

Attachment D – Proposed Tenant Preferences Program Framework

TENANT PREFERENCES PROGRAM FRAMEWORK	
Webpage	https://www.sanjoseca.gov/your-government/departments-offices/housing/resource-library/housing-policy-plans-and-reports/tenant-preferences
Applicability: Set-Aside	<p>35% of all restricted affordable apartments otherwise available to the general public in a subject property:</p> <ul style="list-style-type: none"> • No more than 15% of apartments set aside for applicants living in the same neighborhood as the property, and • 20% of apartment set aside for applicants living in high displacement tracts. <p>Set-aside of apartments will be a commensurate mix of all apartments for the general public (number of bedrooms and affordability levels).</p>
Eligibility for the Tenant Preferences Program	<p>Lower-income San José residents ($\leq 80\%$ AMI) are eligible for the Program if they:</p> <ul style="list-style-type: none"> • Live in definitive and probable displacement tracts, as defined by the U.C. Berkeley Urban Displacement Project, and/or • Are at-risk of displacement as they currently rent a home in the same Council District as a subject development.
Applicability: Which Properties	<ul style="list-style-type: none"> • City-funded affordable developments, including those for seniors, • Developments negotiated through Development Agreements, • Existing affordable housing properties when documents are modified (on a deal-by-deal basis), • Any affordable housing in San José on which public agencies want to apply preference, even if no City funding, and • State-funded developments that meet the above criteria (pending approval by the state's Department of Housing and Community Development).
Applicability: Phase-In	All new and renegotiated City-funded affordable housing developments in the pipeline and early in construction at the designated effective date of the San José resolution.
Implementation: Housing Department Roles and Responsibilities	<ul style="list-style-type: none"> • Integrate preferences into the City of San José's Affordable Housing online tenant application portal (Doorway): https://housing.sanjoseca.gov/listings; <ul style="list-style-type: none"> ◦ Ensure Doorway identifies applicants eligible for one or both tenant preferences based on current address; • Create program implementation manual for property managers; • Develop administrative program guidelines for tenant preferences with public feedback; • Integrate tenant preference administration language into loan documents; • Approve lease-up plan and tenant selection plan prior to advertising; • Ensure compliance annually with tenant preference administration;
Implementation: Property Manager Roles	<ul style="list-style-type: none"> • Ensure property profile set up on Doorway portal; • Advertise that alternative documentation for undocumented residents is accepted;

	<ul style="list-style-type: none">• Second Violation:<ul style="list-style-type: none">○ City issues formal letter of non-compliance to owner and property manager.• Third Violation:<ul style="list-style-type: none">○ City issues formal letter of non-compliance to owner, property manager, lenders, and other funders; and <p>The City reserves the right to pursue any of its remedies under loan documents in the event of continued non-compliance.</p>
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