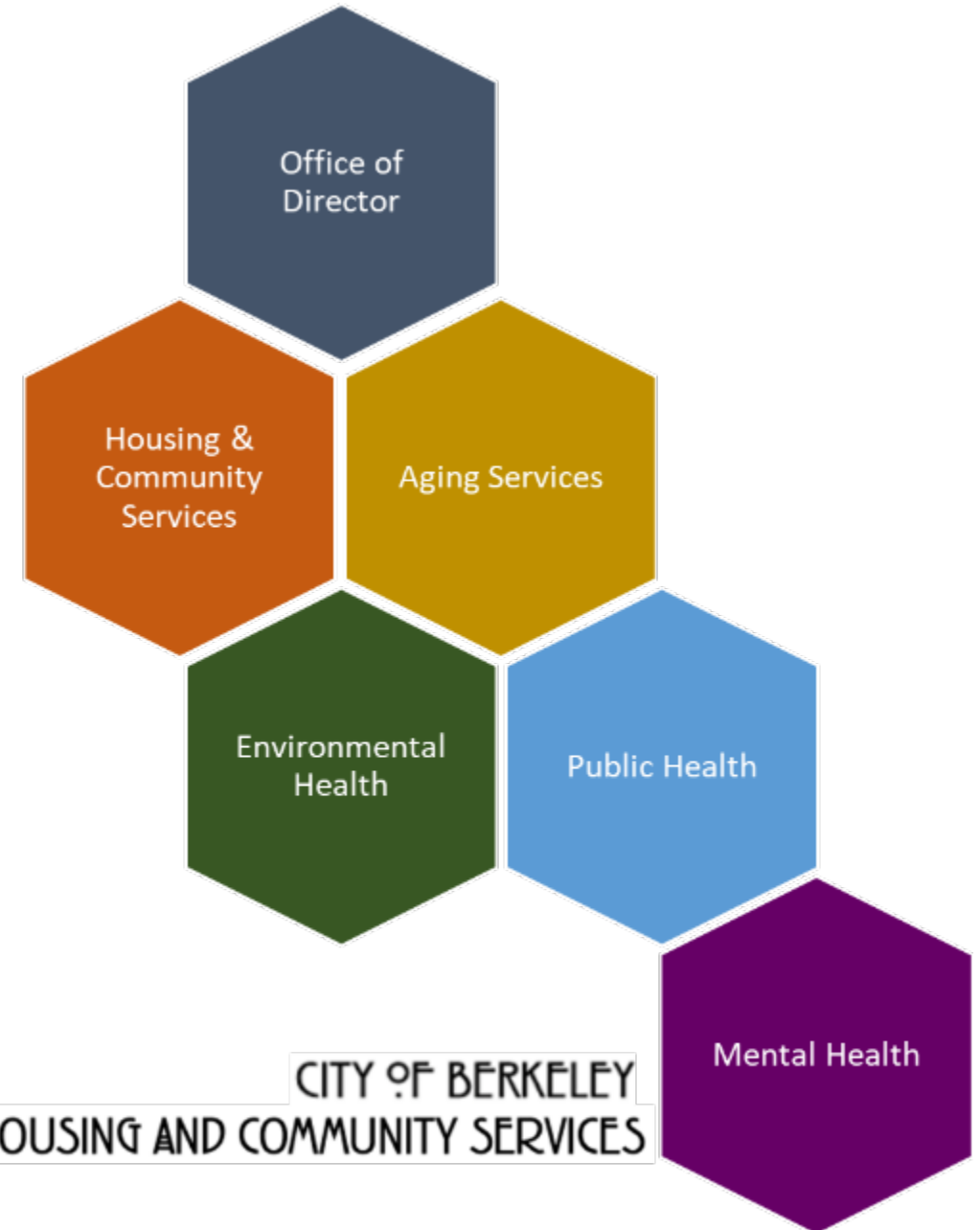




City of Berkeley Department of Health, Housing, and Community Services

Enhancing Community Life and
Supporting Health and Wellness
for All



CITY OF BERKELEY
HEALTH, HOUSING AND COMMUNITY SERVICES

Affordable Housing Preference Policy

Anna Cash
Mike Uberti

February 21, 2023



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- Healthy Black Families Presentation
- Policy Proposal & Goals
- Preferences
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OVERVIEW

Housing Preference Policy

Prioritize households who experienced or are facing displacement in Berkeley for new affordable housing units.

POLICY PROCESS

Work Session

Update on the Work

- Community-engaged policy development
- Recommendations for preference categories

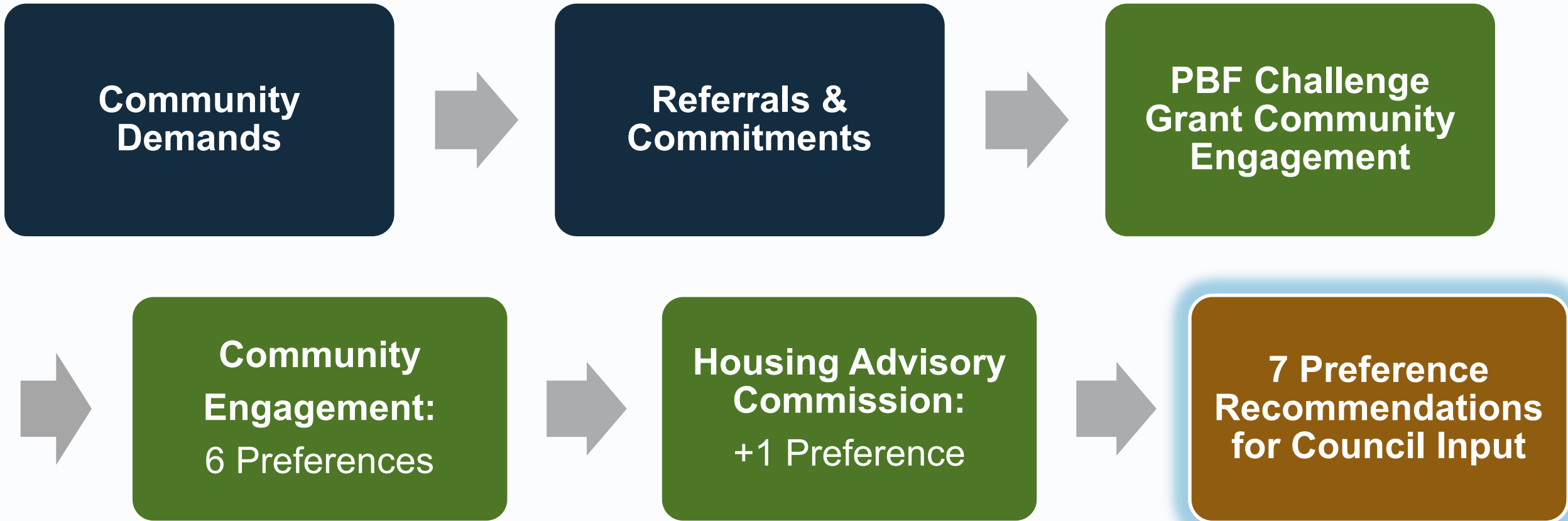
What We're Here to Do

- Council to identify preference categories to include in policy



POLICY PROCESS

Process To-Date



POLICY PROCESS

This Work Session & Moving Forward

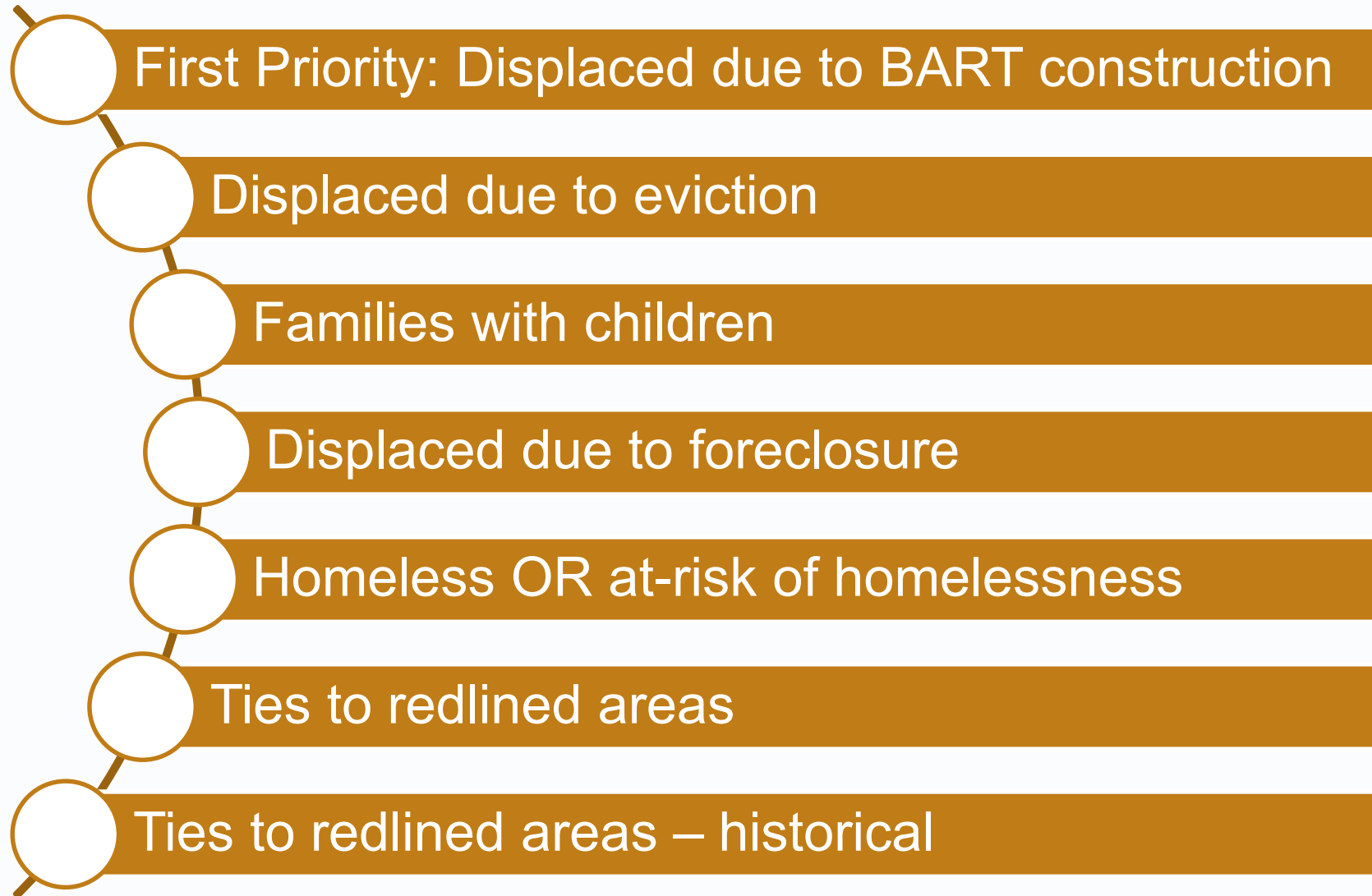
Council
Recommendations
On Preferences

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Staff Develops
Policy &
Implementation
Plan

Summer 2023
Council Vote

Preferences Recommended via Community Engagement Process & HAC

- 
- First Priority: Displaced due to BART construction
 - Displaced due to eviction
 - Families with children
 - Displaced due to foreclosure
 - Homeless OR at-risk of homelessness
 - Ties to redlined areas
 - Ties to redlined areas – historical



Challenge Grant Community Partner

Healthy Black Families Presentation



OVERVIEW

Housing Preference Policy

Prioritize households who experienced or are facing displacement in Berkeley for new affordable housing units.



OVERVIEW

Applicable Housing Types

- **Below-Market Rate (BMR):**
Inclusionary units
- **Housing Trust Fund (HTF):**
Nonprofit affordable housing
- *Only will apply to new properties*
- *Only will apply to units accessed by lottery*

OVERVIEW

Policy Goals

Responsive

- Help people who have already been displaced return

Proactive

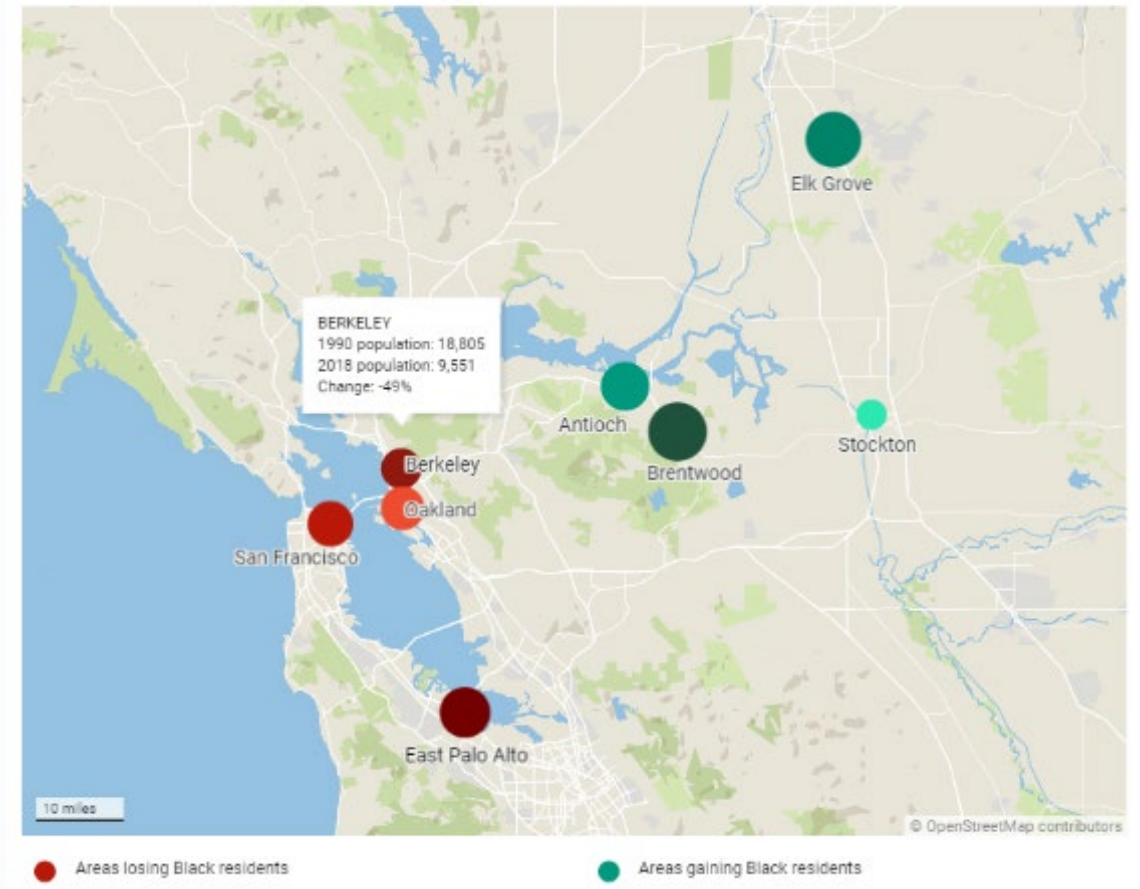
- Prevent displacement from Berkeley

Racial Equity

- Acknowledge historic harms

Urban Exodus: Bay Area

Northern California cities that gained and lost large numbers of Black residents from 1990 to 2018.



(Lauren Hepler/CalMatters)

OVERVIEW

Racial Equity Referrals & Recommendations

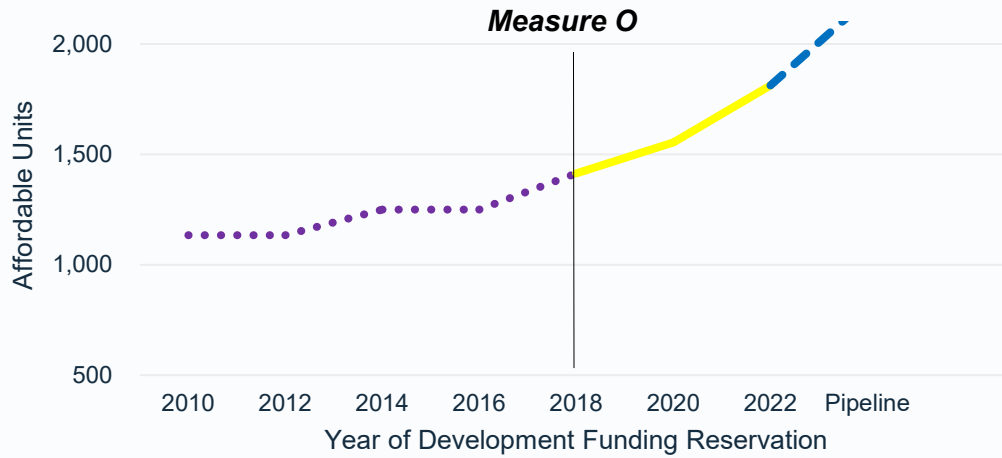
Council Referrals

- **Social Housing & Reparative Justice Revolving Loan Fund**
- **Local Reparations Plan**
- **Down Payment Assistance**

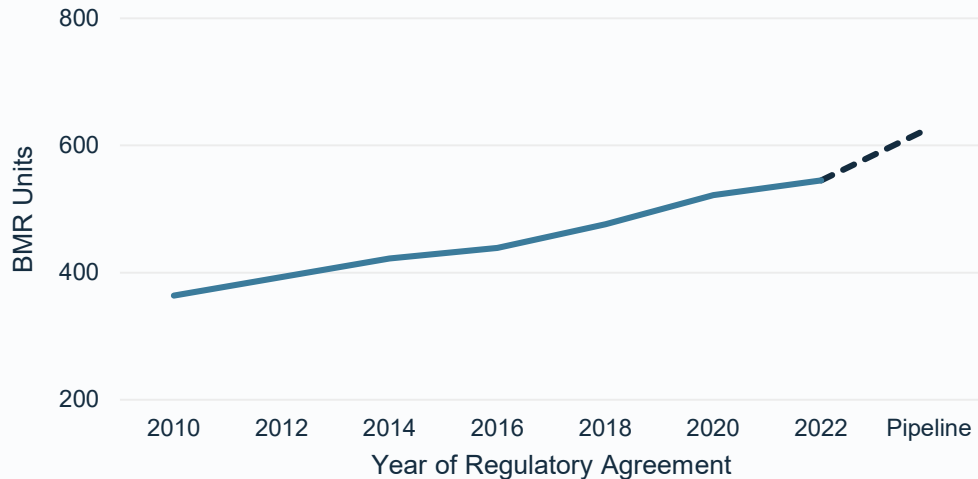
HAC Recommendations

- **Ordinance to Remove Credit Checks and Eviction History**
- **Study of Discriminatory History**

Berkeley Affordable Housing Portfolio



Berkeley BMR Units



OVERVIEW

Historic commitments to affordable housing represent an opportunity

- Measure O led to a faster pace of development
- Over 1,000 units in the HTF pipeline
- \$53M committed to BART sites

Responding to displacement

- New affordable housing units represent an opportunity to help displaced residents return

Preferences Recommended via Community Engagement Process & HAC

-
- First Priority: Displaced due to BART construction
 - Displaced due to eviction
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 - Displaced due to foreclosure
 - Homeless OR at-risk of homelessness
 - Ties to redlined areas
 - Ties to redlined areas – historical

PREFERENCES

Displacement due to BART construction

Descendant of someone who was displaced due to construction of BART stations in Berkeley
(First priority)

- Acknowledges harm
- Opportunity to return to the community with stable housing

Implementation Considerations:

- Verification using BART records
- Going beyond eminent domain

PREFERENCES

Displacement due to eviction

Displaced in Berkeley due to eviction within the past seven years

- Eviction stays on record for seven years
- Disproportionately impacts Black women
- Renters at significant disadvantage without legal representation

Implementation Considerations:

- Affordable housing providers suggested should be limited to specific causes
- HAC item re: evictions history in rental applications

PREFERENCES

Families with children

Household with at least one child aged 17 or under

- Increases community cohesion
- Children are most impacted by displacement

Implementation Considerations:

- Information already collected in application process

PREFERENCES

Displacement due to foreclosure

Displaced due to foreclosure in Berkeley since 2005

- Supports displaced residents to return
- Acknowledges lack of support
- Foreclosure crisis impacted communities of color

Implementation Considerations:

- Records should be available in County Recorder's Office

PREFERENCES

Homeless OR at-risk of homelessness

Homeless OR At-Risk of Homelessness with former address in Berkeley

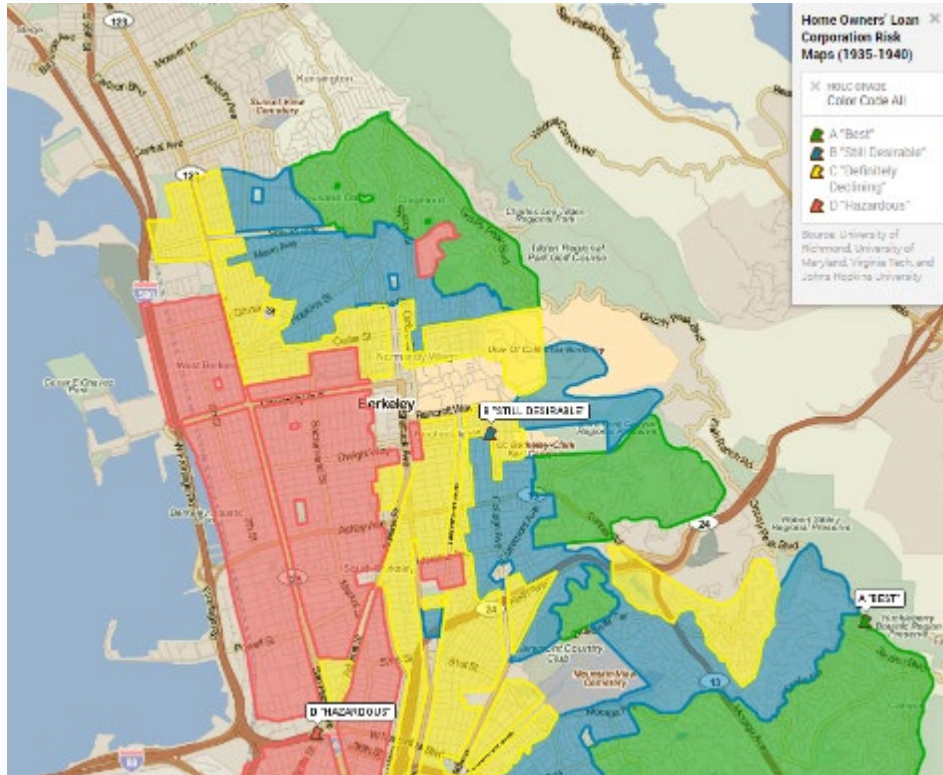
- Helps housing insecure residents become stably housed in their community
- Berkeley's homeless population is disproportionately people of color

Implementation Considerations:

- Concern about sufficient subsidy/support
- Balancing local ties with potential documentation challenges
- Need to monitor & adjust

PREFERENCES

Redlining & Gentrification/Displacement

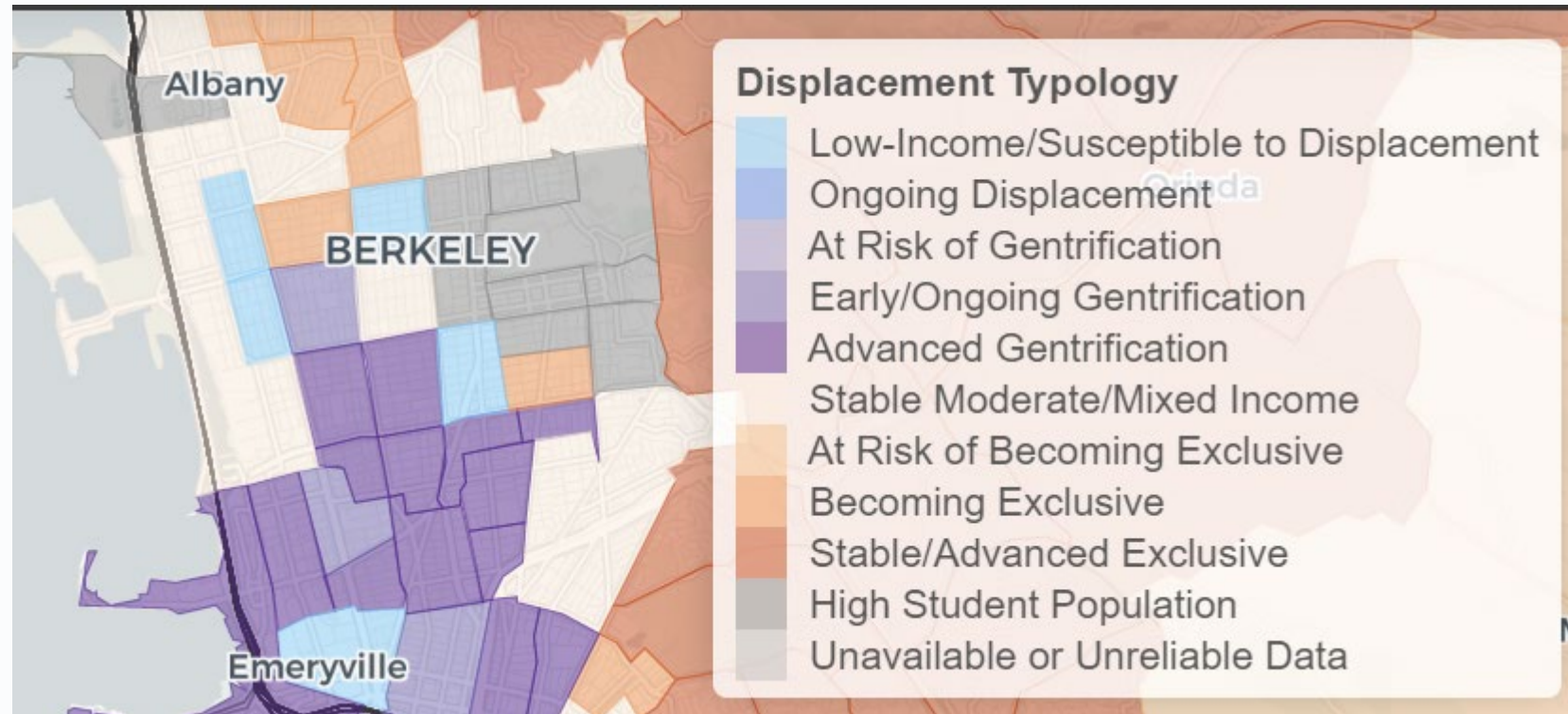
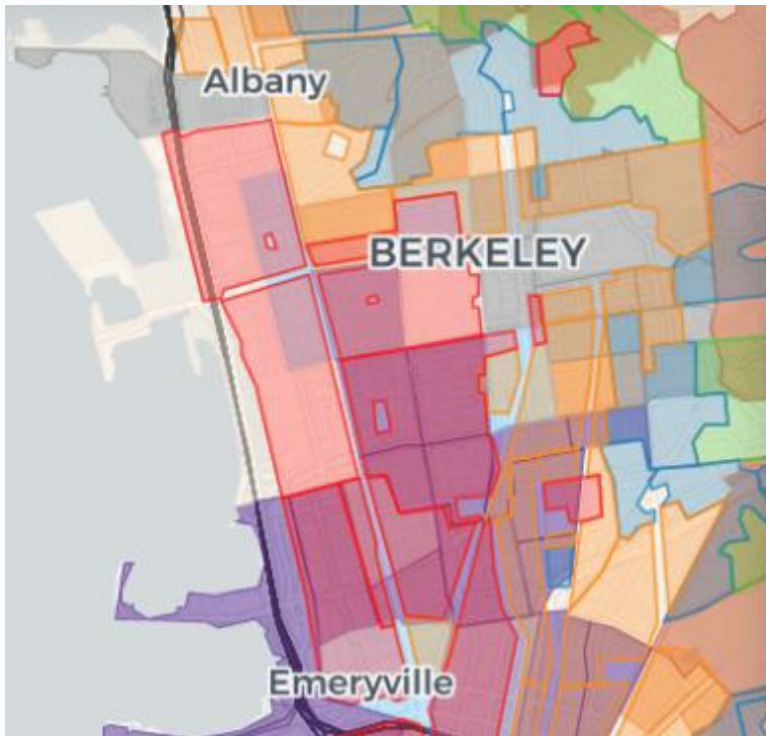


(PolicyMap)

- **Redlined:** South Berkeley, West Berkeley (SW, NW), Central Berkeley (Poet's Corner)
- Described Elmwood and Claremont as **"highest class residential districts"**

PREFERENCES

Redlining & Gentrification/Displacement



(Urban Displacement Project)

PREFERENCES

Ties to redlined areas

Residential ties to Berkeley's formerly redlined areas – current or former address of applicant

- Acknowledges historic racialized injustice
- Helps displaced residents with community ties return to Berkeley
- Helps those in neighborhoods facing gentrification become stably housed

Implementation Considerations:

- Ensuring ease of applicants identifying whether address falls in redlined area

PREFERENCES

Ties to redlined areas – historical

Residential ties to Berkeley's formerly redlined areas – current or former address of parent/guardian or grandparent of applicant

- Acknowledges historic racialized injustice
- Helps displaced residents with long-term community ties return to Berkeley

Implementation Considerations:

- Verifying older documentation



(Credit: Supriya Yelimeli, Berkeleyside)

IMPLEMENTATION

Who can the Housing Preference Policy benefit?

- Brenetta Fisher - new resident of Jordan Court apartments
- Moved out of Berkeley 15 years ago, when a rental home she was living in was sold
- As a South Berkeley native, would get a leg up from the Housing Preference Policy

IMPLEMENTATION

Fair Housing



Disparate Impact Analysis: assesses whether specific racial groups or other protected classes would be inadvertently disproportionately impacted by the HPP

Why we need it: HTF funding partner requirement

How we'll achieve it: RFP for disparate impact analysis and testing of selected preferences

Implications: HPP will not be applied to 100% of HTF units.

IMPLEMENTATION

How Does it Work?

Application w/
Preferences

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graph LR; A[Application w/ Preferences] --> B[Points Summed & Point Groups Created]; B --> C[Lotteries within Point Groups];
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Points Summed
& Point Groups
Created

Lotteries within
Point Groups

NEXT STEPS

This Work Session & Moving Forward

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Staff Develops
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Council Vote



Thank you!

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NEXT STEPS

Preferences Recommended via Community Engagement Process & HAC

Proposed Preferences	Details
Displacement due to BART construction (first priority)	Descendant of someone who was displaced due to construction of BART in Berkeley
Displaced due to eviction	Displaced in Berkeley due to eviction within the past seven years
Families with children	Household with at least one child aged 17 or under
Displaced due to foreclosure	Displaced due to foreclosure in Berkeley since 2005
Homeless OR at-risk of homelessness	Homeless OR At-Risk of Homelessness with former address in Berkeley
Ties to redlined areas	Residential ties to Berkeley's redlined areas – current or former address of applicant
Ties to redlined areas – historical	Residential ties to Berkeley's redlined areas – current or former address of parent/guardian or grandparent of applicant