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From: **Bob Yates** <bobyatesboulder@gmail.com>

Date: Sat, Jul 11, 2020 at 10:10 AM

Subject: Re: EFAA & Ballot Measures

To: Julie Van Domelen <julie@efaa.org>

Julie:

Thanks for your email response. As you may have seen, it now appears that the city attorney and city clerk may not be in a position to certify the Bedrooms charter amendment initiative for the ballot. City council will be discussing this and possible alternatives at its meeting on July 21. I think this will be a good opportunity for EFAA to start working collaboratively with city council on the kind of occupancy changes that EFAA's clients need.

I agree with you that the Evictions measure addresses the wrong end of the problem. I would much rather see the fees that the proposal contemplates be provided to eviction *prevention*, rather than paid to lawyers who really can't do much after the tenant has become seriously delinquent (I used to represent tenants in evictions, so I know). I have told several people that I would like some of this funding to go to EFAA's Keep Families Housed program, but I don't know if the ballot measure provides this flexibility. Ironically, the measure, I believe, will only *increase* rents. In addition to passing along the \$75 fee, landlords will undoubtedly factor in that there will be a greater number of people who are able to stay in their places for a few extra months rent-free, and that landlords will have to pay lawyers to battle the tenants' lawyers in eviction cases. All of these costs will be passed on to tenants, making Boulder even less affordable than surrounding cities. EFAA is wise in being thoughtful in considering whether to endorse this measure.

I'm happy to discuss further, or to meet with members of your education committee or board.

Best,

Bob

On Fri, Jul 10, 2020 at 4:27 PM Julie Van Domelen <julie@efaa.org> wrote:

Hi Bob:

Thanks for the heads up. I know that Andrew Shoemaker has been in touch with the Board Chair (Kristin Moseley) and the Chair of the Strategic Education Committee (Kevin Luff) and Sarah Silver called me last week.

I have been in contact with the Chair of the Strategic Education Committee to see how EFAA will proceed. EFAA's Board of Directors voted to support the Bedrooms are 4 People initiative

based on a positive recommendation from EFAA's Strategic Education Committee. EFAA's Strategic Education Committee seeks to bring EFAA's voice to public policies and legislative issues that affect EFAA participants, i.e. low-income households in our community. They will re-discuss the issue at their August meeting.

On the issue itself, I would be happy to discuss some of the more compelling points that the SE Committee considered. In a nutshell, there is good economic analysis from other cities that putting in place occupancy limits adversely affects housing affordability. There is no consistent evidence that easing them also adversely affects housing affordability. This rests on the underlying economic assumptions, and may affect housing differently on the hill than in other areas of the City. What is true is that being able to double up, add roommates etc. is a key housing stability strategy used by low-income households in Boulder to survive. For example 80 percent of families with children that are homeless are actually doubled up, most in arrangements that are 'under the table'.

When both the pro and cons were presented to EFAA's Participant Advisory Committee (comprised of people using EFAA services) the response was a resounding yes in support of the proposed measure, with many personal and compelling stories of how arrangements that would be allowed were important for low-income households. I jotted down some of the quotes from that meeting:

- " I have house shared multiple times and it kept me from being homeless, especially with kids".
- "For a lot of people in poverty, getting out of home is the only safe option, like with domestic violence, People need to cohabitate or double up."
- "Taking in roommates is how I keep a roof over my head".

They spoke of advantages for sharing child care, sharing fixed costs of utilities, wifi, benefits to older folks being able to stay independent and help each other out, etc. They were concerned that the people objecting were not taking into consideration economic necessity (the term 'classist' was voiced).

I believe the Strategic Education committee will tend to weight heavily the voices of those we serve.

It is never easy to take advocacy positions, particularly those that may stand in opposition to donors. EFAA has lost donors supporting affordable housing projects, Ballot measures 300 and 301, supporting increasing the state minimum wage etc.

Personally, I agree with your concerns about the lack of flexibility in a change to the charter,. However, the track record on easing occupancy limitation by other means is not convincing. Andrew has been at the forefront in compelling enforcement of occupancy limits in order to

preserve single family homes on the hill. It did not seem like it was likely to be taken up by the City Council,

I'll keep you posted on how the SE Committee reviews the issue at their August meeting.

There is another item that is on the horizon with similar undertones. The folks from the No Eviction Without Representation group came and presented to the Strategic Education Committee. The Committee took a pass because of questions with the mechanism, saying they would take it under consideration if they get enough signatures on the ballot.

Sounds like it will be on the ballot. This is one where I would have hoped that the Council would consider a fee for a pilot program instead (esp since this can be done without a public vote). I think as put forth it collects too much, is not targeted to low-income who can't afford legal services, and would be more easily adaptable as a City program rather than a ballot measure. The SE committee will be in a difficult situation not supporting that measure given the potential wave of evictions and the fact that there is simply no legal representation for low-income households going through eviction (besides mediation which must be neutral). Any advice here?

I believe the Participant Advisory Committee is setting up a meet and greet with the outreach person for the City Council. I hope that comes together because it is really interesting to hear their perspectives on these issues.

Cheers,
Julie

On Sat, Jun 27, 2020 at 11:39 AM Bob Yates <bobyatesboulder@gmail.com> wrote:
Julie:

I'm writing here in my personal capacity. I was a bit surprised to read that EFAA has taken a position endorsing the proposed "Bedrooms are for People" city charter amendment. That seems to me to place EFAA in an advocacy position on what will undoubtedly be a highly political and contentious issue, assuming the charter amendment reaches the ballot. There undoubtedly will be donors to EFAA who will be unhappy with this position.

Second, I fail to understand how the proposed charter change is aligned with EFAA's mission of aiding families. If there are truly families who are adversely affected by the current occupancy limits (for example, through doubling up in a single dwelling unit), there would seem to be better solutions for this than the proposed charter amendment. Indeed, I

believe that the proposed charter amendment, if passed, will actually hurt low-income families because increasing occupancy limits for those not in family units will invariably increase rents throughout the city, as landlords are able to charge per room, without limitation.

As someone who has supported EFAA in the past, and who hopes to support EFAA in the future, it would be helpful for me to understand the thinking of the EFAA Board of Directors in endorsing this proposed city charter amendment. Please give me a call if you'd like to discuss.

All my best,

Bob
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