

**Ashland Housing and Human
Services Commission**
Regular Meeting Agenda



January 22: 4:30 – 6:30pm
Lithia Room, Community Development Building
51 Winburn Way

1. (4:30) **Approval of Minutes** (5 min)
November 20, 2014
2. (4:35) **Public Forum** (10 min)
3. (4:45) **Housing Trust Fund-Update and Discussion** (45 min)
4. (5:30) **Rental Registry Update and Discussion** (30 min)
5. (6:00) **Liaison Reports Discussion** (15 min)

Liaison Reports

Council (Pam Marsh)
SOU Liaison (Position Vacant, Report
postponed)
Staff (Linda Reid)
General Announcements

6. (6:15) **February 26, 2015 Meeting Agenda Items**
Commissioner items suggested (10 min)
Quorum Check – Commissioners not available to attend upcoming regular meetings
should declare their expected absence.
7. (6:25) **Upcoming Events and Meetings**

Next Housing Commission Meeting
4:30-6:30 PM; February 26, 2015
8. (6:30) **Adjournment**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).



CITY OF ASHLAND

Ashland Housing and Human Services Commission Draft Minutes November 20, 2014

CALL TO ORDER

Acting Chair Heidi Parker called the meeting to order at 4:30 pm in the Lithia Room at the Community Development and Engineering Offices located at 51 Winburn Way, Ashland OR 97520.

Commissioners Present:	Council Liaison
Joshua Boettiger-arrived at 5:20	Pam Marsh-absent
Heidi Parker	
Connie Saldana-arrived at 5:15	SOU Liaison
Regina Ayars	Andrew Ensslin-arrived at 4:45
Sue Crader	
Rich Rohde	Staff Present:
Gina DuQuenne	Linda Reid, Housing Specialist
Commissions Absent:	Carolyn Schwendener, Admin Clerk
Coriann Matthews	Leslie Gore, Housing Program Assistant
Michael Gutman	

Approval of Minutes

Rohde/Ayers m/s to approve the minutes of the October 23, 2014 Housing and Human Services Commission meeting and the November 7, 2014 Strategic Plan sub-committee meeting. Voice Vote: All Ayes; minutes were approved as presented.

PUBLIC FORUM

John Wieczorek was present but requested to speak on a later agenda item, Housing Trust Fund-Update and Discussion.

Marianne Degoede brought in pamphlets about small sheds to share with the Commissioners. She emphasized they would be a good option for the homeless to live in on public areas. The sheds are 10 x 12 and currently on clearance at Home Depot for \$2,700. They come assembled with free delivery. Ms. Degoede would like to see a permanent solution for the homeless and these sheds would provide that possibility.

The Commissioners commended her for her innovative idea and acknowledged it is something worth discussing in the future.

STRATEGIC PLAN DISCUSSION; SUGGESTED COUNCIL REVISIONS AND APPROVAL

The City Council requested that the Commission make a few revisions to the language in the Strategic Plan priority goal and implementation sections. The following are the items the Commissioners discussed along with their suggested changes.

1. With regard to identified priority goals:
 - a. The Council asked that the language be less specific and broader to be more inclusive of other housing related activities that may come forward for the use of the grant money.
Instead of using the word **subsidies** for housing use **assistance to obtain or maintain housing**.
 - b. Language around the Transportation Service; the Council wanted the Commission to be more specific as to whether the priority goal was specific to the expansion of RVTD services and/or bus passes or whether the goal includes other transportation related services, such as transportation offered through agencies.
Supports to increase accessibility and availability to transportation

2. With regard to identified implementation strategies:

- a. The council suggested including language about Community collaboration including services that exist elsewhere in the valley to enhance partnerships. ***Support proposals that leverage Community collaboration or enhance existing regional services.***
- b. The Council would like reporting of the outcome measurements to happen more frequently. ***Suggested that the applicants report both annually and at the completion of the grant year.***
- c. The Council expressed a preference for larger grants rather than small grants and wanted the Commission to revise the document to reflect this preference.
Though the Commission explored the option to not offer the smaller grants after a discussion it was determined that they were necessary because many agencies have benefited from them. The question was proposed, "Do applicants apply for small grants because that's all they think they can get or do they really need more? Currently there is no minimum or maximum amount that an applicant can apply for. The Commission thought it would be a good idea to host a grant open house when the Request For Proposal (RFP) goes out in order to explain the grant process to prospective applicants. Another suggestion was to send an informative letter out with United Way when they solicit for applications.

Rohde motioned ***"to have a small grant application process of twenty percent of the total amount open to grants up to \$4000.00."***

After a discussion he amended his motion to say ***"grants up to \$5000.00"***

A discussion followed whether to include the remaining 80 to 100 percent for large grants in the motion. It was determined that was not necessary because the Commission has the discretion to allocate 100 percent of the monies to any applicant.

Saldana seconded Rohde's amended motion

Another discussion followed and Rohde amended his motion once more. The new motion reads as follows;

Twenty percent of the overall grant allocation is available for small grants. Should the Commission not receive enough applications for large grants the Commission has the discretion to award any remaining fund balances to the small grants.

Saldana accepted the amendment to the motion. Voice Vote: All Ayes, motion passed

HOUSING TRUST FUND-UPDATE AND DISCUSSION

John Wiecezorek, real estate broker and board President for Options for Homeless Residences of Ashland spoke. Mr. Wiecezorek is very interested in the use of the Housing Trust Fund for the purpose of increasing affordable housing. He stressed there were many options that can be done with the monies, Transitional Housing as well as non profits and private developers. Mr. Wiecezorek recognizes that the fund is lacking a revenue stream. He suggested the use of a percentage of the Transient Occupancy Tax (TOT) be devoted to the Housing Trust Fund.

Reid briefly outlined that the Housing Trust Fund was created in 2008 but never had a sustainable funding mechanism. The Housing Commission worked on this in the past but were not able to find that mechanism. One suggestion from them was the use of the Business License Rental registry monies. This has not materialized at this time. The commission asked Reid to put that topic on the January Agenda.

Reid offered to send out the TOT Ordinance to all the Commissioners so they could be familiar with what the money is dedicated for at this time. Generally speaking the TOT money is dedicated to tourism related activities. Reid acknowledged that the City of Bend also has a Housing Trust Fund. She will do some research on their process and bring the information back to January's meeting. Reid will speak with Lee Tuneberg in the City's Finance Department to find out more about the TOT as well as to see if he would like to come to a future meeting to discuss it.

STUDENT FAIR HOUSING UPDATE

SOU Liaison Andrew Ensslin reported that though he put together a list of property management places in the Rogue Valley to survey he has been exceptionally busy and not been able to complete the project. He presented a list of eight different property management agencies and some of the Commissioners volunteered to help him with the surveys.

Ensslin announced that he cannot keep his commitment to the Commission and will be submitting his resignation. His graduate program at SOU has been very intensive and he needs to concentrate on school. He is hoping that Christy Wright will step into the position on the Commission. Ensslin hopes to be able to still participate with Christy in other capacities.

The Commissioners thanked Ensslin for his service on the Commission and the support that he offered.

CDBG COMMUNITY OUTREACH MEETING DISCUSSION

Reid conveyed that part of the process of developing the CDBG Consolidated Plan is community engagement. Reid acknowledged that generally she goes to Agencies and Grantees for input but this year would like to concentrate on the beneficiaries of the grant funded activities. Flyers will be put in public places, an article was placed in the utility mailer called the City Source to advertise the event and direct mailings will be sent to several beneficiary groups including: mutual self help developments, Snowberry, Wingspread, and Hyde Park. The event is taking place at the Grove located at 195 E Main on December 5, 2014 between 4:00 pm and 6:00 pm. Reid is hoping to get feedback from those residences that may be unfamiliar with CDBG and how it has benefited the community. Reid and Gore (Housing Program Assistant) will take pictures of the projects that CDBG has benefited from as well as a brief synopsis of each project. Each Commissioner will have a survey and do a one on one with those that attend.

UPCOMING EVENTS, MEETINGS AND GENERAL ANNOUNCEMENTS

December Housing and Human Services Commission regular meeting will take place at the Grove located at 195 E Main on December 5, 2014 from 4:00 pm to 6:00pm.

Commissioner Ayars announced there will be an art show at the Ashland Community Resource Center located at 572 Clover Lane. Kay Hagen is the artist and all proceeds will go to support the Resource Center.

Commissioner Parker said that they are in need of more volunteers for the winter shelters, especially at Pioneer Hall. The Shelter cannot be open if they don't have at least two volunteers each night. Those that would like to volunteer for Pioneer Hall do need to have a background check first.

ADJOURNMENT - The meeting was adjourned at 6:30 p.m.

Respectfully submitted by Carolyn Schwendener

4.36 Affordable Housing Trust Fund

4.36.010 Purpose

A. The purpose of the Affordable Housing Trust Fund [AHTF] is to support the creation or preservation of housing that is affordable to people with incomes that do not exceed 120% of the area median income, as defined by the Department of Housing and Urban Development for the Medford-Ashland Metropolitan Service Area.

B. AHTF funds will support activities that create, preserve or acquire housing within the Ashland Urban Growth Boundary. AHTF funds may also be used for permanent or transitional housing for homeless families and individuals, and for the modernization, rehabilitation and repair of public housing.

C. The AHTF is not intended to be the sole source of funding for affordable housing and any activity or project eligible for support from the AHTF is expected to develop additional sources of funds.

(Ord 2966, 2008)

4.36.020 Definitions

The following words and phrases whenever used in this chapter shall be construed as defined in this section unless from the context a different meaning is intended.

A. Affordable Housing Trust Fund (AHTF) means a separate account created by the City Finance Department established by this ordinance and used exclusively for AHTF purposes as set forth in this Ordinance and implementing Resolutions of the Council.

B. Administrative Procedures mean the procedures for administration of the AHTF established by Resolution of the City Council, including but not limited to procedures which outline application, evaluation, and all other associated procedures for administration of the AHTF.

C. Affordable Housing means residential housing primarily for households or persons earning less than 120% the area median income where housing costs including principal, interest, taxes, insurance, and homeowners association dues, or rent, do not constitute more than 30% the household income, and as more fully defined per Council Resolution 2006-13.

D. Eligible uses and Activities mean those uses for the AHTF which are set forth an implementing Resolution of the City Council, such uses including but not limited to uses and activities which facilitate the production and preservation of affordable housing within Ashland's Urban Growth Boundary.

E. Affordable Housing Priorities means priorities established from time to time by the City Council by Motion, Order or Resolution, to guide the allocation of

funds from the AHTF.

(Ord 2966, 2008)

4.36.030 Dedication of Revenue

A. There is hereby established and created an Affordable Housing Trust Fund, [AHTF], a separate account established by the City of Ashland Finance Department for purposes consistent with this ordinance and to provide a discrete account for earmarked affordable housing funds and dedicated affordable housing funds.

B. The AHTF allows for dedicated funds to be used in support of Affordable Housing Priorities through receipt of donations and dedicated revenue streams, including but not limited to donations, grants, sale of surplus City Property, or any other revenue sources approved by the Ashland City Council or the People of Ashland.

C. Distribution of funds shall be in accordance with the policies and procedures per Resolution 2008-34.

(Ord 2966, 2008)

4.36.040 Establishment of Policies and Procedures

The Administrative Procedures associated with the AHTF, including fund administration, determination of eligible applicants, eligible uses and activities, award preferences, eligibility criteria, award process, and selection criteria are initially approved by the City Council per establishment of Resolution 2008-34.

(Ord 2966, 2008)

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4.24 Transient Occupancy Tax

4.24.010 Definitions

Except where the context otherwise requires, the definitions contained in this section shall govern the construction of this chapter:

A. Person—means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

B. Transient Lodging means property which is used or designed for occupancy by transients for dwelling, lodging or sleeping purposes and which is rented or intended for rent on a daily or weekly basis to transients for a charge or fee paid or to be paid for rental or use of facilities.

C. Occupancy means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any transient lodgings.

D. Transient means any person who exercises occupancy or is entitled to occupancy in a transient lodging by reason of concession, permit, right of access, license or other agreement for a period of less than thirty (30) consecutive calendar days counting portions of calendar days as full days. Any such person so occupying space in a transient shall be deemed to be a transient until the period of thirty (30) consecutive days transpires unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy.

E. Rent means the total consideration valued in money paid by a transient for booking, reservations, and occupancy of space in a transient lodging, whether such consideration is received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without a deduction there from whatsoever and whether or not such consideration is received by the operator. In addition to the amount charged for booking, reservations and ~~room~~-lodging, rent includes charges by operator for meals, parking, telephone, and other items unless such charges by operator are separately incurred and specifically itemized on a duplicate customer pre-numbered receipt.

F. Operator means the person who is proprietor of the transient lodging, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee or any other capacity. If the operator performs any functions or charges or receives rent through an agent of any type or character other than an employee, the agent shall also be deemed an operator for the purposes of this chapter and shall have the same obligations and liabilities as the principal. Where the operator is a corporation, the term operator also includes each and every member of the Board of Directors of such corporation for the time involved. Where the operator is a partnership or limited liability company, the term operator also includes each and every member thereof for the time involved. Compliance with the provisions of this chapter by either the principal or the agent shall, however, be considered to be compliance by both.

G. Tax Administrator means the Director of Finance of the City of Ashland, or designee.

H. Recreational Vehicle/Camping Park means a development designed principally for the

transient housing of travel trailers, mobile homes, tent trailers, motor homes, and for tent camping. (Ord. 1907, 1977; Ord. 1975, 1978)

I. Accrual Accounting. A system of accounting in which the operator enters the rent due from a transient into the record when the rent is earned, whether or not it is paid.

J. Cash Accounting. A system of accounting in which the operator records the rent due from a transient when it is paid, regardless of when the person occupies the room.

K. Full Breakfast. A complete meal served to occupant of the room consisting of a minimum of three prepared items plus beverage. The full breakfast must be served on dinnerware and presented in a common area furnished with table(s) and seating, not in a restaurant open to the public. (Ord. 2632, 1991; Ord 3089, 2013)

4.24.020 Tax Imposed

For the privilege of occupancy in any transient lodging, each transient is subject to and must pay a tax in the amount of nine (9%) percent of the total rent paid by a transient, as defined in Section 4.24.010E. Said tax constitutes a debt owed by the transient to the City which is extinguished only by payment to the operator of the transient lodging at the time the rent is paid. The operator must collect and record the tax into the record when rent is collected, if the operator keeps records on the cash basis of accounting, and when earned if the operator keeps records on the accrual accounting basis. If the rent is paid in installments, a proportionate share of the tax must be paid with each installment. The unpaid tax is due upon the transient's ceasing to occupy space in the transient lodging. If for any reason the tax due is not paid to the operator of the transient lodging, the Tax Administrator may require that such tax be paid directly to the Tax Administrator. (Ord 1907, 1977; Ord 2024 S1, 1979; Ord 2632, 1991; Ord 2674; 1992; 2960, amended, 10/01/2008; Ord 3089, 2013)

4.24.030 Exemptions

No tax shall be imposed upon:

A. Any person as to whom, or any occupancy as to which, it is beyond the power of the City to impose the tax herein provided;

B. Any occupant whose rent is of a value of \$15.00 or less per day. This amount will be adjusted on July 1 of each year based on the change in the Portland Consumer Price Index. (Ord. 2216, 1982; Ord. 2745, 1994)

C. Any officer or employee of a foreign government who is exempt by reason of express provision of federal law of international treaty.

D. The amount attributable to one full breakfast per day for a transient at a Bed and Breakfast establishment. However, in no case shall the exemption exceed the greater of 10% of the total

amount charged per transient or \$10.00 per day. This amount shall be adjusted on July 1 of each year based on the change in the Portland Consumer Price Index.

E. Any room donated to a non-profit organization claiming exemption under IRS code 501.

F. Any room rented by the Ashland Interfaith Care Community, or such other organization specifically recognized by the City Council for providing services to the homeless, for occupancy by a homeless person or persons. (Ord. 2692, 1992)

G. Any hostel, as defined in AMC 18.08.315.

H. Any home occasionally exchanged with a home outside the City without payment of rent.

No exemption shall be granted except upon written claim therefor made at the time rent is collected and under penalty of perjury upon a form prescribed by the Tax Administrator. (Ord. 1907, 1977; Ord. 2632, 1991; Ord 3089, 2013)

4.24.040 Operator's Duties

Each operator shall collect the tax imposed by this chapter, to the same extent and at the same time as the rent is collected from every transient. The amount of tax shall be separately stated from the amount of the rent charged, and each transient shall, upon demand, receive a receipt for payment from the operator. No operator of a hotel shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, if added, any part will be refunded except in the manner hereafter provided. Every operator required to collect the tax imposed herein shall be entitled to retain five percent (5%) of all taxes collected to defray the costs of collections and remittance. (Ord. 1907, 1977; Ord. 2632, 1991; Ord 3089, 2013)

4.24.050 Registration

Within thirty (30) days after the date of adoption of this chapter or within thirty (30) days after commencing business, whichever is later, each operator of any transient lodging must register said transient lodging with the Tax Administrator and obtain from him/her a "Transient Occupancy Registration Certificate" to be at all times posted in a conspicuous place on the premises. Said certificate shall, among other things, state the following:

- A. The name of the operator;
- B. The address of the transient lodging;
- C. The date upon which the certificate was issued; and
- D. The following statement:

"This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of this part by registering with the Tax Administrator for the purpose of collecting from transients the Transient Occupancy Tax and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, nor to operate a transient lodging without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this City. This certificate does not constitute a permit." (Ord. 1907, 1977; Ord. 1975 S3, 1978; Ord. 2632, 1991; Ord 3089, 2013)

4.24.060 Reporting and Remitting

Each operator must, on or before the 25th day of the month following the end of each calendar quarter (in the months of April, July, October and January), make a return to the Tax Administrator, on forms provided by the City, of the total rents charged and received and the amount of tax collected for transient occupancies. At the time the return is filed, the full amount of the tax collected must be remitted to the Tax Administrator. The Tax Administrator may establish shorter reporting periods for any certificate holder if he/she deems it necessary in order to insure collection of the tax and the Administrator may require further information in the return relevant to payment of the liability. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by operators pursuant to this chapter will be held in trust for the account of the City until payment thereof is made to the Tax Administrator. (Ord. 1907, 1977; Ord. 2632, 1991; ord 3089, 2013)

4.24.070 Penalties and Interest

A. Original Delinquency. Any operator who fails to remit any portion of any tax imposed by this chapter within the time required, must pay a penalty of ten percent (10%) of the amount of the tax, in addition to the amount of the tax.

B. Continued Delinquency. Any operator who fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent, must pay a second delinquency penalty of ten (10%) percent of the amount of the tax in addition to the amount of the tax and the ten (10%) percent penalty first imposed.

C. Fraud. If the Tax Administrator determines that the nonpayment of any remittance due under this chapter is due to fraud, a penalty of twenty-five (25%) percent of the amount of the tax will be added thereto in addition to the penalties stated in subparagraphs (A) and (B) of this section.

D. Interest. In addition to the penalties imposed, any operator who fails to remit any tax imposed by this chapter must pay interest at the rate of one percent (1%) per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the

remittance first became delinquent until paid.

E. Penalties Merged with Tax. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax herein required to be paid.

F. Waiver of Penalties. Penalties and interest for certain late tax payments may be waived pursuant to AMC 2.28.045D.

(Ord 2983, amended, 05/05/2009; Ord 3089, 2013)

4.24.080 Failure to Collect and Report Tax

If any operator should fail to keep adequate records or refuse to collect said tax, or to make, within the time provided in this chapter, any report and remittance of said tax or any portion thereof required by this chapter, the Tax Administrator shall proceed in such manner as deemed best to obtain facts and information on which to base the estimate of the tax due. As soon as the Tax Administrator procures such facts and information as is able to be obtained, upon which to base the assessment of any tax imposed by this chapter and payable by any operator who has failed or refused to collect the same and to make such report and remittance, the administrator shall proceed to determine and assess against such operator the tax, interest and penalties provided for by this chapter. In case such determination is made, the Tax Administrator shall give a notice of the amount so assessed by having it served personally or by depositing it in the United States mail, postage prepaid, addressed to the operator so assessed at the last known place of address. Such operator may within ten (10) days after the serving or mailing of such notice make an appeal of such determination as provided in Section 4.24.090 of this chapter. If no appeal is filed, the Tax Administrator's determination is final and the amount thereby is immediately due and payable. (Ord. 2632, 1991; Ord 3089, 2013)

4.24.090 Appeal

Any operator aggrieved by any decision of the Tax Administrator with respect to the amount of such tax, interest and penalties, if any, may appeal the decision pursuant to AMC 2.30. The Findings of the Hearings Officer shall be final and conclusive, and shall be served upon the appellant in the manner prescribed for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice. (Ord. 2632, 1991; Ord 3089, 2013)

4.24.100 Records

It shall be the duty of every operator liable for the collection and payment to the City of any

tax imposed by this chapter to keep and preserve, for a period of three (3) years, all such records as may be necessary to determine the amount of such tax. The Tax Administrator shall have the right to inspect all records at all reasonable times. Every operator must, at a minimum, maintain guest records of room rents, accounting books and records of income. The operators must, at a minimum, include in these records a daily room rental register, a cash receipts and deposit journal. These records and books must reconcile to the transient room tax reports and be auditable. They must also reconcile to the operator's income tax reports. If the Tax Administrator finds the books and records of the operator deficient, in that they do not provide adequate support for transient room tax reports filed, or the operator's accounting system is non-auditable, the operator must modify the transient lodging's accounting system to meet the requirements of the Tax Administrator.

(Ord 3089, 2013)

4.24.110 Refunds

A. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City under this chapter, it may be refunded as provided in subparagraphs (B) and (C) of this section, provided a claim in writing therefore, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the Tax Administrator within three (3) years of the date of payment. The claim must be on forms furnished by the Tax Administrator.

B. An operator may claim a refund, or take as credit against taxes collected and remitted, the amount overpaid, paid more than once or erroneously or illegally collected or received when it is established in a manner prescribed by the Tax Administrator that the person from whom the tax has been collected was not a transient; provided, however, that neither a refund nor a credit shall be allowed unless the amount of the tax so collected has either been refunded to the transient or credited to rent subsequently payable by the transient to the operator.

C. A transient may obtain a refund of taxes overpaid or paid more than once, or erroneously or illegally collected or received by the City, by filing a claim in the manner provided in subparagraph (A) of this section, but only when the tax was paid by the transient directly to the Tax Administrator, or when the transient having paid the tax to the operator, established to the satisfaction of the Tax Administrator that the transient has been unable to obtain a refund from the operator who collected the tax.

D. No refund shall be paid under the provisions of this section unless the claimant establishes that right hereto by written records showing entitlement thereto.

(Ord 3089, 2013)

4.24.120 Actions to Collect

Any tax required to be paid by any transient under the provisions of this chapter shall be deemed a debt owed by the transient to the City. Any such tax collected by an operator which has not been paid to the City shall be deemed a debt owed by the operator to the City. Any person owing money to the City under the provisions of this ordinance shall be liable to an

action brought in the name of the City of Ashland for the recovery of such amount. In lieu of filing an action for the recovery, the City of Ashland, when taxes due are more than 30 days delinquent, can submit any outstanding tax to a collection agency. So long as the City of Ashland has complied with the provisions set forth in ORS 697.105, in the event the City turns over a delinquent tax account to a collection agency, it may add to the amount owing an amount equal to the collection agency fees, not to exceed the greater of fifty dollars or fifty percent of the outstanding tax, penalties and interest owing.

(Ord 2931, Amended, 09/19/2006; Ord 3089, 2013)

4.24.130 Violations

Violations of this chapter are punishable as set forth in AMC 1.08.020. It is a violation of this chapter for any operator or other person to:

- A. Fail or refuse to comply as required herein;
- B. Fail or refuse to register as required herein;
- C. Fail or refuse to furnish any return required to be made;
- D. Fail or refuse to permit inspection of records;
- E. Fail or refuse to furnish a supplemental return or other data required by the Tax Administrator;
- F. Render a false or fraudulent return or claim;
- G. Fail, refuse or neglect to remit the tax to the City by the due date.

Violation of subsections A-E and G above shall be considered a Class I violation. Filing a false or fraudulent return shall be considered a Class C misdemeanor, subject to AMC 1.08. The remedies provided by this section are not exclusive and shall not prevent the City from exercising any other remedy available under the law, nor shall the provisions of this ordinance prohibit or restrict the City or other appropriate prosecutor from pursuing criminal charges under state law or City ordinance.

(Ord. 1907, 1977; Ord. 2382 S1, 1986; Ord 3023, 2010; Ord 3089, 2013)

4.24.140 Confidentiality

Except as otherwise required by law, it shall be unlawful for the City, any officer, employee or agent to divulge, release or make known in any manner any financial information submitted or disclosed to the City under the terms of this Ordinance. Nothing in this section

shall prohibit:

- A. The disclosure of the names and addresses of any person who are operating a transient lodging; or
- B. The disclosure of general statistics in a form which would prevent the identification of financial information regarding an individual operator; or
- C. Presentation of evidence to the court, or other tribunal having jurisdiction in the prosecution of any criminal or civil claim for amount due the City under this chapter; or
- D. The disclosure of information when such disclosure of conditionally exempt information is ordered under public records law procedures; or
- E. The disclosure of records related to a business' s failure to report and remit the tax when the report or tax is in arrears for over six months or the tax arrearage exceeds \$5,000.00. The City Council expressly finds and determines that the public interest in disclosure of such records clearly outweighs the interest in confidentiality under ORS 192.501(5).

(Ord. 2632, 1991; Ord 3023, 2010; Ord 3089, 2013)

4.24.150 Examining Books, Records or Persons

The City, for the purpose of determining the correctness of any transient occupancy tax return, or for the purpose of an estimate of taxes due, may examine or may cause to be examined by an agent or representative designed by it for that purpose, any books, papers, records, or memoranda, including copies of operator's state and federal income tax returns, bearing upon the matter of the transient occupancy tax return. (Ord. 2632, 1991; Ord 3089, 2013)

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Housing and Human Services Commission Memo

TITLE: Survey of Revenue Tools to Fund Affordable Housing and Services
DEPT: Community Development
DATE: January 22, 2014
SUBMITTED BY: Linda Reid, Housing Program Specialist

To support discussion of the agenda item 3: Housing Trust Fund-Update and Discussion. The commission package includes *A Survey of Revenue Tools to Fund Affordable Housing and Services in the Portland metro region*.

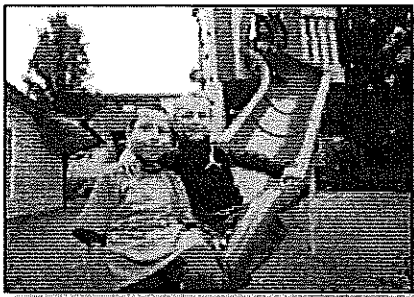
This survey provides extensive information about the tools other communities have used to fund affordable housing and services. The Chart on page 10 provides a good summary of information. The commission may wish to include specific approaches in their discussion at the January 22 commission meeting.

Attachments:

Welcome Home: Survey of Revenue Tools to Fund Affordable Housing and Services in the Portland metro region.



**A Survey of Revenue Tools
to Fund Affordable Housing and Services
in the Portland metro region**



welcome
HOME

November 2014

Last Revised November 6, 2014



Working to ensure housing opportunities
for all residents of the Portland metro region.

Steering Committee Members:

Rey Espana, NAYA and Coalition of Communities of Color
Orion Lumiere, Community Alliance of Tenants
Marc Jolin, JOIN
John Miller, Oregon Opportunity Network
Nick Sauvie, ROSE Community Development
Israel Bayer, Street Roots

Coalition Director:

Jes Larson, jes@welcomehomecoalition.org

Cover page photos provided by Human Solutions and JOIN

A Survey of Revenue Tools to Fund Affordable Housing and Services in the Portland metro region

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EXECUTIVE SUMMARY

Ensuring Housing Opportunity

The Portland metro region¹ is nationally recognized for our urban planning models as well as our housing and homelessness programs. We have innovative leaders working to design and create housing opportunity for all. Despite this talent and dedication, we continue to fall behind in our collective efforts to meet the regional need for housing opportunity. Private market development, federal allocations and local general fund investments are insufficient and the crisis is growing. **The Portland metro region must act to increase funding for affordable housing and service infrastructure or risks becoming a community where only wealthy people can afford to live.**

We know affordable housing and emergency housing services work. Every year, thousands of families and people with disabilities find stability, health, and hope through housing and support programs. Good affordable housing developments provide great homes and improve neighborhood livability throughout the region. Our community is also ending homelessness is ending one household at a time through creative and efficient programs that help veterans, families and individuals succeed. Our region has the right people and the right strategies to address our regional housing crisis. **It is time for the right public funding source to turn these strategies into housing opportunity for all.**

Area housing leaders and advocates are calling for action on a regional funding solution. The Portland metro region needs a substantial and ongoing funding mechanism committed to affordable housing and support services. A new dedicated revenue stream that is scaled to the magnitude of our housing need will properly leverage our region's innovation and commitments to achieving housing opportunity for all.

This report surveys revenue-generating mechanisms dedicated to affordable housing and services in use across the country. It is not an exhaustive list; rather it focuses on some of the most viable opportunities for our metro region.

The purpose of this report is to stimulate and inform an urgently needed conversation throughout our community. **How will we adequately invest in our region's affordable housing infrastructure? What new revenue source(s) will we dedicate to adequately meet our region's critical housing and service needs?**

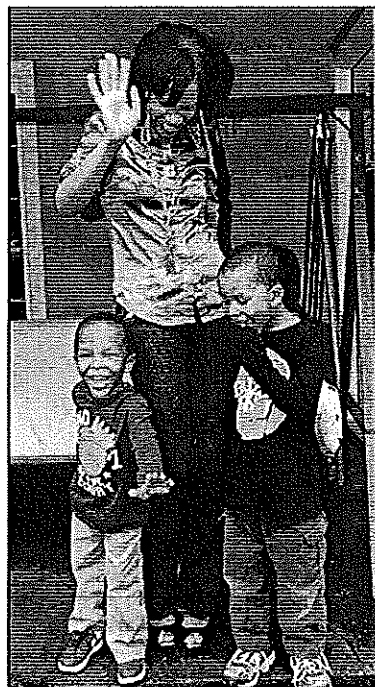


Photo by Mia Kennel for Proud Ground

¹ For the purposes of this report, the Portland metro region is defined as Clackamas, Multnomah and Washington Counties.

Our Regional Need for Housing Affordability

Thousands of families in our region routinely face untenable choices because affordable housing isn't available to them. According to new McArthur Foundation research², 51% of all Americans, and 65% of families of color, have had to make at least one significant sacrifice in their household budget in the past three years to afford their rent or mortgage — such as taking a second job, forgoing medical treatment, avoiding paying other bills, and

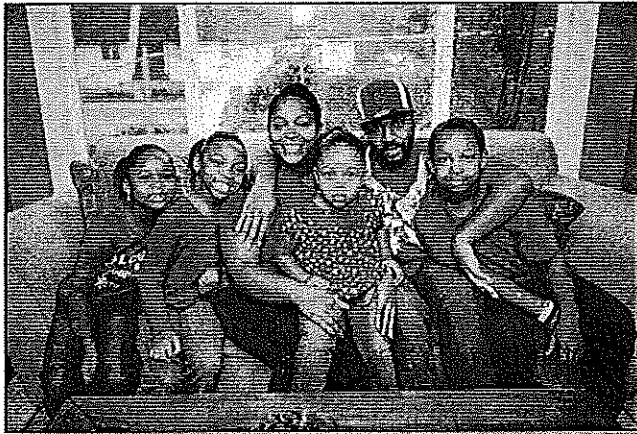


Photo by JOIN

moving to another school district or unsafe neighborhood where housing is less expensive.

For families with low incomes, the realities are harsher. In the Portland metro region, thousands of area families have experienced homelessness, while many more live paycheck-to-paycheck and risk losing their homes due to illness, lost wages or another rent increase. People with disabilities and senior citizens on fixed

incomes wait months and sometimes years to find a home they can afford. Many have no other option but to sleep in emergency shelters or double up in overcrowded homes or live in other unhealthy circumstances. Decades of federal disinvestment in low-income housing programs have left our region with grossly inadequate resources to address growing housing needs and homelessness.

Meanwhile, housing costs in the private market continue to rise much faster than wages. In Multnomah County 54% of renting families are cost-burdened, meaning they pay more than 30% of their income on rent. And middle-income families are finding it harder to buy their first homes. Millennials delaying home-ownership, growing numbers of baby boomers returning to the rental market and the still unfolding foreclosure crisis add up to the lowest rental vacancy rates and largest year over year rent increases in memory. A recent boom in multifamily housing has done little to reduce upward cost pressures because new developments are geared toward upper-middle and upper-income renter households.

Neighborhood revitalization projects have rapidly gentrified some neighborhoods. This has contributed to the displacement of low-income communities and the concentration of poverty in East Portland and inner-ring suburbs throughout the region. The loss of homes, community and culture has especially devastated the African American community of North and Northeast Portland. Governments continue to fail to provide protections and public

² The reference for this data and all information used throughout the survey can be found in the bibliography on page 44

resources to prevent further displacement, let alone to help displaced families return to their historic communities.

Finally, unprecedented population growth is forecasted for the Portland metro area - another 200,000 residents are expected by 2035. This growth will increase upward pressure on the cost of housing. The current shortage of affordable housing in our Metro region is 40,000 units and the deficit increases steadily. An estimated \$1 billion investment over the next 20 years will be needed to address the magnitude of our affordable housing crisis.

With these trends threatening the livability of our communities, it is urgent that we identify real solutions and chart the course we envision for our region. The best solutions for curbing poverty, building whole communities, raising healthy future generations and fortifying our economy all start with housing - homes that are safe and affordable for everyone. With new dedicated revenue streams we can build back our affordable housing infrastructure and build a bright future for our region.

Design of the Survey

Hundreds of cities, counties and multi-jurisdictional regions have established dedicated revenue streams to stabilize and leverage traditional resources for affordable housing and support services. Along with policy and regulatory measures to encourage affordable housing development, local governments collect fees and taxes to specifically and strategically invest in their housing and services infrastructures. This survey explores revenue generation tools used across the country in order to frame the discussion of viable options for our Portland metro region.

The City of Portland is the only metro region jurisdiction with a dedicated revenue stream for affordable housing. Since 2006, the city of Portland has dedicated more than \$155 million in Tax Increment Financing (TIF Set-Aside) for the development of affordable housing in the city's urban renewal districts. Although this revenue has substantially contributed to the city's affordable housing inventory, this mechanism has significant limitations. TIF ties up tax revenues needed to fund other critical public services. Funds are limited for use inside urban renewal districts only, and cannot be used flexibly for housing services. Most importantly, TIF revenue itself is limited. TIF financing from existing districts has been largely exhausted.

All of our local governments use dedicated revenue strategies to ensure stable funding for other infrastructure needs and public services. The three Metro counties dedicate lodging taxes to fund tourism and use property tax levies to fund libraries. Multnomah County sets aside a portion of DMV fees for bicycle path infrastructure. The City of Portland dedicates revenues from public parking for transportation services and utilizes an Arts Tax to fund arts programs in public schools. Finally, revenue from Systems Development Charges (SDCs), in all metro cities, is set aside to fund public infrastructure for water systems, parks, sidewalks and schools. These examples of dedicated revenue highlight local government spending and infrastructure priorities. **Dedicating a revenue stream for housing and services recognizes the essential role of housing opportunity in the health and vitality of our community.**

This survey focuses primarily on revenue tools with substantial scalability and flexibility. The survey only includes revenue strategies that have the capacity to generate millions of dollars annually for our region and the ability to be applied flexibly to fund rental, homeownership and emergency housing services throughout the region. The selection of

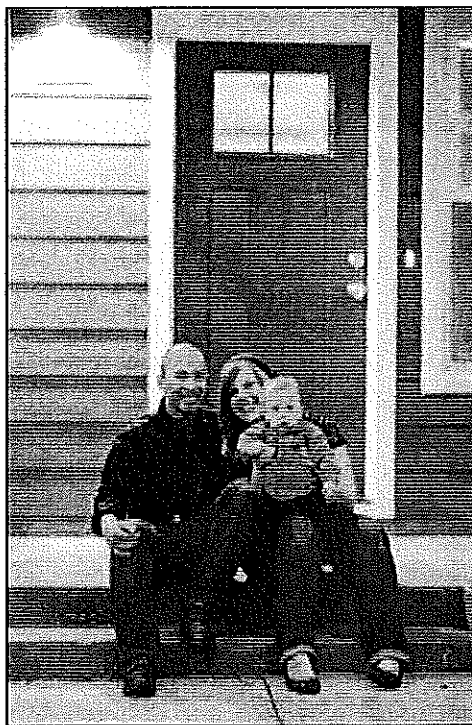


Photo by Jeff Kennel Photography for Proud Ground

revenue tools has not been limited by the perceived political viability. While a discussion of political viability will be important, it is critical to first understand the range of potential revenue generation options, including how they would be established, the amount of revenue they could generate, and the investments they would allow.

At the end of this survey, brief attention is given to (1) several very innovative funding strategies that generate limited funding for affordable housing, (2) state-wide strategies that could generate significant revenue for affordable housing and services, and (3) policies and revenue tools that help address the need for affordable housing but were not included in the main survey because of their limited scalability or flexibility to fund a range of housing and service options.

A comprehensive approach to building a regional housing opportunity infrastructure will require multiple layers of revenue, policy and political support. This survey is focused on the first step — identifying dedicated revenue streams to provide substantial funding for affordable housing and services in the Portland metro region.

Summary of Revenue Tools

A survey of communities around the country produced this selective list of regional revenue tools dedicated to affordable housing and supportive services. The nine tools highlighted here are the most predominantly used revenue tools for affordable housing and most have the capacity to be used flexibly for both development and services. These tools have the capacity to generate several millions of dollars annually and to significantly impact the region's need for housing opportunity.

This chart offers a brief description and regional consideration for each tool. The full survey provides further discussion of each tool as utilized by local governments across the country. Refer to the full survey for information on scalability, use of funds, and the political processes used to establish the revenue tool.

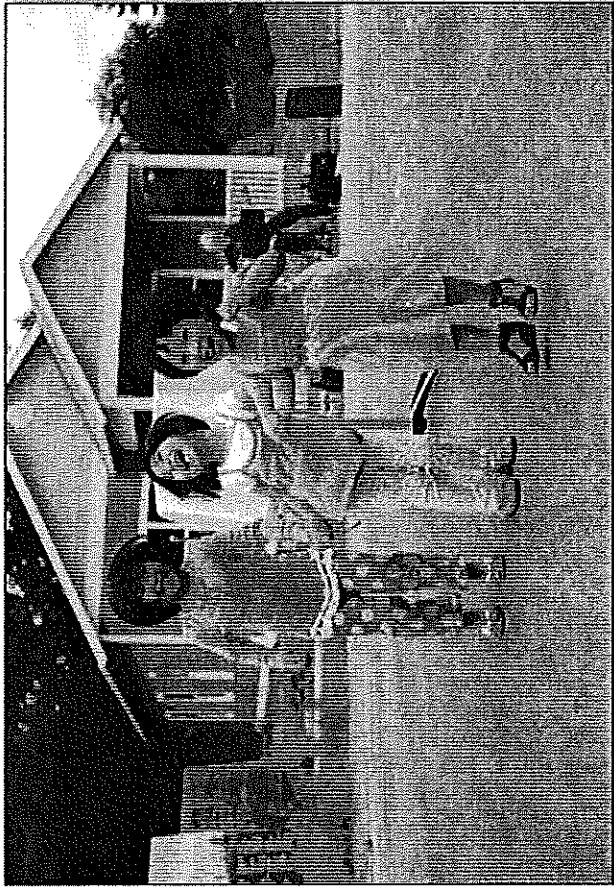


Photo by Nathan Williams Photography for Habitat for Humanity

Revenue Tool	Description	Jurisdictions	Portland Metro Consideration
Business Registration Fee	An annual Business Registration Fee can be charged for the permission to do business within a particular jurisdiction. The fees can range according to the size and type of business. While all organizations must register, organizations with income tax exemption do not pay the fee. ³	San Francisco, CA ³	Portland/Multnomah County businesses are not required to pay a registration fee, but pay a combined tax rate of 3.6% on profits to the general funds of both jurisdictions (Business Income Tax). It is difficult to establish a nexus between business profits and the need for affordable housing and services.

³ Bold jurisdictions are profiled in the complete survey report.

Revenue Tool	Description	Jurisdictions	Portland Metro Consideration
Document Recording Fee	A Document Recording Fee is charged for the administration of recording property deeds and mortgages, most often administered by county jurisdictions. A surcharge can be added to the administrative fee to generate income for a jurisdiction's general fund or set-aside priorities such as affordable housing.	Philadelphia, PA Washington State Counties New Jersey St. Louis, MO Penn. Counties	Oregon counties currently collect a document recording fee for the state, and a portion is dedicated to affordable housing. Under Measure 79, local document fee surcharges are not permitted and state legislation would be necessary to increase the existing fee, which generates about \$12 million for affordable housing throughout the state.
General Obligation Bond	General Obligation (GO) Bond revenue is available in full, once approved, and is repaid by the municipal issuer through taxation of the jurisdiction's property owners. GO Bonds require voter approval of the tax increase and must be reapproved, often every biennial.	Charlotte, NC Milwaukee, WI Albuquerque, NM Seattle, WA	GO Bonds are not subjected to Oregon's compression limits, however they can only fund infrastructure projects and cannot fund public services. The funding must be renewed by public vote regularly.
Lodging or Hotel Tax (Local Option Tax)	A Hotel or Lodging Tax generates significant income for local jurisdictions and can be dedicated to affordable housing. Hotels and motels create many low-paying jobs in cities that lack housing affordable for these workers. Short-term rentals included in the Lodging Tax are known to reduce the availability of rental housing and increase rental rates.	Columbus/ Franklin County, OH Anaheim, CA Long Beach, CA	Portland metro region has one the lowest rates of tourism taxes in the US. There is no state sales or restaurant tax and taxes on lodging are low. In Multnomah County the current hotel tax is 11.5%, split between the county and city jurisdictions. The recent addition of short-term rentals to Multnomah County's lodging tax generates new city county and Metro revenue but is not dedicated to affordable housing.
In Lieu Fees and Fractional Payments for Inclusionary Zoning	Some Inclusionary Zoning ordinances allow developers to opt out of constructing affordable housing units by paying an In-Lieu Fee equal to the value of the required affordable housing units. Some ordinances require Fractional Payments for the value of un-built portions of required housing units. While these fees generate modest revenue, Inclusionary Zoning policies are most successful when they create affordable housing development, not revenue.	Somerville, MA Boston, MA Santa Monica, CA San Jose, CA Evanston, IL Burlington, VT	Mandatory Inclusionary Zoning was banned by Oregon state legislation in 1999. Local inclusionary housing policies are not permissible under the statute. Voluntary or Incentive Zoning are permissible but typically produce few units and do not generate revenue. In Lieu Fees and Fractional Payments as revenue streams can be limited and susceptible to economic downturns.

Revenue Tool	Description	Jurisdictions	Portland Metro Consideration
Linkage Fees and Developer Impact Fees	Developer Impact Fees are imposed by local governments on new development (commercial and residential) for the cost of providing new public services and infrastructure such as sidewalks, schools, parks and affordable housing. Linkage Fees are a type of development impact fee charged specifically for the cost of affordable housing, often based on jobs and housing nexus studies. This is the most common revenue source dedicated to affordable housing and services.	Somerville, MA Boston, MA Berkeley, CA San Diego, CA Cambridge, MA Seattle, WA	Developer impact fees, called Systems Development Charges (SDCs) in Oregon, are imposed by city governments to fund infrastructure needed to support the new development such as, sewers, sidewalks, schools and parks. SDCs are not used to support affordable housing infrastructure needs. The City of Portland offers an SDC waiver for affordable housing developers, which promotes development but does not generate new revenue.
Property Tax Levy	A local option Property Tax Levy allows local governments to raise additional revenue for public services and infrastructure by public vote. The additional tax is levied on property owners and is time limited, requiring another public vote to be renewed every several years.	Seattle, WA Somerville, MA Bellingham, WA	Due to Oregon's overall tax structure, property taxes are heavily levied to meet local service needs. Because of Measures 5 and 50, Oregon's property tax structure creates inequities and often results in "compression", which can substantially limit levy revenue.
Real Estate Transfer/Conveyance Tax	Real Estate Transfer Taxes (RETT) are imposed by states, counties or local municipalities when the ownership of property within the jurisdiction is transferred. Transfer taxes range widely from .01% to .4% and often include specific exemptions for low income and first time homebuyers.	Columbus/ Franklin County OH Fairfax County, VA Boulder, CO	Measure 79 passed by Oregon voters in 2012, amended the constitution to prohibit any new real estate transfer taxes and fees. Washington County had a pre-existing RETT, which remains in effect and is the only RETT in Oregon. RETTs can be applied according to length of ownership to disincentivize "flipping", which increases housing costs.
Restaurant Tax (Local Option Tax)	As a luxury or tourist tax on dining out, a Restaurant Tax charges diners a small tax on the total bill. The tax can be limited to large restaurants grossing a certain level of sales and with a liquor license.	Miami/Dade County, FL	Oregon has no sales tax. The Metro region has a few local option taxes including lodging tax, rental car tax and business tax. With relatively low hotel tax rates, and no sales or restaurant tax, the Metro Region is known to have one of the county's lowest tourism tax rates. Ashland, Oregon collects a 5% food and beverage tax for city infrastructure costs.

THE SURVEY

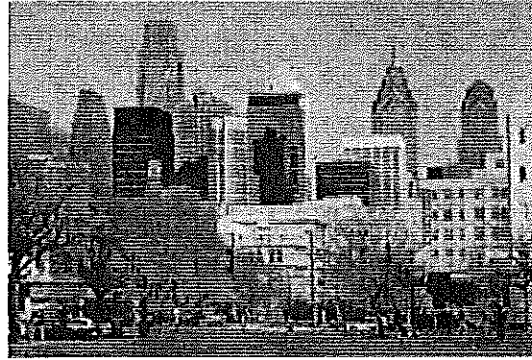
A. Dedicated Revenue Sources by Jurisdiction

Hundreds of municipal, county and regional jurisdictions use a variety of revenue tools to dedicate public funding for affordable housing development and emergency housing services. Of these many jurisdictions, most use just a handful of revenue tools. The following section profiles nine unique cities and counties as examples of the most substantial, scalable, flexible and common revenue options used to fund housing. Each profile offers a snapshot of the community's housing fund, an explanation of its revenue source and considerations for our local political and legal context. The information provided in the following profiles is a first step in ongoing research efforts and community discussion to identify the most viable revenue tools to adequately fund affordable housing and supportive services in the Portland metro area.



Photo by Erin Houlihan for Proud Ground

Philadelphia, PA — Document Recording Fees for Housing



Jurisdiction	Tool	Description	Annual Revenue	Purpose of Funds
Philadelphia, PA	Document Recording Fee	City mortgage and deed recording fee surcharge ranging from \$86 - \$102 (Total fees \$200 - \$230)	\$12 Million	-Housing Production -Preservation and Home Repair -Homeless Prevention

Profile: The primary source of funding for affordable housing in Philadelphia is a dedicated portion of local Deed and Mortgage Recording Fees generating an average of \$12 Million a year. The dedicated revenue must be used for affordable housing accordingly:

- Funds may be used for Housing Production (sales or rentals), Housing Preservation and Home Repair (owner occupied or rental homes) and Homelessness Prevention (homeowners and renters).
- At least 50 percent of non-administrative funds must be used to benefit households with incomes at or below 30% Median Family Income (MFI) and the remaining funds for households between 30 - 115% MFI
- At least 50 percent of funds must be used to increase production of affordable housing. The remaining funds may be used for housing preservation, home repair and homelessness prevention services.

With Document Recording Fee surcharge revenue, the Philadelphia Housing Trust Fund created 1,362 homes, preserved or modified 8,890 homes, and prevented 5,732 persons from experiencing homelessness from 2005 - 2012. In total, more than 14,000 low- and moderate-income families and individuals have been served, and more than \$337 million in non-city funds have been leveraged.

History and Political Context: Affordable housing advocates, community leaders and a coalition of more than 110 organizations ran a two-year campaign with the Pennsylvania State Legislature and the Philadelphia City Council to secure the document recording fee funding.

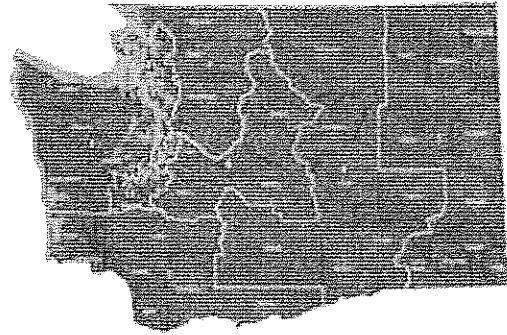
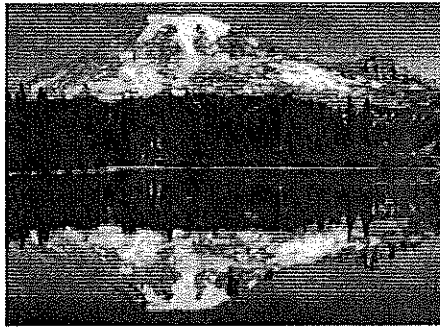
In 2005 the Pennsylvania Legislature enabled Philadelphia to increase document recording fees for the purposes of addressing unmet affordable housing needs. Next, the Philadelphia City Council approved a bill that created the city's first housing trust fund with \$1.5 million in bond proceeds to capitalize the fund and a plan to sustain the fund with dedicated revenue from a surcharge on document recording fees.

In 2009 the city council unanimously approved a \$30 increase in the fee to increase annual funding by \$3.5 million annually for the Housing Trust Fund, and in 2011 the State Legislature approved the necessary authorizing legislation to implement the local ordinance.

Portland metro area Considerations: Since 2009, Oregon counties collect a surcharge on document recording fees that is distributed to Oregon Housing and Community Services for the purposes of homelessness prevention and development of affordable housing. Statewide revenue is approximately \$12 million per year. 10% of the fee is distributed by formula to Community Action Program Agencies; the balance is primarily distributed competitively for affordable housing development across the state. In 2013 the fee was increased by the State Legislature from \$15 to \$20 to expand housing services for veterans. Oregon counties are not allowed to create local document recording fees under Measure 79.

Philadelphia	Multnomah County	Washington County
Document Recording Fee: \$230 - \$200	State Document Recording Fee: \$46	State Document Recording Fee: \$46
Housing Fund surcharge: \$102 - \$87	State Housing Alliance surcharge: \$20	State Housing Alliance surcharge: \$20
2012 Population: 1,547,607	2012 Population: 759,256	2012 Population: 547,672
Median household income: \$35,386	Median household income: \$50,773	Median household income: \$60,963
Median home value: \$142,300	Median home value: \$287,800	Median home value: \$305,000

Washington State Counties — Document Recording Fees for Housing



Jurisdiction	Tools	Description	Annual Revenue	Purpose of Funds
Counties of Washington State	Document Recording Fee	\$58 surcharge on document recording fee (\$72 total fee)	\$27 Million (statewide total)	<ul style="list-style-type: none">-Acquisition, construction, or rehabilitation of housing units,-Operating and Maintenance-Rental assistance vouchers-Emergency shelter operations-Households up to 50% MFI

Profile: Washington has specifically structured state policy to encourage and support affordable housing efforts at the county level. The state Affordable Housing For All Account and Homelessness Housing and Assistance Act are funded with document recording fees, generating an estimated \$45 million annually for affordable housing. Most of the revenue generated is distributed directly to Washington counties for housing development and homeless services, while a smaller percentage goes to the state Department of Commerce. All 39 counties of Washington have established housing funds with dedicated revenue from the document recording fee surcharge. Approximately \$27 Million annually is distributed to the 39 counties to be used for building affordable housing and addressing housing needs for low income renters and persons experiencing homelessness with incomes at or below 50% MFI.

At the State Department of Commerce, the Affordable Housing for All Account funds the state's Operating and Maintenance Program (which provides funds to sustain housing for extremely low income households) and other homeless emergency and transitional housing programs. Since 2006, the combined document recording surcharge revenues have resulted in a 19% decrease in homelessness throughout the state and a 74% decrease in unsheltered family homelessness. 59,881 homeless people will be housed with these funds during 2013-2015.

Historical and Political Climate: Document recording fees were first increased in 2002 when a \$10.00 surcharge was added for affordable housing. In 2005, 2007, and 2009 the document recording surcharge was reconsidered by the state legislature to increase the surcharge and add the Homelessness Housing and Assistance Fund. In 2012 state legislation

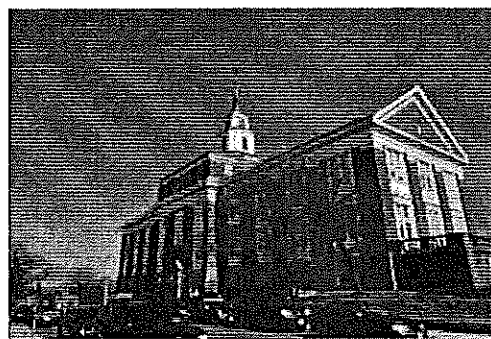
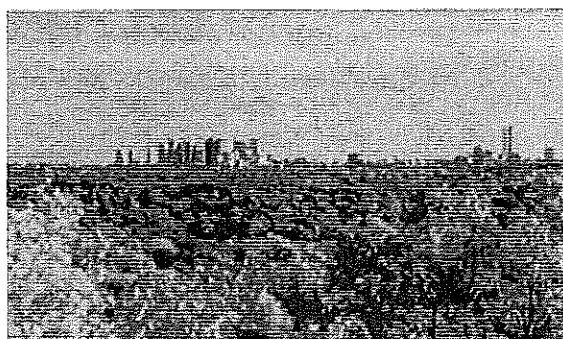
updated the document recording fee to the current \$58 surcharge and extended the sunset until 2019. Counties are permitted to retain up to five percent for administrative costs. Of the remaining funds, 40% are deposited into the Affordable Housing for All account, and 60% are distributed to counties for affordable housing activities.

ARCH Housing Trust Fund: Enabled by the document recording surcharge revenue stream, counties have been able to organize and leverage other funding sources. The ARCH Housing Trust Fund is an example, and was created by member cities to directly assist the development and preservation of affordable housing in East King County. The trust fund is capitalized by document recording fees, local general funds and federal Community Development Block Grant funds. The trust fund process allows ARCH members to jointly administer their housing funds and assist the best available housing opportunities that meet the housing needs of the community.

Portland Metro Considerations: Since 2009, Oregon counties collect a surcharge on document recording fees distributed to Oregon Housing and Community Services for the purposes of homelessness prevention and development of affordable housing. Statewide revenue is approximately \$12 Million per year. 10% of the fee is distributed by formula to Community Action Program Agencies; the balance is primarily distributed competitively for affordable housing development across the state. In 2013 the State Legislature increased the fee from \$15 to \$20 to expand housing services for veterans. Oregon counties are not allowed to create local document recording fees under Measure 79.

Washington State	Oregon State	Metro County Estimated Annual Allocations
Document Recording Fee: \$72	Document Recording Fee: \$46	Clackamas County: \$84,000
To County Housing Trust Fund: \$58	To State Housing Alliance: \$20	Washington County: \$108,000
Total for Housing: \$45 Million	Total for Housing: \$12 Million	Multnomah County: \$276,000
2012 Population: 6,897,000	2012 Population: 3,899,000	<i>Only 10% of revenue is distributed to counties for homeless services.</i>
Median household income: \$57,573	Median household income: \$51,371	

Somerville, MA — Linkage Fees, In Lieu Fees and Property Tax Levy for Housing



Jurisdiction	Tools	Description	Annual Revenue	Purpose of Funds
Somerville, MA	Linkage Fees	A \$5.15 fee per sq. ft. of all commercial development over 30,000 sq. ft.	\$400,000 - \$500,000	-Multifamily Preservation and development
	Inclusionary Zoning In Lieu & Fractional Payout Fees	Payments made for units or portions of units required by Inclusionary Zoning policies but not developed.		-Rentals and homeownership -Direct Housing assistance <50% MFI
	Property Tax Levy: The 2012 Community Preservation Act	A 1.5% Property Tax Surcharge for preservation, parks and affordable housing, 45% of which is reserved for affordable housing development.	\$900,000 (2015 FY projected revenue)	-Homeownership <110% MFI -Rental Housing <80% MFI

Profile: A fully dedicated commercial linkage fee charging \$5.15 per square foot after the first 30,000 sq. ft. of new and rehabilitated commercial development substantially funds affordable housing development in Somerville, MA. "Partial" fees pursuant to the city's Inclusionary Zoning Ordinance also generate much smaller revenues for housing. Together, these revenues have historically totaled \$400,000- \$500,000 annually. Somerville anticipates an additional \$900,000 in revenue in 2015 from the Community Preservation Act, recent state legislation allowing Massachusetts counties to levy a property tax for affordable housing. The total annual locally generated revenue for affordable housing in Somerville averaged \$1.3 million.

The Somerville Trust manages this revenue, which benefits households with incomes at or below 110% of area median income. Funds can be used to preserve and develop affordable rental and owner-occupied housing, as well as provide direct assistance to low-income renters and first time homebuyers. The Trust requires that at least 20% of the funds serve households below 50% of AMI, at least 20% must serve those with incomes between 51% and 80% of AMI, and at least 10% must serve those with incomes between 81% and 110% of AMI.

Historical and Political Context: The Trust was established in 1989 by a city ordinance and initially capitalized by a \$400,000 allocation of municipal funds and federal program income following a city commissioned nexus study on the impact of projected growth on affordable housing. Nexus studies and successful advocacy campaigns resulted in the collection of city linkage fees, which have been raised over the years to their current 2014 levels of \$5.15 per square foot.

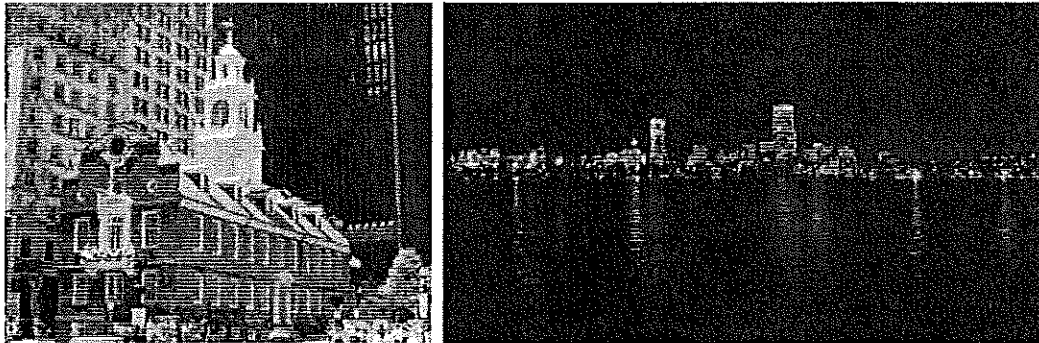
Since 1989, Somerville has administered an Inclusionary Housing Ordinance, which requires developers of market rate housing projects to provide 12.5% (up to 17.5% in certain zoning districts) of permanent affordable housing units in projects of eight units or more. By 2008, only 72 units of affordable housing were built through Inclusionary Zoning, but in recent years hundreds more added due to significant urban and transportation development in the city. Developers opting out of Inclusionary Zoning, are required to pay the Somerville Trust In Lieu and Partial Payment fees equal to the value of unbuilt required housing.

In 2012, Somerville and six other Massachusetts communities adopted a Community Preservation Act collecting a 1.5% surcharge on net property taxes for the purposes of parks, preservation and community housing funding. The Community Preservation Committee determined to contribute 45% of this new revenue to affordable housing and asked the Trust to administer the funds. This state-enabled legislation will produce \$900,000 in additional revenue for the 2015 fiscal year.

Portland metro region Considerations: All metro municipal jurisdictions collect System Development Charges (SDC's) for the development of associated public services and infrastructure. Affordable housing costs are not included in these infrastructure costs and are not funded with SCD revenue. The City of Portland currently waives SDCs for affordable housing developments to encourage the production of affordable housing, but this program generates no additional revenue for affordable housing and is not used by other metro municipalities. A metro-wide nexus study would establish the connection between commercial and residential developments and the need for affordable housing units based on the size, type and location of development. Mandatory Inclusionary Zoning is currently constitutionally banned in Oregon, though jurisdictions are exploring opportunities to implement voluntary policies.

Somerville, MA		Gresham, OR		Portland, OR	
2012 Population:	77,104	2012 Population:	108,956	2012 Population:	603,106
Median income:	\$62,133	Median income:	\$45,747	Median income:	\$52,158
Median home value:	\$425,300	Median Home value:	\$204,300	Median Home value:	268,800
Median Rent:	\$1351	Median gross rent in 2012:	\$840	Median gross rent in 2012:	\$905
Median Property Taxes:	\$3,605	Median Property Taxes:	\$2,680	Median Property Taxes:	\$3025

Boston, MA — Linkage and In Lieu Fees for Housing



Jurisdiction	Tool	Description	Annual Revenue	Purpose of Funds
Boston, MA	Linkage Fees	\$8.34 fee/sq. ft. of commercial development over 100,000 sq. ft.	\$7 Million (average)	-New construction and preservation -Rental and homeownership housing. -Transitional or permanent housing - <80% MFI Households
	In-Lieu Fees	\$200,000 per unit minimum fee for unbuilt housing units	\$11 Million (average)	- <70% MFI multifamily rental housing. -50% of homeownership dev. <80% MFI -50% of homeownership dev. 80-100% MFI

Profile: A commercial linkage fee generates substantial revenues for affordable housing development in Boston. Commercial development projects in excess of 100,000 square feet pay a fee of \$8.34 per square feet to the Neighborhood Housing Trust Fund; the fee rate is allowed to increase every three years according to the Consumer Price Index. Developers can pay fees over a period of seven years. From 1986 through 2012, linkage fees generated \$133,804,969 in revenue to help create or preserve 10,176 affordable housing units.

The Neighborhood Housing Trust competitively awards funds to homeownership and rental projects that serve households earning incomes up to 80% MFI with a strong preference for households under 50% MFI and special needs populations. Funds are intended to provide gap financing, as each project receives no more than \$750,000 from the Trust. Rental projects with more than 10 units must set aside 10% of units for formerly homeless households. Commercial developers can opt out of all or part of the Linkage Fee by constructing affordable housing onsite equal in value.

The Inclusionary Development Policy (IDP) requires development of affordable housing for all residential developments that voluntarily opt to request rezoned permitting or use public financing or land. The voluntary IDP is nearly mandatory because virtually all residential permits require rezoning due to outdated codes. 15% of all units constructed in developments larger than 10 units must be built affordably or fees must be paid to in lieu of construction. Developers can pay a minimum fee of \$200,000 for each unconstructed

affordable housing unit to the Boston Redevelopment Agency (BRA). The BRA administers the funds competitively for the construction of rental and owner-occupied, single family and multifamily units. Nearly 2000 affordable units have been built with IDP and the program generates between \$10 to \$12 million annually.

Historical and Political Context: Boston's Linkage program began in 1983 with the approval of Zoning Code Article 26 which sought to balance large-scale commercial development with needed residential construction. In 1986 the Neighborhood Housing Trust was created to manage housing linkage funds, while in 1987 the Neighborhood Jobs Trust (NJT) was created to manage job linkage funds. In response to a legal challenge, the City of Boston submitted a home rule petition to the Massachusetts Legislature that resulted in Chapter 371 of the Acts of 1987—legislative authorization for Boston's Linkage program — and was further incorporated into Article 808 of the Boston Zoning Code in 1996.

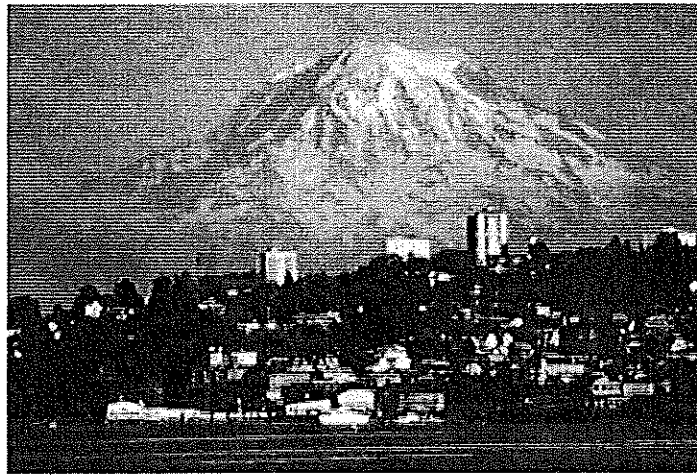
Boston's Inclusionary Development Program began in 2000 in response to the very high and rapidly rising house prices in the city, and a severe shortage of conventional funding to provide more affordable housing. A key trigger was the revelation that two high-profile luxury developments had been given major regulatory concessions but without providing any affordable housing. This led to a major public campaign, marshaling many non-profit organizations and affordable housing advocates, to change city policy. The mayor, a strong champion of affordable housing, reacted quickly through executive order. The IDP has been modified with subsequent orders to require greater affordability and allow developers to opt out with In Lieu Fees.

Portland Metro Considerations: All metro municipal jurisdictions collect System Development Charges (SDC's) for new or expanded housing and commercial development. SDCs fund infrastructure such as parks, schools, sewers and sidewalks. Affordable housing costs are not included in these infrastructure costs and are not funded with SCD revenue. The City of Portland currently waives SDCs for affordable housing developments to encourage the production of affordable housing, but this program generates no additional revenue for affordable housing. No other metro municipalities utilize SDC waivers as a development tool. A metro wide nexus study would establish the connection between commercial and residential developments and the need for affordable housing units per size, type and location of development.

Mandatory Inclusionary Zoning is currently constitutionally banned in Oregon, though jurisdictions are exploring opportunities to implement voluntary policies, which could also generate In-Lieu fee revenue for affordable housing.

Boston, MA		Portland, OR		Oregon City, OR	
2012 Population:	636,479	2012 Population:	603,106	2012 Population:	32,755
Median income:	\$51,642	Median income:	\$52,158	Median household income:	\$57,448
Median home value:	\$370,400	Median Home value:	\$268,800	Median Home value:	\$240,609
Median Rent:	\$1234	Median rent:	\$905	Median rent:	\$955

Seattle, WA — Property Tax Levy for Housing



Jurisdiction	Tool	Description	Annual Revenue	Purpose of Funds
Seattle, WA	Property Tax Levy	-\$0.17/1000 Assessed Valuation -Voter authorized property tax levy for 7 year periods -The 2009 Levy will raise a total of \$145 million, a median cost of \$65/ year to Seattle homeowners	\$20 million	Rental Production & Preservation Operating & Maintenance Rental Assistance Homebuyer Assistance Acquisition & Opportunity Loans

Profile: Seattle voters have approved one bond measure and four subsequent property tax levies for affordable housing since 1981 in five municipal elections. Most recently, in 2009 voters approved a \$145 million levy to be spent over seven years, which raised Seattle homeowner property taxes an average of \$65 per year. Revenues are deposited into the Low-Income Housing Fund and designated to five programs. Rental Production & Preservation, the largest focus of the Housing Levy, funds construction or rehabilitation of apartment buildings. Other program funds include Homebuyer Assistance, Operating & Maintenance, Acquisition & Opportunity Loans and Rental Assistance programs, with the following designated revenue, goals and restrictions:

Program Fund	Portion of Revenue	Program Goals	Restrictions
Rental Production and Preservation	\$104 Million - 71% (percentage of total \$145 million levy)	1670 Total Units 1,002 units = 0-30% MFI 501 units = 31-60% MFI 167 units = 61-80% MFI	0%-80% MFI only 50 year affordability required
Operating & Maintenance	\$14.4 Million - 9%	220 Households	0-30% MFI Levy buildings
Rental Assistance	\$4.2 Million - 2%	3025 Households	0-50% MFI, homeless or at risk

Program Fund	Portion of Revenue	Program Goals	Restrictions
Home Buyer Assistance	\$9.1 Million - 6%	180 Home purchases	First time home buyers, 0-80% MFI
Acquisition & Opportunity Loans	\$6.5 Million - 0% (short-term loans)	175 Households	Buildings and land for low-income development

History and Political Climate: In 1981 voters approved a housing bond, which produced more than 1000 units for seniors and persons with disabilities, and established the Seattle Housing Fund. Four successive levies have all passed, in 1986, 1995, 2002 and again in 2009. The Housing levy is popular among voters due to the widely known success of its programs that have continuously met and exceeded goals over the years. In 2009 the City Council unanimously approved the new \$145 million levy for the ballot, and it later passed with 65.8% support of Seattle voters.

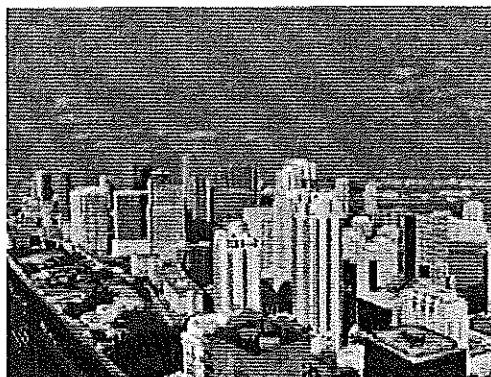
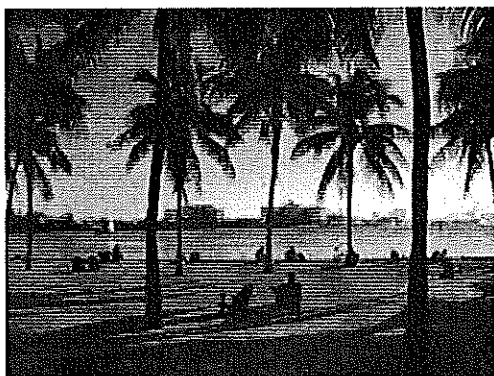
The 2009 levy is estimated to create 3,140 jobs and generate \$189 million in construction and other economic activity. A survey of 800 residents of Seattle, conducted by the City's Office of Housing in March 2009, showed that 73% of those surveyed believe that during the economic downturn, it was more important than ever to keep investing in low-income housing programs.

In 1995, the Washington Legislature enacted RCW 84.52.105, which authorizes cities, counties and towns to impose an additional regular property tax levy up to fifty cents per thousand dollars of assessed value of property for up to ten consecutive years. The ability to impose a levy is contingent on a city, county or town declaring an emergency in respect to the availability of affordable housing. To date, Seattle and Bellingham are the two Washington cities to utilize this state enabled legislation.

Portland Metro Considerations: Voters could approve a local housing levy as a dedicated revenue source for affordable housing. The limitations and inequities caused by Oregon property tax structure and the existence of "Compression" are a concern for new local option levies in Oregon, especially within Portland metro area. State enabled legislation could exempt local jurisdictions from Measure 5 regulation to support affordable housing levies.

Seattle		Portland		Multnomah County	
Population:	634,535	Population:	603,106	Population:	759,256
Median income:	\$64,473	Median income:	\$52,158	Median income:	\$50,773
Median home value:	\$415,800	Median home value:	\$268,800	Median home value:	\$287,800
Housing Levy:	\$0.17/ \$1000 AV	Children's Levy:	\$.40/\$1000 AV	Library Levy:	\$1.24/\$1000 AV

Miami-Dade County, FL — Restaurant Tax for Homelessness & Domestic Violence



Jurisdiction	Tool	Description	Annual Revenue	Purpose of Funds
Miami-Dade County, FL	Restaurant Tax	1% tax on food and beverage at liquor-licensed restaurants grossing more than \$400,000	\$20 Million (average)	Homeless and Domestic Violence Services and Shelters

Profile: A "local option" one percent (1%) Homeless and Domestic Violence Tax is collected on all food and beverage sales by establishments that are licensed by the State of Florida to sell alcoholic beverages for consumption on the premises, except for hotels and motels. Only businesses that make over \$400,000 in gross receipts annually are obligated to collect this tax. 85% of tax receipts go to the Miami-Dade County Homeless Trust, and 15% go to the Miami-Dade County for domestic violence centers.

The Miami-Dade County Homeless Trust is the county commission advisory agency charged with implementing the Miami-Dade County Community Homeless Plan and administering the restaurant tax proceeds. The Trust's annual budget is approximately \$50 million: approximately \$20 million via the Food and Beverage tax, \$25 million per year through federal housing funds, and the remainder through state funding and private sector contributions. The Trust is a proprietary department and receives no general fund dollars from Dade County.

Over the past 20 years proceeds from the Miami Dade Restaurant Tax have built 5,600 shelter beds, two Homeless Access Centers, reduced street homelessness from 8,000, to 800, and leveraged more than \$193 million in federal funding.

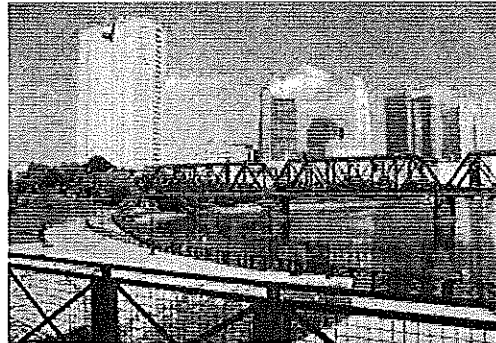
History and Political Climate: Miami's practice of arresting and removing people experiencing homelessness from public places was found unconstitutional in November 1992 in federal court. Miami was ordered to create "safe zones," where people experiencing homelessness could eat, sleep, bathe and cook without fear of arrest. The Florida Legislature and the Miami-Dade County Commission worked together to create a solution and the restaurant tax was unanimously approved by the Dade County Commission on Oct.

1, 1993. There was virtually no public compliant as a \$100 restaurant bill would be taxed only \$1. More recently, Orlando and other Florida cities have been working to pass local restaurant tax levies to meet local homeless service needs.

Portland Metro Considerations: Oregon has no sales tax. The Portland metro region has few local option taxes: lodging tax, rental car tax and the Portland business tax. With relatively low hotel tax rates, and no sales or restaurant taxes, the Metro Region is known to have one of the country's lowest tourism tax rates. Ashland, Oregon uses a 5% Food and Beverage Tax to fund infrastructure costs.

Miami-Dade County		Multnomah County		Clackamas County	
Population:	2,591,035	Population:	759,256	Population:	383,857
Median income:	\$41,533	Median income:	\$50,773	Median income:	\$59,875
Residents living in poverty:	17.7%	Residents living in poverty:	15%	Residents living in poverty:	9.2%
Restaurants:	1,610	Restaurants:	999	Restaurants:	284
Restaurants Per Cap.:	6.76/10,000	Restaurants Per Cap.:	14.29/10,000	Restaurants Per Cap.:	7.57 / 10,000

Columbus and Franklin County, OH — Hotel and Real Estate Taxes for Housing



Jurisdiction	Tools	Description	Annual Revenue	Purpose of Funds
Columbus, Ohio	Hotel/Motel Tax	a .43% tax on hotel/motel services (a portion of the 10% tax)	\$1 Million	-Affordable Housing Development: rentals and homeownership -Half of funds must be used for 60% MFI and below housing.
Franklin County, Ohio	Real Estate Conveyance (Transfer) Tax	A \$1 fee per \$1000 of total sale price (a portion of the \$2 per \$1000 fee)	\$3 Million	

Profile: A total of \$4 million is collected annually from the Columbus hotel/motel tax and Franklin County's Real Estate Conveyance Tax to fund affordable housing development in the region. The city hotel tax rate is 10% with a .43% tax set aside for affordable housing, while the county reserves half of the \$2/\$1000 Real Estate Transfer tax for affordable housing.

The Columbus/Franklin County Housing Trust Fund, established in 2001, is one of the few multi-jurisdictional housing trust funds in the country. Trust revenues support new construction and rehabilitation of affordable rental housing and owner-occupied homes for low-income families. The Housing Trust for Columbus and Franklin County distributes the funds to for-profit and nonprofit developers as financing for acquisition, construction, and bridge loans. While Franklin County law prohibits designating revenue for particular use, the county keeps a contract with the Housing Trust to ensure funds equal to the Real Estate Transfer tax revenue are set aside in the General Fund for housing. \$1 million in revenue is reserved for households below 30% MFI, and half of the remaining revenue is committed to households below 60% MFI. In the first 12 years the Housing Trust committed a total of \$22 million. Columbus and Franklin County have created 2,743 homes serving 4,000 residents with revenues from the set-aside hotel and real-estate transfer taxes.

History and Political Considerations: In 1996, Building Responsibility Equality and Dignity, (BREAD), a highly organized coalition of 45 area faith congregations and over 40,000

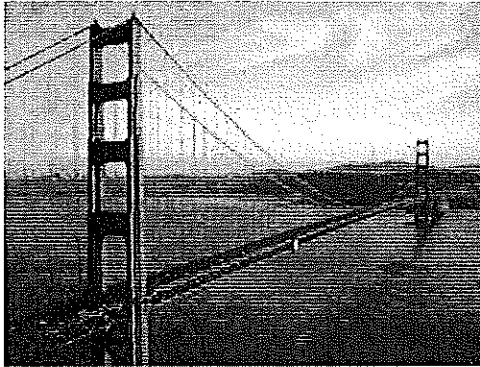
residents, initiated the Columbus Housing Trust Fund campaign to provide significant local support for the estimated 22,000 units of affordable housing needed. After years of advocacy, they were successful in 1999 when the newly elected mayor followed through on commitments made during his campaign to support the Housing Trust Fund. The city set aside \$1 million annually from a portion of the city's hotel/motel tax. Next, BREAD successfully secured the county's commitment to in double the real estate conveyance fee, setting aside the additional revenue for the Trust Fund. BREAD continued their organizing efforts to ensure the set aside funds would be used for the region's most needy residents and the Trust agreed that half of the funds would be used for residents with incomes less than 60% MFI. Voter approval was not required to establish the Columbus and Franklin County Affordable Housing Trust.

Portland metro region Considerations: In 2012 Oregon voters passed Measure 79, a constitutional amendment prohibiting any new real estate transfer taxes or document recording fees. Washington County had an existing Real Estate Tax grandfathered in and Washington County residents could vote to increase the tax for affordable housing. Other jurisdictions are restricted from levying a Real Estate Tax unless a statewide constitutional amendment is passed to reverse Measure 79.

Hotel/motel taxes are currently collected in all regional jurisdictions, however none of this revenue is set aside for affordable housing. Elected officials or voters could opt to increase lodging taxes and set aside new revenue for affordable housing. Of the total 11.5% lodging tax collected in Multnomah County, the City of Portland receives 6% (5% for the city General Fund and 1% to Travel Portland), and Multnomah County receives 5.5% (for the Convention Center Hotel and other tourism programs.)

Franklin County Ohio		Multnomah County		Washington County	
2012 Population:	1,195,537	2012 Population:	759,256	2012 Population:	759,256
Median income:	\$47,416	Median income:	\$50,773	Median income:	\$50,773
Median Home Value:	\$155,600	Median home value:	\$287,800	Median home value:	\$287,800
RETT 2% Fee:	\$6 million annually	Lodging Tax Rate:	11% Total	RETT 1% Fee:	\$2.5 million annually
Property Transfers:	50,000	(5.5% to County, 6% to Portland)		Lodging Tax Rate:	9%
Lodging Tax Rate:	10% total			(5% returned to lodging operators as a service fee for the collection)	
(0.43% set aside for housing)					

San Francisco, CA — Business Registration Fees for Housing



Jurisdiction	Tool	Description	Annual Revenue	Purpose of Funds
San Francisco, CA	General Fund Set Aside — primarily funded with Business Registration Fees	Annual business fee ranging from \$76 to \$35,001 -Will increase to a minimum of \$90 in 2015	\$20 Million - scheduled increase to \$50 million by 2045	-Affordable housing development -Private market incentives -Down payment assistance -Rent and mortgage assistance -Complete neighborhoods - infrastructure grants

Profile: San Francisco has committed General Funds to be set aside for affordable housing with a current commitment of \$20 million annually with a specific plan to increase to \$50 million annually over the next 30 years. The San Francisco Housing Trust Fund was established in 2012 with voter approved Proposition C. A comprehensive business tax reform, Proposition E, also passed in 2012. Proposition E increased business tax and registration revenues by \$28.5 million annually, enough to fund the initial target of \$20 million for the Housing Trust Fund. The Business Registration Fee is also scheduled to increase and will account for much of the \$1.5 billion committed to affordable housing production and housing programs over the next thirty years.

San Francisco has other revenue streams dedicated to affordable housing development and emergency housing programs, including funds (similar to TIF), recaptured from the dissolution of the Redevelopment Agencies Inclusionary In Lieu Fees, and a portion of the hotel tax (2% of the 15% hotel tax, which generates about \$5.5 Million for housing).

Together, these revenue programs generate committed funding for affordable housing and service programs as follows:

- Permanent affordable housing development of 9000 units for residents at 60% MFI;
- The down payment assistance program providing interest-free loans to first-time moderate-income homebuyers;
- The Housing Stabilization Program, which helps distressed low and moderate income residents remain in their homes; and

- A Complete Neighborhoods Infrastructure Grant program which funds public improvements such as “pocket” parks and child care facilities.

History and Political Climate: While affordable housing propositions failed in 2002 and 2008, the 2012 Proposition C passed with 65% of the vote, establishing the San Francisco Housing Trust Fund with funding set aside from General Funds. The impetus for passing Prop C was the 2011 dissolution of redevelopment agencies that had annually generated about \$50 million, a significant part of its affordable housing funding. With redevelopment set to expire, San Francisco worked quickly to identify new funding for affordable housing.

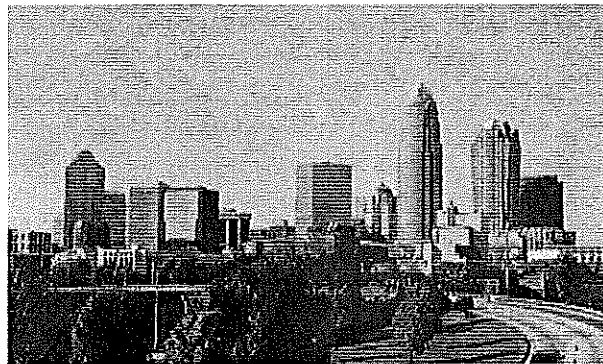
Proposition E, a comprehensive Business Tax Reform measure, went before voters at the same time in 2012. Housing Trust Fund, Proposition C, advocates worked to support the measure, with the recognition that additional revenue would help Housing Trust Fund expenditures. The new Business Registration Fee structure was designed to generate \$38.5 million in revenue, an increase of \$28.5 million over the old Business Registration Fee structure. Proposition C proposed a General Fund set-aside for the Housing Trust Fund in anticipation of new revenue coming in from Business Tax Reform, and the new Business Registration fee.

In addition to multiple revenue streams and General Funds dedicated to affordable housing programs, San Francisco has two core protections for housing affordability. The Rent Control program oversees the affordability of more than 172,000 units in the city, and Inclusionary Housing has prompted the development of more than 1,750 affordable units and the collection of over \$50 million in In-Lieu fees since 1993.

Portland Metro Considerations: While Portland metro region governments currently collect hotel/lodging taxes, business registration fees and income taxes, and manage general fund budgets, none of these revenue sources are dedicated to affordable housing development or housing services programs. Inclusionary Zoning practices are not permitted in the state; therefore, no In Lieu fees are collected to contribute to affordable housing development. Metro region governments could opt to generate additional revenues and set aside funding for affordable housing through lodging taxes and/or business fees.

San Francisco City and County		Beaverton, Oregon		Multnomah County	
2012 Population:	825,863	2012 Population:	92,680	2012 Population:	759,256
Median income:	\$73,012	Median income:	\$51,801	Median income:	\$50,773
Median home value:	\$727,600	Median home value:	\$268,200	Median home value:	\$287,800
Hotel Tax:	15-15.5%	Hotel Tax:	9%	Hotel Tax:	5.5% of total 11.5%
Business Gross Rcpt.Tax: .075%-.650%		(5% is returned to lodging operators as a service fee)		Business Net Income Tax:	1.45%
Registration Fee:	\$75-\$35,000	Business License Tax:	\$50	(of total 3.65% tax rate collected and shared with City of Portland)	
(for businesses with up to \$2M in gross receipts)		plus \$8.50 per employee after 4.			

Charlotte, NC — General Obligation (GO) Bonds for Housing



Jurisdiction	Tool	Description	Annual Revenue	Purpose of Funds
Charlotte, NC	General Obligation Bonds	Property tax backed bonds currently approved by voters at \$15 Million every 2 years for next 8 years	\$7.5 Million	-Affordable housing development and rehabilitation for <60% MFI

Profile: Since 2001, Charlotte, North Carolina, has committed \$86 million for affordable housing through voter approved general obligation bonds. GO Bond revenue is dedicated for any capital development of affordable multifamily housing for households with income up to 60% AMI. Funding is often used as gap financing to support the development of affordable housing financed primarily with federal tax credits.

The Charlotte-Mecklenburg Coalition for Housing is a community-based board appointed to implement the Charlotte-Mecklenburg Ten Year Plan to End and Prevent Homelessness, responsible for funding recommendations and oversight of the Housing Trust Fund. Charlotte City Council established the trust fund in 2001 to provide financing for affordable housing with the new revenue. Since that time, Charlotte has financed 5,122 new and rehabilitated affordable housing units. Of that total, 2,836 were for people earning less than 30% of the area median income.

Historical and Political Climate: Charlotte voters have continually approved bonds for transportation, neighborhood and affordable housing development, even during the recent economic downturn. The City of Charlotte operates under a council-manager form of government. The Mayor and Council make policy decisions for the community while the City Manager carries out those decisions and oversees the daily operations of city government. The strong leadership of the City Manager in implementing the funding as approved has been conducive to the ongoing success and public support of the Housing Trust Fund.

Recently, Charlotte housing advocates, city leaders and private investors created the Social Impact Housing Endowment to address rent assistance and supportive housing needs for low-income families. The \$20 million housing fund endowment includes a \$10 million dollar

commitment from the city of Charlotte over the next five years, in addition to \$10 million being raised by philanthropic organizations and faith-based institutions. Although the endowment annuities do not flow through the Housing Trust Fund, they contribute up to \$800,000 annually in additional housing resources for the community.

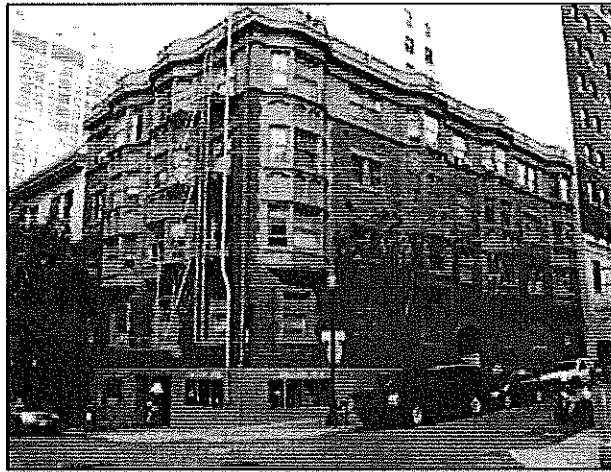
Portland Metro Considerations: GO Bonds are not subject to Oregon's compression limits, however they can only fund infrastructure projects and cannot fund public services. The funding must be renewed by public vote regularly, and elected officials can sometimes change the commitment of funds.

Charlotte, NC		Portland, OR		Hillsboro, OR	
Population:	775,202	Population:	603,106	Population:	95,327
Median income:	\$50,950	Median income:	\$52,158	Median income:	\$62,474
Median home value:	\$168,000	Median home value:	\$268,800	Median home value:	\$222,100
Homeless Point In Time Count: 2014 (sheltered, unsheltered and transitional housing)		Homeless Point In Time Count: 4441 (sheltered, unsheltered and transitional housing)		Homeless Point In Time Count: 537 (combined Washington County total)	

B. Other Revenue Considerations

This section briefly explores other revenue solutions that have the potential to fund affordable housing and services, some substantially and some creatively. Innovative revenue tools offer important opportunities for flexible and creative programing; however they will not likely produce tens of millions of dollars in revenue for housing. These models are young, still developing and largely untested, though they offer exciting potential. The survey briefly explores Value Capturing, Medicaid Savings for Housing, and Social Impact Bonds.

Meanwhile, state policies and tax reforms can generate substantial revenue and considerably promote the development of housing. However, such policies will require substantial statewide advocacy and will not necessarily result in revenue dedicated for housing. Tax reform and state enabling legislation are considered in brief as potential supplementary solutions for our regional housing needs. To create and sustain a regional infrastructure of housing opportunity, creative solutions and statewide advocacy can significantly contribute to our work.



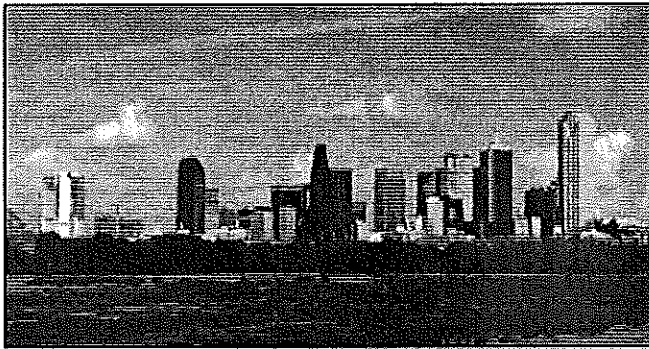
São Paulo, Dallas and Pennsylvania — Value Capture Financing

São Paulo, Brazil has successfully engaged an innovative financing tool that is becoming a new model for development in Latin America. As the price of land has quickly risen in São Paulo, officials have captured the increased value for public investment. As new redevelopment zones are created, bonds that enable up-zoning for higher density

development are sold to developers at auction. The revenue from the bond sales are invested back into housing, roads and other infrastructure in the same redevelopment zones. Over the past 12 years, São Paulo has raised close to \$2 billion in U.S. dollars through value-capturing bond sales.



With Value Capture financing mechanisms, the public — not just landowners and developers — receive some of the benefit when jurisdictions unlock massive amounts of land value through regulation, planning and investment. São Paulo's particular approach of selling building rights is less effective in countries where landowners generally have more property rights, such as the United States. In the U.S. context, value capture is more likely to occur through property taxes, special assessments on developers, tax-increment financing or simply negotiating with developers to pay a share of infrastructure costs.



In the Dallas-Fort Worth area, a proposal to build a 62-mile rail transit line linking 13 cities, the international airport and multiple existing light-rail lines relies on value capture financing to pay for a significant amount of the project. The plan calls for a transit-oriented development (TOD) district along the corridor with dense but walkable

neighborhoods around the stations. Landowners will contribute some of the upfront rail construction costs, while other revenue sources captured within the special district will provide funds to pay back the financing.

Another value capture financing mechanism is Land Value Tax (LVT)— a progressive tax leveraged against unimproved land value. As unimproved land, not counting infrastructure or building, appreciates due to market forces, a tax is applied according to the increase in value. LVT is common throughout Europe, but **Pennsylvania** is the only US state to use this progressive form of property tax. While the majority of U.S. cities apply a singular tax rate to both land and buildings, 20

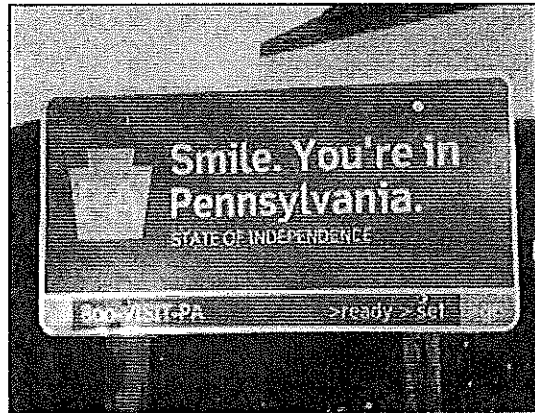


Image by Ian Peters: Flickr

Pennsylvania cities tax land improvements at a higher rate than building improvements. These cities use a “split-rate” property tax, where lower building taxes promote improvements and renovations on buildings while the land tax discourages land speculation. Because of land taxes, development throughout these Pennsylvania cities has produced downtown jobs, efficient use of urban infrastructure, an improved housing stock and better urban density.

Oregon utilizes Tax Increment Financing (TIF) an example of value capture financing. São Paulo, Dallas and Pennsylvania provide examples of how we might upon this progressive concept and capture market force revenues for our community’s benefit, especially for the purposes of funding affordable housing.

New York State — Medicaid Savings Reinvested for Housing

In 2011, New York Governor Andrew Cuomo created a Medicaid Redesign Team (MRT) to lead an effort to overhaul the state's Medicaid system. The state applied for a Medicaid waiver from the federal government to include a Medicaid Supportive Housing Expansion program to fund housing capital and supportive services. Unfortunately, The Center for Medicaid and Medicare Services (CMS) did not approve the proposed use of reinvested federal savings. Despite CMS's decision, the State of New York remained committed to achieving MRT's goals, with housing as an essential health intervention for Medicaid recipients.

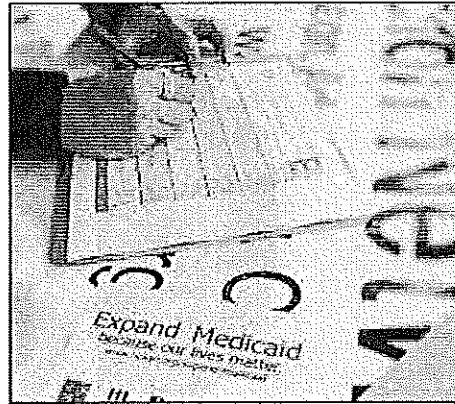


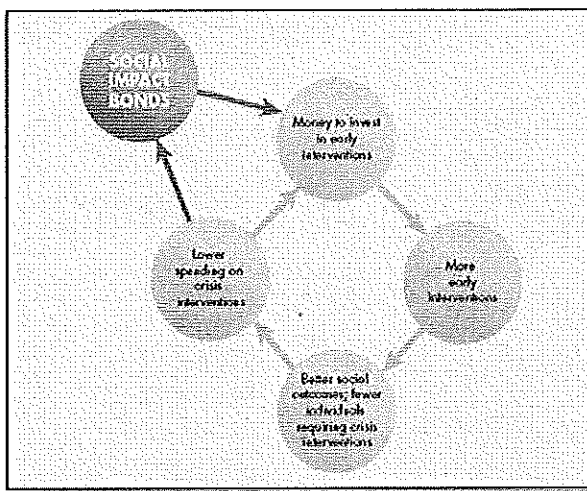
Image by NC AIDS Action Network: Flickr

Today, New York invests state-only Medicaid savings into supportive housing, with a two-year budget set aside of \$222 million for the Supportive Housing Development fund. State Medicaid savings provide rental subsidies, service funding and capital dollars to create supportive housing for high-cost Medicaid members.

Oregon State Medicaid officials could opt to reinvest state Medicaid savings in affordable housing development and rent assistance. As New York's model has shown, state Medicaid savings would continue to increase with safe and stable housing for program recipients, improving upon Medicaid outcomes and further increasing available funds for housing.

London, England — Social Impact Bonds

Social Impact Bonds (SIBs) are an innovative financing method that connects private investors and local governments to fund public projects without cost to taxpayers. Social investors produce revenue needed to start new programs and are paid back if programs are successful in achieving outcomes. The government body funds the returns through cost savings that result due to program success. In addition to providing new revenue, SIBs also generate economic growth with new jobs and increased tax revenue. If programs are unsuccessful, investors lose their investments and similar programs are not likely to receive future SIB investors.



Social Impact Bonding started in London, England sponsored by Mayor Boris Johnson who invested first in programs to reduce incarceration recidivism and has more recently created an \$8 Million (US) SIB to reduce “rough sleeping”, or chronic homelessness. The 3 year program will complete in 2015 and aims to improve health and housing outcomes for 800 of London’s 3,500 homeless residents. The outcomes will measure access to housing, connection to the community, employment and health.

Social Impact Bonds are becoming popular in the US though they remain new and untested. New York City, Utah and Massachusetts have used SIB funding to start programs to reduce juvenile recidivism, expand early education and end homelessness.

Governor Kitzhaber has championed SIBs for Oregon and recent legislation approved \$800,000 for Pay for Prevention, Oregon’s SIB program. SIBs present great opportunity to fund new programs and creatively structure programs that invest in prevention to create future public program savings. SIBs work best to fund social service programs but have not been shown to provide capital for development projects such as affordable housing. Additionally, SIBs do not generate new revenue as they are paid back with existing program costs savings due to success.

Opportunities for Tax Reform in Oregon

Most states chose a combination of income, property and sales taxes to generate revenue in order to provide services for their residents. Oregon is one of five states with no sales tax. Therefore our state government is largely funded by personal income and corporate excise taxes (corporate income tax) while our local governments and school districts use property taxes to fund their programs and services. This basic assessment of Oregon's tax structure briefly discusses opportunities to promote tax fairness and generate needed revenue through Oregon State tax reforms. This potential revenue could be dedicated to addressing housing needs throughout the state.

Sales Tax

Oregon has no state or local sales taxes. Sales taxes are sometimes considered regressive because residents with lower incomes pay a higher percentage of their total household income on sales tax for basic goods and services than do persons with higher incomes. Many states adjust for this regressivity by exempting basic goods such as groceries and clothing from sales tax, while taxing only items like soda, luxury clothing, and restaurant dining.

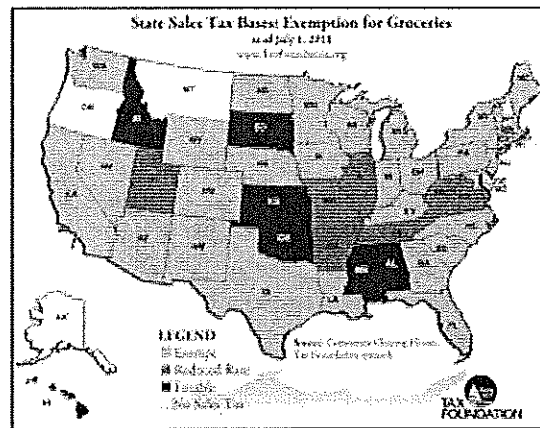


Image from Tax Foundation

Oregon taxes cigarettes, alcohol and gasoline, which are also generally considered regressive taxes. A lodging tax, generally considered a luxury or tourism tax, is collected for hotel/motel and short term lodging. At times Oregon leaders have considered levying a state sales tax, especially during down economic cycles when income taxes decline and state revenue is reduced at a time when funding is needed most for public programs. A statewide vote would be necessary to add a sales tax in Oregon; however, there is a consistent, historic lack of public support for sales taxes in Oregon.

Property Tax Inequities and Limitations

Oregon's property tax system is one of the most important sources of revenue for local taxing districts such as public schools, cities, and counties. For example for each property tax dollar collected in Multnomah County, the City of Portland receives about 39 cents for, fire, parks, and other services; public schools, community colleges, and special districts, such as Metro and TriMet, receive 37 cents; and the remaining 24 cents goes to the county.

Oregonians have approved three measures that significantly affect property taxes: Measure 5 (1990), Measure 47 (1996) and Measure 50 (1997).



Image by Tax by Phillip: Flickr

Measure 5 created a phenomenon called "Compression." The measure set limits on the amount of property taxes to be collected for categories described in the constitution (e.g. education and general government). If taxes in either category exceed the limit for an individual property, the taxes are reduced or "compressed" to the limit. Because local option taxes are compressed first, Measure 5 often causes voter approved levies not to receive designated funding.

Measures 47 and 50 restrict statewide property taxes based on 1995 assessed property values. This means that neighborhoods have many disparities for homes of equal value. For example, North and Inner Northeast Portland properties may pay thousands of dollars less per year than similarly valued properties in other Portland neighborhoods. Due to unnaturally low property taxes in North and Northeast Portland neighborhoods, Measures 47 and 50 also has contributed to inflated housing prices and displacement of long time residents.

Finally, Oregon's property tax system is unique in that it does not recalibrate a property's taxable value at any point. Of the 17 states that have a system with artificial taxable value similar to Oregon's, 15 of the 17 recalibrate taxable value at the time of sale. Without a periodic recalibration, certain properties and certain neighborhoods are receiving permanent property tax breaks, with the cost of local services being largely and unfairly subsidized by other property owners.

Statewide property tax reform advocates propose property taxes to be "reset on sale". Increased revenue from reset on sale or other property tax reform could be used to fund affordable housing, and other critical public investments, and reduce overall property tax rates.

Business Taxes Remain Low

Before 2010, the overwhelming majority of Oregon businesses paid no state income taxes. Measure 67 set higher minimum taxes on corporations and increased the tax rate on upper-level profits. Among the 33,593 C Corporations, which tend to be larger businesses, state economists estimate that 60 percent will now pay a \$150 minimum tax under Measure 67, up from the former \$10. Most of the rest of the C Corporations pay a new minimum tax based on 0.1 percent of in-state sales of more than \$500,000. The tax is capped at \$100,000. However, business tax policy conditions cause some businesses with negative profits to pay thousands of dollars in taxes while more than 25 large Oregon corporations paid no tax in 2013, despite the new required minimum set by Measure 67.

Oregon's business tax climate tends to benefit multinational companies over small local businesses, which must pay taxes on all income, while multinationals only pay tax on in-state profits. Even after Measure 67, Oregon has the lowest "total effective business tax rate" in the country, according to a 2013 Ernst & Young study. The total state and local taxes paid by Oregon businesses amount to 3.3 percent of Oregon's private sector economy, the smallest such contribution among all 50 states. Meanwhile, Oregon's state and local income tax collections per person were \$1,426 in 2011, the 5th highest in the country.

Housing Trust Funds and State Enabling Legislation

Housing Trust Funds

Housing Trust Funds (HTFs) are distinct funds established by city, county or state governments that receive ongoing dedicated sources of public funding. They support the preservation and production of affordable housing and increase opportunities for families and individuals to access decent affordable homes. HTFs systemically shift affordable housing funding from annual budget allocations to the commitment of dedicated public revenue.



Housing Trust Funds, by this definition, do not operate as Trusts per se. They receive annually dedicated revenue funds and generally spend those funds within the same period. HTFs are not primarily financed by interest earnings. Some communities call their HTFs Housing Opportunity Funds or Affordable Housing Funds to avoid confusion created by the term "Trust."

There are now 47 states including the District of Columbia, and more than 600 cities and counties with HTFs in operation. Together they dedicate \$1 billion annually to help address critical housing needs throughout the country. Despite limited funding to date, HTFs are widely valued for their flexibility to address local affordable housing needs with dedicated revenue streams. Because of their success, each year more communities are mobilizing to enact new HTFs and increase dedicated revenue streams for existing trust funds.

State Enabling Legislation

The passage of state legislation to enable and promote local jurisdictions to dedicate revenue for affordable housing has increased the number of local affordable housing funds more than any other factor. States generally have considerable flexibility in selecting revenue sources to be dedicated for housing. State legislation can also support localities to overcome state regulation of local taxing and bonding authority or other limitations to help generate revenue.

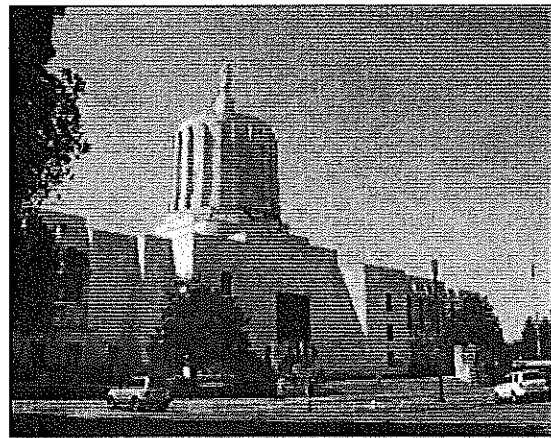
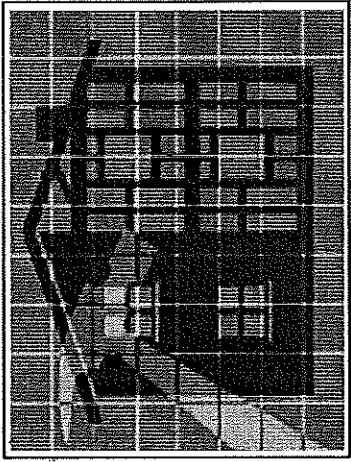


Image by Jimmy Emerson, Flickr

Examples of State Enabled Legislation supporting affordable housing trust funds include:

- Pennsylvania legislation that enables counties to as much as double their document recording fee if the funds are used to support certain affordable housing activities. Well over half of Pennsylvania's 67 counties now have affordable housing trust funds.
- In Washington, voters in local jurisdictions can levy property taxes for affordable housing. The City of Seattle has utilized this law to successfully pass housing levies in 1995, 2002 and 2009. In 2012, the City of Bellingham became the second Washington jurisdiction to pass a housing levy.
- Massachusetts allows jurisdictions to increase their property taxes by a vote of the public for affordable housing, historic preservation, and open space. These local funds can also apply for state matching funds through an increase in the document-recording fee.

In Oregon, state enabled legislation could support local jurisdictions to establish housing trust funds and enable local jurisdiction financial authorities to levy local taxes for affordable housing, raise local document recording fees, collect linkage fees and permit local inclusionary zoning practices.



C. Additional Policy, Revenue and Regulatory Tools Chart

A multi-layered regional and statewide response is necessary to adequately address affordable housing infrastructure needs and provide essential housing services to families and individuals. In addition to substantial and dedicated local revenue streams, layers of policy, regulatory measures, and other revenue streams will substantially further housing opportunity for low-income residents. This section discusses additional layers of revenue, policy and regulatory tools to be considered as components of a regional strategic plan for housing.

Policy or Revenue Tool	Definition	Survey of Jurisdictions	Portland Metro Considerations
Demolition Taxes	As housing demolition reduces the available supply of affordable housing and often replaces demolished homes with more expensive housing, a Demolition Tax can be imposed to disincentivize demolitions and generate revenue to fund regional affordable housing development. The tax is often a flat fee based on the number of housing units demolished.	Highland Park, IL - a minimum fee of \$10,000 per residential site.	In 2013 there were 389 permits for the demolition of homes in Portland alone, where demolition permit fees are only \$320-\$365 per site
Inclusionary Zoning and Incentive Zoning	Inclusionary Zoning , or Inclusionary Housing refers to municipal and county planning ordinances that require a given share of new construction to be affordable to people with low to moderate incomes. Incentive Zoning leverages rising demand for urban housing development by relaxing height and other zoning restrictions in exchange for affordable housing development. Incentive Zoning produces affordable housing on a voluntary basis as a condition of the upzoned permit.	Montgomery County, MD (pioneered IZ in 1974) -More than 200 communities use Inclusionary Housing policies in the U.S.	Mandatory Inclusionary Zoning was banned by Oregon state legislation in 1999. Local inclusionary housing policies are not permissible under the statute. Oregon and Texas are the only two states that ban mandatory Inclusionary Housing. Voluntary and Incentive Zoning are permissible.

Policy or Revenue Tool	Definition	Survey of Jurisdictions	Portland Metro Considerations
Land Banking	Land Banks are quasi-governmental entities created by counties or municipalities to repurpose underused, abandoned, or foreclosed property. De-industrialization and suburbanization left many American cities with large amounts of vacant and blighted property. Rather than dispose of the property, Land Banks utilize the value of public land to address community's needs, such as affordable housing.	Genesee County/Flint, Michigan St. Louis, MO (1971 Pioneer)	Several Metro region organizations use small-scale land banking practices to acquire land for future affordable housing development. The Metro region jurisdictions do not practice land banking with existing property portfolios or potential acquisitions for the purposes of affordable housing development.
Rent Control and Rent Stabilization	Some cities institute Rent Control or Stabilization to set limits on how much landlords may raise rent on existing tenants. More commonly found in cities with large populations where affordable housing is limited, most rent-control programs include exemptions and exceptions, so rent control doesn't apply to all rental units in the city.	New York cities California cities	Rent Regulation is not legal in Oregon; a state constitutional amendment would be necessary to use rent regulation practices regionally.
Revenue Bonds	A Revenue Bond can be issued by any government without a public vote. They generally finance revenue-producing projects and are repaid by that specific project (e.g. a toll bridge) but can also be financed with general fund dollars. Revenue bonds carry higher risk than GO bonds.	Various	Revenue Bonds are often used to capitalize housing trust funds but do not generate ongoing revenue. Portland City Council approved a Housing Revenue Bond in 2005 for approx. \$10 Million and will make annual payments of approx. \$700,000 until 2035.
Short Term Lodging Taxes	As short-term lodging (e.g. AirBnB) reduces the available rental stock and increases rent rates, a short term lodging tax can be dedicated to affordable housing and services to offset the market impact.	N/A	Portland is the first city to legally allow short-term rentals and it collects an 11.5% lodging tax. A plan to dedicate these funds for housing failed in a 2014 Portland City Council vote.

Policy or Revenue Tool	Definition	Survey of Jurisdictions	Portland Metro Considerations
System Development Charge (SDC) Waivers	SDC charges, also known as Impact Fees, collected to offset the cost of public services required for new development such as sewer, sidewalks, parks and schools, can be waived to reduce costs and promote the development of new affordable housing units.	Portland, Oregon	In 2013, The City of Portland waived \$5 million in fees to promote the development of 400 affordable housing units at 60% MFI and below. In 2014, City Council approved extending waivers to developers in Old Town for 120% MFI and below residential development. No other metro region governments waive SDCs for affordable housing development.
Tax Increment Financing Housing Set Aside	A "value capture" strategy, Tax Increment Financing (TIF) publicly finances community improvement projects with future tax revenue projected to increase due to the development. All increased property tax revenue within the established Urban Renewal Area (URA) is set aside for 20-25 years to repay the development(s).	Portland, OR Salt Lake City , UT Various	TIF has been widely used to promote development in Portland with some funds set aside for affordable housing development. This financing mechanism does not fund services and is restricted to property within the URA. TIF can promote gentrification and displacement, and diverts needed tax revenue from public services, which led California to discontinue its practice statewide.

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Housing and Human Services Commission Memo

TITLE: Rental Registry
DEPT: Community Development
DATE: January 22, 2014
SUBMITTED BY: Linda Reid, Housing Program Specialist

Rental Registry:

Currently staff is getting approval to have an addendum to the Business License required for two or more rental properties. The following questions will be included on the form and Margueritte Hickman, the Ashland Fire Marshal has been asked to approve the self-certifying code compliance statement.

Street address of the rental unit(s)

Number and types of rental units within the rental property

Number of bedrooms per unit

Maximum number of occupants/tenants permitted for each rental unit

Rent amounts for each unit type (please indicate amount per bedroom size)

Are utilities included?

☐ Water

☐ Gas

☐ Electric

Age of unit(s)*

Vacancy period/rate in the prior year (estimate)

Property Management Information/Local contact-if applicable

Name

Address

Emergency Contact Number

_____ All of the rental properties within the City of Ashland that I have an ownership interest in are in substantial compliance with the Oregon Revised Statutes (Ch 479) and Oregon Administrative Rules (837-045-0040) with regard to the Smoke Alarm & Carbon Monoxide Detector requirements.

