



CAMBRIDGE CITY COUNCIL

E. Denise Simmons
City Councillor

Mayor
2008-2009

December 14, 2015

Donna Lopez
Clerk of Cambridge
Cambridge City Hall

Dear Madam Clerk:

Please include this correspondence on the agenda as part of Communications and Reports from City Officers for the City Council meeting being held on December 21, 2015. With the end of the 2014-2015 City Council term upon us, I am writing to touch upon the work the Housing Committee has conducted throughout the course of this term, and I am including recommendations for what I hope the Housing Committee and the City Council will continue to work on in the coming term.

At the start of this City Council term, when I first became Chair of the Housing Committee, I was determined that this committee should hold a series of hearings that would enable us to gain a better grasp of the scope of the affordable housing challenges facing us. We all understood that there was a lack of sufficient affordable units in the city, and that this issue was something that was concurrently impacting many other communities in the Greater Boston area. In the first few months of 2014, the Housing Committee heard from the major housing service providers and stakeholders in Cambridge, who testified about the extent of the affordable housing crisis, the factors that are contributing to exorbitantly high rental prices in Cambridge, and the proposed methods for easing the affordable housing crisis in such a way as to allow greater numbers of Cambridge residents, on all levels of the economic spectrum, to continue to reside in this community.

From the very start, it was apparent that one critical factor in addressing the affordable housing crisis would be in raising the linkage fee for the first time in more than a decade. Increasing this revenue would be an important factor in giving the City much greater flexibility in preserving and creating affordable units throughout the community. As the City's consultant worked to complete a report and recommendations for the most responsible way to raise the amount and scope of the linkage fee, the Housing Committee regularly pressed the City to move on this as expeditiously as possible. This process was rigorously vetted by the Housing Committee and earlier this fall, the City Council voted to significantly raise the linkage fee, and to greatly expand the types of projects that will trigger the fee; this bold yet responsible action by the City Council is projected to result in millions in additional revenue for affordable housing over the next several years.

Throughout this process, however, it was always clear that raising the linkage fee alone would not be sufficient to fully address and resolve the City's affordable housing crisis. There have been numerous policy orders and recommendations coming out of the Housing Committee that have asked the City Manager and his staff to explore addressing the problem from other angles. Among those policy orders that have been passed by the City Council and that have not yet received a formal response from the City Manager include the following:

(From June 22, 2015)

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor to determine what legal issues would be triggered by exploring the creation of LGBT-friendly housing, and to include in this opinion public versus private housing, along with any legal impediments associated with same.

(From August 10, 2015)

ORDERED: That the City Manager be and hereby is requested to direct the City Solicitor to report back to the Housing Committee on any legal protections the City can enact, either through Ordinance, Home Rule Petition or additional avenues, to protect tenants from dramatic rent increases and/or unfair evictions.

(From August 10, 2015)

ORDERED: That the City Manager be and hereby is requested to confer with the appropriate City departments to determine the feasibility of additions to the building permit process such that, when large amounts of displacement will be entailed due to renovation, the renovating agent be made to comply with a new inclusionary ordinance and be made to comply with further regulations as the City or City Council may see fit to promulgate an order to protect prospective displaced residents.

(From August 10, 2015)

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor to determine if the City can create a policy whereby the City of Cambridge is notified of any large transition of property that will affect a large number of people.

(From September 21, 2015)

ORDERED: That the City Manager be and hereby is requested to consult with the appropriate City staff to explore the feasibility of establishing a transfer tax via Home Rule petition.

(From September 21,, 2015)

ORDERED: That the City Manager be and hereby is requested to consult with the appropriate City departments to explore the feasibility of establishing the Right of First Refusal.

(From September 21, 2015)

ORDERED: That the City Manager be and hereby is requested to consult with the Community Development Department to expedite the conversation on applicability in the Inclusionary Housing program.

These orders look at different aspects of the various housing issues facing our community, and as there may well be a new composition of the Housing Committee in the upcoming City Council term, it will be important that each of these aspects get the full investigation, exploration, and vetting they deserve.

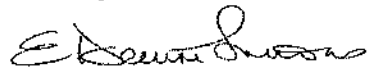
There have also been a number of other items raised in the Housing Committee this term that, while not issued as policy orders, have been discussed throughout our hearings and should be considered as this conversation continues into 2016. These items include concepts such as:

- **Pathways out of Homelessness** – The City must be more proactive in creating options for those whose income lifts them just beyond the income brackets for CHA housing, and who could be prime candidates for Inclusionary housing or home ownership programs.
- **Housing Ombudsman** – There remains a serious need for the City to establish a position for someone to serve as a central point of contact for constituents with concerns revolving around their housing. All too often, we are seeing those who have had difficulty navigating through the complicated maze of housing-related agencies and services coming to various City representatives with questions about the process, concerns that their applications have been misplaced or mishandled, complaints that they were never adequately explained the rules, regulations, or policies of the various housing organizations, or a sense that they have simply become lost in a decidedly confusing, high-stakes system. Establishing a Housing Ombudsman will not resolve all of these concerns, but it could go a long way towards streamlining how the City addresses, tracks, and circumvents these concerns, and it could also help the City work with the various housing agencies to improve the services offered.
- **Eligibility For Inclusionary Program** – There has been a great urgency for the CDD to review the criteria for who is given preference for its Inclusionary units. Among the hoped-for discussions that are related to this topic are:
 - Discussing the possibility of a revised “local preference” category for those with roots in Cambridge who have been temporarily displaced for a set number of years and are looking to return to the community.
 - The possibility of a revised category for those who have risen above the income eligibility for CHA housing, and who are now possible candidates for CDD housing or homeownership through CDD programming.
 - The possibility of a revised eligibility formula for those who are coming from CHA housing who have poor credit scores, but who otherwise have unblemished housing records.
 - Additionally, there have been repeated concerns raised that those who live in Inclusionary Units are treated differently, and with less civility and respect, than their counterparts who live in the market-rate units. It will be important for the City Council to address this as we move into the new term.
- **Condo Conversion Fees and Ending Predatory Developers** – The Housing Committee was greatly impacted by the testimony of those tenants in Harvard Towers and on Harding Street, which highlighted the perils for renters when their affordable buildings are sold out to developers who are uninterested in working with the City to retain affordability. The City must look at actions it can take to curb the kind of predatory development and land speculation that has unquestionably hurt countless individuals and torn apart longtime Cambridge neighborhoods.
- **More Aggressively Purchasing Buildings** – Laws like 40T have given the City a greater ability to explore the purchase of expiring use buildings in order to preserve them as affordable for new generations, but the City must look for new ways to be quicker, more nimble, and more strategic in learning about and pursuing properties that are coming up for sale and could be converted into affordable housing. Among the items that must be considered in this discussion are:

- How do other cities approach this issue? Which communities have greater success rates than Cambridge, and what are they doing differently? Are there options to strengthen 40T laws on the local level, or to pass complimentary laws that could augment 40T?
 - Can the City establish a Right of First Refusal to purchase those older buildings that are coming online, similar to what is being done in Maryland County?
 - Can the City establish rent databases for the full community, enabling the CDD to have a building-by-building sense of what may be coming up for sale down the road?
 - Can the City establish a Transfer Tax?
 - Can the City establish an ordinance that requires landlords to notify their tenants in writing of any intentions they may have to sell their buildings one full year before such a sale would take place?
 - Can the CDD provide an update on the Notice of Funding Availability, which provides the City with the ability to purchase individual units in developments and designate them as affordable, such as in the Normandy-Twining building?
- **Quarterly Roundtables With the CHA** – We are reaching the conclusion of the first full year of the Cambridge Housing Authority’s portfolio-wide renovation project, which has increased the difficulty in placing those in dire need of affordable housing. The waiting lists have been closed, those who are on the waiting lists have been frozen in place, and there have been numerous other endeavors that the CHA has been launching or considering throughout the year. It has become apparent that the CHA and the City Council could both benefit by setting aside four specific times per year to meet and share information, so that we may all collaborate more effectively in serving the people of Cambridge.

There have been many housing-related challenges discussed during this term, and the Housing Committee has covered a great deal of ground over the past two years. I truly feel that the members of this committee, and this City Council, possess a much better understanding of the challenges we are facing now that we have undertaken many extensive hearings this term. It would be a disservice to the incoming City Council, and to the people we serve, to let any of this work languish or be forgotten about, simply because we have entered a new calendar year. It is my great hope that the next Housing Committee will revisit the work we have undertaken this term and will hit the ground running in picking up the threads and advancing the work further. Whether I am on this committee going forward or not, I will certainly make myself available to the next Housing Committee, and I look forward to continuing the work in my capacity as a City Councilor in the New Year. Thank you for your attention to this matter.

Sincerely,



City Councilor E. Denise Simmons