

ROOM FOR ALL

Members, Affordable Housing Task Force
c/o Alder Aaron Greenberg
Facilitator, Affordable Housing Task Force
165 Church Street
New Haven, CT 06510

Dear Task Force Members:

We write to you on behalf of the Room for All coalition, a group that includes Mothers and Others for Justice, New Haven Rising, CT Bail Fund's Housing Not Jails Collective, Youth Continuum, Y2Y, Dixwell-Newhallville Watchdog & Advocacy Committee, New Haven Legal Assistance Association ("LAA") and Neighborhood Housing Services of New Haven. At the last meeting of the Affordable Housing Task Force (the "Task Force"), members requested that interested parties supply policy recommendations to the Task Force by November 30th. Accordingly, we submit the following recommendations, which fall under four categories: Using the Zoning Code to Create More Affordable Housing; Taking Affirmative Steps to Preserve Existing Naturally Occurring Affordable Housing; Addressing the Needs of Residents Experiencing Homelessness; and Regulating Short Term Rentals.

Before providing our detailed recommendations below, we want to make one overarching recommendation that this work continue with urgency and with input from those people who are most impacted by the lack of affordable housing. We concur with Ed Mattison's recommendation that a Working Group be established, staffed by a city employee, to translate these recommendations into actions. We would like to volunteer one or more of our members to serve on such a Work Group.

I. Using the Zoning Code to Create More Affordable Housing

We recommend that the City of New Haven leverage the power of its zoning code to increase the number of affordable housing units in the city. Specifically, New Haven should adopt an inclusionary zoning ordinance, allow for the creation of accessory dwelling units, and provide for the construction of housing on abandoned lots currently owned by the city.

a. Recommendation: Pass an inclusionary zoning ordinance

In its opening letter to the Task Force, LAA suggested that the Task Force consider passing an inclusionary zoning ordinance to help promote affordable housing. The Room for All coalition suggests that the Task Force do just that, requiring that all new buildings with 10 units or more set aside 10-20% of their units to rent at below market rates ("BMR"). Although we believe that any inclusionary zoning ordinance should attempt to assist New Haven's lowest income residents, we also recognize the complicated economics that make that difficult. Accordingly, we suggest that the city require half of the BMR units to rent at rates affordable to residents who earn 60-80% of the Area Median Income ("AMI") and consider using tax abatements to require landlords to rent the remaining BMR units at rates affordable to residents who earn 25-60% of the AMI.¹

¹Alternatively, the city could adopt minimum requirements that ensure that a certain number of units are rented in a range affordable to residents earning 25-60% AMI and use a BMR credit system similar to Stamford's policy. In Stamford, a

Inclusionary zoning is a useful tool to harness private funds to help create affordable housing units. The Task Force and Alders can expect to receive support for the ordinance from housing advocates. While large-scale developers may appear to be prospective opponents, their opposition is not a foregone conclusion. Currently, many New Haven developments include affordable units but only after intervention by city authorities and complex negotiations. Setting a standard inclusionary zoning policy for all large-scale developments will provide a much-needed predictability to the development landscape, allowing developers to appropriately plan and budget for their buildings.

b. Recommendation: Allow for the creation of Accessory Dwelling Units

In his submission to the Task Force, local resident, activist and architecture student, Jonathan Hopkins, suggested changing the zoning code to allow Accessory Dwelling Units (“ADUs”) in residential districts “to encourage not only more affordable housing, but more vibrant, and resilient residential neighborhoods throughout New Haven.” We agree.

New Haven’s current zoning code allows for accessory buildings on most properties but limits their uses to “storage sheds, pool houses, maintenance garages, and private greenhouses.” Opening these structures up to be living quarters could provide a significant number of new housing units on the rental market. There are various low-cost ways to create ADUs, which can add new units to the housing portfolio and relieve some of the price-pressure on New Haven’s rental market.² ADUs also provide a means for residents, particularly seniors and low-income homeowners, to remain in their homes and obtain extra income, security, companionship and services. New Haven could also adopt certain government incentives to ensure that ADUs fulfill the need for affordable units. To encourage affordability, the city should consider using text amendments, map changes, tax and fee abatements and State subsidies to ensure affordability.

In order to ensure that ADUs create quality affordable housing, the Task Force should also consider:

- Possibly Limiting ADUs to owner-occupied properties³;

developer gets credit for 1.7 below market units when it builds one unit geared toward residents at 25% AMI. Such a policy would likely result in fewer total affordable units, but would require no financial incentives from the city government.

² For example of affordable detached ADUs (including a house recently built by Yale architecture students in New Haven). See <https://www.dezeen.com/2017/07/07/10-innovative-homes-built-tight-budget-low-cost-houses-roundup/>. Attached ADUs can be even more affordable to create by transforming existing spaces such as on top of garages.

³ There are some differences across municipalities regarding this requirement. It appears that municipalities that are most concerned about the risk of additional absentee landlords (one of New Haven’s current problems) have included this requirement. Norwalk, Connecticut has allowed ADUs since 1982 and has an owner occupant requirement. See <https://ecode360.com/26973316#26973316>. New Hampshire has a state law that requires that ADUs be allowed (each municipality is covered unless it has its own provision). While the state law does not require it, they strongly recommend that a municipality that develops its own ordinance require owner occupancy in either the main house or the ADU in order to “avoid turning the property into a duplex with an absentee landlord.” On the other hand, some housing advocates argue that owner occupancy requirements depress the creation of ADUs, limiting the total amount of housing and, as a result, drive up costs. Fayetteville Arkansas recently removed that requirement (along with many others) from their 2008 ordinance because the constraints were limiting the number of units being created. See <https://www.fayettevilleflyer.com/wp-content/uploads/2018/06/b3.pdf>. (Interestingly, they also removed the word “affordable” from the purpose of the ordinance.) Portland, OR has also done away with the owner occupancy requirement and Seattle is contemplating removing the requirement. See <https://www.sightline.org/2018/10/05/where-seattles-environmental-impact-statement-has-landed-for->

- Using tax abatements to create ADUs that will remain affordable to various incomes;
- Using Church Street South’s remaining Project Based Section 8 funding to transfer to ADUs;
- Prohibit ADUs from being used solely as an Airbnb.

While ADUs hold the promise of creating new, affordable housing around the city, they will also turn local residents into landlords. The new landlords will need training to ensure they understand their rights and responsibilities as a landlord. The Task Force should also consider encouraging a third party non-profit to provide the management of these scattered-site dwelling units to remove the burden from homeowners.

c. **Recommendation:** Ease the zoning code’s minimum lot area requirements

Although New Haven’s neighborhoods are often dense with housing, they are also pock marked with empty lots. Much of this barren land is owned by the city but rendered useless by the city’s current zoning code. The Task Force should recommend that the Alders overhaul the zoning code to support the creation of new housing on these empty properties.

New Haven divides its residential districts into seven primary zone: Special Single Family (“RS-1”), General Single Family (“RS-2”), Low-Middle Density (“RM-1), High-Middle Density (“RM-2”); Special High Density (“RH-1”), General High Density (“RH-2”), and Residence-Office (“RO”).⁴ To build housing on any lot, a builder must first have land that meets the size requirement for that specific zone (“minimum lot area”). The RM-2 and RH-2 zones have the smallest minimum lot area requirements of any of the residential zones. Both zones require a minimum of 5,400 feet – roughly .12 acres of land – meaning that it is illegal to build homes on lot sized smaller than that. However, all over the city, homes exist on lot sizes significantly smaller than .12 acres, filling the housing need, often with naturally affordable housing. A few examples include:

- 407 Huntington St & 397 Huntington Street – each two-family homes on .08 acres;
- 694 Winchester Ave – three family home on .08 acres;
- 62 Clark St. – three family on .06 acres;
- 13 Pleasant St. – four family on .08 acres;
- 27 Lincoln St. – single family on .03 acres;
- 99 Haven St. – single family on .04 acres;
- 22 Daggett St. – three family on .08 acres;
- 181 & 174 Lombard St. – each three family homes on .08 acres;

The current minimum lot area requirements unduly limit the city’s ability to build new housing and to replace old housing, which in turn drives up the cost of the housing that exists. New Haven currently owns a number of lots that could be used to build new housing if it were not for the minimum lot area. In a cursory look through Vision Appraisal’s land records for New Haven, we have been able to

[*backyard-cottages/*](#). More research should be conducted into whether the conditions in these cities significantly differ from New Haven. Ultimately the owner occupancy requirement will require weighing its effects on two significant, cross-cutting city issues – New Haven’s extremely high occupancy rate and the prevalence of absentee landlords.

⁴ New Haven Zoning Code Art. III.

initially identify approximately fifty city-owned lots in residential zones.⁵ The current zoning code renders a number of these properties useless even though they could theoretically support housing. They include:

- 57 Lilac St. - .07 acres;
- 236 Newhall St. - .06 acres;
- 102 Bassett St. - .11 acres;
- 56 Button St. - .09 acres;
- 41 Button St. - .09 acres;
- 119 Lloyd St. - .06 acres; and
- 31 Richard St. - .06 acres.

These restrictions effect actual development projects that would otherwise benefit the city. For example, over the past year, Beulah Land Development Corporation (“BLDC”), a non-profit economic development organization focused on creating affordable home ownership in the city, has been trying to develop two such city-owned properties on Munson Street. The stretch of Munson Street between Winchester and Shelton Avenues is a patchwork of picturesque single- and multi-family houses. Empty lots interrupt the block at 232 and 245 Munson Street. BLDC’s development of housing on the two lots will not only add to the affordable housing stock in the city, it will repurpose the empty space that currently creates a void in the streetscape. However, the existing zoning regulations and the city’s requirement that BLDC receive zoning relief before it sells BLDC the property has severely delayed the project and raised the costs.

The unnecessary hurdles that the city’s zoning code places on creating new housing on lots that easily support housing in other locations discourages development – and, in particular, discourages the type of development that could most benefit lower-income residents. Accordingly, we urge the city to amend its zoning code to allow for the construction of housing on smaller lots. We believe that the city should adopt a systematic plan to turn the empty lots that it owns in residential neighborhoods into new housing. New Haven could use a number of policy tools – such as land banking or covenants – to ensure that the housing built on the property is rented at affordable rates. A well-designed policy aimed at turning the empty lots into housing could increase the stock of affordable housing while also adding to New Haven’s tax rolls, benefiting city residents on two fronts.

II. Taking Affirmative Steps to Preserve Existing Naturally Occurring Affordable Housing

Preserving the existing naturally affordable housing in New Haven is also a critical component of maintaining housing affordability in the city. In their presentation to the Task Force, Karen Dubois Walton and Serena Neal Sanjurjo noted that there are currently 17,000 affordable units in New Haven of which 6,000 are owned by the Housing Authority. However, the vast number of individuals who are eligible for affordable housing do not live in these units. Many are likely on the Housing Authority’s wait list that contains over 10,000 names. These 10,000 and others are either homeless, living with

⁵ This analysis was an initial review that electronically scanning city-owned properties for vacant lots. Although it appropriately identified a number of lots, a spot-check of the remaining properties indicate that the city owns a number of additional empty lots that were not captured by the first scan because they had not been electronically coded as vacant land. In other words, the lots we have identified are likely only a fraction of the empty residential lots that the city owns.

friends, or living in what is called Naturally Occurring Affordable Housing (NOAH). This refers to privately owned and operated rental housing that happens to charge rents that are being paid by low and moderate income renters.⁶ Since these are privately owned and operated, there is nothing stopping the landlord from raising rents (except what renters will pay). When the market allows landlords to raise rents, these units are no longer affordable. While there may be less that the city can do to ensure that these units remain affordable, the city should ensure that this stock of NOAH remains safe and habitable. We recommend that the city institute a series of reforms designed to ensure that landlords are accountable to their tenants and to the city's livability requirements. Achieving this will require that the city not only take direct housing enforcement actions, but that it also equip residents with information necessary for them to protect themselves against predatory and delinquent landlords and property managers.

- a. **Recommendation:** Use models employed by other municipalities to ascertain landlord behaviors and create programs that increase landlord accountability

Over a century ago, Supreme Court Justice Louis Brandeis noted, "Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most efficient policeman." It is time to bring sunlight and publicity to the activity of city landlords who are degrading New Haven's housing infrastructure and failing their tenants. Although information about complaints to the city against landlords is public, there is a lack of transparency as to how investigations of landlords are handled by the city. It is imperative that New Haven set up a system to provide accessible information to the public about landlord behavior in the city.

To this end, the city should aggregate information about complaints against landlords and property managers and put the information on the city's website. The information should contain the number of complaints against a landlord, the number of those complaints verified by inspectors, and how long it took for the landlord or property manager to remediate the problem. The inspection report should also be linked to the website.

Currently there is no unified system that identifies unique landlords and measures their quality. Varying metrics have been developed in other municipalities, including New York City, to gauge landlord quality and identify the worst performing landlords. New York City's Public Advocate creates and publicizes Landlord Watchlist, cataloging the NYC's 100 Worst Landlords.⁷ The Public Advocate assembles the list based on the number of open housing code violations, the number of building code violations, and tax lien information. New Haven should follow New York's lead, creating a list that mirrors New York's criteria, but also accounts for landlords with high eviction rates. In terms of methodology, the NYC Public Advocate's office uses a formula that takes into account the mean number of open violations per building divided by the number of units in the building. The worst

⁶ Some argue that these units are affordable because renters are paying the rent. But, in fact, the rent burden on many New Haven families (i.e., those who are paying more than 1/3 of their income) is large and widespread. According to an Elm City Communities presentation at the Civic Impact Lab, 41% of New Haven residents are rent-burdened. The Partnership for Strong Communities put the number at 57. See http://www.pschohousing.org/files/PSC_2018HsgProfile_New%20Haven.pdf.

⁷ See <https://advocate.nyc.gov/landlord-watchlist/worst-landlords>.

landlords were quantified as those who had the highest number of total violations across all the buildings that they owned.⁸

A recent New York Times report noted that back in 1991, 92% of all rental properties were held by identifiable owners—a number that has dropped to 74% in 2015, largely driven by the rise of LLCs.⁹ Landlords are now creating separate LLC entities for individual properties that they own, thereby making it difficult for tenants, advocates, and municipalities to gauge their true behaviors and possibly abusive practices. The increased use of LLCs increases the ability to obscure landlord identities, potentially launder money, and hinder anti-bligh efforts.

Multiple NYC-based organizations, have worked to disentangle these webs. JustFix.nyc, a non-profit research group, has worked to uncover and map landlord entities by using a data-driven approach to compile information across multiple databases in order to uncover landlord shell companies, and thus reveal underlying landlord networks. The Association for Neighborhood and Housing Development (ANHD), a New York City-based collation of community groups, has built displacement models to assess the risk of tenant displacement for a given building by taking into account the building's rent deregulation patterns, property sales, physical construction, and number of evictions. ANHD has also worked to develop anti-displacement toolkits for policy makers geared towards combating the threat of displacement by setting a list of guiding principles that includes tenant protection policies.

Overall, New York City has a well-developed ecosystem to track and model landlord networks, quality and displacement activities. This kind of tracking is only possible because of the city's concerted efforts to make this much public information accessible. NYC Open Data is an initiative that collects information from city databases such as the Department of Buildings, Capital Construction, New York City Housing Authority, and the Automated City Register Information System (ACRIS).¹⁰ NYC Open Data also provide necessary resources for users to obtain information through Freedom of Information requests and submit ideas to New York City Open Data.¹¹ If the City of New Haven were to adopt similar measures, the community could play a large role in increasing accountability in the rental market.

b. Recommendation: Develop rewards for good landlords

Private landlords that supply naturally affordable housing serve as the central backbone to New Haven's housing market. Although there are a number of landlords who fail to serve their tenants needs and allow their buildings to go into disrepair, many landlords provide quality services to their residents. The city should take steps to reward these landlords and highlight their work.

⁸ See: <https://advocate.nyc.gov/methodology>

⁹ See: <https://www.nytimes.com/2018/04/30/upshot/anonymous-owner-llc-why-it-has-become-so-easy-to-hide-in-the-housing-market.html>

¹⁰ ACRIS is NYC's portal for property searches from 1966 to present day (analogous to Vision Appraisal for various towns in Connecticut, including New Haven) and, since 2012, has an electronic e-recording system that allows land records to be filed online.

¹¹ Their mission states a goal of “[engaging] New Yorkers in the information that is produced and used by City government,” and that they, “believe that every New Yorker can benefit from Open Data, and Open Data can benefit from every New Yorker.” See: <https://opendata.cityofnewyork.us/overview/>

Maintaining and repairing aging housing is difficult and, at times, costly. We recommend that the city work with local community development financial institutions (CDFIs)¹² to develop low interest or forgivable loans to assist landlords in making repairs to their properties. The city should also consider providing tax incentives or abatements to local mom-and-pop landlords in order to encourage regular maintenance of aging structures. Finally, we believe just as the city makes complaints against landlords easily accessible to the public, it should publicize or somehow promote positive landlords.

Finally, the City could develop an inexpensive program to acknowledge New Haven's best landlords (such as having the Mayor present a plaque or some other kind of public recognition).

c. **Recommendation:** Develop a centralized IT system for complaints

None of New York City's data-driven ecosystem yet exists in New Haven. However, there is the capacity to develop some landlord accountability by leveraging existing infrastructure and creating a few additional initiatives. LAA's work has recently expanded, through the Housing unit and the new Community Economic Development unit, to include a data-driven approach to understanding evictions and landlord networks at a citywide scale. This has demonstrated that it is in fact possible to develop a comprehensive information technology system to map and understand New Haven property owners using existing databases. Additional investment in this space could provide LCI with a greater ability to understand and regulate property owners. Having a centralized IT system will also allow LCI to keep track of landlord compliance with regards to liens, notices, and violations.

SeeClickFix has become a primary tool for routing complaints to LCI. However, the city has not taken full advantages of its services, including the logging of rental housing issues. Thus, it is plausible for the city to expand on current services as a first step to collect much needed data on the housing and homelessness sectors.

In the absence of using existing third-party infrastructure, there is no easily accessible intake system to log housing complaints to LCI. While LCI's website has sections for homeowners, homebuyers, developers, and rental property owners, it has no section dedicated to tenants. Indeed, there is no way for a resident to use LCI's website to make a housing complaint on-line. There is not even information on making a complaint in person.

Public interface with the Fair Rent Commission is equally antiquated. To make a complaint to the Fair Rent Commission, residents have to physically log their complaints at the LCI office or call the Fair Rent Commission directly. This means that there is likely a large segment of renters under duress who do not take advantage of these resources either because of a lack knowledge or accessibility to LCI or the Fair Rent Commission.

New Haven should develop a web-based complaint system that allows tenants to report perceived housing code violations, blight or other issues. The public is largely unaware of what sorts of complaints should be directed to the health department or the building department instead of LCI. With that in mind, New Haven's web-based complaint system should be centralized on LCI's webpage, but it should be designed to route complaints to the appropriate department. The web-based complaint system

¹² Two CDFIs based or with strong ties to New Haven are Start Bank (<https://www.startbank.com/>) and Capital for Change (<https://capitalforchange.org/>)

should provide the resident with a date on which an inspection will occur and the inspector’s findings should be logged into the web-based system, accessible to the tenant and the public.

d. **Recommendation:** Create tools to streamline data collection by having uniform data identifiers

Tenants with eviction records are often automatically rejected by certain landlords or forced to pay increased up-front fees to rent an apartment. Therefore, a landlord’s rate of eviction (particularly when tied to other indicators of low quality) is important data in any effort to preserve existing privately held affordable housing. Accordingly, data analysts working at LAA tried to collect and analyze data on the prevalence of evictions in New Haven. This effort focused on trends – which landlords had the highest rated of evictions and were there any identifiable conditions that appear to have led to the evictions.

Landlords’ use of LLCs to hide the common ownerships between various properties makes identifying “bad” landlords difficult. LAA’s ongoing work in detecting landlord networks was completed primarily by using a variety of custom designed webscraping tools, in addition to court summary process data shared by the Judicial Courts. LAA first looked at evictions during a three-year period (2013-2016), which amounted to slightly more than 11,000 records for New Haven County. In order to identify landlords with the highest number of evictions, we counted the number of evictions by unique landlord names, as entered into the eviction records. Several issues greatly reduced the accuracy of our initial count, including the number of clerical misspellings and a lack of standardized language.¹³ Once we cleaned up the data, we found that there were nearly 3,900 unique landlords. Not surprisingly, the landlords with the worst eviction records represented a minority of the total number of landlords.¹⁴

Our initial results suggested that large banks accounted for the majority of evictions during this timeframe, with banks or other mortgage-granting institutions (Fannie Mae and Freddie Mac) being four out of the top ten evictors. The largest evictor, with 301 evictions on record, was the Housing Authority of New Haven, and the largest private (non-institutional) landlord was the Carabetta Management Company, with 209 evictions on record. Our finding that many of the top evictors were banks or other lending institutions led us to hypothesize that banks were foreclosing on properties, evicting tenants who previously resided there, and then auctioning off the properties to larger landlord entities.

While we are still in the process of studying the true magnitude of these trends, anecdotally, we have extracted several examples to illustrate the patterns of bank evictions. One property, located at 175 Saltonstall Ave in Fair Haven, was involved with an eviction in March 2013 (docket number NHSP-111478) and disposed of the case in less than one month. U.S. Bank as Trustee presumably foreclosed the property a year later in March 2014. A few months later, Roger Dawson, a manager associated with

¹³ Oftentimes we found that the word “management” was misspelled as “mangement”, which was a simple, yet computationally tedious limitation to overcome. Abbreviations were also difficult to resolve: suffixes ending with “Limited Partnerships” were often entered as “LP” or “Ltd Partnerships” for the same plaintiff. We managed to improve the quality of our count by writing pattern-matching algorithms, which took into account similarities between strings to match approximate plaintiff names instead of exact matches. Our algorithm was conservative to reduce statistical type I errors (false positives), and we hand-curated the rest of the court cases that were not rectified by the algorithm.

¹⁴ The data, as intuited, was not normally distributed but rather highly right-skewed, meaning that most landlords had very few evictions on file (the mean and median number of evictions per landlord during that three-year period was 2.8 and 1, respectively).

Diamond Management, LLC brought and sold the property to Ocean Management for \$76,000. Similarly, the property at 34 Ann Street in the Hill (Vision Appraisal PID 18951) is another example of bank foreclosure followed by eviction. In 2014, US Bank seized the property in the beginning of June and followed up with an eviction three weeks later (NHSP-116322). Six months later, the property was sold to Menahem Edelkopf, associated with Mandy Management, who promptly transferred the deed into one of Mandy's holding companies, Netz Bond New Haven II LLC (CONCORD Business ID: 1132143). A third example of foreclosure related eviction occurred at 315 Fountain Street (PID 25860) in Amity in September 2013, soon after the property was brought by LMV Properties, LLC the previous year (NHSP-113715). This case is noteworthy because Menachem Levintin, the agent associated with LMV Properties (Business ID: 1020144), was convicted and incarcerated for real estate fraud soon after.¹⁵

This highlights a recent trend: the foreclosure crisis has created a market vulnerable to exploitation by individual actors whose interest may not only be illegal, but also conflict with those of the community and may damage the community in unpredictable ways. The three examples given illustrate a tendency for landlords to evict tenants before (175 Saltonstall Ave), during (34 Ann Street), and after (315 Fountain Street) the foreclosure process. New York's ANHD, referenced above, has developed a "Displacement Alert Project." One of the factors it uses to classify properties at risk for displacing residents is to identify properties which have recently been transferred from one party to another.

Similar measures should be taken by the City of New Haven to predict and prevent market exploitation. However, doing so requires access to accurate data. Because of these dynamic transactions, we quickly realized that our eviction data results were inaccurate in capturing the true scope of the issue because the data was obfuscated due to landlord shell companies (LLCs) that managed and sold properties. Furthermore, we did not have data on the total number of units that each landlord owned, making it impossible to ascertain a true eviction rate per landlord.¹⁶

¹⁵ See FBI press release; <https://www.fbi.gov/contact-us/field-offices/newhaven/news/press-releases/property-manager-and-real-estate-agent-sentenced-to-22-months-in-prison-for-role-in-mortgage-fraud-conspiracy-that-caused-7-million-in-losses-to-lenders>

¹⁶ In order to understand the size of individual landlord holdings (i.e. their network), we leveraged data gleaned from Vision Appraisal, the city's property records database, and from CONCORD, the state's business registration database. By cross-referencing the names of principals and agents from the two databases, we deduced the relationships between individual LLCs, and thus the managing entities of those networks. Within a network, we classified the managing entity, generally a LLC, as the entity that had the greatest number of connections (highest degree centrality) to other entities in the same network. These managing entities can be another holding company, or they could also be a private law firm acting as an agent for the entire network. For instance, Ocean Management, LLC, was the most well connected entity associated with the largest network found. Similarly, Mandy Management, LLC, was the most well connected entity associated with the second largest network found. In Ocean Management's case, some of their associated LLCs were similarly named, such as Ocean 90 Delaware LLC (Business ID: 1256160), while others were named differently, such as Super Zen, LLC (Business ID: 1146070). Ocean Management has several foreign LLCs registered in the state of Delaware, where there are business friendly laws. In Mandy Management's case, many of that network's associated entities were some variation of the term "Netz." For some networks, the most well connected entity may be a managing agent. Pike International, LLC, or "Pike", as commonly known to New Haveners involved in the rental market, is part of a network whose most well-connected entity is Zeisler & Zeisler P.C., a Bridgeport-based law firm.

After classifying landlord networks through property and business searches, we attempted to cross-reference the owners/managers of properties with the plaintiffs in eviction cases. We hoped that by associating landlord networks in lieu of

Many of the limitations and difficulties that we faced in our studies could have been avoided by having a citywide system that cross-referenced these different types of landlord data, from evictions to property records to business holdings. In addition, to account for and mitigate any data corruption/loss from clerical errors, the city should use unique identifiers, such as CONCORD Business IDs, to log transactions between entities for all public records. The use of unique identifiers must be uniform across all city agencies as well as in the court system. This would allow all cases to be quickly identified and cross-referenced across all agencies, eliminating the overhead required to align various datasets. It may be that some documents require that a non-numeric entity name be entered as a field, but that name should be auto-generated after the clerk enters in the aforementioned business identifier to eliminate any possible misspelling or abbreviation errors.

While Vision Appraisal does list the number of units for a given property, it does not specify whether those units are rental units. The city would benefit from having an enforceable rental registry to more accurately gauge the true size of a landlord's holdings. Currently, the city's Residential Rental Licensing Program requires that any property that have two or three non-owner occupied units register for the program, as well as any properties four or more of any type of unit. However, our understanding is that several large landlords do not register their units, making it difficult to accurately account for their property holdings. As detailed in the next section, the Connecticut General Statutes and the Connecticut Supreme Court have recognized cities' rights to enact consequential housing regulation. New Haven should take advantage of that power.

- e. **Recommendation:** The City of New Haven would benefit from digitalizing its public records

The City of New Haven's public records are not currently digitalized and would benefit from digital index. Records entered into the public record are instead scanned and stored as image files by Info Quick Solutions, Inc., a third-party repository that stores the information for a number of towns and cities in the Northeast United States (in CT, ME, NJ, NY, PE, and RI). This limits document searchability, and thus the ability for data scientists and advocates in the municipal government or in

plaintiffs in the eviction data would allow us to better gauge the true extent to which these networks evicted tenants. However, there were additional difficulties in pairing individual eviction cases with landlord networks. First, the properties listed in Vision Appraisal are not inclusive of all the properties in the eviction dataset. For example, in 2013, Renaissance Management Company Inc. (Business ID: 0136100) initiated an eviction at 160 Hazel Street in Newhallville (NHSP-111339). However, Vision Appraisal does not have any records of 160 Hazel Street. Furthermore, Vision Appraisal only has records up to 126 Hazel Street.

Second, some landlords may operate several different LLCs and shuffle the management of their properties between these LLCs, using quitclaims to transfer ownership of the deeds. One example is the property located at 217 Lombard Street, owned by Edward and Virginia Lockery (PID 7360). In 2013, 217 Lombard Street was under the management of City Properties, LLC, an entity that lists Virginia Lockery as a principal and Edward Lockery as its agent (Business ID: 0518065). However, in 2015, the owners changed management of 217 Lombard Street to another one of their companies, Farmington Properties LLC (Business ID: 1015571). Thus, internal shuffling of properties within a single landlord network presents issues for enforcement agencies when following up with complaints or evictions.

Third, our eviction data (2013-2016) did not temporally align with the data extracted from Vision Appraisal or CONCORD. In numerous cases, plaintiffs in the eviction cases differed from the current property owners of those respective buildings. As illustrated previously, many properties exchanged hands more than once since 2013, including a portion that underwent foreclosure. This data limitation demonstrates the highly sensitive and dynamic real estate market in New Haven today. It also highlights the need to systematically capture this change to make policies that are more inclusive and cater to the long-term needs of the community rather than short-term goals of independent actors.

local non-profits to extract any meaningful information from public records, sans a small text description logged for every record. The lack of digitalized records has direct consequences for the city, especially in hindering policy enforcement.

Multiple city agencies, but especially LCI and the Health Department due to their role in enforcement, would benefit from having access to digitally indexed and searchable documents related to liens, mortgages, notices, and releases (as previously mentioned). Digital indexing allows the city to greatly increase its capacity to keep track of the status of open cases against individual property managers. It would also reduce overhead and replication of work efforts, thereby saving the city time and money. The city's current public records data is not easily accessible, and was only found by first classifying entire landlord networks and then searching Info Quick Solutions for documents associated with each LLC within a given network. Digitizing city records would make it easier to search this data and use it for analysis and enforcement.

f. **Recommendation:** Increase penalties and enforcement against bad landlords.

Maintaining the housing that exists in New Haven also requires a robust enforcement regime that holds landlords accountable when they violate New Haven's housing code. The ordinance that enables LCI to enforce housing code violations correctly notes that blighted properties have a negative impact on economic development and can lead to progressive deterioration of residential properties around the city.¹⁷ However, the current enforcement regime does not sufficiently incentivize property owners to maintain their properties. The city of New Haven should consider increasing the penalties it issues to landlords with blighted property.

Currently, the maximum penalties that the city issues to address blight and property violations is \$100 a day, which over the course of a year would result in a maximum fine of approximately \$36,500.¹⁸ Although this fine limitation appears to be set by state statute,¹⁹ the city has extensive additional powers that it can employ to force derelict landlords to comply with health and safety standards. When the Greater New Haven Property Owners Association challenged New Haven's residential licensing program, the Connecticut Supreme Court upheld New Haven's right to require landlords to obtain licenses in order to operate in the city and recognized the city's broad power to regulate housing. The court held:

Section 7-148(c)(7)(A) grants to municipalities regulatory and police powers over buildings, including the power to: "(i) Make rules relating to the maintenance of safe and sanitary housing; [and] (ii) Regulate the mode of using any buildings when such regulations seem expedient for the purpose of promoting the safety, health, morals and general welfare of the inhabitants of the municipality...." The statute supplies no limitation on how municipalities may make and implement such rules and regulations—it merely states that municipalities have the power to do so. The only apparent limit on the face of the statute is that the rules and regulations be related to "safety, health, morals and general welfare...." This grant of police power to municipalities is sufficiently broad to

¹⁷ New Haven Code of Ordinances, Section 9-51.

¹⁸ New Haven Code of Ordinances, Section 9-51(e).

¹⁹ Conn. Gen. Stat. Ann. § 7-148(H)(xv).

encompass the power to require licensing and inspections of residential rental real estate.²⁰

The Connecticut Supreme Court made clear that the city has broad power in regulating rental properties to promote health and safety. We urge the city to use that power to tighten restrictions on derelict landlords. To that end, the city should:

- Amend the residential licensing ordinance to cause landlords to lose their residential license – and thus the right to collect rent from tenants – if housing violations go unremediated for 30 days following notice;²¹
- Amend the residential licensing ordinance so that a failure to register results in the loss of the right to collect rents and could result in the loss of title to the unregistered properties;
- Strengthen the language of the landlord registration ordinance to make clear that a registration not only applies to the entity that owns the physical property but all related land-owning and property management companies;
- Prohibit the sale of property or the issuing of permits to any landlords that have multiple, prolonged housing violations; and
- Publicize and make use of the city’s power to place properties with unremediated blight into court-appointed receivership, so that all rents paid by the tenants of the property are diverted from the owners and used to remediate existing housing code violations.²²

New Haven could model many of its efforts to Chicago’s Troubled Buildings Initiative (“TBI”). The goal of TBI is to use code enforcement and receiverships to improve physical conditions and management of distressed multifamily properties, thereby preventing continued deterioration, which would ultimately result in abandonment and demolition. Established by the City of Chicago in 2003, TBI is focused on code enforcement and receiverships to improve physical conditions and management of distressed multifamily properties. TBI brings together city departments and a local non-profit, Community Initiatives Incorporated, Inc. (“CII”) to evaluate the prospect for rehabilitating distressed properties and encouraging landlords to correct building code violations. In the event of landlord non-compliance, CII acts as the court-appointed receiver to order repairs to the property. If the remediation expenditures are not paid by the landlord, CII pursues foreclosure of the property and transfer to a more responsible owner. Although Chicago has, at times, foreclosed on the troubled properties identified under the initiative, housing advocates in Chicago have informed us that the mere threat of the foreclosure process is often enough to incentivize landlord compliance.²³

²⁰ *Greater New Haven Prop. Owners Ass'n v. City of New Haven*, 288 Conn. 181, 186 (2008).

²¹ It should be noted that the city’s power to do this rests not only on its authority on Section 7-148(c)(7)(A) but also on Section 7-148(c)(7)(H)(ii) which gives the city the power to “regulate and prohibit the carrying on within the municipality of any trade, manufacture, business or profession which is, or may be, so carried on as to become prejudicial to public health, conducive to fraud and cheating, or dangerous to, or constituting an unreasonable annoyance to, those living or owning property in the vicinity.”

²² Conn. Gen. Stat. Ann. § 47a-56a. This statute is a powerful tool for Connecticut municipalities. A related statute, Sec. 47a-14b gives similar powers to a majority of tenants in any tenement house (building with three or more apartments). The powers of these statutes, however, are not as broad as the ones in Illinois that allows for the taking of title to the property.

²³ The broad powers delegated to municipalities under Conn. Gen. Stat. Ann. § 7-148 and the holding in *Greater New Haven Prop. Owners Ass'n v. City of New Haven* appear to grant the city sufficient authority to adopt a similar program. However, if they do not, the city should seek state level enabling statutes designed to give similar authority to New Haven.

III. Addressing the Needs of Residents Experiencing Homelessness

- a. **Recommendation:** Allow Y2Y New Haven to open in a location that is safe, welcoming and accessible for young people experiencing homelessness.

Research by Hartford's Youth Action Hub demonstrates that young people don't feel safe staying in adult shelters, often resorting to unsafe choices to get their needs met. Access to safe and welcoming shelter has been proven to dramatically decrease the risk of facing life-altering trauma for youth. New Haven's six short-term youth shelter beds have been full, with a significant waiting list, since they opened in October 2017. As of last month, 23 youth were on that waitlist, in addition to the many young people who fall through the cracks. According to the Connecticut Coalition to End Homelessness, 42% of youth experiencing homelessness in Greater New Haven are employed and 44% are in school. Without rapidly accessible, differentiated housing resources, outcomes for these youth are not promising. Research by homelessness expert Dr. Dennis Culhane demonstrates that without intervention, today's generation of youth experiencing homelessness will become the next generation of chronically homeless adults. As a result, we believe it is imperative that New Haven open Y2Y.

Y2Y New Haven is a joint initiative of Youth Continuum, Dwight Hall at Yale, and Y2Y Network to open a 20 bed, safe and welcoming shelter for young adults ages 18-24. Y2Y's model focuses on getting young people quickly off the streets into an engaging and vibrant space. Y2Y guests will have access to a wide array of pathways out of homelessness, including case management, medical and mental health-care, legal aid, support accessing jobs and long term, stable housing, and opportunities for leadership development.

The Y2Y model works. Y2Y Harvard Square, based in Cambridge, MA, has served over 250 young adults since opening in December, 2015. 83% of Y2Y guests feel "safe" or "very safe" at Y2Y Harvard Square, and 94% of guests would recommend Y2Y to a friend. This sense of safety results in a high level of trust in Y2Y's resources. 90% of Y2Y guests engage in Y2Y's "pathways out of homelessness" resources, with guests making an average of 12 appointments with Y2Y's staff and partners during their 30-day stay.

The Room for All Coalition asks that the Task Force to recommend that:

1. **The New Haven Board of Alders state their support for the implementation of Y2Y New Haven in a site location that prioritizes safety and accessibility for youth and neighborhood vitality.** Young people experiencing homelessness report that an ideal site is accessible via public transportation, is within walking distance of downtown but not too close to the Green, and in a location that is proximate to other useful resources.

Y2Y New Haven will play a role in increasing neighborhood vitality wherever it is located. Youth Continuum has a strong record of engaging with their community partners. In the past two years, Youth Continuum has partnered with Cityseed, New Haven Bike Month, the New Haven Pride Center, and Civic Impact Lab in community-based events. Since opening in 2015, Y2Y Harvard Square has collaborated closely with surrounding businesses and community partners. There has been a decrease in crime (34%) and increase in property value (18.4%) in Harvard Square since Y2Y's opening.

New Haven's civic institutions and leadership already prioritize youth. We believe that Y2Y New Haven will be most impactful with the active support of ECC, LCI, the NHPD, and the Coordinated Access Network, because we recognize that these organizations and this city have a common stake in the youth served by Y2Y New Haven.

2. **The New Haven Board of Alders allocate \$10,000 in annual funding to support Y2Y New Haven's operation. Specifically, this funding would help engage Y2Y New Haven's clients in leadership development and community building work within the surrounding neighborhood and the city.** Y2Y New Haven is a critically needed program that will save lives, while supporting New Haven's young people to be city leaders. Funding would support Y2Y New Haven's capacity to undertake the thoughtful, community-based work that will simultaneously build constructive relationships between Y2Y's clients and its neighbors *and* leadership skills among Y2Y New Haven's clients.

- b. **Recommendation:** Pass the Homeless Bill of Rights and Resolution to Decriminalize Homelessness

The Homeless Bill of Rights and Resolution to Decriminalize Homelessness were drafted in response to the reality that homelessness is being treated as a criminal offense throughout New Haven. Both of these ordinances were drafted by the Human Rights Clinic at Yale Law School, and both of them were recommended for passage into law by the New Haven Homeless Advisory Commission (HAC), who recognized the urgency of these ordinances from a human rights perspective. Presently, the ordinances are awaiting consideration by the New Haven Board of Alders Human Services Committee. We urge the Affordable Housing Task Force to include in its recommendations to the Board of Alders the immediate passage of both of these ordinances into law.

1. The Resolution to Decriminalize Homelessness

The Resolution to Decriminalize Homelessness makes several acknowledgments of fact and several distinct promises. The acknowledgments of fact include that people without homes must fulfill basic needs (sleeping, bathing, eating, existing) in public. The criminalization of homelessness is defined as "laws that prohibit or regulate behaviors associated with homelessness as well as the practices (such as issuing arrests, citations, warnings, and requests to move along) that are used to enforce such laws." The ordinance recognizes that the enforcement of ordinances that criminalize behaviors made necessary by homelessness have "devastating consequences for those experiencing homelessness, including arrests, nights in jail, losing work, belongings, shelter, and the interruption of social services." The Resolution also acknowledges the criminalization of homelessness potentially violates both constitutional and international law, in addition to entrenching economic inequality in our city.

Given these statements of fact, the draft ordinance makes several resolutions. It calls on all city representatives to respect the basic human rights of persons experiencing homelessness. It calls for the review and potential revision of police protocols that serve to criminalize homelessness. It calls for the mayor to issue a moratorium of laws that criminalize homelessness, pending the aforementioned review. And it calls for the City Clerk to communicate the Resolution to all relevant city representatives.

2. The Homeless Person's Bill of Rights

In October 2013, the State of Connecticut effected into law "An Act Concerning a Homeless Person's Bill of Rights," to "safeguard and protect" the "person, privacy, and property" of people experiencing homelessness in Connecticut. The proposed municipal Homeless Person's Bill of Rights makes two important additions to the existing state law: (1) it allows for legal enforcement when enumerated rights have been violated, which is critical because absent enforcement, the law provides no meaningful protection; and (2) it requires the Bill of Rights to be posted publicly, which is important because almost no one presently knows about the existing state law. The municipal version also expands on the state version's list of rights.

This bill advocates for the right of people experiencing homelessness to exist in public spaces. While nominally this right is afforded to all citizens, people experiencing homelessness are often forced to move or leave public spaces because of the way that they look or smell, or because they are carrying their belongings. As these conditions are directly linked to the individual's homelessness, this practice of continuous dislocation creates a practical barrier that only people experiencing homelessness are subject to, and thus constitutes discrimination. By forcing homeless people out of public spaces, New Haven fails to recognize that homelessness is a problem of resources, not of visibility.

The Homeless Bill of Rights prioritizes accessibility and dignity within medical care and the provision of basic needs, including the right to access clean bathrooms. People experiencing homelessness are often denied adequate medical care from healthcare professionals who regard their needs and concerns as illegitimate. We believe that people experiencing homelessness deserve to be respectfully listened to, examined, and treated for the medical issues that often accompany or follow housing instability. Further, people experiencing homelessness are frequently exposed to discrimination and harassment when they are attempting to meet their basic needs by shopping for food, going to the bathroom, cleaning themselves, or finding a place to sleep. Access to clean bathrooms is particularly important because the homeless population is often criminalized for public urination, public indecency, etc. even though they may realistically not have any other options at the time.

This bill also advocates for:

- Employment fairness: homelessness should not be a factor in hiring decisions
- Housing fairness: landlords should be prohibited from discriminating against individuals based on their housing status
- The right to vote: individuals should be able to vote with or without identification, checks, or a mailing address
- The right to personal property and privacy
- The right to personal safety: individuals should be able to shelter during bad weather, and shelter with their families intact
- The right to sit: spikes and other architectural features installed in order to deter people experiencing homelessness from sitting or sleeping somewhere should be prohibited
- The right to social exchange
- The right to equal treatment
- The right to housing

By passing the Homeless Bill of Rights, the Board of Alders will provide legal recourse against the discrimination and violence people experiencing homelessness face every day, and will demonstrate plainly that New Haven sees, hears, and cares about this population. We wish to emphasize that people experiencing homelessness are the Board of Alders' constituents, and they feel that they do not have the right to sit in public spaces, to meet their basic needs, or to carry out their civic duty and vote without being harassed or abused. We believe that this is an opportunity for the Board of Alders to be a champion for one of its most vulnerable populations.

c. **Recommendation:** Change of the definition of homelessness

The current definition of a homeless person in Connecticut is "A person who does not have overnight shelter or sufficient resources or income to secure such shelter." The National Law Center on Homelessness and Poverty (NLCHP) writes that this is "a narrow definition largely limited to people living in shelters, in transitional housing and in public places." The NLCHP endorses the more expansive definition used by The U.S. Department of Education, "a broader definition that includes families who are doubled-up with others due to economic necessity." People who are living doubled-up, or who are bouncing from house to house have significant negative outcomes, and also need supports to access stable housing. If - as a city and a state - we want to genuinely address the needs of people experiencing homelessness and housing instability, we must change the definition. As a comparison, the state of Massachusetts defines a homeless household as "A Household [that] lacks a fixed, regular and adequate nighttime habitation OR the primary nighttime dwelling is one of the following; (A) A supervised public or private shelter designed to provide temporary living accommodations (includes welfare hotels, congregate shelters and transitional housing); and (B) A public or private place not designed for, or ordinarily used as, a regular sleeping place for human beings." Connecticut's definition needs to be changed to something similarly broad

d. **Recommendation:** To do an arcuate "point in time" count of the homeless population

In its 2017 report "[Don't Count On It](#)", the National Law Center on Homelessness and Poverty addresses a range of flaws in the federally implemented "point in time" (PIT) count. Specifically, it identifies four primary problems:

1. "Inconsistent Methodology:" The PIT varies by region and often has slight changes made to its methodology. Trends are thus extremely difficult to interpret, at best, and often inaccurate.
2. "Most methodologies miss unsheltered homeless people:" The PIT count is conducted on a single night - one of the coldest nights of the year - using volunteers, homeless service provider staff, advocates, and occasionally members of law enforcement. This yields an extremely imprecise measurement: "People need to be seen in order to be counted, however, a study of shelter users in New York found that 31% slept in places classified as "Not-Visible" the night of the count."
3. "Only some kinds of homelessness are counted:" As noted above, an incomplete definition of homelessness yields an inaccurate count
4. "There are better methodologies:" Using evidence-based adjustments to PIT count data, estimates suggest that far more people experience homelessness than PIT counts show

This same report indicates specific recommendations for a local region to implement a better count. Specifically:

1. “Include estimation techniques designed and overseen by experts in order to quantify the number of homeless individuals that were missed during the count.
2. Include all people experiencing homelessness, including individuals that are institutionalized in hospitals and jails or prisons
3. Separately estimate individuals who are doubled up with friends or family due to economic hardship.”

Further detail can be found in the report linked above. In order to appropriately address homelessness, New Haven should implement these recommendations.²⁴

- e. **Recommendation:** Improve conditions of shelters to provide emergency housing that is safe, clean, ADA compliant, cool in the summer and warm in the winter

We are asking the Task Force to hold New Haven’s shelters to high standards of accessibility and livability. People experiencing homelessness have shared troubling accounts of shelters infested with bugs, poorly maintained, and ill equipped to serve people with disabilities. Ensuring that shelters are safe, clean, viable places to live is central to the project of protecting and expanding the rights of people experiencing homelessness in New Haven. By implementing more rigorous inspections and quality management of New Haven’s shelters, the Board of Alders could concretely and significantly improve daily life for their homeless constituents. To do this the city should:

- Open a walk-in shelter for women. The lack of a walk-in shelter for women results in women staying in unsafe situations;
- Ensure that there are regular health inspections of shelters. Because of the critical need of shelters, there city should consider inspecting shelters at a higher rate;
- Address ableism and discrimination in shelter services and admissions. The Room for All coalition has received multiple stories of homeless shelters turning away individuals in need of services because the shelters could not accommodate their disabilities;
- Lengthen the period of time warming shelters are open. The current time period of 10 pm to 6 am is insufficient to address the need; and
- Develop more shelter options for families.

IV. Regulating Short Term Rentals in New Haven

Short-term rentals have experienced exceptional growth, which presents challenges and opportunities for affordable housing. Currently over 300 homes are available for rent in New Haven on

²⁴ Additionally, our eviction data suggests that evictions are cyclic, and peaks during the summer months. A point-in-time count during the summer months may therefore capture a more accurate count of homelessness. This may be difficult to actually implement because the current January date is set by the federal government.

Airbnb.²⁵ Of these homes, about half are entire places as opposed to a shared space with a host.²⁶ Although these numbers are small compared to major cities and tourist destinations, Airbnb growth has been extraordinarily rapid. Airbnb began in 2007;²⁷ by 2017, it had four million listings, more than the top five hotel brands combined.²⁸

- a. **Recommendation:** Follow other cities in developing regulations to ensure that short-term rentals do not reduce housing affordability.

Research shows that Airbnb can increase rental rates and housing prices, when landlords take units off the long-term rental market and only rent them out through Airbnb. An increase in the number of Airbnb listings increase rental rates and housing prices in a zip code.²⁹ Importantly, they find that this effect is moderated by the owner-occupation rate in the zip code. These findings have a straight-forward interpretation and logic. When units that would be available for long-term rentals are taken out of that market and used as quasi hotel units, then rental rates increase. There is less supply of long-term rental units and so prices increase.³⁰ Other research has found that neighborhoods in New Orleans with high amounts of short-term rentals have experienced increases in rental rates of 30 to 70 percent and a displacement of black homeowners.³¹ Other research has also found that Airbnb contributed to gentrification in New York City.³²

The goals of short-term rental regulation should be the following:

- Ensure that every space rented out is sanitary and safe for guests.
- Ensure that short-term rental platforms does not make housing in New Haven less affordable.
- Allow New Haven residents to earn supplemental income through regulated short-term rental platforms.
- Minimize disruptions in residential neighborhoods by unmonitored short-term rentals that create significant problems with noise, parking, trash, and other nuisances.

1. Example: Proposed Policy for New Orleans

²⁵ https://www.airbnb.com/s/New-Haven--CT--United-States/homes?refinement_paths%5B%5D=%2Fhomes&adults=0&children=0&infants=0&guests=0&query=New%20Haven%2C%20CT%2C%20United%20States&map_toggle=true&zoom=12&search_by_map=true&sw_lat=41.24046769169007&sw_lng=-73.00818099871888&ne_lat=41.38509040882436&ne_lng=-72.85580474891687&allow_override%5B%5D=&s_tag=gCQTFP9 For short-term rentals see: <https://www.airdna.co/vacation-rental-data/app/us/connecticut/new-haven/overview>

²⁶ https://www.airbnb.com/s/New-Haven--CT--United-States/homes?refinement_paths%5B%5D=%2Fhomes&adults=0&children=0&infants=0&guests=0&query=New%20Haven%2C%20CT%2C%20United%20States&map_toggle=true&zoom=12&search_by_map=true&sw_lat=41.24046769169007&sw_lng=-73.00818099871888&ne_lat=41.38509040882436&ne_lng=-72.85580474891687&allow_override%5B%5D=&room_types%5B%5D=Entire%20home%2Fapt&s_tag=3Y8tSE28

²⁷ <https://www.telegraph.co.uk/technology/news/9525267/Airbnb-The-story-behind-the-1.3bn-room-letting-website.html>

²⁸ <https://www.businessinsider.com/airbnb-total-worldwide-listings-2017-8>

²⁹ Barron, Kung, and Prosperio (2018)

³⁰ <https://www.aeaweb.org/conference/2018/preliminary/paper/ykYrh4Gd>

³¹ https://storage.googleapis.com/wzukusers/user-27881231/documents/5b06c0e681950W9RSePR/STR%20Long-Term%20Impacts%20JPNSI_4-6-18.pdf

³² <https://journals.sagepub.com/doi/abs/10.1177/0308518X18778038>

Fortunately, many cities in the United States have or are implementing robust regulations over short-term rental platforms to address the goals identified in this memo. A proposal in New Orleans seeks to protect affordable housing and to promote guest safety. It also allows the city's residents to utilize these platforms, which is less restrictive than other cities. The key components of the proposed policy are the following:³³

- Requiring a permit for each short-term rental unit, and recognition that these permits are a privilege not a right.
- The permits are restricted to residents who live in the city. Permit applicants are required to provide valid state issued identification matching the address of the property for which the permit is being requested.
- A short-term rental permit would cost \$200 and a fee equal to \$20 per night of occupancy is to be remitted to the city to offset enforcement and other housing costs borne by the city.³⁴
- The permit established safety standards that must be met to obtain the permit.
- The permit protects guests against discrimination by penalizing any host who discriminates on the basis of age, color, creed, gender identification, gender or sex, marital status, national origin/ancestry, physical condition/disability, race, religion, or sexual orientation.
- The proposed policy also includes amendments that forbid the short-term rental unit from generating nuisances for its neighborhood or adversely affect the residential character of the neighborhood.

2. Example: Recently Passed Short-Term Rental Policies in Washington, D.C

DC City Council gave final approval to an ordinance regulating short-term rentals in November 2018.³⁵

- The ordinance allows homeowners to provide short-term rentals in their primary residence for up to 90 days in a year and prohibits the use of short-term rentals in second homes. Homeowners who want to host home-sharing guests in their primary residence must now have a short-term rental license and follow reporting requirements.³⁶
- A department of the City government is given the authority to issue licenses, monitor licensed units, and administer civil fines for short-terms that are operating without a license.³⁷
- The D.C. Zoning Commission has stated its intention to amend the city's zoning code to allow for short-term rental units in residential zones, now that regulations have been passed by the City Council. Short-term rental units had not been legal in residential zones prior to the passage of the short-term rental ordinance.³⁸

³³ Proposed Ordinance can be found here: <https://storage.googleapis.com/wzukusers/user-27881231/documents/5b99cd288dd5c2tLOdOP/REST%20Ordinance.pdf>

³⁴ Policy advocates estimates that in New Orleans the policy would generate three million dollars in the first year for affordable housing. <https://jpnai.org/our-advocacy>

³⁵ <https://dc.curbed.com/2018/11/15/18095658/dc-airbnb-regulations-short-term-rentals-council>

³⁶ https://www.washingtonpost.com/local/dc-politics/dc-council-votes-to-restrict-airbnb-in-nations-capital/2018/10/02/9431979a-c652-11e8-b1ed-1d2d65b86d0c_story.html?noredirect=on&utm_term=.d4389ca4a45c

³⁷ <https://dc.curbed.com/2018/11/15/18095658/dc-airbnb-regulations-short-term-rentals-council>

³⁸ <https://dc.curbed.com/2018/11/15/18095658/dc-airbnb-regulations-short-term-rentals-council>

- Today, there are an estimated 4,300 short-term rental hosts and 6,800 short-term rental units in D.C.³⁹

3. Enforcement Considerations

The city should carefully consider enforcement costs for any regulation that it implements. Permit fees and penalties for violations of regulations should be tailored to ensure that the regulation generates revenue that can support enforcement and affordable housing. Penalties should also act as an effective deterrent against violating short-term rental policies. San Francisco fines violators \$484 per day for first offenders and \$968 for repeat offenders,⁴⁰ and won a \$2.25 million settlement with individuals who rented 14 apartments out on Airbnb.⁴¹

Fortunately, identifying violators of regulation should be relatively straight-forward.⁴² Permit registration forms should require that individuals describe how their short-term rental will be booked and marketed. If the short-term rental is marketed and booked online, then individuals should be required to provide the name of the platform and current URL for the rental unit. This database could then easily be crosschecked with the properties listed on online platforms. The permit database could even be available online to the public with a form for members of the public to submit complaints about illegal listings. Indeed, host website such as Airbnb and Expedia currently provide reports of listings to other municipalities.⁴³

Conclusion

As many of our members know very well, much of a person's life is wrapped up in creating a home for one's self. The inability to afford quality, stable housing is a burden shared by too many of our city's residents. We appreciate the Task Force's attention to this important issue and urge you to implement the recommendations detailed above.

Sincerely,

The Room for All Coalition

Mothers and Others for Justice
New Haven Rising
Housing Not Jails Collective
Youth Continuum

³⁹ <https://www.airdna.co/vacation-rental-data/app/us/district-of-columbia/washington/overview>

⁴⁰ <https://www.nolo.com/legal-encyclopedia/overview-airbnb-law-san-francisco.html>

⁴¹ <https://www.sfchronicle.com/business/article/SF-fines-Airbnb-landlords-2-25-million-for-13364513.php>

⁴² Airbnb provides its users with information about local laws for various cities. See <https://www.airbnb.com/help/article/1376/responsible-hosting-in-the-united-states> Airbnb also requires that its hosts follow local laws and regulations. See <https://www.airbnb.com/help/article/376/what-legal-and-regulatory-issues-should-i-consider-before-hosting-on-airbnb>

⁴³ For example, New Orleans. See https://www.nola.gov/nola/media/City-Planning/Preliminary-STR-Study-9-18-18_1.pdf, page 5.

Y2Y

Dixwell-Newhallville Watchdog & Advocacy Committee
Neighborhood Housing Services of New Haven
New Haven Legal Assistance Association