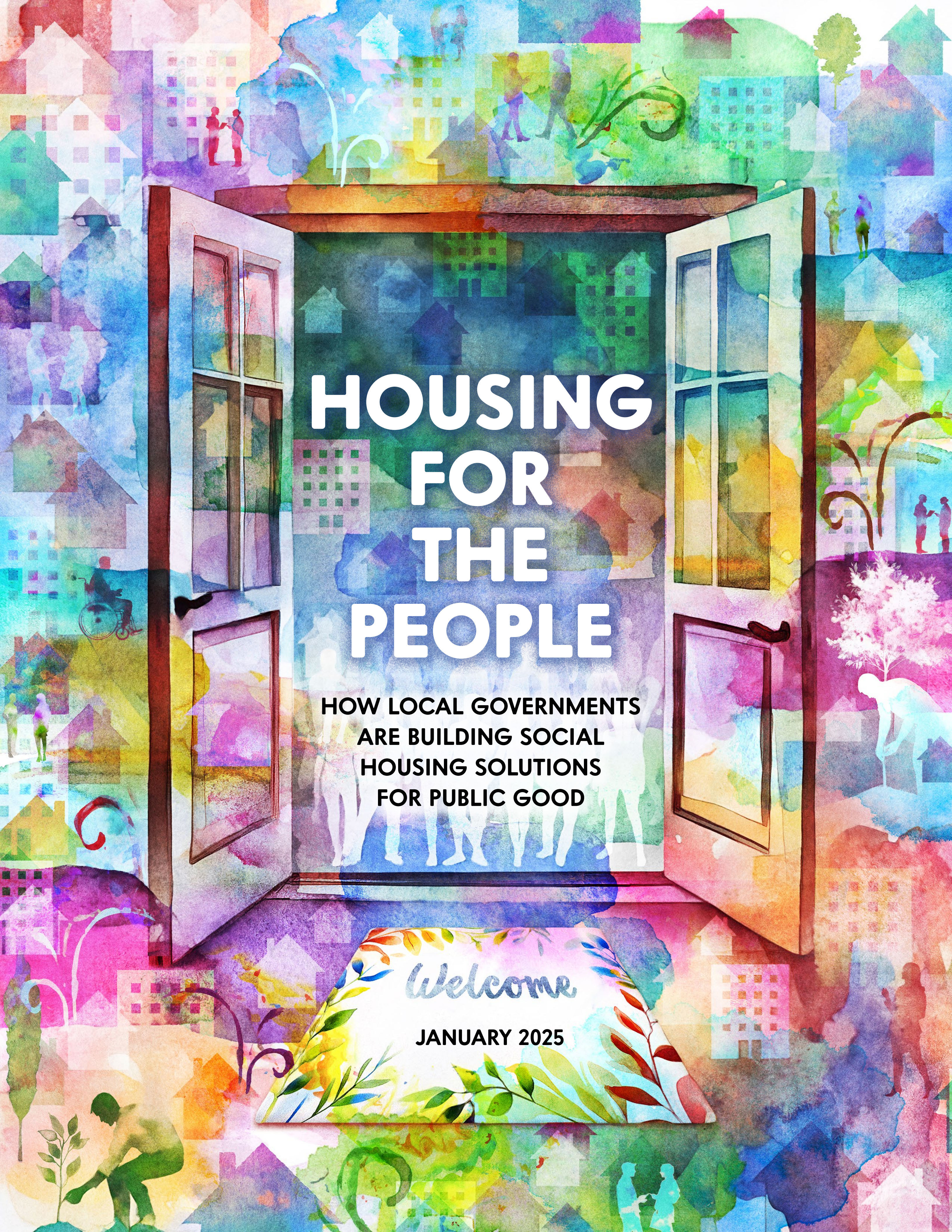
HOUSING FOR THE PEOPLE

HOW LOCAL GOVERNMENTS ARE BUILDING SOCIAL HOUSING SOLUTIONS FOR PUBLIC GOOD



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Local Progress Impact Lab brings together local leaders, partners, and experts to build the knowledge, skills, and leadership needed to advance racial and economic justice at the local level.

PolicyLink is a national research and action institute that is working to build a future where all people in the United States of America can participate in a flourishing multiracial democracy, prosper in an equitable economy, and live in thriving communities of opportunity.

PowerSwitch Action is a national network of leaders, organizers, and strategists forging multi-racial feminist democracy and economies in our cities and towns. Our 21 grassroots affiliates weave strategic alliances and alignments amongst labor, neighborhood, housing, racial justice, faith, ethnic-based, and environmental organizations. Together, we're building people power and people's institutions. We win innovative public policy and rein in greedy corporations to realize our collective freedom and liberation.

Illustrations by Michael Hogue | Design by Jeff Meddaugh

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There are few things in our society that are as consequential to everything we are and become than the place we live – both the dwelling we hold the keys to as well as the community where that home is situated.

The home we live in is so critical to our well-being and opportunities that we save money our whole lives to secure our future in the form of a house near parks and schools or a place near work and our friends – and still, some of us won't be able to own our own home. Or, we dream about the day that we don't have to pay half our income to a landlord who can displace us with the stroke of a pen or click of a button.

It's a harsh reality – But what options do we have?

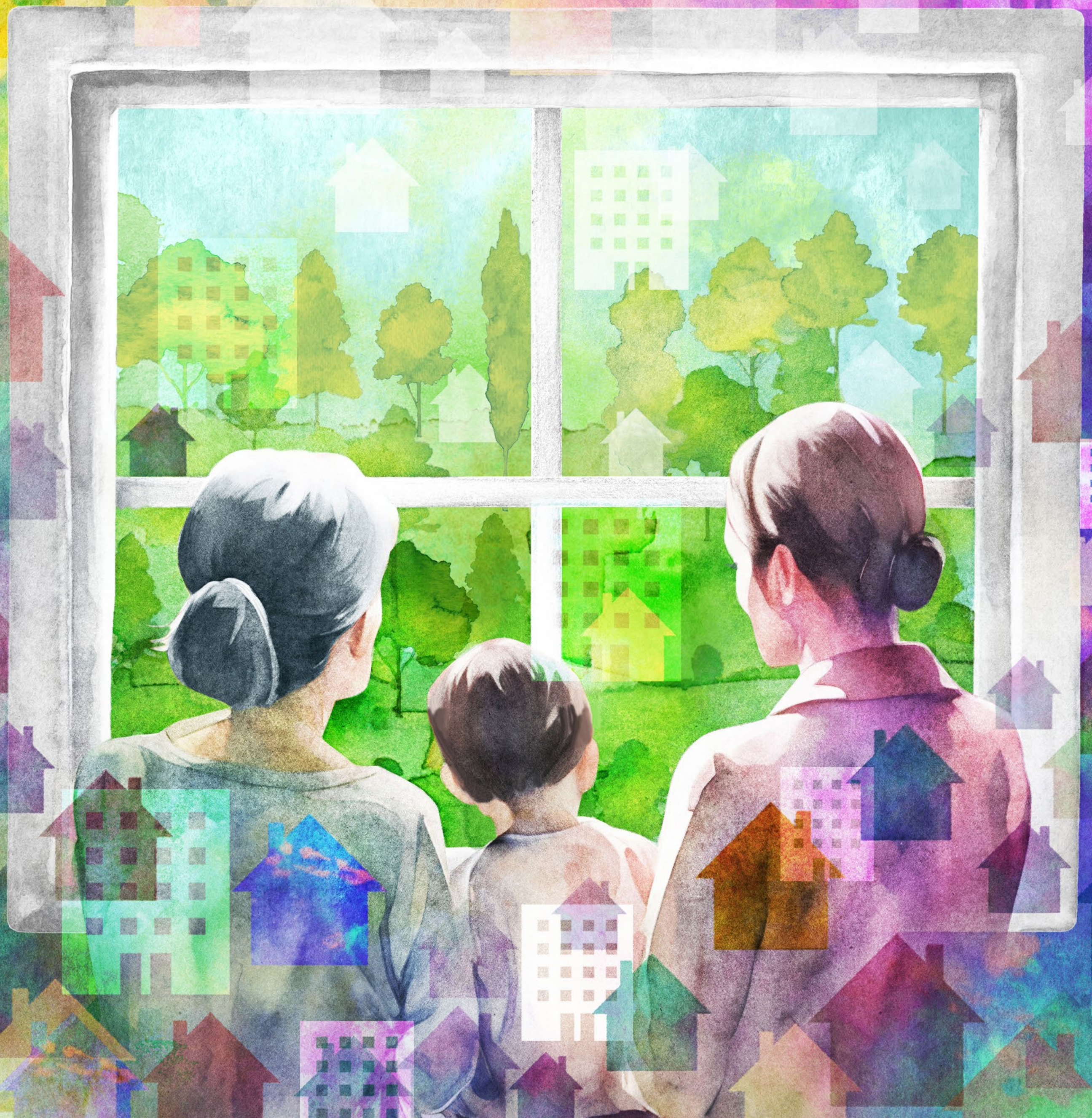
WHAT IF …

The homes available to us were close to work, schools and childcare centers – and we didn't pay a premium for that.

Our communities were planned around green public spaces and arts and culture that inspired us.

The security of our future was not dependent on one particular building, but in the collective governance of our homes.

Our options for our housing reflected our desires for self-determination, connection and opportunity – for everyone, no exceptions.



HOUSERS

Today, some use the word "houser" to describe the role of building and managing housing. In the New Deal Era, the people who advocated public housing as a solution to serve people with low incomes as well as promote healthy, socially diverse and cohesive communities called themselves "Housers." This group included intellectuals, planners, organizers, labor groups, elected leaders, and architects. An influential figure in this group, Catherine Bauer, popularized European social housing for a U.S. audience and housing advocates still refer to her principles. In this report, we will use the word Houser to ground us in the historical roots of the movement for housing in the public interest.

This report offers principles for how we achieve that possibility, and a snapshot of how emerging local policies are working toward those principles. It presents a history about how the real estate industry has worked for a century to distort our housing choices in favor of their profit interests, and how building and managing housing in the public interest can guide us out of a housing crisis.

Our vision of cohesive communities with housing options for all requires the scaffolding of many policy decisions local leaders can make today.

To address the lack of choice and power we have in our housing future, there is a growing call among organizers, experts, and elected leaders to return to the idea of housing for the public good. This entails creating and maintaining homes and communities for people to live and thrive rather than a vehicle for wealth. It is subsidized by government and maintained with limited profit for owners, whether they are nonprofit housing associations or public developers. **Creating systems and conditions that enable more community stewardship of housing enables people to co-govern their land and homes, and in turn, their futures. It puts more control of pricing, quality, and meeting community needs in the hands of people who need shelter, as opposed to corporate actors who use developments to make increasingly more profit.**

Many call this concept ***social housing***. As organizers, community members, housing agency staff, and local elected leaders shape policies and proposals to fit their local context, the field – and our collective capacity to envision what's possible – is quickly evolving. Our vision of cohesive communities with housing options for all requires the scaffolding of many policy decisions local leaders can make today. Our hope is this resource can guide conversations, serve as a quick reference, and offer lessons and hope for emerging social housing proposals and movements.

THE PROBLEM:
HOW WE GOT HERE

In the New Deal era, a growing chorus of **housers**, labor leaders, elected leaders and experts pushed for public investment in housing, which helped create a short-lived federal program called the Public Works Administration Housing Division. Using subsidies from the Division, some groups such as the American Federation of Hosiery Workers in Philadelphia built their own developments. Local projects completed in this era were planned, cohesive communities that housed a wide spectrum of people and used government-subsidized loans for construction. Labor unions or democratically-run housing associations owned and ran them, and followed typical financing practices to pay loans back. The movement's leaders called this framework "modern housing".

They sought – and demonstrated – housing that could exist outside the speculative market as a public utility that serves the public good – even if the demonstrations were limited in scope. Those local labor efforts sparked the Labor Housing Conference, which helped Sen. Robert Wagner craft public housing legislation. Their proposal included subsidized housing construction for a broad swath of Americans at varying income levels and residents' co-governance of the buildings they lived in. The labor coalition opposed centering housing solutions on support for insurance companies and banks.

Industry leaders feared that such provisions would tamp down Americans' desire to buy their own homes, thereby cutting into profits for builders, lenders, and insurance corporations. Corporate-backed industry groups including the U.S. Chamber of Commerce and the National Association of Real Estate Boards waged a battle to block the legislation. They lobbied the federal government to prop up private homeownership through insuring private mortgages and paying for highways that paved the way for suburban subdivision sprawl.[1] Business interests capitalized on racist fears by urging white flight and excluding Black Americans and other racial minorities from the plan to build up homeownership. Their opposition was half successful: the bill passed but without major provisions for which the Labor Housing Conference advocated. It resulted in a two-tiered system for government-supported housing: an extensive set of policies and incentives for middle- and higher-income people to buy their own homes, through which lenders and insurers received the backing of the government; and a far smaller program that we know as public housing today – reserved for the lowest income people that Congress after Congress has severely underfunded such that the program is unable to meet the increasing need for affordable housing in communities.

This history is a demonstration of the real estate industry's governing role in policymaking, and how its power and influence can restrain democracy and solutions that serve the common good.

Author Samuel Stein calls this political phenomenon the "real estate state"[2]. The industry's dominance has meant that solutions for meeting a housing crisis center the stability and continued growth of profit for real estate corporations and property values.

Since most local governments rely on property taxes to fund public services such as education and local infrastructure projects, elected leaders feel pressure to raise property values, even if doing so puts some people at risk of displacement or frays the fabric of communities. When cities depend on the stable growth of property taxes, it is no wonder local governments collaborate with real estate interests, from landlords and realtors to developers and banks.

Without a system of publicly-owned and managed housing as exists in many European cities, local governments in the U.S. depend on the for-profit real estate industry to create and operate enough housing to support population growth and for real estate properties to steadily rise in value in order to pay for essential services. In turn, the real estate industry and corporate landlords have built up outsized power over our housing system, meddling in and even undermining our democracy to get what they want: profit and unobstructed pathways to make more profits.

This translates into cities and states crafting policies and upholding systems – or refusing to do so – to optimize conditions for real estate industries. Industry lobby groups expend millions of dollars annually to block policies that protect tenants. Researchers conducted an analysis of 97 state and local real estate industry trade associations and found that they spent $33 million in lobbying in 2021 and 2022, and $111.5 million in political contributions. The analysis

[1] Radford, G., Modern Housing for America: Policy Struggles in the New Deal Era, University of Chicago Press, 1996. See chapter 7, "The Struggle to Shape Permanent Policy."

[2] In Samuel Stein's Capital City: Gentrification and the Real Estate State, Stein describes the real estate state as "a political formation in which real estate capital has inordinate influence over the shape of our cities, the parameters of our politics, and the lives we lead."

found that “these bodies focus on fighting tenant protections and passing housing policy favorable to landlords in local and regional markets, and concentrate their political power on the jurisdictional level where most land and housing issues are determined.”

This crisis confronting everyday people has sparked a popular demand for a shift in the status quo. According to a recent poll by the Center for Popular Democracy and Right To The City, 87% of voters polled in swing states said the cost of housing is a big problem in their state, and two-thirds of those polled support the government funding permanently affordable rental housing. Currently, the only federal program that does this is the public housing program, which spends $7 billion annually and is capped, limiting the number of units the program supports to the same amount as it did in 1999. This represents one-tenth of one percent of our nation’s $6.3 trillion budget.

CORPORATE-BACKED STRATEGIES HAVE BEEN FAILING US FOR DECADES

Meanwhile, the public housing system that was created nearly 90 years ago has weakened as government support of housing has increasingly become privatized.[3] Today, the most common way affordable housing is created in America is through the use of federal tax credits, which incentivize the wealthy to invest in developers' affordable housing projects. Some of these are nonprofit developers; others are for-profit corporations. A joint investigation from NPR and PBS Frontline found that the use of Low-Income Housing Tax Credits created an $8 billion industry that makes developers and investors wealthier, costs taxpayers more in the form of lost tax revenue, and is increasingly less effective at housing people who need it most. A body of research over the last 30 years has made clear that the program's complexity makes it costly and inefficient, costing 5-16% more per unit than other developments funded by government subsidies.

The federal program intended to preserve and improve public housing, Rental Assistance Demonstration, is another example of industry interests shaping the last truly publicly-owned housing left in the country. Developers invest in public housing units, which are then entered into long-term contracts that provide affordable housing. Unlike public housing, RAD-converted units do not stay affordable in perpetuity and could be subject to risks that privately-owned and operated units experience. The privatization of public housing means that the public no longer has control over the housing the public helped create.

Today, the most common way affordable housing is created in America is through the use of federal tax credits, which incentivize the wealthy to invest in developers' affordable housing projects.

For-profit developers and investors lobby state and local governments to create mechanisms and incentives to entice for-profit developers to create housing that people with low or moderate incomes can afford. One example is state legislation in Texas that allowed for housing authorities to lend their public developer status to for-profit developers for a fee – allowing developers to avoid paying millions in property taxes each year. An audit in Houston found that the Houston Housing Authority made these tax deals with developers. Of the 30,500 units built under this tax break, only 270 of those units are affordable to the lowest income residents who are the highest priority population for the agency.

THE SOLUTION: A NEW ERA OF SOCIAL HOUSING POLICIES

Despite relentless pressure to focus on corporate- and wealth-driven housing solutions, community groups and elected officials have, throughout history, collaborated to create land trusts and community ownership models that start to build a framework for a system of housing outside of profit interests. Now, in the 21st century, we face a housing crisis that presents an opportunity to build on that frame. Local and state governments have started to explore developing, owning, and operating their own housing stock. This is a new endeavor for many jurisdic-

[3] Lawrence Vale and Yonah Freemark (2019). "The Privatization of American Public Housing: Leaving the Poorest of the Poor Behind." In The Routledge Handbook of Housing Policy and Planning.

tions, a return to abandoned practices for some who spent decades ridding themselves of asset management responsibilities, and an expansion of pre-existing housing portfolios for others. The vision of housing for the public good is growing, and cities and states are operationalizing it via social housing legislation, financing models, and public land preservation.

These efforts by local movements and governments aim to accomplish the various goals their leaders have established. The policies look different across the country, and vary due to political, economic, and governance factors. Some policies began with a mass movement of organizers mobilizing voters to approve funding or the creation of a public developer, such as in Los Angeles and

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Seattle. Others have been created by elected leaders eager to address the housing crisis, as in Chicago. Some are proposed by a coalition of advocacy groups and elected champions as in New York and Rhode Island. The analyses that follow explain how policy design decisions made (or not yet made) by these jurisdictions create a wide array of outcomes, all under the umbrella of social housing.

We recognize that social housing encompasses a broad array of housing models, policies and programs, all of which follow a set of defining features to varying extents. For instance, rent stabilization policies are an important entry point to the decommodification of housing through limiting profit potential, and tenant opportunity to purchase act (TOPA) policies create pathways for tenants to remove property from the speculative market and democratically control housing. Both policies create the conditions for and advance social housing principles. For the purposes of this report, we will focus our analysis on policies (proposed or enacted) that directly lead to the creation or preservation of housing that is owned by public and/or nonprofit entities.

This guide is for all housers: Organizers and coalitions working toward a housing system that keeps people at the center, and elected leaders and administrative stewards who aim to reform and reimagine the tools at their disposal for meeting community needs. As leaders explore and design their own policies, they should keep these questions front and center:

- What makes social housing principles difficult to design for in your jurisdiction, and are these challenges related to political will?
- How does our current housing system hold us back from creating the conditions necessary for social housing to succeed?
- What are the housing issues that pre-existing policies address, and how can social housing policies be designed to solve housing issues that pre-existing policies can't?
- How is the real estate state currently influencing governance in your jurisdiction, and how can social housing shift the power dynamics toward a community-led development ecosystem?

A SNAPSHOT OF SOCIAL HOUSING POLICIES

Below is a high-level directory of the 10 social housing policies that will be discussed in this report:

Jurisdiction and Policy	Legislative Text	What The Legislation Does	Timeline of Passage and Implementation	Principles to Pay Attention To
PASSED POLICIES BEING IMPLEMENTED				
Atlanta, GA Atlanta Urban Development Corporation (AUDC)	Resolution No. 23-27 Authorizing Creation of AUDC	Created the Atlanta Urban Development Corporation as a nonprofit tasked with turning public land assets into mixed-income housing developments	Atlanta Housing Authority created AUDC in July 2023; City Council granted AUDC an option to purchase surplus City-owned property in August 2023 Developments: Midtown Fire Station (Request for Qualifications in March 2024); Thomasville Heights (Request for Qualifications in May 2024)	Finance
Montgomery County, MD Housing Opportunities Commission (HOC) Housing Production Fund (HPF)	Resolution 19-774	Created the Housing Production Fund, which is a revolving loan fund used to finance construction of housing	County Council established the HOC in 1974; County Council passed Housing Production Fund Resolution in March 2021; first $50 million bond issued in August 2021; second $50 million bond issued in May 2022; first development completed in June 2023 Developments: The Laureate (completed June 2023); Hillandale Gateway (in development); Wheaton Gateway (in development)	Finance
San Francisco, CA Housing Stability Fund	Sec.10.100-78	Created a Housing Stability Fund for the acquisition, creation, and operation of affordable social housing developments	Board of Supervisors established the Housing Stability Fund and Oversight Board in November 2020 Developments: Two projects for educators; five projects through city-acquired land (all in development)	Anti-Discrimination
Seattle, WA Seattle Social Housing Developer	Initiative 135	Created the Seattle Social Housing Developer to develop, own, and maintain social housing	House Our Neighbors submitted signatures to get on the ballot in June 2022; 57% of voters approved in February 2023 election	Ownership, Community Control, Income Targeting & Cost burden

Jurisdiction and Policy	Legislative Text	What The Legislation Does	Timeline of Passage and Implementation	Principles to Pay Attention To
PASSED POLICIES IN DEVELOPMENT				
California (state) Stable Affordable Housing Act	SB 555	Requires the Department of Housing and Community Development to complete a Social Housing Study by December 21, 2026	Bill introduced by Senator Wahab, passed by legislature and signed into law by Governor Newsom October 2023; requires a study to be completed by December 31, 2026.	Ownership, Income Targeting & Cost Burden, Tenant Protections
Chicago, IL Green Social Housing Revolving Fund	SO2024-0007838 Bond Ordinance; 2024-2028 Housing and Economic Develop-ment Bond Allocation Plan	Approved bond issuance, from which $115-$135 million will be dedicated to the Green Social Housing Revolving Fund	Bond plan proposed by Mayor Johnson; City Council approved bond issuance in April 2023; program guide-lines being developed	Finance
Los Angeles, CA Measure ULA, which funds the ULA Alter-native Models for Permanent Affordable Housing Program	Real Estate Transfer Tax; ULA Alternative Models for Permanent Affordable Housing Program Guidelines (starts pg. 159)	Increased real estate transfer tax on the sale of properties valued $5 million or more in the city of Los Angeles, 22.5% of which is dedicated to alternative models for per-manent affordable housing	United to House LA submit-ted signatures to get on the ballot in May 2022; 58% of voters approved in November 2022 election; Citizen Oversight Committee created in February 2023; permanent program guide-lines passed by citizen oversight committee in August 2024	Community Control, Income Targeting & Cost Burden, Tenant Protec-tions, Anti-Discrimination, Finance

Jurisdiction and Policy	Legislative Text	What The Legislation Does	Timeline of Passage and Implementation	Principles to Pay Attention To
PROPOSED POLICIES REQUIRING ADOPTION				
New York (state) Social Housing Development Authority (SHDA)	S8494/ A9088	Would create a New York Social Housing Development Authority to build, acquire and permanently own housing	Introduced by Assembly Member Gallagher and Senator Cleare in February 2024; needs to be passed by state legislature	Ownership, Community Control, Decommodification, Income Targeting & Cost Burden, Tenant Protections
Rhode Island (state) Create Homes Act	S2939	Would use $300 million in ARPA funds to create a statewide Department of Housing to buy land and build housing	Introduced by Senator Kallman in May 2022; needs to be passed by state legislature	
Washington, D.C. Green New Deal for Housing Amendment Act of 2023	B25-0191	Would establish an Office of Social Housing Developments to foster the construction, maintenance, and growth of District-owned mixed-income housing	Introduced by Councilmember Lewis George in March 2023; needs to be passed by District Council	Ownership, Community Control, Income Targeting & Cost Burden

PRINCIPLES IN CURRENT SOCIAL HOUSING POLICIES

PRINCIPLES FOR COMPARISON
Social housing has been defined by many organizations and coalitions across the country. The set of principles we will use to compare the 10 social housing policies in this report is inspired by those definitions. Through this comparison, we will demonstrate how policy design decisions can deliver (or be set up to deliver) a broad set of outcomes.

1. Ownership – Who owns the housing that is produced or preserved by this policy? Does the policy prioritize collective or public ownership models that ensure long-term community benefits?

2. Community Control – How much influence do residents and community members have over the housing? How are they involved in decision-making, governing, and maintaining the housing over time?

3. Decommodification & Affordability Term – How well is the housing insulated from the private real estate market and market pressures? Relatedly, how long is the housing affordable for and what are the mechanisms ensuring long-term affordability?

4. Income Targeting & Cost Burden – Who is the housing affordable for and how does the policy address cost burdens for lower-income households? Does it target those most in need?

5. Tenant Protections – What protections are built into the policy to ensure long-term stability for tenants?

6. Anti-Discrimination – How well does the housing combat the lingering discriminatory effects of past housing policies and practices in order to reduce disparities, promote equity, and create whole communities?

7. Finance – How is the housing financed?

8. Building For People & Planet – What elements of sustainability and responsible labor practices are incorporated into the development of housing? Does the policy prioritize environmental health, resource efficiency, and fair labor standards for workers involved in construction and maintenance?

The jurisdictions highlighted in this report approach the creation of social housing and the articulation of social housing principles in different ways – some start with a funding source, some start with the creation of a developer, and some combine both. As with any policy, there is no perfect approach, and the challenge of affordable housing for all has compounded for more than a century, making it complex and deeply entrenched. It will take more than one piece of legislation or source of revenue to solve this puzzle. Every choice creates different outcomes, so it's key to understand the scope of choices and the impact of each. These 10 policies are compared using the 8 principles that the housing justice movement has uplifted as its core principles for social housing: ownership, community control, decommodification and affordability term, income targeting and cost burden, tenant protections, anti-discrimination, finance, and building for people and the planet. *A more comprehensive set of charts is available in the Appendix.*

THINKING ABOUT A SOCIAL HOUSING POLICY FOR YOUR COMMUNITY?
What's core to designing the right policy for your jurisdiction is understanding the priority outcomes for your community. Consider these critical questions:

- Is your goal to maximize housing production as quickly as possible?
- Are you focused on building and acquiring housing that will be in community control?
- Are you aiming to create targeted housing policies to address homelessness? Or is your vision a universal policy that serves populations across various income levels?

While reviewing the comparisons, reflect on the choices different jurisdictions are making and whether their priorities align with the principles you hope to advance in your own social housing model. Here you can consider:

- What are the areas in which you can expand your imagination and shift budget and development priorities?

- In what ways is the real estate state limiting your imagination?
- How are organizers and movements pushing for different ways of governing for the public good, so that everyone – regardless of race, class, and housing tenure – can benefit from housing investments?

OWNERSHIP

Who owns the housing that is produced or preserved by this policy? Does the policy prioritize collective or public ownership models that ensure long-term community benefits?

The question of ownership is crucial in determining the long-term control and use of housing. The entity that owns the housing ultimately has control over its future use. Ownership rights — the question of who has possession, control, exclusion, enjoyment, and disposition – dictate whether the property continues to be used for residential purposes and the public good, or sold to private entities for profit. Jurisdictions that retain permanent public ownership are willing to take on the responsibility of asset management to ensure perpetual control over the land and its use. As an added protection against future administrations or governing bodies selling off social housing assets, jurisdictions can set resale restrictions up front.

In Seattle's policy and New York and Washington, D.C.'s proposals, social housing units that are built or preserved would be owned exclusively by the public developer. This greatly increases the chances that properties are kept in public use in the long-term. California's legislation mandates that the land associated with the housing units would be permanently protected from being sold or transferred to any private person, for-profit entity, or a public-private partnership, thus protecting the developments and the land on which they are built from speculation. Some jurisdictions – Los Angeles, San Francisco, and Rhode Island – allow a broader range of owners, such as public entities, housing authorities, community land trusts, cooperatives, resident associations, non-profits, or a combination of them. In Atlanta and Montgomery County's policies, ownership stakes vary by development, but with development agencies retaining at least majority ownership. Different social housing models might involve nuanced and innovative views of property ownership under the law. In some social housing models, residents do not have full legal control over the property they live in, in that they might not be able to sell it for unlimited profit or are limited in who they sell it to. It's important to note that the goal of limiting ownership rights is to ensure the scarce resources of land and housing are insulated from speculation.

BASIC PRINCIPLES

Community Service Society of New York (CSSNY) asks the question "How Social Is That Housing?" and compares housing models using the following features:

- Decommodification, which measures a housing model's vulnerability to real estate market pressures;
- Social equity, which measures how housing models promote equal status among its residents and between its residents and non-residents;
- Resident control, which measures the level of meaningful influence a housing model's residents have over decision-making and governance.

The Alliance for Housing Justice has outlined 8 basic principles for social housing in the U.S.

1. **Socially owned:** owned by public entities, tenants, or mission-driven non-profits
2. **Permanently affordable:** permanently and deeply affordable to all
3. **Permanently decommodified:** protected from for-profit investors and the speculative market
4. **Under community control:** developed, owned, managed, and operated in a way that is accountable to residents, the community, and the public
5. **Anti-racist and equitable:** designed to promote racial and gender equity, and end displacement of communities of color
6. **Sustainable:** built using green construction methods according to the principles of energy efficient design
7. **High quality and accessible:** high quality, built to last, and accessible to all people regardless of age, physical need, or other factors
8. **With tenant security:** operated within a set of practices that protect tenants from evictions and displacement

In a 2024 report, "Building Our Future: Grassroots Reflections on Social Housing", a group of organizers, policy analysts, and educators rooted in housing, racial, and climate justice movements describe social housing as:

- High quality,
- Permanently affordable,
- Deeply affordable,
- Publicly or collectively owned,
- Under democratic community control,
- Insulated from the market,
- Publicly-backed,
- A system of laws, policies and institutions that help make housing affordable and accessible for everyone.

COMMUNITY CONTROL

How much influence do residents and community members have over the housing? How are they involved in decision-making, governing, and maintaining the housing over time?

Community control goes beyond ownership. It ensures that residents have specific decision-making power, governance, and long-term stewardship of housing developments, with broader community input. At its core, community control fosters accountability and ensures housing remains aligned with the needs of its residents over time.

At the most granular level, it can refer to tenant unions or resident councils that meaningfully participate in building governance. These bodies allow tenants to make decisions about the management, maintenance, and rules governing their homes, giving them meaningful input on day-to-day operations. Residents can collectively influence property management practices such as rent setting, repairs and capital improvements, or even sustainability initiatives within their housing complexes.

Broadening the scope, community control also extends to the involvement of neighbors of social housing developments, who can shape the development itself, similar to city planning processes. To be clear, this type of community control is antithetical to the local control that has often led to exclusion, segregation, and restriction of development. In the context of social housing, community control means that neighbors may be able to influence the design, location, and amenities offered, ensuring that new developments meet the broader needs of the surrounding community, not just those of the immediate residents. For example, residents of a neighborhood that has been historically cut off from parks can advocate for the inclusion of public greenspace in a social housing development. This participatory approach can help prevent the disconnect between development and the needs of existing communities, reducing the risk of displacement or gentrification.

Stepping back even further, community control can look like a social housing developer board or advisory council to oversee funding decisions, set program guidelines, and review operational performance. These councils may include a mix of residents, community leaders, housing advocates, and local officials. More levers for community control create stronger accountability mechanisms to ensure that the social housing policy operates according to its intended design.

The strongest designs for multiple levels of community control are found in Seattle, Washington, D.C., New York, and Los Angeles. Each of these policies or proposals incorporate building-level resident representation, meaningful community input in development planning processes, and some kind of oversight committee or board that co-governs and overlooks policy implementation. Atlanta and San Francisco have advisory boards that have varying degrees of decision-making power: Atlanta's AUDC board of directors is only tasked with approving final contracts, whereas San Francisco's oversight board includes social housing residents and can provide guidance for use of funds. Montgomery County and Rhode Island make no mention of specific requirements of community input or control.

DECOMMODIFICATION & AFFORDABILITY TERM

How well is the housing insulated from the private real estate market and market pressures? Relatedly, how long is the housing affordable for and what are the mechanisms ensuring long-term affordability?

From rising property values that drive up rents, to property sales that transfer public lands to private hands, housing is vulnerable to market forces seek-

ing to commodify it as a financial asset and investment. Housing is protected from the private market when it is disconnected from for-profit investors and the speculative market, insulated from extractive forces, and treated as a public good. Through restructuring of ownership terms and incorporating a commitment to permanent affordability, social housing policies remove the financial incentive to realize equity through raising rents or selling properties in hot markets, thereby prioritizing stability for renters.

In New York, the recent proposal for social housing protects all units from market forces by requiring permanent public ownership. Additionally, all excess rental income is reinvested into maintenance repairs or expanding the social housing stock. On the other side of the spectrum, Rhode Island's proposal does not insulate the units from market pressures – housing can be sold to homeowners and there are no restrictions on resale formulas, meaning that future buyers are at the whim of the market. As a result, public dollars invested in this housing are not recouped in the resale process or reinvested into future residents.

If public ownership is not permanent, it's important for policies to include a substantial affordability term, or legal requirement for housing to be affordable for a set number of years. This can be done through mechanisms such as deed restrictions or ground leases, and are key to ensuring that housing exists outside of the private real estate market. One of the greatest weaknesses of existing affordable housing programs is their limited affordability terms. Since 1990, the affordability term for Low-Income Housing Tax Credit (LIHTC) properties has been 30 years. As such, many operators will opt out of affordability requirements after the 30-year period. This creates scenarios in which tenants are displaced or evicted from their homes after a certain period of time, disrupting families and entire communities. The creation of permanently affordable housing ensures that the affordable housing supply does not shrink as affordability expires.

In most policies included in this review, all units are permanently affordable, including California's proposal and Seattle's policy. Alternatively, San Francisco's affordability period is set at 99 years. Although the period is a substantial improvement from LIHTC, there still remains the risk that at the end of the affordability period, without intervention from the oversight board, rents become market-rate and the building enters the private market.

INCOME TARGETING & COST BURDEN

Who is the housing affordable for and how does the policy address cost burdens for lower-income households? Does it target those most in need?

The greatest and most urgent need across the country is for housing that offers the deepest affordability, specifically housing affordable to those earning 0-30% of Area Median Income (AMI). Deeply affordable housing is not created by the private sector due to a lack of profit potential – the rent collected cannot cover operating costs, meaning the development has an operating deficit. Even nonprofit developers, who aim to serve low-income populations, are constrained by insufficient subsidies from local, state, and federal governments that make owning and operating deeply affordable housing feasible.

Some affordable housing programs offer an AMI range that units should be affordable to (i.e., 60-80% AMI), while others set an upward limit (i.e., units must be affordable to households earning 80% AMI and below). More localized AMI measures such as city-wide, neighborhood-wide, or zip code-related AMIs, have an increased likelihood of creating opportunities for pre-existing residents. Regional AMIs take into account larger geographic areas, meaning the presence of wealthier regions pushes AMI towards a number that does not reflect lower-income, and often disinvested, communities.

Income targeting varies across the 10 policies. Los Angeles, New York, Washington, D.C., Seattle and California plan to explicitly target extremely low-income households and require a certain percentage of units to be affordable to households earning less than 30% of AMI. Atlanta and Montgomery County's policies require 20% of units to be income restricted to households earning 50% AMI or below, which does not quite reach the deepest levels of affordability. San Francisco's policy allows income averaging across units as long as the average income in a project does not exceed 80% AMI. Rhode Island requires "affordable" and "workforce" housing, but their definitions of affordable are much higher income than what most policies aim to achieve; affordable means 120% AMI or below, and workforce means 80-120% AMI.

With insufficient housing that is affordable to middle and lower incomes, more people than ever are spending more than 30% of their income on housing, and this applies to people living in subsidized affordable housing as well. In most other subsidized housing programs, but especially the Low-Income Housing Tax Credit, tenants income-qualify for housing, but are vulnerable to annual rent increases even if their income remains stagnant. For example, someone could earn 40% AMI, qualify to live in a 60% AMI unit, and be cost burdened because they are paying rent based on a 60% AMI. When updated AMIs are released annually, the LIHTC property manager may increase rent to the maximum allowable rent, meaning the 40% AMI-earner's rent, and thus cost burden, would increase. Some of the only housing policies that eliminate housing cost burden – and ensure tenants won't have to pay more than 30% of their income towards housing – are the Housing Choice Voucher program and public housing. Another factor to consider is that tenants whose incomes increase may be displaced from housing due to their income growth, which punishes economic mobility. Social housing policies should seek to not only eliminate cost burden by ensuring rent is set at 30% of income, but also allow residents to stay in their housing as their economic conditions improve (i.e. do not require annual income certification).

Eliminating cost burden is a rare feat in affordable housing development because it requires property managers to fill affordability gaps with other sources of funding when rents are below what is forecast in their cash flow projection that details sources of income and expenses (real estate pro-forma) – doing so ensures that people pay what they can afford while also maintaining a balanced operating budget. In only 3 of the policies are renters relieved of cost burden, and even then, it's not a guarantee for all social housing residents. For example, in New York's proposal, initial annual rent in permanently affordable units would be set at 25% of household AMI and the SHDA would not require income recertification, meaning residents would continue to pay the original rent regardless of income growth. In Washington, D.C.'s proposal, tenants who are considered extremely low-income, very low-income or low-income at the time of their initial lease agreement will never pay more than 30% of their monthly income in rent. Seattle's policy strives to limit rent to no more than 30% of income, but it's not a requirement. In the remaining policies, rent formulas are either unknown at this stage, or rents are set based on AMI rather than what the household can afford, meaning tenants may experience housing cost burden.

TENANT PROTECTIONS

What protections are built into the policy to ensure long-term stability for tenants?

Just because social housing exists does not guarantee that those in need are able to access it or stay in their homes. All residents deserve a fair process to access housing, maintain housing quality, and remain in their homes and community for the long term. In most places, community members who rent their homes are left unprotected by local and state laws – with some states outright banning any tenant protections at the local level through state preemption. Corporate lobbies have increasingly abused state preemption to prevent local governments from addressing the housing needs of their communities. However, because public or nonprofit entities fund and control social housing – and therefore make decisions about property management – there is a unique opportunity for tenant protections to be enacted that wouldn't otherwise be possible in the private housing market. For example, if a local jurisdiction is preempted from enacting rent controls on private residential real estate, the public entity can design and implement a rent control policy for social housing developments. This can act as proof of concept and set a precedent for how strong tenant protections are feasible in property management and beneficial for tenants and property owners. Important tenant protections to consider include:

Just because social housing exists does not guarantee that those in need are able to access it or stay in their homes. All residents deserve a fair process to access housing, maintain housing quality, and remain in their homes and community for the long term.

- **Anti-discriminatory protections to ensure access:** these policies protect residents who are applying for housing from outdated and unfair screening criteria, including protections against discrimination based on income, credit, or rental history. These policies can also prevent blanket disqualifications based on criminal records, or a prior eviction. By establishing more inclusive tenant screening practices, these policies help expand housing access to community members who may otherwise face unjust barriers to stable housing.
- **Anti-retaliation and just cause eviction protections:** these policies limit the reasons for which a resident can be evicted, which mitigates the risk of retaliatory evictions due to actions such as advocating for improved conditions. It ensures that as long as tenants are complying with the lease and paying rent, they are allowed to remain in their homes.
- **Housing cost stability protections:** policies that prevent egregious and unpredictable rent hikes, and don't require ongoing income recertification allow residents to stay in their home and communities over the long term with a greater sense of security and certainty.

Existing tenant protections vary across local jurisdictions and states, therefore social housing proposals that do not include tenant protections may rely on existing laws. Notably, Montgomery County's HOC does not require additional tenant protections for its developments, though residents benefit from rent stabilization and tenant opportunity to purchase policies. Nevertheless, social housing policies are an opportunity to reaffirm and expand tenant protections. The New York proposal outlines very strong tenant protections – specifically that social housing residents will be covered by rent stabilization, just cause eviction protections, the right to receive timely repairs, and the proposal does not subject residents to income recertification. In its initiative text, the voter-approved Seattle Social Housing Developer requires restorative justice conflict resolution prior to being subject to eviction, with the goal of allowing tenants who are causing harm to address root causes and avoiding behaviors that take autonomy away from someone who is harming the community. California's recently passed social housing study bill proposes just cause protections.

Another critical dimension of tenant protections is considering how tenants will be impacted by any redevelopments or major renovations resulting from the social housing policy. Los Angeles' legislation and Washington, D.C.'s proposal outline protections for residents who may be displaced by redevelopment of existing housing. In Los Angeles, projects must provide relocation benefits and the right of first refusal to a new social housing unit, and Washington, D.C. would create a right to return for residents of renovated properties.

ANTI-DISCRIMINATION

How well does the housing combat the lingering discriminatory effects of past housing policies and practices in order to reduce disparities, promote equity, and create whole communities?

Housing is more than a place to live. Decisions about where social housing is developed, who it is accessible to, and the health of communities it is built in all impact the quality of life for residents. It's important to examine how social housing policies advance racial equity, address the legacy of racist housing policies, and promote opportunity and belonging for people who have historically been excluded. Considerations include whether the housing perpetuates racialized investment and disinvestment patterns, creates true housing choice by giving residents many options that are within their reach, prevents gentrification and displacement and is accessible to people with various immigration statuses and criminal records. It's important to consider whether it is built in locations in which residents have access to community assets like high-quality schools, jobs, social services, and access to transit. Income targeting and cost burden, though discussed in a separate section, are key to this as well. Ensuring that housing is accessible to a broad range of incomes and going beyond AMI as a rent calculator are additional pathways to advancing equity in social housing.

Housing available to a wide range of households with diverse backgrounds and income levels will take time to plan and build. Achieving diversity and inclusion and undoing racialized and unequal patterns of living is something to strive for – charting a path to get there starts with setting this priority and establishing goals and indicators to work toward in the implementation of the policy.

While the policy in Los Angeles has not been fully implemented, its design offers a model. Guidelines state a primary goal of adhering to principles of racial equity, focusing on providing stable housing for vulnerable communities. The policy operationalizes this by providing resources to address patterns of racial and economic segregation. To promote disability justice, guidelines also require that project sponsors comply with accessibility standards. The Los Angeles policy is multi-pronged and proactive, including concrete ways that justice can be promoted and historic discrimination can be addressed.

In Atlanta and Montgomery County, program guidelines encourage but do not require elements that provide holistic community features, such as pedestrian infrastructure, family-sized units, and public services. Because these guidelines do not require specific action from development sponsors yet use significant public resources, these housing policies are susceptible to repeating patterns of historic segregation and discrimination. If housing policies intend to address past injustices, they must require specific action.

FINANCE

How is the housing financed?

This category examines the funding sources being used to build and operate housing. The way in which housing is financed shapes how well it is insulated from the private market. Property speculation is driven by private developers using projections of quickly increasing rents or skyrocketing underlying property values to take on risky debt. When private equity investors are involved in providing a piece of the capital necessary to build housing, it requires a profit margin from which to deliver expected returns on investment, undermining any effort to achieve decommodification. Housing that is funded exclusively by public financing, such as tax revenue or bonds, ensures that dollars invested into housing stay within the system through deepening affordability or expanding the supply of social housing. Cross-subsidization, which uses higher rents to subsidize the operating costs of having lower rents, is one way to contribute to the financial sustainability of a development. However, it should not be the exclusive source of operating funds because it sets property owners up to interpret residents who pay lower rents because of lower incomes as risks to operating budgets, ultimately preventing models from being able to serve the deepest levels of affordability that are most needed in our communities.

Los Angeles' housing policy was created by first passing a dedicated source of revenue, Measure ULA, which is a real estate transfer tax on real estate sales of $5 million or more. Proceeds from the tax can be used as predevelopment, construction, or permanent loans for development projects. This is paired with a Los Angeles Housing Department loan program that offers funds for acquiring building sites and design or planning costs as well as access to city-owned land. Chicago and Montgomery County both convert municipal bonds into revolving loan funds, offering construction loans to developers who will build housing projects. Once construction is complete, long-term financing is secured and the construction loan is paid back to the local government. That original construction loan is then reinvested to build future developments.

The combination of public resources offers the public more control over the development projects, which means that in volatile economic times, the housing is slightly more insulated from pressure compared with the other models.

Washington, D.C.'s proposal calls for start-up funding for the Office of Social Housing using District general funds. The proposed plan is to dedicate 10 percent of the Housing Production Trust Fund to social housing. In Atlanta, projects are funded with a combination of discounted public land, property tax exemptions, bond-financed construction loans and debt through municipal bonds for permanent loans. Los Angeles' model stands apart in that a highly progressive tax provides a dedicated source of revenue while combining city funds for the work of the pre-development of a project. The combination of public resources offers the public more control over the development projects, which means that in volatile economic times, the housing is slightly more insulated from pressure compared with the other models.

CROSS-SUBSIDIZATION

Some financing models being discussed and proposed around the country rely almost exclusively on cross-subsidization to cover operational costs. Doing so frames residents with lower incomes as risks to be managed, which is unhelpful when attempting to solve the housing crisis. Often, such policies say they look to Vienna, Austria for its social housing model, which does factor in cross-subsidization as a form of covering operational costs. However, it is important to note that higher rents subsidizing lower rents is not how Vienna's housing system became affordable to most of its residents. The local government allocates federal tax and general income tax revenues to subsidize the construction of housing. Vienna receives 250 million Euros from the federal government each year solely for housing construction. The city acquires land and housing at a large scale and legislation aimed at keeping housing out of the private market keeps real estate costs low. When citing Vienna as an example of cross-subsidization, any policy proposal must also keep in mind the robust public investment the city has put in its housing system over the last 100 years with the goal of making housing a human right, not a vehicle for profit.

BUILDING FOR PEOPLE & PLANET

What elements of sustainability and responsible labor practices are incorporated into the development of housing? Does the policy prioritize environmental health, resource efficiency, and fair labor standards for workers involved in construction and maintenance?

As our climate crisis worsens and communities of color are disparately impacted by climate migration and displacement, any actions taken to create new housing should help address climate change, not exacerbate it. There are different ways to incorporate sustainability into housing developments, including but not limited to: energy efficient or net zero home design, building or retrofitting homes to withstand extreme weather events, constructing housing in low disaster-risk areas, or carbon neutral construction practices. Important to consider as communities adapt to climate change is that the labor required of workers is changing. Practices that respect and promote labor are also key in adapting to a changing world – whether it is using union labor to build green housing, ensuring adequate worker protections, or helping workers gain the skills to create sustainable communities.

Seattle, New York and Washington, D.C. policies and proposals include language requiring robust labor standards such as project labor agreements and paying prevailing wages. Washington, D.C. includes other requirements such as supporting small and local businesses, whistleblower protections, and employing labor through the District's solar installation workforce training programs. It also includes specific, comprehensive requirements for green construction, spelling out criteria for net-zero emissions, solar energy production, and high-efficiency heating and cooling systems.

Other proposed policies in Los Angeles, San Francisco, California and Rhode Island utilize existing state and local laws on green construction. For example, the State of California has a Green Building Standards Code which aims to reduce environmental impacts of construction. While Atlanta's policy has a stated commitment to sustainable development and clean energy practices, there are no requirements. Sponsors of proposed projects are asked to describe their approach to environmental sustainability.

Montgomery County and Seattle present two distinct case studies as to how recent emerging models can differ in how their design and implementation reflect social housing principles.

UP CLOSE: SEATTLE, WA AND MONTGOMERY COUNTY, MD

Not all social housing policies are created equal. Policies should strive to practice the principles outlined by grassroots organizers who have led the social housing movement, but as noted above, some lack the explicit requirements or commitments to do so. Private actors in the real estate market have a financial interest in ensuring housing stays commodified, and we should be wary of their influence on social housing policies, whether that is through advocacy to shape policy or taking part in the construction and management of the housing itself. Centering resident stability and prioritizing the value of staying accountable to grassroots movements is the best way to strive for the "most social" housing. Montgomery County and Seattle present two distinct case studies as to how recent emerging models can differ in how their design and implementation reflect social housing principles.

ACCELERATING HOUSING PRODUCTION IN MONTGOMERY COUNTY

In designing the Housing Opportunity Fund, the Housing Opportunities Commission (HOC) sought to expand the supply of housing and do it quickly. The HOC is a quasi-governmental organization governed by a five-person county-appointed commission. HOC self-describes as a housing accelerator, stating: "We work to leverage nearly any financial tool/resource to expand and/or accelerate its impact. From leveraging private funds to infusing capital with equity, we take a creative financing approach that gets deals done." This focus has helped them create a revolving construction fund that has caught the attention of jurisdictions across the country, building high-quality housing units with little government subsidy, and a structure through which public investments are reinvested within a relatively short period of time (5 years).

With regard to social housing, the north star of designing the strongest policy that exhibits every principle may start with the inclusion of only a few. Montgomery County's model is effective in accomplishing its goals and leverages its strengths because of its friendly orientation to the market.

HOC's strengths – and what make it nimble – are that it is a market-leveraging entity that operates like a bank or housing finance agency, and works closely with private developers, relying on them to carry the burden of putting together a deal, construction, and leasing up buildings. And yet, these strengths also create gaps in their ability to meet other social housing principles. For example, in wanting to minimize government subsidy and legislative appropriations, the model exclusively relies on cross-subsidy to cover operating costs. As previously mentioned, cross-subsidy is an important tool, but it cannot be the only tool because it often prevents the ability to offer housing at the deepest level of affordability. For instance, making it possible for someone earning 10% of AMI to live in a building that is not funded by any government investment would require a substantial level of cross-subsidy to support that depth of affordability. Government subsidies are an important and necessary mechanism to serve lower-income households. HOC's current model, which only requires 20% of units to be affordable at or below 50% AMI and 10% of units at or below 65-70% AMI, does not meet the greatest housing need at 30% AMI and below, ultimately excluding the lowest income households who are disproportionately Black, Indigenous and people of color[4].

HOC's approach is a tweak to the system – replacing private equity investment with government bonds. This, of course, allows them to scale up and create housing supply quickly. However, because HOC's policy mostly operates within the current housing market, and not comprehensively challenging the housing production system, it has led to some decisions that perpetuate the problems of our current system. One example is their choice in property management for their first development, The Laureate: Bozzuto Management. Bozzuto has a problematic reputation in the D.C. area. The company has been accused of discriminating against voucher holders, colluding with RealPage to artificially inflate rent prices, and playing an active role within the powerful real estate lobby network that advocates against core policy solutions to protect tenants. That, combined with the lack of community control or resident governance in the model, demonstrate HOC's approach to housing production. Their focus is on scale and finance, without an emphasis on deep and inclusive affordability or tenant protections. Residents of Montgomery County benefit from a relatively strong set of pre-existing tenant protections, including county-wide rent stabilization and statewide tenant opportunity to purchase. Advocates at the state level are also fighting for the ability of Maryland counties to opt into just cause protections. (It's important to note that Montgomery County does not refer to the HOC as "social housing" – that is a

[4] According to the Montgomery County DHCD, in 2022, households earning 30% of Area Median Income ranged from a single-person household earning $29,900 to an 8-person household earning $56,400. Based on data from the U.S. Census Bureau 2012-2016 American Community Survey, Black residents disproportionately earn below 30% AMI. For example, Black residents make up 18% of the population in Montgomery County, yet consist of 26% of people earning less than $10,000, 24% of people earning $10,000-$15,000, and 32% of people earning $15,000-$20,000.

term that reporters, journalists, and other housing advocates have bestowed upon the endeavor.)

To be clear, not every social housing policy can meet every principle all at once. Policymaking is an iterative process through which incremental changes gradually shift the notion of what is possible. With regard to social housing, the north star of designing the strongest policy that exhibits every principle may start with the inclusion of only a few. Montgomery County's model is effective in accomplishing its goals and leverages its strengths because of its friendly orientation to the market.

REIMAGINING WITH GRASSROOTS VISIONS IN SEATTLE

Seattle's model, on the other hand, takes a different approach. The grassroots movement behind Seattle's social housing ballot initiative, House Our Neighbors, is clear on their issue analysis: the current housing system is broken and flawed, and small tweaks are not enough. Their model was inspired by models in Vienna and Singapore, and seeks to supplement the existing ecosystem of affordable housing subsidized by the federal government and various city policies to create a publicly-owned, mixed-income social housing portfolio.

If and when it does ultimately win the level of financial investment that makes the HOC model possible, the Seattle model will deliver outcomes that strongly exemplify social housing principles and create housing that is more in service of the public good.

House Our Neighbors prevailed when 57% of voters approved the creation of the Seattle Social Housing Developer (SSHD), the charter of which reflects values of perpetual affordability, community building through requirements for child care centers and other aligned communal spaces, anti-racist and anti-discriminatory practices for leasing to tenants, and strong labor standards. Since the initiative passed, organizers have worked with city leaders to appoint a board of directors representing the interests of renters, moderate-income workers and other stakeholders. About one year after SSHD was created, the board hired a chief executive. Critics of the nascent developer have pointed out how the public authority has been slow to find its footing while the board has awaited funding from the city for startup costs, as spelled out in the initiative voters approved. Payments from the city and the state have lagged.

House Our Neighbors knew that public funding would be necessary for SSHD to operate, but they were limited in their first ballot initiative due to a Washington law preventing more than one provision from being on a ballot initiative at once. In the summer of 2024, they launched part two of their plan: propose a funding source for SSHD. Organizers collected over 37,000 signatures to put an excess compensation tax to voters, which would tax employers who pay their employees $1 million or more 5% on every dollar over $1 million, generating roughly $52 million annually. The Seattle Metropolitan Chamber of Commerce came out against the tax. The majority of council members ultimately voted to remove the resolution adding the initiative (I-137) to the ballot from the council agenda, delaying the ballot initiative to 2025. Various business groups, including the Chamber of Commerce and the Downtown Association, successfully pressured the council to put an alternative initiative to voters, proposing that funding come from an existing payroll tax that already funds affordable housing programs in the city and limiting subsidies to units for low-income renters. This would hinder the mixed-income nature of developments necessary, according to the developer's financial planning.

While no buildings have been created by SSHD yet, the developer's charter exemplifies the principles of decommodification, community control, tenant protections, and building for people and planet – all reflecting how the policy itself grew from a grassroots campaign of residents across the city. In many ways, the stark difference in production rates between HOC and the SSHD makes sense: HOC's market-orientation means that it was quickly accepted and integrated into our current housing system. SSHD, in taking time to create systems of accountability and values alignment, seeks to upend the real estate state and transform market dynamics, and in response, has received pushback and hesitancy from people and groups who seek to profit from a commodified housing system. If and when it does ultimately win the level of financial investment that makes the HOC model possible, the Seattle model will deliver outcomes that strongly exemplify social housing principles and create housing that is more in service of the public good.

CONCLUSION

The history of our real estate industry-contrived housing system reveals who was intended to benefit from housing: corporations. Over time, policy choices and the co-governance of real estate gave way to the housing crisis we've witnessed. It's time for communities to take back the wheel and to imagine, design, experiment, and demonstrate a housing ecosystem that serves people, not profit.

Montgomery County and Seattle's pursuit of social housing demonstrate the many complexities and tensions of developing a social housing policy. Like any housing policy, social housing will not be the silver bullet. But as evidenced by the 10 jurisdictions included in this report, this new model has the potential to help us address multiple issues that define our time, from environmental justice and climate disasters to homelessness and displacement to the increasing power and influence of corporations in our everyday lives.

During development of this guide, Sen. Tina Smith and Rep. Alexandria Ocasio-Cortez introduced legislation that would help communities and public developers build, rehabilitate and maintain housing outside of the private market. If passed, the bill would create a federal housing development authority, repeal the cap on public housing units the federal government maintains, and provide access to funds to local housing authorities and other community developers to meet local housing needs. The federal legislation was influenced by local models. The movement for social housing is growing and there is pressure from housers across the country for the federal government to act. However, the pressure is acutely felt in local communities and local leaders should not wait on favorable federal conditions to meet people's needs today. A federal infrastructure for housing for the public good will greatly benefit from – and is dependent on – strong local policy design and stewardship which elected leaders, administrators and organizers can shape today.

APPENDIX POLICY COMPARISON CHARTS BY PRINCIPLE

OWNERSHIP

JURISDICTION	Who owns the housing that is produced or preserved by this policy? Does the policy prioritize collective or public ownership models that ensure long-term community benefits?
Atlanta, GA	The Atlanta Urban Development Corporation, a 501(c)(3), will retain majority ownership (at least 51%) of developments during construction and after stabilization. In addition, developments will be on publicly-owned land.
California (state)	As proposed, the housing units would be owned and managed by a public agency, a local authority, a limited-equity housing cooperative, or a mission-driven nonprofit entity solely for the benefit of residents and households unable to afford market rent. The land associated with the housing units would be permanently protected from being sold or transferred to any private person or for-profit entity or a public-private partnership.
Chicago, IL	The Green Social Housing Revolving Fund will create housing that is under public ownership.
Los Angeles, CA	Properties will be owned and/or managed by public entities, housing authorities, community land trusts, limited equity housing cooperatives, or other nonprofits.
Montgomery County, MD	The HOC retains majority ownership and control. With the Laureate, the HOC has a 70% ownership stake. This will differ by development.
New York (state)	SHDA will own the properties acquired or developed as long as it exists.
Rhode Island (state)	As proposed, upon completion of a project, residential housing units may only be sold to individuals who are first-time homebuyers for owner-occupied housing, or nonprofit entities or agencies whose mission is to provide affordable, low cost, or workforce eligible housing for rent.
San Francisco, CA	The city, a nonprofit, residents, or a residents association will retain an ownership interest in the land, improvements, or both. Language does not specify whether ownership is a majority stake. Social housing owners also include community land trusts, limited equity cooperative housing, nonprofit housing corporation housing, and municipal housing.
Seattle, WA	The Public Developer will exclusively own social housing so that it is public forever.
Washington, D.C.	Social housing is owned by the District of Columbia and operated by the Office of Social Housing.

COMMUNITY CONTROL

JURISDICTION	How much influence do residents and community members have over the housing? How are they involved in decision-making, governing, and maintaining the housing over time?
Atlanta, GA	The AUDC has a Board of Directors that provides governance and decision-making. It consists of 11 members, 7 of whom are voting members appointed by the Board of Commissioners of the Atlanta Housing Authority. However, the Board is not a part of deal negotiations with developers and is only tasked with approving final contracts. Community engagement is a requirement for developers who are chosen to develop a site through the RFQ process. There is no information available regarding building-level resident engagement.
California (state)	As proposed, residents will have the right to participate directly and meaningfully in decision-making affecting the operation and management of the housing units in which they reside.
Chicago, IL	The local government would contract a property manager to operate the building in coordination with a tenant governance body. More details will likely be released when the Department of Housing creates the program framework.
Los Angeles, CA	The Citizen Oversight Committee will monitor and/or audit the implementation of the House LA Program. Residents will have a right to participate meaningfully in the decision-making and governance of the development project. All project sponsors are required to provide a Resident Engagement and Leadership Plan that includes monthly gatherings between property management and residents, the formation of a resident council, semi-annual meetings between residents and property management to review financials, and more. Development teams responding to Notices of Funding Availability (NOFA) must demonstrate experience supporting tenant governance models, or partner with a locally-based nonprofit organization that has that experience.
Montgomery County, MD	There are no guidelines or requirements related to resident or community control. It can be assumed that community engagement requirements of local planning departments must be met.
New York (state)	SHDA's board would consist of 19 members, including 8 members elected by social housing residents. SHDA would develop policies and procedures for engaging with local community members, elected officials, and other leaders in determination of project sites and the evaluation of development proposals, and would incorporate community feedback into the development of project proposals. At the building level, residents of every SHDA development would elect a body of representatives. This body would have the right to terminate the contract for any property management service by a majority vote.
Rhode Island (state)	There are no guidelines or requirements related to resident or community control.
San Francisco, CA	The Housing Stability Fund Oversight Board consists of 11 members, including 2 who are social housing residents. It provides oversight by making recommendations and providing guidance for the use of the Housing Stability Fund, including acquisition, preservation, rehabilitation, and construction.
Seattle, WA	A Board of Directors governs the affairs of the Public Developer. Residents must have opportunities to participate directly and meaningfully in decision-making. Each multifamily social housing development owned by the Public Developer will form a governance council in order to provide the resident perspective to property management, participate in the approval of renovation projects, and more.
Washington, D.C.	The Office of Social Housing would be governed by a 9-person board consisting of residents of the District of Columbia, including 4 who would be elected by social housing residents. The Director of the Office of Social Housing would establish a social housing coordinating council to support the creation, maintenance, and tenant governance of social housing developments. The Office of Social Housing and coordinating council would support the tenants of social housing developments to establish and maintain tenant association leadership boards to represent the best interests of residents. Tenant association leadership boards will be provided with a budget equivalent to 1.5% of the cumulative annual rent collected at their property.

DECOMMODIFICATION & AFFORDABILITY TERM

JURISDICTION	How well is the housing insulated from the private real estate market and market pressures? Relatedly, how long is the housing affordable for and what are the mechanisms ensuring long-term affordability?
Atlanta, GA	The AUDC's goal is to create and obtain permanent control mechanisms to ensure long-term affordability. By permanently retaining majority ownership of developments, the AUDC takes some steps towards decommodifying the housing it produces. The AUDC model depends on development partnerships with private sector developers, a relationship in which risk and profit sharing are negotiated between AUDC and the development partner. Due to that potential touchpoint with the private sector, and the AUDC not retaining full ownership, the housing is not fully insulated from the market.
California (state)	As proposed, social housing units will be permanently affordable. By permanently shielding the social housing and land from being sold to a private person or for-profit entity or a public-private partnership, SB 555 takes strong steps in shielding the social housing that will be produced from market forces. Because guidelines for financing mechanisms and capital stacks have not been created yet – and will likely be explored in the social housing study – it is too early to say whether the social housing's funding will be untethered from the private market, though advocates of the legislation want this to be the case.
Chicago, IL	The Green Social Housing Revolving Fund is described as creating long-term affordability. As currently proposed, housing developed or preserved by this policy will be publicly owned in the long-term, which is key to protecting homes from the speculative market. The proposed model relies on developers to build and sell social housing developments back to the local government, which, unless very clear parameters are set during the contract or pre-development phase, could be vulnerable to market swings. Other aspects of decommodification will be gleaned from the program framework and revolving loan fund terms, which will be established later.
Los Angeles, CA	All units are restricted affordable in perpetuity. By requiring permanent affordability and limiting ownership to public entities, local housing authorities, CLTs, limited equity cooperatives or nonprofits, the ULA Alternative Models program sets the bar high for decommodification. This limitation on ownership also applies to resale of rental property. In addition the program does not allow for-profit entities to be Managing General Partner in a project, going even further to insulate from private actors.
Montgomery County, MD	The income-restricted units in a development remain income-restricted in perpetuity, which is key to preserving affordability. HOC is the public entity that funds and owns the housing, but homes are built and managed by private sector partners, which can be problematic. For example, The Laureate is managed by Bozzuto Management, which has come under fire for habitability concerns and engaging in price-fixing schemes in private market properties that they manage.
New York (state)	SHDA developments would be protected from market forces due to their permanent affordability, permanent public ownership, commitment to reinvest all excess proceeds from rents for maintenance and expansion of social housing stock, and requirement to use funding that doesn't contradict with SHDA regulations.
Rhode Island (state)	Any housing approved by the department will contain a deed restriction that requires that the housing unit remain owner-occupied and not rented and that resale requires that the new purchaser must be a first-time homebuyer. The deed restriction will be enforceable by the department for 99 years. The proposed legislation does not insulate housing from market pressures because it puts housing back into the speculative market by selling to homeowners. It does not restrict resale formulas, meaning future buyers are at the whim of the market, and dollars invested in the housing are not recouped through limited equity resales.
San Francisco, CA	The housing will be permanently affordable, specifically for the useful life of the property but no less than 99 years through a recorded restriction or ground lease. By attaching 99 year affordability restrictions and limiting ownership to the city, a nonprofit, residents, or a residents association, the Housing Stability Fund is able to protect housing from market forces fairly well. Examining capital stacks for these developments would give further insight into other funding sources and whether they are public or private sources.
Seattle, WA	Housing will be permanently affordable, and tenancy must not be revoked based on changes to household income. Developments are permanently protected from being sold or transferred to a private entity or public-private partnership. Furthermore, rental rates must be dedicated to permanent affordability and set based on the amount needed for operations, maintenance, and loan service on the building or development. Both of these elements prevent extraction and ensure that money invested in social housing stays in the portfolio.
Washington, D.C.	Housing is permanently affordable, and Income certification will happen on an annual basis to determine monthly rent rate. Housing being permanently owned by the District of Columbia is a strong first step. More information on development partnerships would clarify other aspects of decommodification.

INCOME TARGETING & COST BURDEN

JURISDICTION	Who is the housing affordable for and how does the policy address cost burdens for lower-income households? Does it target those most in need?
Atlanta, GA	All AUDC-led projects are required to have a minimum of 20% of residential units affordable to households at or below 50% AMI, and 10% of residential units affordable to households at or below 80% AMI. The remaining 70% of residential units will be workforce and market rate units, with the incentive of property tax exemption for units that are affordable to households earning below 140% AMI. Deeper levels of affordability may be achieved through additional subsidy, but are not required by the AUDC. The AUDC has not stated anything in program guidelines regarding cost burden and tenant income certification. If someone earning less than 50% AMI qualifies to live in the 50% AMI unit, they would be cost burdened. If someone is able to use a housing voucher in an AUDC home, they would not be cost burdened. Program design has not explicitly addressed this issue.
California (state)	Each social housing development will contain housing units that accommodate a mix of household income ranges, including Extremely Low, Very Low, Low-, and Moderate-income households unable to afford market rent. Cost burden is not mentioned in SB 555 and will likely be a topic covered in the social housing study.
Chicago, IL	Details regarding affordability requirements across developments and resident cost burden have not been released. Chicago's Department of Housing is currently developing a program framework for the Green Social Housing Revolving Fund.
Los Angeles, CA	Projects may include a mix of lower income household income types, but must reserve a minimum of 20% of the units for Acutely Low Income (ALI) and/or Extremely Low Income (ELI) households. Up to 20% of units may be unrestricted in terms of rents and household incomes, only for the purpose of increasing the financial stability of ALI, ELI, and VLI household units in the project. The LA Housing Department will specify applicable income targeting and rent schedules in each Notice of Funding Availability (NOFA) for developments. All deed-restricted affordable units must be affordable in perpetuity with AMI limits set at the project rather than the unit level, and with a target average of 60% AMI across each project. There is currently nothing in the program guidelines that limits rent to 30% of income and protects tenants from housing cost burden.
Montgomery County, MD	HOC uses funds to finance developments with at least 30% of units income restricted (20% of units affordable at or below 50% AMI, and 10% at or below 65-70% AMI). Households earning less than those AMI levels qualify to live there, meaning they are paying 50% AMI or 65-70% AMI rent levels regardless of their actual income. Tenants are not protected from housing cost burden.
New York (state)	The SHDA can designate new projects as mixed income or 100% affordable. In acquisitions, the SHDA may choose not to impose mixed income or 100% affordable requirements if it would conflict with rents currently being charged to tenants or risk the financial viability of the acquisition. However, across the SHDA's portfolio, no more than one-third of units can be designated for households earning more than 100% AMI, and no less than one-fourth of units can be designated for households earning 30% AMI or less. In permanently affordable units, initial annual rent will be set at 25% of household AMI and the SHDA will not require income recertification once residents have occupied a unit.
Rhode Island (state)	In developments of 10 or more units, 25% of the housing units shall be designated as affordable housing units and 75% of the housing units shall be designated as either workforce eligible housing or affordable housing. In developments of 5-9 units, 30% of the housing units shall be designated as affordable units and 50% of the housing units will be designated as workforce eligible housing or affordable housing. In developments of 1-4 units, 50% of the housing units will be designated as affordable housing units and 60% of the housing units will be designated as workforce eligible or affordable housing. In this context, "affordable" means 120% AMI or less, and "workforce" means 80-120% AMI. There are many households earning below 120% AMI who would qualify for the housing and end up paying a 120% AMI rent when they are earning less than 120% AMI, thus making them housing cost burdened.
San Francisco, CA	Homes built using the Housing Stability Fund will serve all income-qualified households with a maximum average of not more than 80% median income across all units in a project, based on the median income within the zip code where the project is located. The Housing Stability Fund does not have any guidelines regarding cost burden and tenant income certification outside of income targeting goals.
Seattle, WA	To the extent possible, all developments must contain housing units that accommodate a mix of household income ranges, including extremely low-income (0-30% AMI), very low-income (30-50% AMI), low-income (50-80% AMI), and moderate-income (80-120% AMI). The Public Developer strives to limit rent to no more than 30% of income. It's not required, but suggested.
Washington, D.C.	Each social housing development will initially rent apartment units according to the following distribution: • No less than 30% of tenant households will be considered extremely low-income • No less than 30% of tenant households will be considered very low or low income • No more than 40% of units will be leased to households who agree to pay a fair market value in monthly rent Tenants of social housing who, at the time of their initial lease agreement, are considered extremely, very, or low income, will never pay more than 30% of their monthly income in rent, thus protecting them from housing cost burden.

TENANT PROTECTIONS

JURISDICTION	What protections are built into the policy to ensure long-term stability for tenants?
Atlanta, GA	The AUDC has not shared any information about tenant protections that would apply to AUDC properties.
California (state)	Residents will have full protection against termination without just cause or for any discriminatory, retaliatory, or other arbitrary reason, and shall be afforded due process prior to being subject to eviction procedures.
Chicago, IL	There has not been any information released regarding tenant protections in buildings developed using the Green Social Housing Revolving Fund. Those may be included in future program guidelines.
Los Angeles, CA	Projects must provide relocation benefits and right of first refusal to any qualifying existing occupants. Units demolished for redevelopment will be replaced at a ratio of one to one, and replacement units must be restricted to an AMI level that matches the affordability of the household that resided in the demolished unit, or to an AMI that is more deeply affordable.
Montgomery County, MD	The HOC does not require additional tenant protections for its developments.
New York (state)	Residents would be protected by local rent stabilization laws. If a jurisdiction does not have a rent guidelines board, the SHDA board would create a list of rights and protections that will apply to social housing residents, including right to lease renewal, protection from eviction from just cause, and the right to receive timely repairs. In any unit or project designated as permanently affordable, any increase in annual rent that is more than 2% would be reviewed and approved by the SHDA.
Rhode Island (state)	The Create Homes Act does not include language on tenant protections.
San Francisco, CA	The Housing Stability Fund does not include language on tenant protections.
Seattle, WA	Residents must be afforded opportunities for restorative justice conflict resolution prior to being subject to eviction procedures.
Washington, D.C.	All tenants who wish to move back to a renovated property would have a guaranteed right to return. The Office of Social Housing would not increase rent more than once annually, without 60-days advance notice, or more than the CPI for the Washington-Baltimore MSA. The Office of Social Housing would provide notice to all tenants of their right to apply for Emergency Rental Assistance to cure rental arrears.

ANTI-DISCRIMINATION

JURISDICTION	How well does the housing combat the lingering discriminatory effects of past housing policies and practices in order to reduce disparities, promote equity, and create whole communities?
Atlanta, GA	The AUDC does not have any guidelines related to where housing is located, who will be able to access the housing, and analyses on displacement. Developers responding to RFQs are encouraged to integrate non-residential amenities, co-working spaces, community events, and public services with development, but it is not a requirement.
California (state)	Because SB 555 calls for the Department of Housing and Community Development to conduct a study on social housing, decisions have not been made about these elements of the policy.
Chicago, IL	Because the Chicago Department of Housing is currently developing a program framework for the loan fund, these details are not yet available.
Los Angeles, CA	Implementation of the program has a primary goal of adhering to principles of racial equity, with a focus on addressing affordable housing needs to provide long-term, stable affordable housing for the City's most vulnerable communities. The program also provides resources to proactively address racial and economic segregation throughout the City by creating housing opportunities that address historic patterns of discrimination and exclusion, by promoting permanent affordability and resident engagement and ownership in their housing. To avoid displacement during preservation projects, the program requires one-to-one replacement of existing qualifying units. To advance disability justice, project sponsors must provide a self-certification form for compliance to accessibility standards.
Montgomery County, MD	HOC considers holistic community goals like green space, sustainability, universal design, community-serving retail, transit and pedestrian infrastructure, and more family-sized units. None of these elements are required.
New York (state)	In soliciting bids for construction and rehabilitation contracts, the development authority will consider the inclusion of "civic projects" in designs, which includes facilities for educational, cultural, recreational, or community purposes. In any mixed-income residential developments, unit quality will not materially differ between units affordable at various levels, nor will access to services and facilities within developments, nor will units affordable at different levels be segmented apart from one another or be outwardly identifiable according to affordability level.
Rhode Island (state)	The Create Homes Act would allow funds to be used to support or enhance residential development, including transportation, parks, greenways, and community facilities. In developments of 10 or more housing structures, at least one unit will be designed and constructed to be fully handicapped accessible.
San Francisco, CA	The affordability requirements use a median income measure that reflects the level of affordability within the zip code where the project is located, which is an improvement from the commonly used Area Median Income because it more accurately reflects the incomes of pre-existing residents, thus reducing displacement risk.
Seattle, WA	If the Public Developer takes over a building, existing residential tenants must not be displaced. If buildings are acquired, they must be retrofitted to meet Americans with Disabilities Act standards. New developments should strive to include daycare, communal kitchens, affordable co-op working spaces and/or common areas.
Washington, D.C.	To address the shortage of apartment units large enough to accommodate larger families, residential developments will have no less than 30% of apartment units constructed with 3 or more bedrooms, and no less than 30% of apartment units constructed with 2 bedrooms. All residential development will also include universal design standards, and when street-level commercial office space is not available, one or more apartment units will be dedicated as office space for providers of case management or counseling services associated with District programs. All tenants of social housing will be afforded opportunities for restorative justice conflict resolution when conflict or harm arise. When constructing a new building, the Office of Social Housing will set aside no less than 50% of the street-level floorplan as a commercial space for community amenities that meet a public purpose, such as libraries, grocery stores, and child development facilities.

FINANCE

JURISDICTION	How is the housing financed?
Atlanta, GA	AUDC explicitly states that Low-Income Housing Tax Credits (LIHTC) will not be considered as viable sources of financing. Capital stacks include: • Public land at a discounted value • Up to 100% property tax exemptions on housing units up to 140% AMI through the Private Enterprise Agreement (PEA) • Housing Production Fund, which is a dedicated appropriation from the City of Atlanta financed by the 2023 • Housing Opportunity Bond, to provide low-interest construction loans • Debt through the municipal bond market for permanent financing
California (state)	Financing mechanisms are not yet known. SB 555 mandates that a study be completed to look into many topics, including these ones related to finance: • Funding, public lands, and other resources and opportunities that can be made available for social housing • Federal funding, resources, and policy initiatives required to meet housing needs projected by California's Regional Housing Needs Assessment
Chicago, IL	The Green Social Housing Revolving Fund has a budget of $115-$135 million through the issuance of General Obligation (GO) and Sales Tax Securitization Corporation(STSC) bonds. The fund will be used to provide low-cost construction loans to developers on the condition that the developers sell the building back to the local government when it has been completed. The construction loan, once repaid within three to five years, can then be reinvested in another development. Without complete program guidelines, it is unclear what other sources of funding will be leveraged to build social housing in Chicago.
Los Angeles, CA	Units built or preserved through the Alternative Models Program will receive loans created by funds raised by Measure ULA, which come from an increase in real estate transfer taxes on real estate sales of $5 million or more. These loans can be used on predevelopment, construction and permanent loans. The LA Housing Department will also create a Social Housing Predevelopment Loan Program to make loans for site acquisition and predevelopment costs, which could be paired with the disposition of city-owned land. Developers are allowed to leverage additional public sources so long as the outside funding sources do not preclude conversion to tenant ownership, permanent affordability, or any other requirements in the ULA measure and ordinance.
Montgomery County, MD	The HOC converts municipal bonds into the Housing Production Fund (HPF), which is given to developers as a construction loan to build housing. The HPF is the primary source of funding for developments. Once construction is complete and buildings are leased up, HOC refinances the project using permanent financing, allowing the original construction loan to be returned to the HPF to be deployed for the next project. Projects do not require LIHTC, Project Based Rental Assistance or Project Based Vouchers. See here for more on the HOC finance model.
New York (state)	As proposed, the SHDA would be able to finance projects with: • Bonds or notes issued by the SHDA in the form of a repayable loan • Subordinate grants from SHDA to fill development gaps • Financing from sources outside of SHDA as long as the financing does not require obligations or burdens that conflict with the SHDA's regulations
Rhode Island (state)	The Create Homes Act proposed using $300 million in ARPA funds to create a statewide Department of Housing and a Housing Development Fund that would be used to acquire real estate for a land bank, fill project financing gaps, and finance public infrastructure and public facilities to support or enhance residential development. Funds could also come from money appropriated in the state budget, money made available through federal programs or private contributions, and repayments of principal and interest from loans made from the fund.
San Francisco, CA	Housing Stability Funds come from an increase in property transfer tax rates on high-value commercial and residential properties, passed by voters in November 2020 via Proposition I. Developments supported by the fund also leverage general obligation bonds and certificates of participation issued by the Controller's Office of Public Finance.
Seattle, WA	There is no dedicated funding for the Public Developer yet. Advocates collected enough signatures to get a funding source on the ballot, but the majority of City Council did not move to put it on the November 2024 ballot.
Washington, D.C.	The Mayor would dedicate start-up funding for the Office of Social Housing using District General Funds. In the future, the Mayor would dedicate no less than 10% of the Housing Production Trust Fund to the Office of Social Housing. Income targeting would leverage fair market rents to help subsidize lower rents.

BUILDING FOR PEOPLE & PLANET

JURISDICTION	What elements of sustainability and responsible labor practices are incorporated into the development of housing? Does the policy prioritize environmental health, resource efficiency, and fair labor standards for workers involved in construction and maintenance?
Atlanta, GA	The AUDC has a stated commitment to sustainable development and clean energy practices, but no requirements related to it. Developers responding to RFQs are encouraged to highlight relevant experience with sustainable development practices, including LEED and WELL Building Standards, and are asked to describe their approach to incorporating environmental sustainability into projects.
California (state)	SB 555 does not include language about green construction, energy efficiency or disaster resilience. However, it is important to note that the state of California has a Green Building Standards Code (CAL-Green), which establishes minimum standards for green buildings to reduce construction waste, make buildings more efficient, and reduce environmental impacts.
Chicago, IL	Requirements related to sustainability have not been created or released for the Green Social Housing Revolving Fund. However, it's important to note that the state of Illinois has the Energy Efficient Building Act, which requires all new commercial and residential construction for which a building permit application is required to follow comprehensive statewide energy conservation code.
Los Angeles, CA	To address economic equity, prevailing wage is required for all construction activities, and a Project Labor Agreement (PLA) is required for construction and rehabilitation of 40+ unit buildings. Projects must comply with all city and state environmental sustainability requirements, including building code decarbonization measures. For project sites located within areas with a CalEnviroScreen 4.0 overall score in the 80th percentile or higher, additional requirements apply.
Montgomery County, MD	The HOC does not have requirements related to labor or sustainability.
New York (state)	SHDA construction would require prevailing wages. The SHDA would consult with the Department of Housing and Community Renewal and the State Energy Research and Development Authority to develop its energy efficiency and housing quality standards. If the SHDA acquires properties that do not meet its energy efficiency and housing quality standards, it will create a plan to bring those properties into compliance by means of an environmental hazard and housing quality retrofit.
Rhode Island (state)	The Create Homes Act does not have requirements related to labor or sustainability.
San Francisco, CA	The Housing Stability Fund does not have requirements related to labor or sustainability.
Seattle, WA	The Public Developer should strive to construct new developments using union labor and establish a labor harmony agreement. New buildings must meet green building and passive house standards. Acquired buildings should be retrofitted to meet passive house retrofit standards.
Washington, D.C.	When constructed or renovated, social housing developments will meet high environmental standards, including net-zero emissions; high-efficiency heating and cooling systems; energy-efficient appliances, windows, and lights; on-site solar energy production including employing labor through the District's solar installation workforce training programs; eco-friendly landscape architecture to maximize natural cooling; low-flow toilets, smart shower and washing machine technologies; rain capture and recycling techniques to reduce water waste; on-site composting services; on-site electric vehicle and bike charging ports; indoor facilities to store bicycles; and no less than 20% of parking spaces reserved for car-sharing services. Labor standards include requirements to be in compliance with federal and District law, such as procurement laws, first source employment laws, small and local business enterprise development laws, Clean Hands requirements, Whistleblower protections, and prevailing wage requirements pursuant to the Davis-Bacon Act of 1931.

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