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CITY CLERK  
CITY OF PASADENA

June 29, 2022

Comment re Housing Element Public Hearing  
Planning Commission

Dear Planning Commission Members,

My name is Allison Henry. I am a long-time tenant resident of district 3, a tenant organizer, member of the Garfield Heights Neighborhood Association, and member of Mayor Gordo's Housing Task Force. I want to thank city staff and my fellow task force members for the time devoted to meetings and consideration of the Housing Element. I am submitting my own comments on the housing element.

Before I present specific policies (below), I want to make an observation about the housing element. Pasadena's Housing Element has many strengths, and I am grateful to staff for their work. But the element overall feels like there is more preservation of buildings rather than the people in them. Housing is for people. I hope that is always considered in this discussion.

### **Rent Stabilization**

I want to highlight the urgency and need for rent stabilization and stronger tenant protections— "The Fierce Urgency of Now" as Dr. King said. The 6th Cycle Housing Element is indeed the best documentation of why NOW is the time to protect tenants and want to encourage the Planning Commission to consider the recommendation of the Housing Task Force re that timeline. Tenants cannot wait! We know from the data in the housing element that those being pushed to the street are seniors, families, and tenants already burdened with housing costs.

The 6th Cycle Housing Element lays out the best case for the city to enact rent stabilization and just cause ordinances immediately. we have heard first hand of legal rent increases that jeopardize housing and stability for tenants. The legal increase are still too high! The state rent cap is still too high at 5%+CPI, which for this year in LA County was 8.6% for properties that qualified. A local city stabilization ordinance should consider 2%-3% given the already high cost of rental housing in Pasadena.

That instability has implications for all of the community such as school district enrollment; employee retention; ability to participate in democracy; more tents and humans on the streets of Pasadena. Those implications cost the community and only add to the urgency of immediate action now for Pasadena tenants and residents. Other jurisdictions have included rent stabilization in their elements (Pomona, Victorville) while others have brought in rent stabilization through council-led legislation (Culver City, Baldwin Park, Oxnard).

The Pasadena Housing Element states that 50% of Pasadena renter households over-pay for housing (Appendix A, p A-6), with 77% of lower income households (those at 80% AMI and lower) overpaying for housing.

See Table A-6 Below:

**Table A-6: Household Characteristics by Tenure**

Household Characteristic	Owner Households	Percentage	Renter Households	Percentage	All Households	Percentage
Number of Households <sup>1</sup>	23,396	43%	30,998	57%	54,394	100%
Median Household Income <sup>1</sup>	\$ 118,264		\$ 57,406		\$ 78,941	
<b>Household Income Categories<sup>2</sup></b>						
Extremely Low Income (0-30% AMI)	2,055	9%	7,455	24%	9,510	17%
Very Low Income (30-50% AMI)	1,300	5%	4,300	14%	5,600	10%
Low Income (50-80% AMI)	2,200	9%	4,670	15%	6,870	13%
Moderate income (80-100% AMI)	1,865	8%	3,515	11%	5,380	10%
Above Moderate Income (100% + AMI)	16,455	69%	10,925	35%	27,380	50%
Total	23,870		30,860		54,735	
<b>Overpayment</b>						
All Households Overpaying for Housing <sup>2</sup>	7,720	32%	15,450	50%	23,170	42%
Lower-Income Households Overpaying for Housing (*0-80%) <sup>2</sup>	3,910	70%	12,935	79%	16,845	77%

Source<sup>1</sup>: US Census Bureau, American Community Survey 2014-2018 5-year estimates

Source<sup>2</sup>: U.S. Department of Housing and Urban Development Comprehensive Housing Affordability Strategy (CHAS) Tables 2013-2017

Source<sup>3</sup>: Southern California Association of Governments (SCAG) 2023 – 2031 Regional Housing Needs Allocation (RHNA)

As the Housing Element notes on pg 13:

“In 2017, 56 percent of all Pasadena households experienced housing cost burden, meaning more than 30 percent of household income was spent on rent or a mortgage. ***This degree of overpayment means that many people face having to cut back severely—or forego—spending on healthcare, education, and other life needs.***”

Appendix A, pg 5 presents the rent burden clearly:

“For renter households, extremely low-income households represent 24 percent of renters. This high percentage illustrates a critical need for housing for persons at the very low end of the income scale. Given their income levels, these households likely face very high cost burdens and live in overcrowded and possibly substandard units. Some may be unhoused. ***The City’s Inclusionary Housing Ordinance does not specifically address extremely low-income households; they are included among the very low-income category. Programs focused on assistance to homeless individuals and families do not address all needs in the community. A gap exists between the housing needs of extremely low-income households and available resources to meet their needs Housing Overpayment.***”

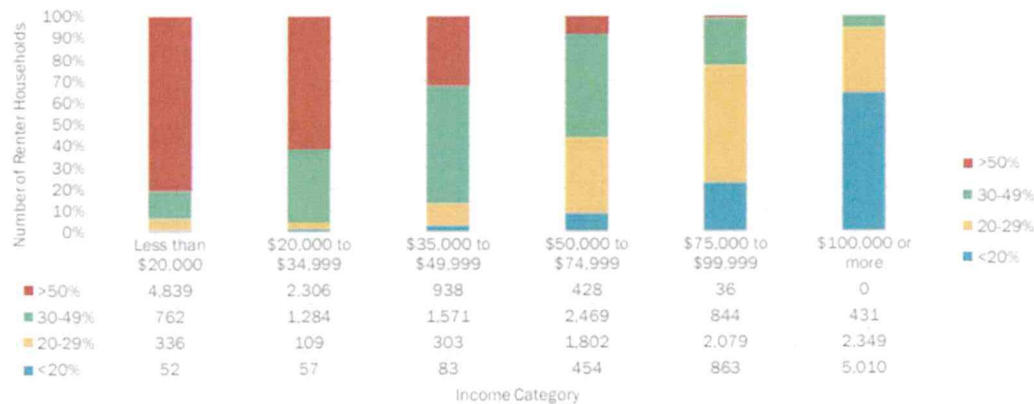
In Pasadena, 42 percent of households are considered cost burdened (per 2018 data), with lower-income renter households experiencing the highest rate of overpayment at 79 percent.” (Appendix A, p A-5).

The Housing Element does not get any detailed analysis beyond the 30% mark on cost burden. But the SCAG Pre-Certified Pasadena Housing Data (prepared August 2020) does:

[https://scag.ca.gov/sites/main/files/file-attachments/pasadena\\_he\\_0920.pdf?1603171877](https://scag.ca.gov/sites/main/files/file-attachments/pasadena_he_0920.pdf?1603171877)

See specifically pages 14-15 of this report. The city opted to not include this information in the Housing Element.

### Spending on Rent by Income

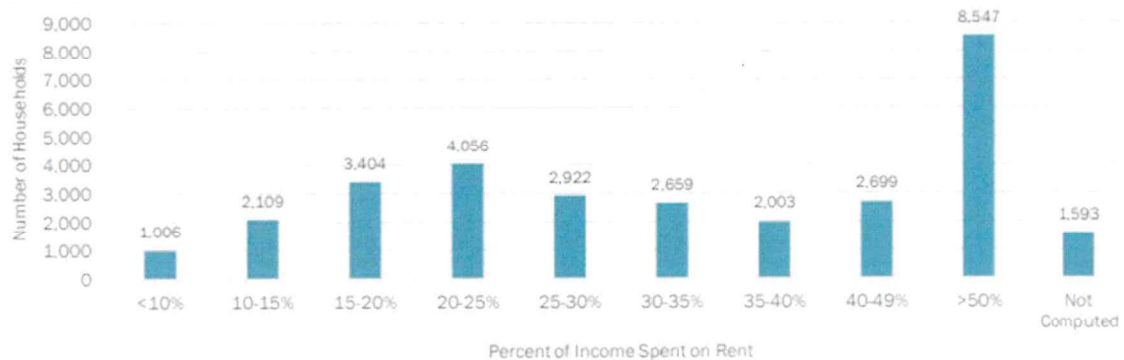


American Community Survey 2014-2018 5-year estimates.

While the previous table breaks down cost burden by area-relative income, the ACS also allows for the analysis of Pasadena's 29,405 renter households (for which income data are available) by spending on rent by income bracket (dollar amounts). As one might expect, the general trend is that low-income households spend a higher share of income on housing (e.g. over 50%) while high-income households are more likely to spend under 20% of income on housing.

Housing cost burden is most commonly measured as the percentage of gross income spent on housing, with 30% a usual threshold for 'cost burden' and 50% the threshold for 'severe cost burden.' However, a lower-income household spending the same percent of income on housing as a higher-income household will likely experience more true 'cost burden.' These data indicate the number of households in Pasadena by their income relative to the surrounding area and their share of income spent on housing.

### Spending on Rent



Across Pasadena's 30,998 renter households, 15,908 (51.3%) spend thirty percent or more of gross income on housing cost, compared to 55.3% in the SCAG region. Additionally, 8,547 renter households in Pasadena (27.6%) spend fifty percent or more of gross income on housing cost, compared to 28.9% in the SCAG region.

Overpayment is a trend that has gotten worse over the years and likely to continue:

"According to a study produced by the Turner Center at UC Berkeley, across the United States, the high costs of developing subsidized housing hinders efforts to address the affordability crisis of low- and moderate income families and provide homes for unhoused individuals. The number of people overpaying for housing remains at historically high levels, and after many years of decline, homelessness has been on the rise in California." (Appendix C, p C-2).

Data from providers like Friends in Deed and Lake Ave Church who have shared that they have more rental assistance requests than they can handle. From the 2021 Parks, Rec, and Community Services budget that **27,000 food-insecure Pasadena** residents received food assistance: the rent ate first for many.

Rent stabilization is policy that can assist the majority of residents in this city, and it would be unfortunate to ignore the data in the Housing Element. This policy is also a means to stabilize community, protect seniors and other identified vulnerable households.

### **Stronger Just Cause Protections and Tenant Right to Counsel**

Pasadena tenants are still ending up in court despite protections and getting an attorney proves very difficult. Tenant right to counsel is another anti displacement tool. The element relies solely on the Housing Rights Center to provide legal support for tenants. But that ignores the reality of the limited scope of work the Housing Rights Center can engage in. Many tenants who need legal assistance are unable to utilize the Housing Rights Center and still face unlawful evictions. Pasadena's housing element cites case of discrimination, see Appendix F, pages F1-F2. Those are cases that were taken by HRC—and we have no way of knowing how many faced discrimination and did not reach out to HRC. Families with children, especially female heads of households are disproportionately targeted for eviction. \* May 2021, The New Republic.

I am also attaching my neighbor's eviction notice, this is where the sheriff's show up to enforce. ote that is dated for 6/7—Election Day. Two units of this building on N Los Robles had tenant evicted. They



needed attorneys, they were awaiting Housing is Key funds.

COUNTY OF LOS ANGELES  
SHERIFF'S DEPARTMENT  
COURT SERVICES DIVISION

## NOTICE TO VACATE

CASE NUMBER: 23PDUD0093

TO: Judgment debtor, members of the judgment debtor's household, and any occupants residing with the judgment debtor.

By virtue of a Writ of Possession of Real Property, a copy of which is attached.

**YOU ARE ORDERED TO VACATE THE PREMISES DESCRIBED IN THIS WRIT NOT LATER**

**THAN:** 6/7, 20 22.

SHERIFF'S BRANCH (Name, Address and Telephone Number)

☐ SHERIFF'S DEPARTMENT  
300 E WALNUT ST ROOM 208  
PASADENA, CA 91101  
(526) 350-5267

By: ALEX VILLANUEVA, SHERIFF  
Deputy

Date: 6/2/22

76N654E SH-CI-52 (REV. 08/19)

### NOTICE TO VACATE

MYLIN PHILLIP JORDAN

1091 N. LOS ROBLES #5  
PASADENA, CA 91104

☒ Additional judgment debtors on next page

5 Judgment entered on (date) 05/05/22  
(See type of judgment in item 22)

6 ☐ Judgment renewed on (dates)

7 Notice of sale under this writ

a ☒ has not been requested

b ☐ has been requested (see next page)

8 ☐ Joint debtor information on next page



Form Approved for Optional Use  
Judicial Council of California  
EJ-130 (Rev. September 1, 2020)

For items 11-17, see form MC-012 and form MC-013-INFO.

11 Total judgment (as entered or renewed)	\$	0.00
12 Costs after judgment (CCP 685 090)	\$	0.00
13 Subtotal (add 11 and 12)	\$	0.00
14 Credits to principal (after credit to interest)	\$	0.00
15 Principal remaining due (subtract 14 from 13)	\$	0.00
16 Accrued interest remaining due per CCP 685 050(b) (not on GC 6103 5 fees)	\$	0.00
17 Fee for issuance of writ (per GC 70626(a)(1))	\$	40.00
18 Total amount due (add 15, 16, and 17)	\$	40.00

19 Levying officer:

- a Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103 5 fees) \$ 0.00
- b Pay directly to court costs included in 11 and 17 (GC 6103 5, 68637, CCP 699 520(j)) \$ 0.00

20 ☐ The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20

Sherri R. Carter Executive Officer / Clerk of Court

Date 05/19/2022 Clerk, by J. Rodriguez Deputy

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION.

### WRIT OF EXECUTION

Code of Civil Procedure §§ 680.520, 712.010, 716.010  
Government Code § 6103.5  
www.courts.ca.gov

Westlaw Doc & Form Builder



### **Enforcement mechanisms:**

**Housing Rights and Code Compliance Officer**—a position like the minimum-wage enforcement, but for the housing rights and code compliance that are law in Pasadena. Per the 2021 Parks, Rec, and Community Services Budget notes, over 4,000 residents were assisted by Community Services representatives for things including harassment, violation of Pasadena Tenant Protection Ordinance, and repeated code violations. The number in the 2022 Budget states 3,449 but I do note that housing advocacy is not included in the list. But I know that Community Services reps are helping tenants with issues. What is the number related to tenants assisted for 2022?

### **Enforcement tool/revenue tool:**

**Create a revenue-generating Rental Registry** to allow the tracking of code violations, illegal notices, rent increases and evictions, and to ensure that the inspections required every four years are performed.

Pasadena does not have a full record of, nor does it track the rental residential properties in the city. The Community Services Division works with tenants whose landlords are not compliant, and in some cases uncooperative, with health, safety, and building codes. The city lacks a key tool that can provide data and clarity around the exact number, condition, and cost of rental residences. The rental registry would generate revenue by charging landlords a fee for each unit rented. The city could prohibit the pass-through of those costs to tenants and use the funds for additional housing support and homeless prevention like legal counsel to tenants facing eviction and a rental assistance fund. The registry can also track bad actors and assist in levying fines to landlords in violation of local and state laws around rent increases; reasons for eviction; and code violations that negatively impact safe and healthy housing. Currently, there is no way of tracking the rental housing stock in Pasadena, its costs and conditions over time, and ways to ensure that residents are in healthy living conditions. Community Services spends a lot of time helping tenants with these very issues.

### **Funding Solutions:**

**Vacancy Tax:** A vacancy tax called the Oakland Vacant Property Tax (VPT) was passed by the City of Oakland in 2018. The VPT Act establishes an annual tax of \$3,000 to \$6,000 on vacant property. The City of Oakland defined its own definition of “vacancy” which each city will do for themselves. The City of Oakland VPT covers both residential and nonresidential property types. [City of Oakland Vacant Property Tax. Report to City of Los Angeles Council about vacancy tax applicability to the city.](#)

**Transfer Tax:** “Real estate transfer taxes are assessed on the sale value of a property when it changes ownership. These taxes are sometimes designed as a fee rather than a tax. For example, LA County collects a minimal transfer tax of 0.11% or \$1.10 per \$1,000 of the sale price. The revenue potential for transfer taxes can be large. The revenues could be spent on a variety of important local efforts including low-income housing construction and rehabilitation, supportive housing and shelters, as well as services for unhoused residents, acquisition of land and at-risk rental properties, rental housing assistance including Housing Choice vouchers, and legal representation for tenants facing eviction or slum conditions.” [Report from Shane Phillips \(UCLA\) on Real Estate Transfer Tax Reform.](#)

We need to lean in on all options because we are not going to build our way out of the housing crisis, and all residents have a right to housing. Thank you for your consideration of these solutions. We have the data to know better, so we need to do better to keep current and future Pasadena residents housed and thriving in community.

Sincerely,

Allison Henry