's pilot nature, the evolving needs of policy change efforts, and the variety of contexts and approaches across teams, we took a [developmental evaluation](#) approach to this work. We designed the evaluation around three learning cycles: exploring implementation, shifts and changes, policy progress, and sustainability. Our iterative, cyclical, and developmental evaluation approach helped us surface insights and feedback supporting timely programmatic changes. We used these findings to adapt and shift evaluation directions based on the learnings.

For each learning cycle, we utilized a variety of data collection methods, including individual interviews with CG partners and participatory focus group discussions with each CG team. We reviewed progress reports provided by the Fellows and documents produced by CG team members, in addition to conducting desk research on the policies. We also incorporated the perspectives of additional community organizations that worked with CG teams throughout the two-year process via a short survey.

Throughout our evaluation and reporting, we focused on three lenses central to CG program goals and design: centering equity, expanding inclusion, and strengthening collaboration. We designed each cycle's evaluation questions and tools to explore how CG teams increased their capacity to advance policies through applying these lenses to different phases of their two-year policy process.

We summarize key findings across all three cycles with a particular emphasis on policy pursuits, lessons learned, and key considerations when implementing similar models, such as PBF's next iteration of this program, the Breakthrough Grant.



### Centering Equity

At its core, the CG program seeks to advance housing policy solutions in ways that address the deep racial and economic inequities underlying the housing crisis. This includes policy responses and community mobilization approaches that shift power dynamics within local communities and help close racial, wealth, and related housing gaps.



### Expanding Inclusion

The CG approach seeks to create meaningful pathways for greater community participation and inclusion in housing policy. For impacted communities, particularly communities of color, this may be fostered by increasing access to information and opportunities to inform policies, engaging policymakers, and establishing new relationships and spaces to advocate for community priorities.



### Strengthening Collaboration

The CG program seeks to foster a collaborative environment where the core partners—government partners, community partners, and Fellows—exchange lessons learned and leverage each other’s research and insights. The cohort model bolsters the capacities of government and community entities and offers a venue to share information and brainstorm solutions.

*\* Look for these icons throughout the report to see how the lessons learned connect to these central lenses.*

**Appendix A** details our methodology approach and limitations.

## POLICY PURSUITS

CG teams have worked extensively to advance housing policies, protecting renters and preserving affordable housing options (**Table 1**). Each team’s policy focus draws upon previous work conducted by government and community partners. The policies fall into two major categories:

### Preserving Access to Affordable Housing

An innovative approach to preserving affordable housing is through the **Opportunity to Purchase Act (Box 1)**. Berkeley, East Palo Alto, Oakland, and San José’s CG teams have worked on developing one of two versions of the Opportunity to Purchase Act (**OPA**). Versions of OPA first passed in Washington, D.C. in 1980 and most recently in San Francisco in 2020 and offer an innovative anti-displacement measure to address residential instability and increase the stock of affordable housing.

#### Box 1. TOPA/COPA

The **Tenant Community Opportunity to Purchase Act (TOPA)** is a policy offering advance notice about the sale of their building, giving them an opportunity to purchase it collectively.

**Community Opportunity to Purchase Act (COPA)** is a TOPA alternative, providing an opportunity for a qualified nonprofit to purchase the building.

As CG teams work on their own versions of OPA, they have researched options and solicited feedback from the community. One of the main issues CG teams have grappled with is on the **applicability of OPA**. In other words, determining which properties qualify for OPA. In East Palo Alto, the City of Berkeley staff recommended that their proposed EPA OPA exclude properties of three or fewer units regardless of the number of Accessory Dwelling Units on the same lot.<sup>2</sup> In Berkeley, the CG team has taken lessons learned

<sup>2</sup> East Palo Alto Opportunity to Purchase Act. City Council Public Hearing. City of East Palo Alto. December 7, 2021

from cities that have implemented OPA, especially in Washington, DC. One of the lessons learned, that the Berkeley CG team has integrated, is that **rights cannot be sold**, so as to avoid market speculation. In the Berkeley policy, the qualified organizations that tenants can assign their rights to must be vetted and meet certain criteria (similar to the San Francisco COPA), which will streamline the process and ensure the policy goals are achieved.<sup>3</sup>

In addition to OPA, CG teams pursued a number of other anti-displacement strategies. In Alameda, the CG team is pursuing a **Fair Chance Housing Ordinance** to prevent landlords and property managers from discriminating against current or prospective tenants based on criminal history. The Berkeley CG team is working on a **Housing Preference Policy** to assist people historically displaced from Berkeley to receive priority for new, local affordable housing units. And in San José, the City Council passed a **Citywide Anti-Displacement Strategy** in September 2020 with a set of 10 recommendations to protect, preserve, and produce housing, including exploring a COPA policy, developing a Neighborhood Tenant Preference for Affordable Housing, and exploring proactive rental inspection policy that would preserve the quality of existing rental units.

## Strengthening Tenant Protections

Several CG teams are pursuing measures to bolster renter protection policies intended to **stabilize communities by preventing the displacement of low-income renters**. The Alameda County, Palo Alto, and Redwood City CG teams are each pursuing renter protection measures that are a mix of new policies and amendments to existing policies. Some amendments seek to improve the statewide Tenant Protection Act of 2019 (**AB-1482**), passed in January 2020. AB-1482 requires minimum standards for landlords to have "Just Cause" to terminate a tenancy (e.g., failing to pay the rent on time), with some limitations (e.g., one-year minimum tenancy as well as exemptions for single-family homes and units built within the last 15 years).<sup>4</sup>

The Alameda County and Palo Alto CG teams are both **pursuing mechanisms to strengthen AB-1482** through a variety of local policies. While some California cities have passed their own Just Cause policies—including the City of Berkeley in 1980,<sup>5</sup> City of Oakland in 2002,<sup>6</sup> and City of East Palo Alto in 2010<sup>7</sup>—jurisdictions such as the City of Palo Alto have not. Thus, the Palo Alto CG team is aiming to add a local Just Cause ordinance as a patch to the statewide policy to cover units built within the last 15 years. Similarly, the Alameda County CG team has proposed an expansion that would remove exemptions for single-family homes and extend Just Cause protections regardless of tenancy length.<sup>8</sup>

CG teams are also advancing tenant protections through **new local policies or amendments to existing local policies**. The Palo Alto CG team is exploring multiple mechanisms, including expanding its existing Tenant Relocation Assistance Ordinance by reducing the threshold of applicability from 50 units to 10 units pre property, drafting a new ordinance limiting security deposits to 1.5 times the monthly rent, expanding anti-gouging measures to address loopholes, and designing a rental survey.

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<sup>3</sup> Berkeley Challenge Grant for Anti-Displacement Policies. PBF Quarterly Convening. November 10, 2021.

<sup>4</sup> California Legislative Information (2022). AB-1482 Tenant Protection Act of 2019. Retrieved from: [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201920200AB1482](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1482)

<sup>5</sup> City of Berkeley (2021). Rent Stabilization and Eviction for Good Cause Ordinance. Retrieved from: [https://berkeleyca.gov/sites/default/files/2022-01/Rent%20Stabilization%20Ordinance\\_Oct%202021\\_0.pdf](https://berkeleyca.gov/sites/default/files/2022-01/Rent%20Stabilization%20Ordinance_Oct%202021_0.pdf)

<sup>6</sup> City of Oakland (2022). "Read the Just Cause for Eviction Ordinance." Retrieved from: <https://www.oaklandca.gov/resources/read-the-just-cause-for-eviction-ordinance>

<sup>7</sup> The 2010 policy was an updated to a 1988 Rent Stabilization Ordinance. City of East Palo Alto (2010). Rent Stabilization and Just Cause for Eviction Ordinance. Retrieved from: <https://alamedamgr.files.wordpress.com/2015/09/east-palo-alto-rent-control-just-cause-eviction-ordinance-2010.pdf>

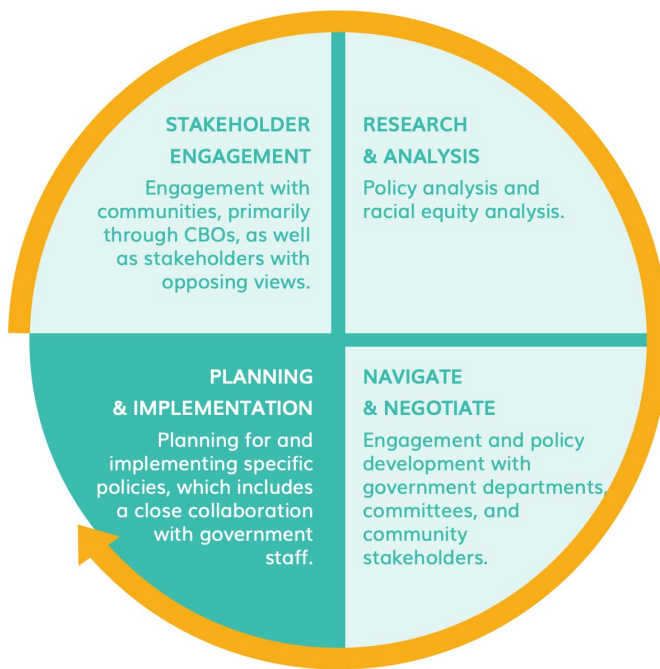
<sup>8</sup> Community Stakeholder Report, Alameda County Challenge Grant, September 10, 2021.

The Redwood City CG team is **addressing tenant protection through a citywide anti-displacement strategy**. Recommendations include amendments to a Relocation Assistance Ordinance to align with AB-1482, which would require landlords to provide evicted renters with relocation assistance under certain circumstances, and amendments to the Minimum Lease Terms Ordinance, which would direct landlords to offer tenants a minimum 12-month lease.

Tenant protections also encompass the **quality of housing**. Tenants want to live in a safe housing environment without fear of landlord retaliation when they report maintenance issues. The Alameda County CG team is addressing housing quality through its proposed **Proactive Rental Inspection and Code Enforcement ordinances**.

## The Policy Journey

Each CG team followed somewhat similar approaches to government policy-making processes though the timelines for pursuing and establishing policies differed. Through our evaluation cycles, we identified four phases shared across CG teams that describe high-level activities and influence timing and duration of their unique ‘policy journey.’ These phases are not linear and often run concurrently and iteratively (**Figure 1**).



**FIGURE 1. CG TEAM POLICY JOURNEY**

the policies they intended to pursue and could launch right into producing analyses to share with stakeholders, while other teams needed to conduct further research on constituent needs prior to commissioning analyses of their proposed policies.

**Navigation & Development:** In this phase, CG teams move the proposed policies through government committees, conduct more extensive public outreach/engagement, present proposals and recommendations to elected officials, and start shaping the policies through extensive coordination with community stakeholders. The public process can be unpredictable and various city commissions or councilmembers may direct staff to further explore certain aspects of the policy or conduct additional

**Stakeholder Engagement:** Stakeholders in policy development consist of community members, opposition groups, government staff across various departments, and elected officials. Engagement with these parties often involves providing information to communities about proposed policies and soliciting their feedback. Depending on factors tied to the government structure of each site—e.g., How many government commissions local teams must navigate through before reaching elected officials?, where the CG Fellow sits within the structure of the local government, or How much prior policy analysis is required?—CG teams had to plan out different routes for thoughtfully engaging and securing the support of various stakeholder groups.

**Research & Analysis:** A vital phase in policy development requires researching and analyzing policies, especially around the legalities of new policies or amendments. With the CG, teams also researched disaggregated data to conduct racial equity analyses. Some teams had clear ideas of the



outreach. Some teams may go through multiple iterations of their policy before it reaches a council or commission as they tweak and shift their policy to ensure broad stakeholder support.

**Planning & Implementation:** As policies receive approvals from committees, or elected officials provide clear guidance, CG teams can start drafting ordinances for final approval and implementation. Some teams are at the point of working with their community partner or external legal teams to prepare ordinances for review by government legal counsel, while other teams are setting up the necessary city infrastructure (e.g., funding, interdepartmental coordination, communications) to implement policy solutions.

In **Table 2**, we outline the status of policy pursuits as of March 2022. While some teams have had clear policy wins, many continue to pursue at least one policy priority, and several have had to shift or have faced significant opposition to their priorities due to challenges in shifting the dominant narrative (e.g., stakeholder engagement and navigation, or power imbalances in negotiation and planning, such as strong opposition from elected officials and housing developers).

**Appendix B** includes a detailed summary on the policy journey for each site.

**TABLE 2. CG TEAM POLICY PURSUITS AND STATUS**

CG Team	Policy Pursuits	Status
County of Alameda	<ul style="list-style-type: none"> <li>Proactive Rental Inspection program</li> <li>Rent Registry</li> <li>Expanded Just Cause eviction protections</li> <li>Fair Chance Housing Ordinance</li> <li>Rent Stabilization</li> </ul>	<ul style="list-style-type: none"> <li>The Proactive Rental Inspection Program has been presented to multiple Board of Supervisors’ committees and is circulating through the public process.</li> <li>The Rent Registry draft ordinance is tentatively going to the Transportation and Planning Committee in May 2022.</li> <li>The Expanded Just Cause Eviction Protections and Fair Chance Housing Ordinances will go to the Unincorporated Services Committee meeting May 2022.</li> <li>The Rent Stabilization Ordinance is tentatively expected to move forward later this year.</li> </ul>
City of Berkeley	<ul style="list-style-type: none"> <li>Tenant Opportunity to Purchase Act</li> <li>Local Housing Preference Policy</li> </ul>	<ul style="list-style-type: none"> <li>TOPA: Council held a working session in January 2022 and now in mayor’s hands to bring back to council for a vote.</li> <li>Preference Policy: City staff drafting a policy based on Housing Advisory Committee recommendations. Staff anticipate bringing a policy proposal to Council in the fall 2022.</li> </ul>
City of East Palo Alto	<ul style="list-style-type: none"> <li>Tenant Opportunity to Purchase Act / Community Opportunity to Purchase Act</li> <li>Measure V — Transient Occupancy Tax</li> </ul>	<ul style="list-style-type: none"> <li>TOPA/COPA: Policy discussed by city council throughout the fall. Ordinance to be put on hold and reconsidered in the fall 2022.</li> <li>Measure V: Went up for vote on the November 2020 ballot, did not pass.</li> </ul>
City of Oakland	<ul style="list-style-type: none"> <li>Tenant Opportunity to Purchase Act</li> <li>Racial equity impact analysis</li> </ul>	<ul style="list-style-type: none"> <li>Racial equity impact analysis underway, with Fellow facilitating across all teams within the agency to identify key performance indicators that centers on the agency’s work on equity.</li> <li>Creation of racial equity team comprised of staff from across all teams in agency.</li> <li>TOPA has been put on hold until a future date.</li> </ul>

CG Team	Policy Pursuits	Status
City of Palo Alto	<ul style="list-style-type: none"> <li>Strengthening renter protection ordinances (Tenant Relocation Assistance, Just Cause, Anti-Gouging)</li> <li>Drafting new renter protection ordinances (rent registry, security deposit limit)</li> </ul>	<ul style="list-style-type: none"> <li>Tenant relocation assistance ordinance amendment presented to and passed by Council in January 2022.</li> <li>Just Cause, Rent Registry, and Security Deposit Limit draft ordinances in progress.</li> <li>All other policies on hold until policies above are completed.</li> </ul>
City of Redwood City	<ul style="list-style-type: none"> <li>Anti-displacement strategy (ADS)</li> <li>Tenant protection policies</li> <li>Preservation of unsubsidized affordable housing</li> </ul>	<ul style="list-style-type: none"> <li>ADS: First draft of ADS published. Additional analysis and community engagement on ADS to be conducted. Updated ADS tentatively scheduled to go to Council in summer 2022.</li> <li>Tenant protection policies: Proposed in the ADS</li> <li>Preservation of unsubsidized affordable housing: Proposed in the ADS</li> </ul>
City of San José	<ul style="list-style-type: none"> <li>Citywide Residential Anti-Displacement Strategy</li> <li>Community Opportunity to Purchase Act</li> </ul>	<ul style="list-style-type: none"> <li>Citywide Residential Anti-Displacement Strategy: Passed in September 2020</li> <li>Specific city-led work on COPA is paused for the summer 2022 to focus on a city-wide Housing Element Plan (COPA is part of the plan). SOMOS Mayfair and their partners are continuing their community engagement and build momentum for COPA.</li> </ul>

## LESSONS LEARNED

Although each team is unique and at different stages in their policy pursuits, there are some shared lessons from the existing work that are important to highlight. As we mentioned earlier, we explore lessons learned with respect to the lenses guiding the CG evaluation: centering equity, expanding inclusion, and strengthening collaboration.<sup>9</sup>



### Centering Equity

#### Adapting to Contextual and Environmental Changes Is Key to Successful Program Implementation

CG Fellows started working with their core teams in March 2020, the same month Bay Area counties enacted the country's first shelter-in-place orders to stem the spread of COVID-19. As local, state, and federal governments scrambled to provide resources to their most vulnerable communities, the built-in cohort spaces for Fellows to meet and exchange resources and ideas served as a regional sounding board for implementing emergency measures.

The City of Palo Alto enacted one of the Bay Area's first eviction moratoriums—a surprise to many, coming from a small city not known for strong renter protections—and quickly set up a list of resources and spread the word via informational webinars in partnership with local organizations. The East Palo Alto CG team

<sup>9</sup> We have included multiple examples with specific references to the various CG teams throughout this report but have kept certain examples and quotes anonymous to protect the confidentiality of our sources.

meetings and structure served as an avenue for government and community partners to set up anti-displacement contracts to provide legal services for residents at risk of displacement. As initial responses to the COVID-19 pandemic evolved, CG contracts were amended to support teams as they worked on rental relief funds programs. Throughout the CG, teams navigated election cycles, rising protests in the wake of George Floyd's murder, and the continued effects of COVID-19.

## **Racial Equity Analysis Is an Important Step in the Policy Development Process**

### **Oakland's Racial Equity Analysis**

For the Oakland CG team, advancing equity in housing policy started with a deep dive into the racial inequities faced by residents. Oakland's CG Fellow conducted a comprehensive racial equity analysis of the department's policies and programs. In discussions with the City of Oakland's Department of Race and Equity, the Department of Housing & Community Development is prioritizing the racial equity work as a foundation to initiatives like TOPA/COPA. The analysis has expanded to examine the potential impacts of TOPA on different racial groups and led to the creation a new racial equity team within the City of Oakland to close housing disparities by integrating a racial equity lens into its key performance indicators.

### **Berkeley's Innovative Preference Policy**

The Berkeley CG team started with a desire to develop a housing preference policy for people with ties to Berkeley, including those who have been displaced. Acknowledging the harm done to communities of color, particularly Black communities, from decades of damaging housing policies, the Berkeley CG team brought a racial equity lens to their initial policy development efforts. Berkeley's CG Fellow conducted a racial equity analysis of the effects a typical live-work preference policy would have in Berkeley and found the policy would disproportionately benefit White communities due to high levels of displacement among Black communities. Based on recommendations from the community engagement process and acknowledging a race-explicit preference policy would likely compromise the entire policy legally, the Berkeley CG team instead proposed a policy to reduce racial disparities and displacement in housing. The proposed policy would focus on Berkeley residents who have generational ties to Berkeley's redlined areas, lost their homes during specific events, and/or are experiencing or at-risk for homelessness. The City of Berkeley still needs to conduct a disparate impact analysis on the set of preferences they have identified but plan to incorporate a similar racial equity analysis to be responsive to community needs.

### **Shift Power Dynamics by Amplifying Tenant Voices**

Through the work of the CG, Palo Alto tenants gained new visibility and increased influence in the policymaking process. The City of Palo Alto initially applied for the CG program with the goal of reviewing and strengthening their tenant protection ordinances. The Palo Alto CG team approached the task by first presenting to the City of Palo Alto's Planning and Transportation Commission on the current state of Palo Alto tenants—demographics, conditions, and rent burden—and then centering tenant voices in the policy process. This presented an opportunity to establish and strengthen the Palo Alto Renters' Association (PARA) in 2020 to serve as a vehicle for tenant representation in current and future policymaking efforts in Palo Alto. The CG provided space for the identification of leaders to steer PARA moving forward, as well as resources to support its development, which now includes paid staff and a website.

Similarly, the Alameda County CG team, led by the community-based organization (**CBO**) Resources for Community Development (**RCD**), has focused on building power amongst renters to combat the strong landlord associations in the area. With the CG, RCD has invested in more leadership development, outreach,

engagement, canvassing work, and greater community-organizing capacity for the grassroots group, Eden Renters United, that holds together the community engagement.

Through their community organizing efforts, RCD has built a collective voice and action for communities of color in the unincorporated areas.

### **Adapting Based on Learning Is Important to Advancing Equity**

As CG teams conducted policy research, their findings shaped their planning. This was the case for the Redwood City CG team, where initial policy analysis by its community partner, the Legal Aid Society of San Mateo County, revealed Redwood City's Tenant Relocation Assistance Ordinance was unenforceable as written, as California's AB-1482 preempted many local tenant protection policies. As a result, the CG team pivoted to find a way to incorporate Just Cause eviction protections in order for the policy to be enforceable.



### **Expanding Inclusion**

#### **Respect and Amplify the Leadership of Organizations with Strong Ties to the Communities**

For many years, Berkeley activists have been calling for a housing preference policy. Both the citywide housing action plan and the Adeline Corridor Specific Plan, the latter being for a historically diverse Berkeley neighborhood, prioritized a preference policy for affordable housing. The City of Berkeley applied for the CG in hopes of being responsive to community needs and partnered with East Bay Community Law Center (**EBCLC**), a legal services organization actively involved in TOPA efforts and with whom the city has a long history of partnership. As the Berkeley CG team started their community outreach work, they received pushback for “leading” work that many activists had been working on for years and received calls to honor the grassroots organizations more representative of the communities who stood to benefit the most from these policies. The Berkeley CG team and EBCLC responded to this by bringing on Healthy Black Families, a Black-led, Berkeley-based grassroots organization, as an equal partner in the CG work, leading to a more robust and responsive community input process. The City of Berkeley and Healthy Black Families will continue their Preference Policy work together in the Breakthrough Grants.

#### **Successful Stakeholder Engagement Includes a Strategy for Reaching Out to All Interested Parties Early On**

As we observed throughout the CG, reaching out to all these stakeholders is critical in advancing pursued policies. While most CG teams conducted community engagement early in their process, other CG teams learned community participation needed to be an ongoing effort. For instance, the East Palo Alto CG team reached out to the community early in the process through a series of community education and feedback sessions on the East Palo Alto Opportunity to Purchase Act (**EPA OPA**). When the CG team introduced its proposed ordinance to the City Council in November 2021, they encountered a strong showing by the opposition—comprised primarily of realtor and apartment association members as well as some homeowners—and limited participation by local residents supporting the policy. Following the City Council meeting, the East Palo Alto CG team quickly mobilized to garner more community support for the policy.

CG teams also learned the need to engage the opposition as early as possible in the process to identify the opposition's arguments. The San José CG team prepared legal arguments months in advance and were

sufficiently prepared to defend their COPA policy during the public outreach phase. The San José CG team also set up two committees to ensure representation across the board from different groups: a technical committee made up of housing policy experts, realtors, landlords, community members, and CBOs, and a broader advisory committee open to the public. The CG team hired a consultant to help facilitate and manage these large committees, in part to ensure productive conversations among technical committee members who might hold opposing views on proposed policies. The consultant also provided expertise in facilitation, which the CG team found very beneficial.

“We were naive that we could really focus on a tenant-focused process without anticipating how much we needed to engage the landlords in order to keep this from being an unsuccessful process.”

– GOVERNMENT PARTNER

## **Increasing Access to Compelling and Specific Information Is Needed To Address Communities’ Concerns**

### **Battling Misinformation**

Some CG teams encountered misinformation campaigns, either formal ones from organized opposition groups or informal ones from individual residents. The Berkeley, East Palo Alto, and San José CG teams all mentioned encountering misinformation about their pursued policies. In one case, according to one of the Fellows, a realtors’ association paid for a campaign with flyers, emails, and a petition to oppose the program by spreading misinformation.

In other cases, individuals took advantage of public platforms provided by social media and online news sources to spread negative and misinformed comments about the policies. To counter this, some CG teams prepared responses backed by legal and policy arguments. For instance, the East Palo Alto CG team provided responses to opposition concerns on the City’s website.<sup>10</sup> More importantly, they reframed the issue by focusing on the merits of the policies rather than the operational aspects.

“We have seen so much opposition from people who are able to easily spread misinformation on social media... A lot of homeowners... have been enraged and mobilized in opposition because of that misinformation... When you're trying to work against a narrative that is being ingrained in

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<sup>10</sup> City of East Palo Alto (2021). “Frequently Asked Questions (EPA OPA.” Retrieved from: [https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/20967/epa\\_opa\\_faqs.pdf](https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/20967/epa_opa_faqs.pdf)

people's minds, it's very difficult.”

– CG FELLOW

### Finding Ways To Connect With Several Individuals

CG teams felt efforts to thoughtfully engage a high volume of community members were hampered by the inability to hold in-person events due to the COVID-19 pandemic. While newfound comfort with digital tools has allowed for some additional community engagement, it does not offer the level of trust-building available through in-person events and advocacy efforts. In November 2020, the City of East Palo Alto’s Measure V, which would have enacted a transient occupancy tax, did not pass, in part, because door-to-door campaigning was unavailable; the inability to interact with voters in-person made it difficult to push for a tax increase in the middle of a pandemic.

“We weren't able to door knock, and we weren't able to have in-person conversations, which has historically been the most effective way to pass policies and ballot measures in our community... We had to shift our strategy and really depend on mailers, and mailers did not start the conversation.”

– CG FELLOW

### Identifying Strategic Areas for Compromise Is Critical During Negotiations with Stakeholders

Many CG teams had to compromise strategies to move policy priorities forward. In some cases, compromises have entailed giving up entirely on a policy. For example, one CBO that originally pursued a rent stabilization ordinance eventually took it out of the policy package due to strong opposition, including from elected officials. Moreover, because so many renters in that community live in single-family homes, a rent stabilization program would have had limited impact due to the Costa-Hawkins Rental Housing Act (**AB-1164**), which exempts single-family homes from local-level rent control ordinances.<sup>11</sup> Similarly, the Alameda County CG team decided not to establish a rent board as it would have been a complex and expensive process.

The Alameda County CG team faced particularly strong and uncompromising opposition groups in the County’s Unincorporated Area (**UA**) during the community engagement phase of their work. The UA structure also amplifies the influence of landlord groups as most of the UA falls under the purview of only two members of the County’s Board of Supervisors, so the presence of elected officials is less visible and there are fewer avenues for residents to make their voices heard and settle housing disputes.

Despite early engagement with opposition groups, like the East Bay Rental Housing Association and a

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<sup>11</sup> Costa-Hawkins Rental Housing Act (1995). California Civil Code § 1954. Retrieved from: [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?lawCode=CIV&division=3.&title=5.&part=4.&chapter=2.7.&article](https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=CIV&division=3.&title=5.&part=4.&chapter=2.7.&article)

variety of landlords, there were still calls that the policy development process by the Alameda County CG team was not inclusive enough of landlord groups. Even in circumstances with documented landlord group engagement, the landlord groups did not consider any tenant stakeholder priorities as agreeable. Prior to going before a city council or board of supervisors, every CG team had to balance competing interests and frame different viewpoints.

“There are some council members that are adamantly opposed to [rent stabilization]. It causes a lot of chaos in the politics of getting something done. By taking rent stabilization off the table, it was like a reasonable compromise [because of Costa-Hawkins].”

- COMMUNITY PARTNER



## Strengthening Collaboration

### **It Is Important To Clarify Roles, Decision-Making Responsibilities, and Expectations and Limitations Early On**

CG teams are innovative by design and involve many stakeholders working together in new and atypical configurations. The short lead time in training CG Fellows and placing them in government partner offices initially led to some discontent as government partners did not fully understand Fellows' additional time commitments nor the full suite of resources they could access. The nuances of each CG site—e.g., the structure of the unincorporated area of Alameda County, Berkeley's two-pronged approach via mayor—and city-led policies, and the size of San José compared to other sites—were overlooked in order to standardize Fellows' experiences and workflows, leaving some sites frustrated with the early processes that Fellows were expected to follow. For Fellows, being accountable to multiple parties—PolicyLink (their employer), the government partner (their supervisor and day-to-day contact), and the community partner organization (their bridge to the community)—presented a challenge early in the grant timeline.

Some sites also had clear plans for CG-provided technical support funding that were delayed due to miscommunications in the process for obtaining those funds. Ultimately, PBF and PolicyLink consolidated funding sources and simplified the process for CG teams to access resources.

More work and guidance may be needed to balance the tensions and challenges between partner roles on teams, and procedural issues. As several partners shared, there is a tension between the perspectives that specific stakeholders play. Whereas government players may want to approach housing from a 'neutral' perspective that presents impartiality and neutrality (whether by choice or by government role), community organizations, groups, and individuals often advocate for the well-being of community members and approaches that are often overlooked, ignored, or excluded. As each stakeholder brings these focuses and restraints to their work, teams need to find the right ways to balance their different perspectives.

Additionally, negotiating changes requires some vulnerability, transparency, and openness between all parties. Some respondents (CBOs, government partners, and Fellows) shared that the legally required and important need for transparency through policies, such as Sunshine Laws, may, in fact, challenge open and transparent discussions between different players during publicly accessible negotiations.

### **Access to CG Fellows Provides a Needed Resource for Governments and Communities**

Local governments are often confronted with numerous public needs and not enough internal capacity to carry out all the work. With the CG, government partners gained capacity in multiple levels to move equity-centered housing policies forward.

First, CG Fellows could dedicate time and effort to prioritize complex policies that required extensive work to move forward. Second, some government partners gained additional technical expertise through their community partners. We see this increased capacity on display in Redwood City's Anti-Displacement Strategy, which is helping Redwood City be more intentional in their housing protection policies, i.e., incorporating a more comprehensive policy on preservation that might not have happened without an anti-displacement strategy in place. Redwood City also benefited from the CG Fellow dedicating time and energy to move this strategy forward, including securing funding from the PBF Technical Assistance funds to finance a feasibility study, while the community partner also contributed to this effort with its funding to engage the community. The result is a comprehensive policy package instead of ad-hoc patches.

### **Learning & Exchanges Are Essential to Innovation**

Four CG sites are currently pursuing COPA/TOPA models for homeownership. These complex policies typically garner fierce opposition, in addition to being ripe for misinformation campaigns and potentially confusing to elected officials, city staff, and community members. The cohort framework enabled CG teams and sites to build off each other's policy and legal research, lessons learned, and experience with COPA/TOPA, while adapting policies to their specific context and environment. In San José, the City Council directed staff to research other locations where COPA has been implemented or is being considered, and the CG Fellows' cohort presented an opportunity for the San José CG team to confer with entities, like the City of Berkeley and City of East Palo Alto, who have worked on TOPA/COPA initiatives for years. Discussing specifics about the policymaking process is invaluable when having conversations with skeptical stakeholders. Finally, documenting these resources allows future CG sites to access them if their constituents express a desire for such policies.

“The fact that [the Fellow] has had the time and the [local] connections... Communicating regularly as to what worked, what hasn't worked, what research did you do. The Fellow is our local expert on what this program could consist of. There's no way that the rest of us could have done that.”

– GOVERNMENT PARTNER



## **Engaging Elected Officials Is Important to Community-Government Collaboration**

In advancing policies to a planning and implementation phase, government staff require clear directives on where they should dedicate their time and effort. While all CG sites provided initial guidance as stipulated in the proposals submitted by each government partner, receiving support from elected officials within a site can further solidify the path forward for staff. For example, San José's City Council passing a citywide Anti-Displacement Strategy early in the CG process established recommendations, including exploring a COPA policy and a tenant preference policy, providing more room for City staff and the San José CG Fellow to focus their energy on pursuing those specific policies.

“Having that commitment up front from the City Council made it much clearer for us to prioritize this work over some other work, and to consistently dedicate time, and to hold ourselves accountable.”

- GOVERNMENT PARTNER

## **REFLECTIONS**

Our developmental evaluation focused on lessons learned as opposed to the impact of approaches or policies. A few key themes emerged across the cycles and teams that are worth emphasizing.

### **Engage Multiple Community Partners and Residents Who May Be in Conflict Over the Size of “Their Piece of the Pie”**

As noted previously, competing interests need to be addressed and balanced early in the stakeholder engagement phase. Multiple groups are impacted by local housing policies in several ways. Transparency and communication with these groups and reframing the narrative around housing protection and preservation from one of scarcity and competition to one of respect, rights, and community vibrancy may foster and promote shared interests in equitable policy solutions.

### **Put Processes in Place Early On To Help Teams Build Permanent Bridges Between the Community and Their Local Government Agencies**

By design, CG Fellows served as a bridge between community and government partners, helping to smooth out challenges in partnerships. As CG Fellows and grant funding are time-limited to two years, we heard from government partners concerned about staffing this type of role permanently after CG funding ends. At least two government partners have explored or already created positions for Fellows to join local housing departments, which could help sustain this bridge to the community.

Staff changes among community and government partners presented challenges in maintaining connections and continuity in policy efforts. Government and community partners recommended sharing and communicating at organization-wide levels, rather than primarily between designated individuals, as one way to help alleviate these challenges.

Engaging early on in a conversation between government and community partners about roles and expectations might prevent the tensions resulting from their different stances.

## **Weigh the Various Needs Across Different Stages of the Policy Journey and Right-Size Funding and Available Resources**

We heard a clear appreciation for funding community engagement activities. While funds were adequate for some sites, other sites felt funding could have been increased to better accommodate their scope of work, particularly where engagement and outreach to new groups was essential. Other funding and resources that CG Fellows and government and community partners found useful included access to technical assistance and policy and legal analysis. More support, guidance and resources were needed on the communication strategy front to counter misinformation campaigns.

## **Acknowledge and Adapt to the Realities of the Policy Journey and Political Cycles**

Two years of funding may be too short to see full policy wins or achievements, particularly where CG teams faced strong and consistent opposition. Additionally, some CG teams were compelled to put their policy pursuits on hold until after local elections because of the uncertainty around support or resistance due to potential ideological shifts of local elected officials. These factors can lengthen the time to complete the work laid out in early proposals and plans. Flexible funding and resources to address this may be important to the long-term success of policy pursuits.

## **CONCLUSION**

Despite some challenges, government partners, community partners, and CG Fellows expressed deep appreciation for the CG model and access to resources, supports, and each other. We see this as a promising model and look forward to further insights gleaned from the upcoming [Breakthrough Grants](#). In this evaluation, we set out to explore lessons learned and areas for strategic shifts in CG efforts. In future related models, we recommend adding a focus on the **influence** of team activities on housing policies and community perceptions and narratives.

# Appendix A

## METHODOLOGY & DATA SOURCES

In designing the Developmental Evaluation of the Challenge Grant (CG), we aimed to reflect on approaches and actions to improve the work of all the CG teams and partners. We designed and implemented a series of learning cycles to identify potential strengths, limitations, and opportunities in how the CG model and resources contribute to CG team efforts to pursue preservation and protection policies.

Our engagement and each learning cycle were guided by three overarching themes: what happened at each site; how the CG and related supports contributed to the policy efforts; and how the local context affected decision-making and outcomes.

Area of Focus	Guiding Question
<b>Policy &amp; Other Responses</b>	In what ways are sites contributing to policy and other efforts in support of housing protection and preservation?
<b>Roles &amp; Contributions</b>	In what ways are stakeholders working together to advance policy and other efforts?
<b>Context &amp; Environment</b>	In what ways do local and other contexts support or hinder progress in policy and other efforts?

For each of the three learning cycles, we identified a new set of questions to explore, informed by the findings from the previous cycle. The final set of sub-questions for each learning cycle are as follows:

Area of Focus	Learning Cycle 1	Learning Cycle 2	Learning Cycle 3
<b>Policy &amp; Other Responses</b>	<p>What do sites hope to change, accomplish, or initiate through the Challenge Grant, and why?</p> <p>What steps are sites taking to determine their response to housing challenges?</p> <p>How is equity considered in determining responses?</p>	<p>What is working at each site and what is needed to keep moving on housing policy?</p> <p>What does the policy journey look like at sites?</p>	<p>Where have sites gained traction and brought the most benefit to housing advocacy, organizing, and policy?</p> <p>How will sites work to sustain the gains and progress beyond the CG?</p>

<b>Roles &amp; Contributions</b>	<p>What capacities are sites drawing on for their responses?</p> <p>How do sites integrate partners' capacities and roles?</p> <p>How are partners drawing on the cohort for support?</p>	<p>What is working and what is needed to strengthen the "inside-outside" partnership?</p> <p>What capacities contribute to community-driven policy work?</p>	<p>What aspects of interpersonal communication, shared decision-making, collective action, and resource distribution are key to a successful inside-outside strategy?</p> <p>What structures, practices, and processes are in place to sustain inside-outside strategies beyond the CG?</p>
<b>Context &amp; Environment</b>	<p>What resources and contextual factors influence responses and partnerships?</p>	<p>What aspects of sites contexts and environments affect progress and success?</p> <p>How does the CG structure and available resources facilitate exploration and innovation?</p>	<p>What works in navigating socio-political and economic factors that may influence progress and sustainability?</p> <p>In what ways has the CG prepared sites for long-term success and sustainability, and what might be improved?</p>

Our team implemented different data collection methods to address these questions, including interviews, surveys, focus group discussions, and desk research.

	Learning Cycle 1	Learning Cycle 2	Learning Cycle 3
<b>Data Collection Method</b>	<p>Semi-structured individual interviews</p> <p>Document review</p>	<p>Team-level focus group discussions</p> <p>Survey to government and CBO partners</p> <p>Document review</p>	<p>Semi-structured individual interviews</p> <p>Survey to government and CBO partners</p> <p>Desk research</p>

## DATA LIMITATIONS

As with many qualitative analyses, the data we analyzed is subject to our team's interpretation. We also note that we aimed to verify some of the information shared with us with any publicly available minutes or reports. We also shared drafts of the report and annexes with each CG team for their feedback to ensure the findings clearly reflected the policy work of each team.

# Appendix B: Challenge Grant Summaries

## ALAMEDA COUNTY (UNINCORPORATED AREAS)

Community-Based Partners	Fellow	Government Partner
<p><b>Lead Partner:</b> Resources for Community Development</p> <p><b>Additional Partners:</b> In-Advance; La Familia; Eden United Church of Christ, My Eden Voice, Eden Renters United</p>	<p><b>Charles Harris</b></p>	<p><b>Jennifer Pearce</b> Deputy Director, Housing &amp; Community Development at Alameda County</p>

### CONTEXT

The unincorporated areas of Alameda County include Ashland, Castro Valley, Cherryland, Fairview, Hayward Acres, and San Lorenzo. Lacking their own municipal governments, these communities are instead governed directly by the Alameda County Board of Supervisors. These communities have some of the highest rates of poverty, housing instability, health disparities, and lack of civic infrastructure in the region, which come together to complicate community organizing efforts.

### POLICY JOURNEY

Prior to the Challenge Grant (CG), Alameda County made the following progress in equitable housing policies:

- **Mobile Home Rent Stabilization Ordinance:** Passed in 2017, this ordinance protects mobile homeowners from excessive rent hikes by park owners, placing a 4% annual limit on rent increases.
- **Mandatory Notification of Rent Mediation Services Ordinance:** Passed in 2003, this ordinance requires owners of residential rental properties of three or more units to include specific language on the availability of rent mediation services on any rent increase notices.
- **Alameda County Healthy Homes Department (HHD):** From 2012–2015, HHD invested nearly \$150,000 in Kresge Foundation grant funding to advance proactive rental inspection policy.

At the start of the CG, the Alameda County CG team decided to pursue the following policies:

- Build off efforts to address lead abatement to design and launch a proactive rental inspection and code enforcement program.
- Fund the Eden Community Land Trust (CLT), an existing effort modeled after the Oakland CLT to purchase market rate affordable homes and convert them to permanent affordable housing.
- Pursue anti-displacement policies to prevent harmful evictions and egregious rent increases.

During the CG period, the Alameda County CG team further refined its housing policy priorities:

- **Proactive Rental Inspection Program**
- **Rent Registry**
- **Expanded Just Cause Eviction Protections**
- **Fair Chance Housing Ordinance**
- **Rent Stabilization**

## **COMMUNITY ENGAGEMENT**

Community engagement took place at two levels: 1) conversations with community stakeholders to better understand what policies they believe are most beneficial and effective; and 2) renter education and feedback on tenant protection priorities, such as preventing displacement & protecting quality housing. CG funding to community-based organizations (**CBO**) was instrumental in allowing CBOs to increase their capacity to engage in leadership development, outreach, community engagement, and canvassing work.

The Fellow created a steering committee with County staff and members of Resources for Community Development (**RCD**). The steering committee was instrumental in advancing the CG policy work. The CG compelled an increase in communication and transparency between RCD and staff at Alameda County, which in turn strengthened the relationship between the two.

## **POLICY JOURNEY HIGHLIGHTS**

### **Successes**

- There was more progress with community advocacy than in the past, with more renters voicing their concerns during community meetings. This is particularly important because the unincorporated County areas did not previously have a strong infrastructure for community organizing.

### **Compromises**

- The rent stabilization measure was tabled due to strong opposition. County officials concluded rent stabilization would be too complicated and expensive to implement, citing the creation of a rent board that would have been required for enforcement.

### **Challenges**

- The Alameda CG team views the local landlords associations as much stronger and better organized than tenant groups in unincorporated areas, which complicates the ability of the CG team to move forward tenant protection policies.

## **STATUS OF POLICY PRIORITIES (AS OF MARCH 2022)**

- The **Proactive Rental Inspection Program** has been presented to multiple Board of Supervisors' committees and is circulating through the public process.
- The **Rent Registry** draft ordinance was heard by the Unincorporated Services Committee in March and will tentatively be going to the Transportation and Planning Committee in May 2022.
- The **Expanded Just Cause Eviction Protections and Fair Chance Housing Ordinances** are prepared to go to the Unincorporated Services Committee meeting in April or May 2022.
- The **Rent Stabilization Ordinance** is tentatively expected to move forward later this year.

## BERKELEY

Community-Based Partners	Fellow	Government Partner
<p><b>Lead Partner:</b> East Bay Community Law Center</p> <p><b>Additional Partners:</b> Healthy Black Families; Northern California Land Trust; Bay Area Community Land Trust</p>	<p><b>Anna Cash</b></p>	<p><b>Michael Uberti</b> Senior Community Development Project Coordinator, City of Berkeley Department of Health, Housing, &amp; Community Services</p>

### CONTEXT

Despite its long history of student and local activism around housing, Berkeley is experiencing an acute housing crisis and rising displacement like the rest of the Bay Area. The City of Berkeley is pursuing two goals as part of its Challenge Grant (CG) work. One, the Tenant Opportunity to Purchase Act (TOPA), a mayor-driven policy initiative, which means city staff have fewer functions in the development of policy due to staff being directed by the City Manager rather than the Mayor or Council. The other, a local preference policy, is city-driven, which results in city staff providing more input into its development.

### POLICY JOURNEY

Prior to the CG, the City of Berkeley made the following progress in equitable housing policies:

- **Adeline Corridor Plan & City Council Referrals:** In 2015, the City of Berkeley launched a community engagement and planning process to develop a specific area plan for the Adeline Corridor to prevent displacement and maintain the vibrancy and history of this historic community. Through this process, stakeholders and community members expressed interest in a local preference policy for prioritizing housing resources more equitably. Council further backed the consideration of a preference policy more broadly in its 2017 Housing Action Plan referral to city staff. Council adopted an additional referral in 2019 to explore policies to address the displacement and historic injustices facing Berkeley's Black and African American communities.
- **Measure U1:** In 2016, Berkeley voters approved this City Council-initiated ballot measure to increase annual business license tax on residential rental property owners of buildings with five or more units. The ballot measure language described an intent to support affordable housing and prevent homelessness. Since adoption, the City Council has allocated annual revenue to support local organizations working on tenant protection legal services and anti-displacement initiatives.
- **Small Sites Program (SSP) Pilot Program:** In April 2018, the City of Berkeley established the SSP pilot program to provide nonprofit organizations with loans for the acquisition and rehabilitation of multi-family residential properties of 25 units or fewer. The intent of the SSP is to support community land trusts, create deed restrictions for permanently affordable housing, and protect tenants in the city's naturally occurring affordable housing stock.
- **Measure O Bond:** In 2018, the Berkeley community adopted Measure O bond to dedicate \$135M towards affordable housing. The bond is supporting 221 units under construction and 314 units in predevelopment. The city dedicated \$53M in funding (\$40 in Measure O) to support affordable housing construction at the North Berkeley and Ashby BART sites.

For the CG, the Berkeley CG team decided to pursue the policies outlined below. The policy focus did not change throughout the grant period, though CG partners needed to adjust activities and timelines to better support policy development.<sup>1</sup>

- **Tenant Opportunity to Purchase Act** (Mayor-led)
- **Local Housing Preference Policy** (City staff-led)

## COMMUNITY ENGAGEMENT

The CG team engaged in community outreach for TOPA through social and traditional media and by providing numerous presentations and creating “train the trainer” materials for policy supporters and organizers to feel more ownership over the policy and its portrayal. These methods of outreach enabled the CG team to empower proponents to broadly disseminate accurate TOPA information to community members and combat misrepresentation of TOPA by opposition lobbyists, who were crafting false narratives, suggesting TOPA would restrict landlords and homeowners from obtaining fair market value and disproportionately impact landlords and homeowners of color.

For the Local Housing Preference Policy, the CG team decided early in the project that they needed to partner with Healthy Black Families (**HBF**), a community-based organization (**CBO**) which had not been originally written into the CG, as an acknowledgement of the long history of activism and the in-depth community engagement of that organization in Berkeley.

The CG team, with HBF leadership, engaged in outreach efforts to understand community demands for specific preferences within the policy. The CG team and HBF also convened a Community Leaders Working Group, composed of community leaders within the Black community in Berkeley, that they engaged over the course of the evolution of the policy. HBF created a targeted survey regarding the experience of Berkeley’s African American community with housing and displacement. This complimented a city-wide digital survey on preference options. The CG team also met with affordable housing developers as the Preference Policy was taking shape to gather feedback on implementation and best practices from developers’ work in Berkeley and other jurisdictions.

## POLICY JOURNEY HIGHLIGHTS

### Successes

- The Fellow created educational outreach materials for organizers to inform the broader Berkeley community about TOPA. The Fellow’s ability to liaise with city staff and research and analyze policy implementation and funding solutions has supported East Bay Community Law Center’s (**EBCLC**) policy development process. While EBCLC focused on crafting and advocating for policy language responsive to community needs, the more direct access to the city provided by the Fellow has helped strategize ways to streamline communication between EBCLC, the Mayor’s office, and the city departments ultimately responsible for implementing the policy if it passes.
- The CG team was able to provide innovative policy alternatives to the community’s direct request for a race-specific preference. The policy recommendations intend to balance the needs to address racial equity and historic injustice with limitations of Fair Housing law and other legal barriers.

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<sup>1</sup> San Francisco Foundation (2019). “City of Berkeley Partnership for the Bay Challenge Grant Submittal.”



- The full incorporation of Healthy Black Families as a CG team member led to a much more robust and representative community engagement process, particularly with Berkeley's Black community.

## Compromises

- Some applicability standard revisions were made to TOPA, such as exclusions of non-investor-owned single-family homes and owner-occupied duplexes. Through the CG team's advocacy, the Mayor retracted former amendments to reduce closing timeframes and limited the scope of the single-family home and owner-occupied duplex exclusions. The CG team and Mayor settled on acceptable policy language resulting in the Mayor submitting the TOPA bill to a City Council work session in January 2022. Because the policy implementation is still in development, negotiations are still taking place and further compromises related to the gradual phasing-in of the policy may occur.
- The CG team consulted with the City Attorney's Office in order to refine drafts of the Local Housing Preference Policy and determine a defensible strategy for a race-specific preference. The recommendation was to not include a race-specific preference within the Preference Policy. While the CG team did not proceed with race-specific language, these consultations led to adoption of language addressing redlining in subsequent policy drafts (similar to language by the City of Portland, Oregon, in their implementation of local preference policy).

## Challenges

- Working within the structure of a Mayor-led policy for TOPA has been challenging for the CG team because city staff do not have involvement. The fellow was initially expected to support staff with implementation of the policy, but the adoption was delayed due to political reasons. Inadequate city resources to fund and implement TOPA has created additional resistance to adopting the policy from unsympathetic Council members.
- Early on, community members pushed back when the CG team set out to lead the development of the Preference Policy without incorporating Black-led organizations and activists that had been calling for this type of policy for a long time.
- City staffing shortages have also delayed policy development and review processes and complicated CG efforts.

## STATUS OF POLICY PRIORITIES (AS OF MARCH 2022)

- **TOPA:** The city held a working session in late January to provide feedback on the proposal. It is now back with the Mayor's team to make revisions prior to bringing it to City Council. The Mayor has committed to submitting TOPA for a City Council vote after confirming the existence of five positive votes on Council and finalizing the policy's phase-in plan. Currently, the CG team has assessed the existence of three strong Yeses on Council. Council member outreach and education is underway to work towards securing the two Maybe votes on Council along with strategizing with community stakeholders and media outlets to ensure the Mayor prioritizes TOPA's passage.
- **Local Housing Preference Policy:** The CG Team and HBF developed preference policy recommendations with a racial equity lens that received unanimous support from the City's Housing Advisory Commission. Staff are currently drafting a policy based on these recommendations for City Council's considerations. Staff are now coordinating a Fair Housing analysis of the recommendations necessary to secure support from County and State funding partners. Staff anticipate bringing a policy proposal to City Council in Fall 2022.

## EAST PALO ALTO

Community-Based Partners	Fellow	Government Partner
<p><b>Lead Partner:</b> East Palo Alto Community Alliance and Neighborhood Development Organization (<b>EPACANDO</b>)</p> <p><b>Additional Partners:</b> Community Legal Services in East Palo Alto (<b>CLSEPA</b>); Youth United for Community Action (<b>YUCA</b>); Preserving Affordable Housing Assets Long-Term, Inc (<b>PAHALI</b>)</p>	<p><b>Karen Camacho</b></p>	<p><b>Rachel Horst</b> Housing &amp; Economic Development Manager, City of East Palo Alto</p>

### CONTEXT

East Palo Alto has a population of 30,034, the smallest of the jurisdictions funded by the Challenge Grant (CG) program.<sup>2</sup> The city's relatively small population contributes to a political landscape in which influential community members are largely aware of each other.

### POLICY JOURNEY

Prior to the CG, the City of East Palo Alto made the following progress in equitable housing policies, adopting 15 of 17 progressive policies inventoried by the Association of Bay Area Governments. Among these policies and of particular relevance to the CG were:

- **Tenant Protection Ordinance:** Passed in 2014, this ordinance was designed to address several issues related to the tenant-landlord relationship, including relocation assistance when properties are demolished, tenants' right to first refusal when the residential units are available for rent after renovation, tenants' right to organize, and other protections.
- **Rent Stabilization and Eviction for Good Cause Ordinance:** Passed in 2010, this ordinance regulates most residential tenancies by providing protections for residential tenants from unreasonable rent increases, protecting tenants from arbitrary, discriminatory, or retaliatory evictions, and assuring landlords the right to a fair return.

At the start of the CG, the East Palo Alto CG team decided to pursue the following policies<sup>3</sup> to allow housing-insecure residents to purchase their home or live in a permanently affordable rental unit:

- Design and support the passage of a Tenant Opportunity to Purchase/Community Opportunity to Purchase (**TOPA/COPA**) policy.
- Launch a preservation model centered on a Community Land Trust (CLT) to acquire, rehabilitate, and redevelop properties.
- Establish a dedicated revenue source to implement this policy framework.

<sup>2</sup> U.S. Census Bureau (2020). 2020 Census of Population and Housing. Retrieved from: <https://data.census.gov/cedsci/table?g=1600000US0620956>

<sup>3</sup> San Francisco Foundation (2019). East Palo Alto Challenge Grant Summary Sheet.

During the CG period, the East Palo Alto CG team refined its priorities, focusing primarily on:

- **East Palo Alto Opportunity to Purchase Act (EPA OPA)**, which would give “tenants, qualified nonprofits, and/or the City the first right to purchase certain residential properties when a non-resident absentee owner decides to sell.”<sup>4</sup>
- **Measure V**, which calls for an increase to the City’s transient occupancy tax to serve as a revenue source for affordable housing development, acquisition and rehabilitation activities.

## COMMUNITY ENGAGEMENT

Community-based organizations (**CBO**) worked together to garner community support by compelling community members to show up at City Hall, writing letters of support for policies to the East Palo Alto City Council, and circulating petitions for signatures from the community. YUCA played an instrumental role in mobilizing the youth community to support these outreach efforts. Community outreach leveraged the existing infrastructure of participating CBOs, which set aside time in their regular meetings to discuss CG policy goals and added new ad-hoc meetings to delve into additional details. Support from the Fellow, in addition to funding from the CG, was critical in increasing community participation.

The CG team’s community outreach strategy focused heavily on reaching diverse and underrepresented groups, and ultimately conducted multiple focus groups with East Palo Alto community members – 97% of participants were people of color.<sup>5</sup> As a sense of urgency for policy changes rose among community members, established legacy leaders in the community took ownership and played a major role in garnering community-wide support.

## POLICY JOURNEY HIGHLIGHTS

### Successes

- During the early days of the CG, the Fellow collaborated with city staff to gain a broader understanding of TOPA/COPA policies implemented in Washington, DC and San Francisco, as well as the development of TOPA/COPA policies pursued by Berkeley and Oakland.
- The City Council introduced the EPA OPA in November 2021 and held seven public meetings on it through March 2022. The CG team has continued to move forward with this policy despite strong opposition.
- Even though the 2020 Measure V campaign was not immediately successful, the City Council continued to prioritize an affordable housing revenue source and voted to place a new measure on the 2022 ballot.
- Largely because of community education as part of the Measure V and OPA ordinance campaigns, the community land trust concept went from relative obscurity to broad exposure and popularity with many stakeholders, albeit with detractors, too.

### Compromises

- The East Palo Alto CG team had to compromise in the details of the EPA OPA to keep it moving forward.

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<sup>4</sup> City of East Palo Alto (2022). “EPA OPA Press Release.” Retrieved from:

[https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/20967/2022.03.11\\_epa\\_opa\\_press\\_release.pdf](https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/20967/2022.03.11_epa_opa_press_release.pdf)

<sup>5</sup> As reported by EPA Fellow, Karen Camacho. Interview conducted December 11, 2021.

- For instance, the CG team removed the appraisal process from single family homes. The appraisal intended to ensure tenants are protected from displacement by preventing arbitrary and exorbitant offers of sale that effectively prohibit a potential eligible purchaser from purchasing the units,<sup>6</sup> but opponents argued the process would result in building owners selling at a lower price than the market rate.
- In addition, the City Council directed staff to study the removal of the right of first refusal for tenants living in single family dwellings and research a substitute mechanism that addresses the issue the right of first refusal sought to address.

## Challenges

- Measure V fell just short of the two-thirds supermajority vote required to pass, receiving 64.66 percent 'yes' votes.
- The East Palo Alto CG team encountered challenges securing enough community support during the presentation of EPA OPA to the City Council at a November 2021 meeting. At that meeting, the opposition had a much stronger presence than proponents during public comments. Learning from this lesson, the CG team mobilized more community participation in subsequent meetings and prepared detailed responses to the concerns presented by the opposition.<sup>7</sup>

## STATUS OF POLICY PRIORITIES (AS OF MARCH 2022)

- During the first year of the CG, the East Palo Alto CG team was able to put the Measure V Transient Occupancy Tax on the November 2020 ballot, but it did not pass.
- EPA OPA is on hold until fall 2022. The City of East Palo Alto, EPACANDO, CLSEPA, YUCA, and PAHALI will continue to work together on OPA during the Breakthrough Grant.

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<sup>6</sup> City of East Palo Alto (2022). "Frequently Asked Questions." Retrieved from:  
[https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/20967/epa\\_opa\\_faqs.pdf](https://www.cityofepa.org/sites/default/files/fileattachments/housing/page/20967/epa_opa_faqs.pdf)

<sup>7</sup> Ibid.

# OAKLAND

Community-Based Partner	Fellow	Government Partners
<p><b>Lead Partner:</b> Bay Area for All (<b>BA4A</b>) Preservation Table, which includes Alliance for Californians for Community Empowerment; Asian Pacific Environmental Network; Causa Justa :: Just Cause;; Oakland Community Land Trust; Public Advocates; Urban Habitat; the Great Communities Collaborative</p>	<p><b>Chris Norman</b></p>	<p><b>Shola Olatoye</b> Director of Housing &amp; Community Development, City of Oakland</p> <p><b>Darin Ranelletti</b> Policy Director for Housing Security, City of Oakland</p>

## CONTEXT

Oakland is facing a severe housing crisis resulting in high levels of displacement. Half of all Oakland residents, and 62% of African American tenants, are rent-burdened, meaning they spend over 30% of their income on rent.<sup>8</sup> Oakland lost 44,000 African American residents from 2000 to 2014, the largest decrease of any Bay Area city during that period. Since 2015, homelessness in Oakland has skyrocketed by 85 percent.<sup>9</sup>

## POLICY JOURNEY

Prior to the Challenge Grant (**CG**), the City of Oakland engaged in the following housing equity activities:

- **A Roadmap Toward Equity: Housing Solutions for Oakland, California:** In 2015, the Oakland City Council approved this policy framework, which lays out strategies to 1) prevent the displacement of long-time residents, 2) build new, affordable housing, and 3) improve housing habitability and health while maintaining affordability.
- **Oakland at Home:** In 2016, the Oakland Housing Cabinet — convened by Mayor Libby Schaaf and comprised of City staff, housing policy experts, housing advocates, and the business sector — released Oakland at Home, an action plan to implement the policy framework of “A Roadmap Toward Equity.” One recommendation from this plan called for protecting 17,000 low-income households from displacement and producing 17,000 housing units at all income levels by 2024.

The Oakland CG team initially decided to focus on the following objectives:

- Conduct a **racial equity impact analysis** of Oakland’s existing housing programs and funding streams to identify opportunities for improvements in tenant protections and preservation of existing unprotected housing stock.
- Design and implement **improvements to tenant protection and housing preservation programs** to advance racial equity, which could involve enhancing administrative implementation of existing policies and/or adopting new or revised policy legislation. Policies to be considered will be prioritized based on the outcome of the racial equity impact analysis and on Fellow and City staff capacity.

<sup>8</sup> San Francisco Foundation (2019). Oakland CG Summary Sheet, n.d.

<sup>9</sup> San Francisco Foundation (2019). Oakland CG Summary Sheet, n.d.

During the CG, the Oakland CG team added the objective of pursuing a **Tenant Opportunity to Purchase Act (TOPA)**, which built on the racial equity analysis conducted by the Fellow.

## **COMMUNITY ENGAGEMENT**

The Fellow has been in ongoing communication with community partners through the BA4A Community-Led Preservation Table about the results from the racial equity analysis, which will be presented to the community for feedback and input. Engaging with the community has led the Fellow to work closely with the Oakland TOPA Coalition, a subgroup consisting of six grassroots and policy organizations representing the city's diverse community.

To keep the Coalition continuously engaged, the Fellow has shared and requested feedback on the different versions of the TOPA policy drafted by Oakland City Councilmembers Nikki Fortunato Bas and Carroll Fife.

## **POLICY JOURNEY HIGHLIGHTS**

### **Successes**

- Building on the racial equity analysis conducted by the Fellow, the City of Oakland has tapped the Fellow to lead the City's racial equity focused team, which represents a meaningful opportunity to influence structurally how the Housing & Community Development Department (**HCD**) functions and how they address racial equity through their policies and programs.

### **Challenges**

- Early in the CG, the CG team encountered a major difficulty with the sudden departure of the original Fellow. The absence of a dedicated person focused on CG objectives disrupted the progress toward Fellowship objectives. However, the new Fellow joined in summer 2021 and quickly jumped into the work. As a result, the Oakland CG Fellowship has been extended to allow sufficient time for the Oakland CG team to pursue its policy goals.

## **STATUS OF POLICY PRIORITIES (AS OF MARCH 2022)**

- A racial equity impact analysis is underway, with the Fellow facilitating across all teams within the agency to identify key performance indicators that centers on the agency's work on equity.
- Creation of a racial equity team comprised of staff from across all teams in agency.
- TOPA has been put on hold as Councilmember Fife has indicated she will bring this legislation to the City Council at a future date. Oakland HCD has prioritized the racial equity work that will be foundational to initiatives like TOPA/COPA.

# PALO ALTO

Community-Based Partners	Fellow	Government Partner
<p><b>Lead Partner:</b> Silicon Valley @ Home</p> <p><b>Additional Partners:</b> Palo Alto Forward; Palo Alto Renters Association; Alta Housing</p>	<p><b>Lauren Bigelow</b></p>	<p><b>Rachael Tanner</b> Assistant Director of Planning and Development Services, City of Palo Alto</p>

## CONTEXT

Palo Alto is home to one of the most educated populations in the United States.<sup>10</sup> As such, the city's residents are particularly engaged in local politics and demand significant amounts of data from housing policy advocates. The resulting context requires any proposed policy changes to current housing policies be backed up by extensive research and data to garner community support. When the Challenge Grant (**CG**) began in 2020, the City of Palo Alto's government had been facing staffing shortages across multiple departments, which limited its ability to build the community consensus necessary to advance housing policies in a robust manner.

## POLICY JOURNEY

Prior to the CG, the City of Palo Alto made the following progress in equitable housing policies:

- **Ordinance No. 5441:** In 2018, the Palo Alto City Council adopted this emergency ordinance, which required properties with 50 or more units to provide relocation assistance for no-fault evictions.
- **Housing Work Plan Implementation Ordinance:** In 2019, the City Council adopted the Housing Work Plan to help increase the production of housing units in the city.

At the start of the CG, the Palo Alto CG team initially decided to pursue the following policies:<sup>11</sup>

- Review and strengthen the existing renter protection ordinance.
- Evaluate reasonable relocation assistance to be provided to tenants residing in properties of five or more units who are displaced due to a change of use, sizeable rental increases, or eviction without just cause, while protecting the fair rights of property owners.
- Strengthen enforcement measures of penalties for violations of Palo Alto's existing requirement to offer an annual lease to tenants.

During the CG, the Palo Alto CG team refined the set of policies to be pursued as follows:

- Strengthening existing renter protection ordinances (**Tenant Relocation Assistance, Just Cause, Anti-Gouging**)
- Drafting new renter protection ordinances (**Rental Survey, Security Deposit Limit**)

<sup>10</sup> U.S. Census Bureau (2019). American Community Survey 1-Year Estimates. Retrieved from:

<https://data.census.gov/cedsci/table?q=palo%20alto&t=Education%3AEducational%20Attainment&tid=ACSST1Y2019.S1501>

<sup>11</sup> San Francisco Foundation (2019). Palo Alto Challenge Grant Summary Sheet, n.d.

## COMMUNITY ENGAGEMENT

The CG equipped the lead community-based organization (**CBO**), SV@Home, with the necessary resources to participate more deliberately in a policy campaign. For instance, in 2020, the CBO used the local capacity building funds to help establish and sustain the Palo Alto Renters' Association (**PARA**), a community group governed by a steering committee comprised of Palo Alto community members. This support will continue beyond the CG period. The CBO also improved its use of digital tools to engage the community. Most critically, the CG has helped the CBO has strengthen their partnership with the City of Palo Alto.

The Palo Alto CG team reached out to community members through educational events and webinars. Using funding and technical assistance provided by the CG, the Fellow also supported the creation of PARA.

## POLICY JOURNEY HIGHLIGHTS

### Successes

- The Palo Alto CG team celebrated the creation of PARA as one of its main successes during the early phase of the CG. PARA members have been invited to meet with City staff and provide ongoing feedback around renter priorities within the Housing Element.
- In January 2022, the Palo Alto City Council adopted a Relocation Assistance Ordinance that (1) lowers the property threshold for relocation assistance from 50 units per property to 10 units per property and (2) entitles tenants to between \$7,000 and \$17,000 after “no-fault” evictions.
- The CG team continues to meet weekly to push forward their policy efforts, including using remaining CG technical assistance funds to engage an outside legal resource to draft policy memos and ordinances.

### Compromises

- The CG team knew from the start that certain types of policies, such as rent control, would not gain ground in the Palo Alto context and thus were not pursued. As a result, the CG team made headway with their policy priorities without needing to make major compromises.

### Challenges

- It has been difficult to engage some community leaders due to the COVID-19 pandemic, especially those leading grassroots organizations and faced with addressing urgent community needs. The Fellow and PARA were also actively involved in reaching out tenants on emergency rental resources, thereby limiting their ability to engage in CG policy campaigns.

## LIST OF FINAL POLICY PRIORITIES (AS OF MARCH 2022)

- Amendment presented to the Palo Alto City Council to expand tenant relocation ordinance to cover buildings of 10 units or more, passed January 2022.
- Design a rental survey program to be presented to the City's Policy and Services Committee, tentatively scheduled for Fall 2022.
- Present to the City Council an ordinance amendment on eviction reduction/Just Cause patch to include properties built within the last 15 years; no hearing dates determined yet.
- Draft a Security Deposit Limit ordinance limiting security deposits to one and a half month's rent.



The following policies will be prioritized once the items above have been completed:

- Bring to the Policy & Services Committee a proposal and discussion on expanding anti-gouging measure to address loopholes.
- Fair Chance Ordinance to be reviewed by the Policy & Services Committee for analysis.

# REDWOOD CITY

Community-Based Partners	Fellow	Government Partner
<p><b>Lead Partner:</b> Legal Aid Society of San Mateo County (<b>LASSMC</b>)</p> <p><b>Additional Partners:</b> Peninsula Conflict Resolution Center; Faith in Action Bay Area</p>	<p><b>Brandon Harrell</b></p>	<p><b>Alin Lancaster</b> Housing Leadership Manager, Redwood City</p>

## CONTEXT

Redwood City has been experiencing a dramatic increase in its population. While market-rate housing supply has also increased, the supply of affordable housing has not been meeting the needs of low- and moderate-income residents. With multi-family residential buildings in low-income neighborhoods converted to higher-paying tenancy, Latino and African American communities have experienced the bulk of negative impacts due to gentrification trends. In addition, despite recent efforts by Redwood City to adopt new tenant protection policies, there is still a growing trend of landlords resisting or violating protection policies.

## POLICY JOURNEY

Prior to the Challenge Grant (**CG**), Redwood City made the following progress in equitable housing policies:

- **Downtown Precise Plan (DPP):** In 2016, the City Council amended the DPP to reserve 15% (375 units) of the maximum allowable residential development for affordable housing.
- **707 Bradford Affordable Housing:** In 2015, the City Council dedicated an acre of downtown City-owned land towards the production of affordable housing for which the Planning Commission approved development plans in 2017. The completed project includes 117 residential units for seniors in the very low-income affordability level<sup>12</sup> and a daycare on the ground level.
- **Housing Impact Fees & Affordable Housing Ordinance:** In 2015, the City adopted a Housing Impact Fee on residential and non-residential development. In 2018, the City Council adopted the Affordable Housing Ordinance to increase the supply of affordable housing, which imposed an inclusionary requirement for all residential development projects. Over 450 affordable units are under construction or approved and over 800 affordable units are proposed as a result of the impact fees and ordinance.
- **Relocation Assistance (RAO) and Minimum Lease Term (MLTO) Ordinances:** In 2019, the City adopted an RAO and MLTO, which they sought to evaluate and improve upon as part of the CG work. RAO stipulates owners of rental properties with five or more units who are seeking to evict tenants for certain reasons – such as withdrawing from the housing market, remodeling, or converting a building’s use – must assist tenants meeting certain requirements with three months’ rent to cover relocation costs. To comply with MLTO, rental property owners must provide at least a 12-month lease and can only increase rent after the 12-month period ends; MLTO applies to properties with three or more units. These ordinances would later be preempted by the Tenant Protection Act (AB 1482), a statewide legislation passed in 2020.

<sup>12</sup> Redwood City (2022). “Affordability Levels.” Retrieved from: <https://www.redwoodcity.org/departments/city-manager/housing-services/developers/affordability-levels>

At the start of the CG, Redwood City initially decided to pursue the following policies:<sup>13</sup>

- **Enforcement and evaluation of renter protection** measures
- **Preservation of Naturally Occurring Affordable Housing** multi-family units

During the CG period, the Redwood City CG team determined it needed to develop a set of strategic policy recommendations to advance its policy goals. Ultimately, the Redwood City CG team developed a comprehensive Anti-Displacement Strategy (**ADS**)<sup>14</sup> consisting of:

- **Tenant protection policies**
- **Preservation of unsubsidized affordable housing and mobile homes**

## COMMUNITY ENGAGEMENT

Redwood City's Housing and Human Concerns Committee (**HHCC**), made up of residents elected by the City Council, provided support and guidance to the CG team. Specifically, the CG team engaged two HHCC subcommittees, the Housing Preservation and Tenant Protections Ad-Hoc Committees.

The collaboration with LASSMC, the lead community-based organization (**CBO**), was very positive from the start. LASSMC had a history of reaching out to tenants who were a good fit for the CG. The CG team engaged the community via focus groups, workshops, 1-on-1 interviews, and a survey geared towards Spanish-speaking community members. The CG team also partnered with additional CBOs in Peninsula Conflict Resolution Center and Faith in Action Bay Area, along with a community engagement consultant, Common Knowledge, to engage different community groups such as tenant and landlord or rental manager groups. This occasionally made it more challenging to have a unified outreach message and strategy.

Early on, the Fellow also held meetings with CBOs One Redwood City and Casa Circulo, which provided additional tenant perspectives to the work, and invited them to participate in the quarterly convenings. The team also engaged Common Knowledge – which was not originally part of the CG application – to engage rental property owners and managers in facilitated meetings.

## POLICY JOURNEY HIGHLIGHTS

### Successes

- The ADS document and framework overall is a success for the City. If adopted by the City Council, it will serve as a guide for the City in strengthening its preservation and tenant protection measures. The suite of recommendations and amendments to tenant protections in the ADS – backed by extensive community engagement and research – is a successful outcome of the CG work. These recommendations strengthen the RAO and MLTO requirements.
- The City had an early focus on mobile home preservation strategies and, through their community engagement, found park owners who want to find ways to preserve housing for their residents. These strategies are also outlined in the City's ADS.

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<sup>13</sup> San Francisco Foundation (2019). Redwood City CG Summary Sheet, n.d.

<sup>14</sup> Redwood City (2022). "Redwood City's Anti-Displacement Strategy." Retrieved from: <https://www.redwoodcity.org/home/showpublisheddocument/24468/637769764048830000>

## Compromises

- The core CG team delayed their community engagement at the start of the CG to consider the implications of the newly implemented tenant protection policies. The CG team made a few compromises to the RAO recommendations, specifically keeping an income requirement for relocation assistance eligibility and capping the size of the assistance at three months of Fair Market Rate instead of the tenant-suggested six months. For the most part, compromises were in response to feedback from property owners and to align with previous proposals supported by Councilmembers.

## Challenges

- Shirley Gibson, the main LASSMC contact, passed away in late 2021. Her passing was a setback for the work of LASSMC, as other staff had to quickly get up to speed on the CG. Some lessons learned from the CBO were lost as part of this process.
- Redwood City is small and has a limited housing staff and budget. The proposed recommendations under the ADS aim to be realistic about staff capacity to implement policies and strike a balance between landlord preferences and tenant needs. At the latest study session with council on January 10, 2022, tenants advocated for additional ideas that City staff had not been able to research in-depth, including an anti-harassment policy, a right to return provision, and limits on renovation-related evictions.
- Some community engagement was carried out late into the CG, frustrating one of the CBOs, which felt the voices of their community members were not taken into account sufficiently.

## STATUS OF POLICY PRIORITIES (AS OF MARCH 2022)

Staff will update the ADS to include more detailed analysis of time, cost, and execution for each of the eight amendment recommendations related to the RAO and MLTO. Staff will also conduct additional community engagement and formally incorporate Ideas #4 (anti-harassment policy) and #6 (adding limits on renovation related evictions and a “right to return” provision to the RAO) into the ADS.

The City Council requested additional analysis and community engagement on its ADS; an updated ADS is tentatively scheduled to go to the City Council in June 2022.

# SAN JOSÉ

Community-Based Partners	Fellow	Government Partner
<b>Lead Partner:</b> SOMOS Mayfair <b>Additional Partner:</b> VietUnity	<b>Aboubacar “Asn” Ndiaye</b>	<b>Kristen Clements</b> Policy and Grants Division Manager, San José Housing Department

## CONTEXT

San José is the largest city participating in the Challenge Grant (CG). Prior to 2016, the city had one of the region’s most conservative rent stabilization ordinances but has since introduced changes lowering the rent increase cap, passed a Tenant Protection Ordinance (TPO) that established Just Cause eviction, and set up a Rent Stabilization Program (RSP). The City of San José entered the CG to continue advancing its Anti-Displacement Strategy (ADS) which includes affordable housing policies like Community Opportunity to Purchase Act (COPA), assessing the feasibility of a land trust model, and local tenant preferences for affordable housing.

## POLICY JOURNEY

Prior to the CG, the City of San José made the following progress in equitable housing policies:

- **Apartment Rent Ordinance (ARO):** San José first passed a rent stabilization ordinance in 1979 known as ARO. ARO initially did little to preserve affordable housing for low-income renters in San José since the allowable rent increase surpassed observed increases in market rents.<sup>15</sup> In 2016, the ordinance was changed to limit rent increases to 5%.
- **Tenant Protection Ordinance (TPO):** Passed in 2017, TPO eliminated no-cause evictions for certain rental units and required that landlords use “Just Cause” for notices to vacate.
- **Housing Payment Equality Ordinance (HPEO):** Passed in 2019, HPEO prohibited the rejection of potential tenants solely based upon payment with Section 8 housing vouchers.
- **RSP Team:** Set up in 2017, the RSP team oversees the aforementioned tenant protection programs and has grown from two to 16 full-time employees.

At the start of the CG, the San José CG team initially decided to pursue the following policies:

- Establish a **Local Preservation Ordinance** requiring owners of unsubsidized affordable housing who intend to sell to give notice and first right of purchase to the City, qualified local nonprofits, and tenant groups.
- Assess the feasibility of a **Community Land Trust** in San José.
- **Local tenant preferences** for affordable housing, such as neighborhood preference and a displaced tenant preference.

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<sup>15</sup> Economic Roundtable (2016). *Study of the Apartment Rent Ordinance of the City of San José: Final Report*. Retrieved from: <https://www.sanjoseca.gov/Home/ShowDocument?id=14321>

Through the CG, the San José CG team decided to focus its policy priorities on the following:

- **Citywide Residential Anti-Displacement Strategy (ADS)** (passed in September 2020)
- **Community Opportunity to Purchase Act (COPA)**

## **COMMUNITY ENGAGEMENT**

Led by community-based organizations (**CBO**) SOMOS Mayfair and VietUnity, the CG team held 22 community meetings and 25 individual stakeholder meetings in collaboration with additional CBOs, including Working Partnerships USA, Silicon Valley @ Home, and the Law Foundation of Silicon Valley. These meetings enabled the CG team to engage with those opposed to COPA – landlord groups often fronted by Asian and Pacific Islander community members – and have their perspectives reflected in subsequent iterations of COPA. Through these meetings, the CG team gathered feedback from over 200 individuals, resulting in the most extensive public engagement process in recent San José history for a housing department policy.

The San José CG team also engaged two advisory committees – (1) a technical advisory committee made up of policy and housing experts and (2) a community advisory committee made up of interested citizens – over 18 meetings for eight months, resulting in changes to COPA. These meetings were facilitated by an external consulting firm with community facilitation expertise and Vietnamese and Spanish interpreters. These committees were in part successful thanks to SOMOS Mayfair’s and their partners’ efforts to develop a community COPA framework outside of the City-led community engagement efforts. This “two track” strategy helped prepare community members and organizations to actively participate and contribute during committee meetings.

## **POLICY JOURNEY HIGHLIGHTS**

### **Successes**

- The CG team successfully finalized the city-wide ADS and received approval from the City Council in September 2020. The plan includes 10 recommendations within the framework of protecting tenants and the preservation and production of housing. Two of the three policies staff were directed to work on – tenant preferences and COPA – advanced under the CG.
- The community engagement process of this policy effort has been very robust and beneficial, especially the partnership between SOMOS Mayfair and VietUnity.
- The CG team has found more interest than anticipated from City Councilmembers in a COPA-style program, possibly opening new avenues to additional preservation strategies.

### **Compromises**

- Throughout the policy-making process, the CG team had to compromise on aspects of their COPA proposal to make it politically and operationally practical and give it the highest chance of obtaining the necessary City Council votes. In particular, the COPA proposal excludes single-family homes, townhomes, and condos, has a short timeline for nonprofits to submit offers after receiving notice of sale, and omits the “right of first refusal,” meaning a property owner can reject a nonprofit’s offer of purchase despite matching or exceeding the market rate.

## Challenges

- At the start of the CG, the CG team did not have a cohesive strategy for engaging communities across different racial and ethnic backgrounds. The logistics and costs of ensuring accessibility and translating materials to multiple languages, as well as creating an enduring and broad coalition of support for policies across different demographics, was challenging to navigate. Ultimately, the CG team engaged additional partners to support these efforts.
- Contextual factors also affected the work of the CG team. The 2020 and 2022 election cycles changed the composition of the City Council and contributed to a polarizing environment that further politicized housing issues and influenced the level of risk elected officials were willing to take in supporting contentious policy efforts.

## STATUS OF POLICY PRIORITIES (AS OF MARCH 2022)

Work on COPA is paused from March through July 2022 as City of San José staff focus on finalizing their Housing Element Plan (though COPA is a proposed strategy within the plan). SOMOS Mayfair continues to hold events to advocate for COPA progress and approval. The City of San José and SOMOS Mayfair will continue to work together on COPA in the Breakthrough Grants.

City staff are also currently waiting on state direction for a tenant preference analysis methodology but have continued conducting data analysis on protected class residents in affordable housing in San José. They are seeking a FUSE Executive Fellow to support the tenant preference work.

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