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Leslye Corsiglia  
*Executive Director*

**TRANSMITTED VIA EMAIL**

Honorable Mayor Sam Liccardo and Members of the City Council  
City of San Jose  
200 East Santa Clara Street, 18th Floor  
San Jose, CA 95113

Dear Mayor Liccardo, Vice Mayor Jones, and Councilmembers Arenas, Davis, Diep, Carrasco, Esparza, Foley, Jimenez, Khamis, and Peralez,

**RE: Item #4.4—City Council Priority #7: Accessory Dwelling Unit Amnesty Program**

We write today in support of the memo from Mayor Sam Liccardo and Council members Arenas, Carrasco, and Foley to encourage the adoption of policies that incentivize the legalization of currently illegal Accessory Dwelling Units (ADUs).

In recent years, State legislation has been adopted to encourage the development of ADUs as a naturally affordable source of housing. ADUs also are a good land use option for cities as they better utilize scarce land and reduce pressures for sprawl. As the staff report notes, legislation currently on the Governor's desk would provide more flexibility for illegal units and Junior ADUs.

We thank the staff for their work and their thorough report, and appreciate the identification of the key amnesty program elements. However, we know that the direction the Council takes with respect to these elements will determine the effectiveness of the City's efforts. **To that end, we ask:**

- **That all fees and penalties for bringing illegal units up to code be waived.**
- **That the focus be on health and safety and not building code to ensure that more homes where San Jose residents now live are not lost. It was disheartening to see that 750 homes have been lost due to the City's current policies.**

The City has done a great job making it easier to develop ADUs, including the recent announcement for the streamlined process and one-stop shop. We thank the staff and the Mayor and Council for your work to make this housing option more viable.

Sincerely,

  
Leslye Corsiglia  
Executive Director



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September 24, 2019

**San Jose City Council**

City of San Jose  
200 E. Santa Clara Street  
San Jose, CA 95113

**Item 4.4 City Council Priority #7: Accessory Dwelling Unit Amnesty Program**

Dear Honorable Mayor Liccardo and Councilmembers,

On behalf of the Santa Clara County Association of REALTORS® (SCCAOR) and our 6,000 members, I write in support of item 4.4 on today's City Council agenda.

SCCAOR recommends to approve the proposed amnesty path B by staff, which would legally permit an ADU based on the building code from year the ADU was constructed, to maximize the effectiveness of the program. It is the perfect balance to reduce any health and safety risk for those living in the property, while still expanding the City's stock of affordable housing.

Our association has consistently advocated for increasing the housing supply in the region through ADU production.

The amnesty program, as proposed, is an important step to encourage residents to come into compliance with the requirements of the City's building code. This will help San Jose meet RHNA goals by creating a more accurate count of ADUs in the City and the hard work San Jose has been doing to provide affordable housing to solve the housing crisis.

ADUs are, and will continue to be, one of the most immediate solutions to ameliorating our region's housing crisis. Please stand for affordability through supply and vote in favor of recommendation B for item 4.4.

Regards,



Gustavo Gonzalez  
President, Santa Clara County Association of REALTORS®

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*SCCAOR exists to meet the business, professional and political needs of its members and to promote and protect home ownership and private property rights.*