

# HOUSING AND HOMELESSNESS ON THE BALLOT

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#### INTRODUCTION

uring the 2024 election cycle, voters frequently named housing affordability as a priority issue. As the severity of the housing crisis escalates, an ever-larger swathe of the American electorate is feeling its effects, with nearly half of all renters paying more than a third of their income on housing. The crisis remains most concentrated among the lowest-income renters: three-quarters of extremely low-income renter households dedicate at least half of their income toward housing costs.

Voters in every state cast their ballots against the backdrop of a severe housing shortage and high rents. Inflation, consistently cited as a top concern among voters, is inextricable from high housing costs: housing is the single largest component of the Consumer Price Index (CPI). Rents are rising far faster than wages, as demonstrated in NLIHC's <u>Out of Reach report</u>, and 14 of the 20 largest occupations do not pay median wages high enough for workers to afford a modest one-bedroom rental home.

In response to voters' deep concerns about the housing crisis, housing affordability received significant attention in the November 2024 elections. Candidates frequently discussed housing on the campaign trail, and housing received airtime in the presidential and vicepresidential debates. Housing was also a focal point in state and local elections. In many states and cities, voters not only considered housing costs when choosing among candidates but also had the chance to weigh in directly on housing policy through ballot measures.

In dozens of states, counties, and cities, voters were presented with ballot measures relating to rental housing and homelessness. In some cases, policy questions were referred to the ballot by state legislatures, county commissions, or city councils. In other cases, citizens organized grassroots signature-gathering campaigns to place housing initiatives on the ballot. Some ballot measures originated from state laws that require voters to enact certain policies, such as Colorado's Taxpayer Bill of Rights (TABOR), which requires direct voter approval of tax increases. Other organizers chose to pursue ballot measures because they believe the electorate is more inclined than cautious elected officials to enact bold housing solutions.

In a highly polarized election cycle, support for housing ballot measures transcended partisan divides. Housing ballot measures passed in communities from coast to coast; in red, blue, and purple states; in large coastal cities, small mountain towns, and everywhere in between. Voters of all political identities supported ballot measures to address the housing affordability crisis and keep renters stably housed.

The Our Homes, Our Votes campaign, NLIHC's nonpartisan initiative to increase voter turnout among low-income renters and elevate housing as an election issue, tracked nearly 100 ballot measures related to rental housing and homelessness in the November 2024 election cycle. (Additional ballot measures passed during primary elections in 2024 are reviewed here.) This report divides housing and homelessness ballot measures into six broad categories: bond measures; efforts to reallocate or preserve existing resources; taxes and fees; tenant protections; punitive responses to homelessness; and zoning, land use, or other regulations. Property tax reform measures that do not directly address rental housing are beyond the scope of this report.

Overall, ballot measures to invest in building and preserving affordable homes were overwhelmingly successful. Ten of 12 housing bond measures were successful, and all eight measures to reallocate or preserve existing revenues for affordable housing were successful. Tenant protections saw mixed results in the November 2024 election cycle. In most cases, voters affirmed support for rent stabilization where landlord-backed initiatives sought to weaken existing ordinances. However, voters were generally hesitant to approve new tenant protections in this election cycle – a contrast from the 2022 election cycle, when voters approved measures to enact or strengthen rent stabilization in every election where they had the opportunity to do so.

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Unfortunately, the November 2024 elections also saw widespread support for two harmful ballot measures (in Arizona and in San Joaquin County, California) that punish people experiencing homelessness rather than invest in proven solutions and that will only make it harder to get people stably housed.

Measures to facilitate affordable housing development via zoning and land use changes saw mixed results. To comply with state housing law, some California municipalities had to approve local zoning reforms that would enable them to meet their housing targets. The potential consequences for noncompliance with state housing law – loss of funding and loss of local control over development decisions - proved a powerful incentive for voters to pass zoning and land use measures that would enable housing development, or, in one case, to reject a measure that would have blocked proposed affordable housing projects. A handful of communities, however, rejected proposals that could have opened more land for affordable homes.

This report summarizes nearly 100 housing and homelessness ballot measures and their outcomes and contains case studies focusing on Rhode Island, Los Angeles (CA), New Orleans (LA), and Hoboken (NJ) that demonstrate effective strategies in ballot measure advocacy and reveal key lessons learned. The report concludes with an assessment of the outlook for housing ballot measures, underscores the importance of state and local organizing to achieve wins in a challenging federal policy environment, and urges elected officials to respond to voters' demand for bold housing policy solutions.

#### **BOND MEASURES**

Voters generally supported measures that authorized their states or cities to borrow money for affordable housing development. Across the country, voters collectively authorized more than \$640 million in bonds for affordable housing and shelter. Where bond measures passed, they did so by wide margins, exceeding 60% of voters' approval in all cases. Perhaps the greatest loss for housing bond measures was not a proposal that would have directly invested in affordable homes but rather a measure that would have paved the way for the passage of future housing bonds. California's Proposition 5 would have lowered the two-thirds supermajority threshold currently required to pass local housing bonds - a roadblock that prevents even highly popular bond measures from being enacted and limits local investments in affordable housing development. Fortunately, due to a previously enacted constitutional amendment, education bonds only require 55% of voters' approval. Under this lower threshold, two California school districts (Monterey Peninsula Unified School District and San Jose Unified School District) passed two large education bonds that set aside funds for teacher and staff housing. With the two-thirds supermajority threshold for housing bonds still intact, however, the inclusion of housing in education bonds offers an innovative approach to pursuing local housing investments.

✓ Tempe, AZ. <u>Tempe Bond Question 3</u>,

"Increase Supply of Affordable Housing," will allow the city to issue \$32 million in bonds to increase the supply of affordable homes. Resources will be used to redevelop city-owned housing to create additional affordable rental homes, repurpose existing available buildings into rental homes, and acquire land and enhance properties for affordable housing development. The Tempe City Council called for a Special Bond Election, held in conjunction with the general election on November 5, in which voters considered Question 3 alongside two other bond measures to finance public safety improvements, parks, and other infrastructure. Question 3 passed on a vote of 69.4% to 30.6%.

**California (statewide)**. <u>Proposition 5</u> would have amended the California state constitution to lower the supermajority threshold for approval of local housing and infrastructure bonds. Under current law, local bond proposals for affordable housing and infrastructure projects require 67% of voters' approval to be enacted. Proposition 5 would have lowered the voter threshold to 55%, following the model of a prior constitutional amendment (Proposition 39 in 2000) that lowered

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the voter threshold to 55% for local school bond measures. A broad coalition of housing advocates, including NLIHC state partners, led the statewide campaign for Proposition 5. The California state legislature placed Proposition 5 on the ballot as a legislatively referred constitutional amendment. The measure was <u>defeated</u> on a vote of 45% to 55%.

✓ Monterey Peninsula, CA. Monterey Peninsula Unified School District Measure A authorizes \$340 million in bonds for the district to create affordable educator housing, upgrade and repair schools, improve safety, and update infrastructure. The Board of Education of Monterey Peninsula Unified School District passed a resolution to place the bond measure on the ballot. The bond measure passed on a vote of 62.6% to 37.4%.

✓ San Francisco, CA. Proposition B, the Community Health and Medical Facilities Bond Measure, authorizes \$390 million in bonds for shelter and interim housing, community health centers, street safety improvements, critical improvements at healthcare facilities, and upgrades to public spaces. Up to \$50 million of the bond proceeds can be used to acquire, construct, finance, or improve shelter or interim housing sites to reduce unsheltered homelessness, with a focus on family homelessness. The San Francisco Board of Supervisors voted to place Proposition B on the ballot. The measure passed on a vote of 72.8% to 27.2%.

✓ San Jose, CA. San Jose Unified School District Measure R, the School Upgrades and Affordable Housing for Teachers bond measure, issues \$1.15 billion in bonds to improve school safety, upgrade classrooms and facilities, update infrastructure, and provide affordable housing for teachers and staff. The school district anticipates that approximately \$283 million of the total \$1.15 billion bond will be used to build housing for staff. San Jose Unified School District placed Measure R on the ballot. The bond measure passed on a vote of 64.7 to 35.3%.

Summit School District, CO. <u>Measure 4A</u> would have invested \$46 million to develop 60 affordable homes for school district teachers and staff in Silverthorne, CO. The measure would have also made broader investments in constructing, upgrading, and maintaining academic facilities. The Summit School District Board of Education placed the bond measure on the ballot. The measure was <u>defeated</u> on a vote of 43% to 57%.

✓ **Baltimore, MD**. Question A: Affordable Housing Loans authorizes the city of Baltimore to borrow up to \$20 million over two years for planning, developing, and carrying out its affordable housing program. Funds <u>can be</u> <u>used for</u> acquisition, preservation, production, rental assistance, housing counseling, loans, or grants and may also be used to support the city's Affordable Housing Trust Fund. The Baltimore City Council placed the measure on the ballot, as well as three other general obligation bonds to support schools, community and economic development, and public infrastructure. The affordable housing measure <u>passed</u> on a vote of 84.2% to 15.9%.

✓ Rockland, ME. Question #4 is an advisory question to gauge voters' support for a local housing bond and other incentives for the development of affordable housing in Rockland. The measure is nonbinding and does not authorize a bond itself. Rockland City Council placed the question on the ballot as it develops a broader strategy to address the housing crisis. Question #4 passed on a vote of 77.9% to 22.1%.

Asheville, NC. The City of Asheville Housing Bonds Referendum will provide \$20 million in bonds to supplement the city's Housing Trust Fund. The outcomes of the city's 2016 housing bond, which funded a variety of projects and saw the greatest results from its investments in the Housing Trust Fund, informed its decision to dedicate bond resources to the program again. Asheville's housing bond funds will be used to invest in affordable homes, provide downpayment assistance, purchase land and existing homes for future affordable housing, and fund home repair programs to support homeownership. Asheville City Council voted to place the housing bonds referendum on the ballot alongside three other general obligation bonds. The housing bond passed on a vote of 71% to 29%.

🗱 Cary, NC. The Cary Community Bond Referendum would have provided \$30 million to local housing initiatives. The bond would have financed the expansion of housing options through property acquisition, predevelopment costs, housing development gap financing, and homeownership programming. The bond also would have supported affordable housing rehabilitation and preservation, housing stability services, and nonprofit capacity-building in the housing sector. Cary Town Council developed the bond proposal as part of its annual budget discussion and referred the housing bond proposal to the ballot, alongside a \$560 million Parks and Recreation Bond. Voters narrowly rejected the housing bond on a vote of 48.7% to 51.3%.

✓ Chapel Hill, NC. The Chapel Hill Town Bond Referendum authorizes the city to issue \$15 million in bonds for affordable housing projects, in accordance with the town's Affordable Housing Plan and Investment Strategy. The funds will be used to construct affordable homes, preserve existing homes, and acquire property for the development of new affordable homes. The Town Council adopted a resolution to place the housing bond on the ballot alongside four other bonds to fund public facilities, streets and sidewalks, parks and recreation, and open space and greenways, totaling \$44 million. The housing bond passed on a vote of 72.9% to 27.1%.

Charlotte, NC. The Charlotte Housing Bond Measure authorizes the city to issue \$100 million in bonds to support housing for low- and moderate-income households. The bond funds will be dedicated to the city's Housing Trust Fund. Of the \$100 million in bond funds, \$35 million will be invested in rental housing production, \$25 million will be invested in homeownership, \$14 million will be invested in rental housing preservation and anti-displacement, \$9 million will be invested in supportive housing and shelter capacity, and \$5 million will be invested in rehabilitation and emergency repair. Charlotte City Council voted to place the housing bond on the ballot, alongside a transportation bond and a neighborhood improvements bond. The housing bond passed on a vote of 63.6% to 36.4%.

Bernalillo County, NM. The Bernalillo County Public Housing Bond Measure authorizes the county to issue \$1.7 million in bonds to remodel and improve public housing. Of this amount, \$1 million will be used to acquire property and plan, design, upgrade, construct, and remodel homes that are affordable to low-income families, people experiencing homelessness, senior households, and people with disabilities. The remaining \$700,000 will be used to improve two public housing complexes for low-income seniors and people with disabilities. The Bernalillo County Board of Commissioners placed the public housing bond on the ballot, as well as five other measures to support parks and recreation, transportation, public safety, storm drainage, libraries, and other infrastructure. The housing bond measure passed on a vote of 69.4% to 30.6%.

Rhode Island (statewide). Question 3, the Housing Acquisition, Development, and Infrastructure Bond Measure, allows the state to issue \$120 million in bonds to increase the supply of affordable homes, revitalize communities, and promote homeownership. The bond will provide \$80 million for low- and moderate-income housing, \$10 million for community revitalization projects, \$20 million to support low, moderate, and middle-income homeownership, \$5 million for site acquisition for supportive housing, \$4 million for housing-related infrastructure, and \$1 million for municipal planning. The Rhode Island state legislature referred the bond measure to the ballot. The measure <u>passed</u> on a vote of 65.8% to 34.2%. Housing Network of Rhode Island, an NLIHC state partner and Our Homes, Our Votes pilot community partner, and its multisector Homes RI Coalition played a key role in the campaign.

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#### SUSTAINED INVESTMENTS, CONCRETE IMPACT: Yes on 3 Wins Statewide Support for Rhode Island's Historic Housing Bond

By record margins, Rhode Island voters approved Question 3, the largest housing bond measure in the state's history. Support for Question 3, which authorizes \$120 million in housing bonds, transcended partisan divides. While the campaign for Question 3 ramped up in the month before Election Day, advocacy for the housing bond started more than a year before the November 2024 elections.

Conversations about a housing bond began after the state allocated nearly one-third of its American Rescue Plan Act state fiscal recovery funds to housing and homelessness programs. These investments



The Housing Network of Rhode Island team demonstrates their support for Question 3

sparked increased affordable housing development – yet housing advocates knew that these one-time funds would be expended quickly and would not meet the scale of the need on their own. The state would have to make sustained investments to keep up the pace of development and address Rhode Island's shortage of affordable homes. To prevent a funding cliff that could stall the development of affordable homes, housing advocates began lobbying the governor's office and the state's newly established Department of Housing for a housing bond on the November 2024 ballot.

Following this initial advocacy, Rhode Island Governor Daniel McKee released a budget request in January 2024 that included a \$100 million housing bond proposal. Advocates had pushed for a \$250 million bond, and they believed there was potential to increase the amount in the bond proposal that would ultimately appear on the ballot. Housing Network of Rhode Island (HNRI) and its multisector Homes RI coalition released a statement that supported Governor McKee's request for a housing bond measure and called for increasing the funding amount to \$150 million.

Over the next several months, HNRI and Homes RI advocated for the state legislature to place a \$150 million bond on the ballot. In addition to the increase in funds, advocates pressed for most of the funds to be allocated to low- and moderate-income housing development, with a focus on renters making at or below 80% of area median income (AMI) and homeowners making at or below 120% of AMI. Advocates also pushed to prioritize oversight and community input in the administration of the bond funds, rather than unilateral decision-making by the state.

The General Assembly ultimately approved a state budget that included a \$120 million housing bond proposal – a meaningful increase above the governor's original request – with two-thirds of the funds dedicated to low- and moderate-income housing. The passage of the budget with a strong bond proposal completed the first phrase of advocacy for the housing bond measure.

On the heels of this legislative victory, advocates geared up for the campaign to approve the bond measure at the ballot box. The housing bond measure was one of five statewide questions on the ballot and was designated as Question #3 on the ballot, so the electoral campaign for the housing bond measure branded itself as "Yes on 3."

The Rhode Island Foundation played a leading role in the Yes on 3 campaign. The Foundation provided campaign funding, hired consultants to run a public awareness campaign, and conducted message-



Members of the multisector Homes RI coalition campaign for Question  $\ensuremath{\mathbf{3}}$ 

testing with voters. The message testing revealed that language about affordable homes for all Rhode Islanders, especially communities with the greatest needs - families with children, people experiencing homelessness, and workers in minimum-wage and low-wage jobs – resonated more than language about housing and economics that the affordable housing sector has commonly deployed. In response, the campaign's messaging appealed to voters' recognition that all Rhode Islanders need affordable homes. Katie West, director of strategic initiatives at HNRI, emphasized the value of message-testing for not only the Yes on 3 campaign but also for long-term housing advocacy, noting that it "gives insight into what messages we can use to mobilize

people beyond the ballot measure campaign in terms of broader support for affordable housing."

To start spreading the word among community members, the campaign launched a website and social media accounts, produced stickers and literature, and procured lawn signs. The campaign held an official launch event on October 11 – intentionally close to Election Day, so that the campaign could deploy its resources in the timeframe when voters were most engaged and the election was top-of-mind.

While the Yes on 3 campaign lacked an official field component, HNRI integrated Yes on 3 messaging with its nonpartisan voter education and mobilization campaign. As an *Our Homes, Our Votes* pilot community partner, HNRI carried out a robust door-knocking and phone-banking program to boost voter turnout among affordable housing residents. HNRI staff and volunteers – including volunteers with lived experience – canvassed residents, helped them create their voting plans, and provided information about Question 3. Among residents who were planning to vote, the vast majority expressed their support for Question 3. The *Our Homes, Our Votes* canvassing effort enabled HNRI to not only spread the word about Question 3 but also to establish personal connections with affordable housing residents that will lay the groundwork for future relationship-building and civic engagement opportunities.

The campaign's media strategy focused on reaching voters of all backgrounds and emphasizing the human impact of affordable housing investments. The October campaign launch featured videos of affordable housing residents and staff, community leaders, and elected officials – including several residents who spoke Spanish. Going forward, Katie West of HNRI expressed hope that housing advocates can build the campaign's media engagement into authentic, long-term initiatives that empower people with lived experience to tell their stories and get involved in ongoing work.

After the launch event, the campaign continued to deploy Spanish-language video content to engage Rhode Island's Latino communities, and invested in ads on Spanish-language radio. The Yes on 3 campaign also built up a social media presence and achieved higher levels of organic interaction with its social media content than it had in 2016, when housing advocates last ran a statewide bond campaign during a general election.

Taken together, these outreach strategies proved effective: the bond measure passed with 65.6% of voters' approval. In 34 of the state's 39 municipalities, a majority of voters supported the bond – a notable increase from 2016, when 25 of 39 municipalities voted in favor of the housing bond. "The message and the need for affordable housing transcended partisan politics," reflected Katie, as voters favored the bond in red-leaning and blue-leaning communities alike.

While the campaign lacked formal opposition, it remains important to emphasize the value of housing investments over the long term and make the case for continued state and local investment in housing. In the 2025 legislative session and beyond, HNRI and the Homes RI coalition intend to continue demonstrating that affordable housing is a necessary and beneficial addition to communities. As one tactic to support this message, HNRI plans to publish an op-ed conveying that "these investments matter, and they do turn into real, tangible homes for families, neighbors, and folks in their community," as Katie described.

Reflecting on the next steps for a winning campaign, Katie also emphasized the importance of reaching out to campaign supporters, expressing gratitude, and mobilizing them to get involved in future advocacy. When supporters feel appreciated, they will be eager to get involved in the ongoing work to make the vision of affordable homes for all Rhode Islanders a reality.

"These investments matter, and they do turn into real, tangible homes for families, neighbors, and folks in their community."

#### REALLOCATION AND PRESERVATION OF EXISTING RESOURCES

Measures to reallocate existing resources to housing and homelessness programs, or to permanently enshrine existing programs, were overwhelmingly successful. These measures all passed by wide margins – in some cases, as high as 50%! The universal passage of measures to reallocate or preserve existing resources suggests that voters support housing programs and recognize housing as a priority for public spending, even if they are wary of increasing local government budgets or concerned about tax increases.

✓ East Palo Alto, CA. Measure JJ will specify the use of funds from the city's existing 2.5% tax on residential landlords' gross receipts, which was <u>approved by voters</u> in 2022. The tax raises about \$1.45 million annually. Measure JJ clarifies that at least 30% of funds must be used for rental assistance for tenants, and a maximum of 20% of funds can be used for administration. The remaining funds may be used to support affordable homeownership, preserve affordable housing, provide rental assistance, or protect residents from displacement or homelessness. A citizen-led signature-gathering campaign qualified Measure JJ for the ballot. The initiative <u>passed</u> on a vote of 77.1% to 22.9%.

✓ San Francisco, CA. Proposition G will require an annual appropriation of at least \$8.25 million to rental subsidies for extremely low-income seniors, families, and people with disabilities. The \$8.25 million allocation amounts to approximately 0.05% of the city's current budget. In a year with a large budget deficit, the required appropriation under Proposition G would drop to a minimum of \$4 million. Proposition G will provide rental subsidies for an estimated 2,200 extremely lowincome households. The San Francisco Board of Supervisors voted unanimously to place Proposition G on the ballot. The measure passed on a vote of 58.7% to 41.3%. ✓ Arapahoe County, CO. Issue 1A will allow the county to eliminate the Taxpayer Bill of Rights (TABOR) revenue cap that limits the amount of money the county can collect. By retaining all its property tax revenues, the county will put more money toward public services. The ballot question specifically lists "housing solutions" and "homelessness prevention and response" among the essential services that the tax revenues will fund. The Board of County Commissioners referred Issue 6A to the ballot. The measure passed on a vote of 71.1% to 28.9%.

✓ Chaffee County, CO. Measure 6B will allow the Chaffee Housing Authority to retain all revenues that it receives from state and local government grants. To comply with the state TABOR, housing authorities <u>must return</u> any state or local grant revenue that exceeds 10% of their total budget. With voter approval to keep its revenues, the Chaffee Housing Authority can proceed with the construction of Jane's Place, a transitional housing project. The governing bodies of the three jurisdictions that Chafee Housing Authority serves (Chaffee County, Salida, and Buena Vista) <u>voted to place</u> the measure on the ballot. Measure 6B <u>passed</u> on a vote of 59.1% to 40.9%.

✓ La Plata County, CO. Ballot Issue 1A will reallocate 70% of the county's lodging tax revenues into childcare and housing programs. Currently, all proceeds from the lodging tax revenue, which amounted to approximately \$1 million in 2024, are invested in tourism marketing and promotion. A state law passed in 2022 allowed counties to seek voter approval to reallocate their lodging tax revenues, which could previously only be used for tourism promotion, towards housing and childcare. The La Plata Board of County Commissioners placed Issue 1A on the ballot. The measure passed on a vote of 69.3% to 30.7%. ✓ San Miguel County, CO. Question 1B will reallocate a portion of the county's revenues from its Parks and Open Space Mill Levy to affordable housing development. Based on current revenue projections, the mill levy will dedicate an estimated \$636,000 to affordable housing in 2025. The San Miguel County Board of Commissioners voted unanimously to place Question 1B on the ballot. The measure passed on a vote of 65% to 35%.

✓ Orange County, FL. Charter Amendment 2 will require the continued existence of the county's Affordable Housing Trust Fund, which the county established in 2020 to develop and preserve affordable homes. In addition to permanently enshrining the Affordable Housing Trust Fund, the charter amendment establishes oversight and accountability measures. The Orange County Charter Review Commission voted to place the amendment on the ballot alongside seven other charter amendments. The measure passed on a vote of 74.1% to 25.9%.

**New Orleans, LA.** The Home Rule Charter Amendment establishes a local Housing Trust Fund and allocates at least 2% of the city's general fund to the Housing Trust Fund each year. Through this appropriation, the Housing Trust Fund will receive an estimated \$15 to \$20 million in funding each year. Housing Trust Fund dollars will be used to create and preserve affordable rental homes and homeownership opportunities. The measure also includes provisions for strategic planning, transparent oversight, and public accountability. New Orleans City Council placed the charter amendment on the ballot. The measure passed on a vote of 75.5% to 24.5%. HousingLOUISIANA, an NLIHC state partner, played a key role in the campaign.

#### BUILDING TRUST IN THE TRUST FUND: The Campaign for a Charter Amendment in <u>New Orleans</u>

Voters in New Orleans overwhelmingly approved a charter amendment that will permanently dedicate 2% of the city's annual budget to its Housing Trust Fund. The measure passed by a margin of greater than 50 points! This outcome, however, was far from guaranteed – it was the product of a consistent and challenging dialogue to understand what voters want and need. Organizers in New Orleans spent years organizing, coalition-building, and communicating with voters to build support for a funding source that they can trust.



Andreanecia Morris, Executive Director of HousingNOLA and President/Chairwoman of (GNOHA) attends an Ashé Cultural Arts Center event in support of the trust fund

For decades, the city of New Orleans had a property tax millage to support a modest neighborhood housing improvement fund. The millage generated approximately \$3 to \$4 million annually, and the mayor's office controlled the funds. The mayor's spending decisions were opaque, and the council's oversight was limited. Despite the city's severe housing affordability crisis, the mayor's office had allowed approximately \$8 million to accumulate in the fund at the start of the 2020 budget cycle. HousingNOLA, which issues an annual report card on the city's housing goals, gave the city an F for its failure to properly invest in meeting the city's urgent housing needs and pushed for reforms to improve management.

In the 2021 elections, renewal of the property tax millage was on the ballot. Voters narrowly rejected the renewal measure, by a margin of just under 1,000 votes. According to Andreanecia Morris, Executive Director of HousingNOLA and President/Chairwoman of the Greater New Orleans Housing Alliance (GNOHA), "the narrow defeat of the property tax millage reflected a lack of trust." New Orleans residents understood the need for public investment in affordable homes, but they were justifiably skeptical that their city leaders were managing the funds with their communities' best interests in mind.

Following the defeat of the property tax milage renewal, HousingNOLA and its coalition partners began exploring opportunities to bring the trust fund back. HousingNOLA did not aim to convince voters to change their mind about a policy that had not delivered for their communities in the past. Rather, they sought to understand voters' perspectives and craft new policy solutions accordingly. With funding from national partner organizations to do narrative change work, HousingNOLA started holding focus groups with residents. The focus groups revealed significant distrust in the mayor and the city council and strong opposition to enacting another millage.

Around the same time, the New Orleans Redevelopment Authority conducted an analysis to conclude that approximately \$17 million annually would be an appropriate investment – not the \$3 to \$4 million under the old millage. Drawing on these results, Councilmember Lesli Harris developed a proposal for a new Housing Trust Fund. HousingNOLA and its coalition partners emphasized to the Council that a one-time investment was not enough: to meet the city's housing needs, the trust fund would need annual dedicated revenues, which could only be enacted by a charter amendment. Councilmember Harris agreed to put forward a charter amendment proposal.

Informed by the takeaways from the focus groups, the coalition advocated for strong provisions to embed transparency and accountability in the charter amendment. Councilmember Harris crafted a proposal that would split the funds between the New Orleans Redevelopment Authority and Finance New Orleans – not the mayor's office. The City Council would determine annual priorities for the funds, with input from an advisory committee that would spend the bulk of 2025 holding conversations with community members about their housing needs. Once the Council approved the proposal, the campaign for the charter amendment officially kicked off.

The Greater New Orleans Housing Alliance (GNOHA), the 501c4 affiliate of HousingNOLA, coordinated the campaign for the trust fund. Dozens of nonprofit housing developers and civic organizations played a prominent role in the campaign. Ashé Cultural Arts Center, a cultural institution dedicated to celebrating the African diaspora, held several kickoff events and mobilized young leaders. Councilmember Harris established a PAC to fundraise for the campaign and put up billboards. GNOHA distributed lawn signs to get out the word.

In a presidential election year with high voter turnout, the coalition prioritized outreach to voters who are less likely to be reached by traditional political campaigns. Although New Orleans is a majority-renter city, voter outreach tends to concentrate on homeowners, given their higher voter turnout rates. To counter this imbalance, the campaign made approximately 18,000 phone calls to renters in multifamily housing. The campaign, leveraging years of relationship-building, texted tens of thousands of people who had signed up for GNOHA's #PutHousingFirst campaign.

The campaign received support from a wide range of partners. Social justice organizations shared messaging about the trust fund in their door-knocking efforts, and neighborhood-based civic groups sent out mailers. State Senator Royce Duplessis, who represents New Orleans in the state legislature, produced an ad for the campaign. Although the campaign did not have funding for conventional TV ads in the expensive New Orleans media market, the campaign placed ads on radio, streaming, online, and on social media.

The charter amendment's greatest opposition came from organizations that seek to diminish the role of government in developing and maintaining affordable homes. The Bureau of Governmental Research, a highly influential organization that has historically opposed public investment in affordable homes, came out against the charter amendment and advocated for a backup proposal that the city council had also adopted when it voted to place the charter amendment on the ballot. This backup proposal would have taken effect if the charter amendment were rejected. Under the backup proposal, the city council would guarantee an appropriation of \$20 million to affordable housing in the 2025 budget. This appropriation, however, could include existing state and federal housing funds, so it did not promise any additional local funds for affordable housing.

While the campaign knew that it could not win the support of the Bureau of Governmental Research and like-minded voters, it focused on reaching constituencies who had other concerns about the trust fund. Additional research showed that some voters were skeptical of the permanent 2% allocation for the trust fund, fearing it could limit resources for other urgent needs. Other voters questioned why the measure had such strong support from developers: was the trust fund just a giveaway to them? Lack of trust in the mayor and the city council, given their past failures to steward housing funds effectively, was also a recurring theme.

Campaign organizers engaged thoughtfully with voters to respond to these concerns. They emphasized the guardrails and accountability mechanisms baked into the charter amendment. While some developers would receive Housing Trust Fund dollars, no funding was guaranteed for any individual developer. Funding allocations would be made transparently, with robust input from an advisory committee and the public. Describing the process, Morris said that "the Council is going to make these decisions in the full view of the community. You get to hold them accountable for it. They don't just get to hand it off to their friends."



Supporters of the charter amendment gather on Election Day

From its early focus groups to Election Day, sustained and challenging dialogue with voters fueled the campaign. "While people are aware that the housing system isn't working because they live in it, most people don't know why," reflected Morris." The job of the campaign was to educate people about the 'why' and 'who' of affordable housing, convey the need for change, and convincingly illustrate how the proposed solution could benefit their communities. While highly engaged residents, developers, and community organizations are aware of the

need for public investment in affordable homes, if you're only talking to people who are comfortable articulating that need, you are missing the bulk of the voters."

To be successful, organizers had to seek out every opportunity for outreach, engagement, and dialogue – such as commenting on news stories, speaking on podcasts and radio shows, and writing op-eds. Organizers also needed to be willing to "figure out how to get information that is going to make you uncomfortable and deeply unhappy," as Morris put it. Her viewpoint encourages organizers to listen to the people whose disapproval of a policy might appear to contradict their own interests, find the root cause of their disapproval, and identify where they do agree. In the case of the NOLA Housing Trust Fund campaign, focus groups revealed that New Orleans voters did care about housing – they just did not trust the mayor or the council, which is why the charter amendment was designed to prioritize transparency and accountability.

The campaign's emphasis on accountability proved successful. While voters narrowly rejected the housing millage in 2021, the 50-point margin of victory in 2024 showed a decisive mandate for robust public investment in affordable homes. Voters sent a clear message that they want their elected leaders to prioritize local spending on housing and keep as many people as possible stably housed. "We are talking about systems in a representative government, in a democracy, and what voters have to get accustomed to doing is giving direct orders to their elected officials and expecting them to comply," Morris said. As New Orleans housing advocates celebrate their landmark victory, they remain engaged with the ongoing work to hold elected officials accountable and ensure the hard-won funds are wisely invested in the community.

"If you're only talking to people who are comfortable articulating that need [for public investment], you are missing the bulk of the voters."

#### **TAXES AND FEES**

In the American Rescue Plan Act, the federal government allocated \$350 billion in flexible state and local fiscal recovery funds, <u>nearly</u> <u>\$20 billion</u> of which were dedicated to housing programs. With these federal funds set to expire in 2026, many states and municipalities are seeking to replace these dollars with locally generated revenues. Some municipalities (e.g., Ingham County, MI; Lawrence, KS; and Albany, CA) specifically named the expiration of federal pandemic relief dollars as a justification for establishing a new tax on the November 2024 ballot.

Sales and use, lodging, property, and real estate transfer taxes were the most common types of taxes on the ballot to raise revenues for affordable housing programs. Voters approved every proposal to raise or establish lodging taxes, as well as every proposal to establish or extend real estate transfer taxes. Such taxes tend to be popular because the tax burden falls on tourists (in the case of lodging taxes) or owners of highvalue real estate (in the case of transfer taxes), two groups that can afford to pay higher taxes to address the housing crisis and support residents with the greatest needs. Two of the lodging tax increases (in St. Louis, MO, and Mt. Crested Butte, CO) establish or increase taxes specifically on short-term rentals. Given that short-term rentals may cut into the long-term rental housing stock and put upward pressure on rents, shortterm rental taxes to support affordable housing offer a revenue source with a strong nexus to the programs they fund.

Voters approved two modest property tax increases (in Ingham County, MI, and Pitkin County, CO) that specifically dedicate revenues to affordable housing and/or homelessness services. In Massachusetts, measures to adopt the state's *Community Preservation Act* – which enacts a local property tax surcharge and unlocks state matching funds for a variety of purposes, including affordable housing – saw mixed results.

Two municipalities considered innovative tax proposals that do not fall within the four larger categories: a vacancy tax in South Lake Tahoe, CA, and a business tax on residential landlords in Albany, CA. Both of these measures were defeated – a contrast from the <u>2022 election</u> <u>cycle</u>, when two California cities passed vacancy taxes and East Palo Alto, CA, passed a tax on landlords with similarities to Albany's proposal.

Sales and use taxes were generally, though not always, successful. The passage of Measure A represents a landmark victory for housing and homelessness advocates in Los Angeles, securing an estimated \$1 billion annually for proven solutions to homelessness and enacting strong oversight provisions. The largest sales tax measure to be defeated, Denver's Measure 2R, lost extremely narrowly on a vote of 49.45% to 50.55%. The presence of another sales tax increase on the ballot (Measure 2Q, a 0.34% sales and use tax to fund Denver Health and Hospital Authority, which voters approved) may have discouraged support for Measure 2R among voters wary of increased costs.

Many of the local sales tax measures across California are relatively open-ended and include language to suggest that local governments intend to use new revenues to address homelessness with increased police presence and encampment clearings rather than by securing stable homes for people experiencing homelessness. For example, Azusa's quarter-cent sales tax indicates that revenues will be used to "enforce quality of life issues such as camping in public places," which could enable the forcible removal of unhoused people without providing them stable housing or shelter.

Arresting, ticketing, and fining unhoused people for sleeping outside when there is nowhere else for them to go will worsen homelessness by diverting resources away from solutions that help people exit homelessness permanently, including affordable homes, behavioral health and substance use counseling, job training, and other supportive services. In communities that have approved sales taxes to address homelessness, advocates should engage with their elected officials and push them to invest new revenues into proven solutions and not counterproductive strategies that make it more difficult to exit homelessness.

#### LODGING TAXES

✓ **Del Mar, CA**. Measure M extends the city's existing 13% transient occupancy tax to include short-term rental stays. The tax <u>will apply</u> to the entire amount that guests pay, including fees for cleaning and booking. The city estimates that the tax will raise approximately \$775,000 annually. Del Mar City Council voted to place Measure M on the ballot. The measure <u>passed</u> on a vote of 71.5% to 28.5%.

✓ Santa Barbara County, CA. Measure H will raise the county's existing transient occupancy tax from its current 12% rate to 14%. The tax applies to hotel and motel guests in unincorporated areas of Santa Barbara County. The tax increase will raise approximately \$3 million annually and will fund a variety of local services. The purposes listed in the ballot measure include addressing homelessness, maintaining 911 emergency communications, gang prevention, repairing infrastructure, and protecting groundwater. The Santa Barbara County Board of Supervisors placed Measure H on the ballot. The measure passed on a vote of 67.1% to 32.9%.

✓ Grand County, CO. Measure 1A will raise the county's lodging tax rate from 1.8% to 2% and invest a portion of the revenues into housing and childcare. Without voter approval, the lodging tax revenues could only be allocated to tourism marketing. Measure 1A will require at least 50% of tax revenues to continue to be used for marketing local tourism, at least 30% to be used for housing and childcare, and approximately 20% to be used for any of these allowable purposes. The Board of County Commissioners referred Measure 1A to the ballot. The measure passed on a vote of 59.5% to 40.5%.

✓ Montrose, CO. <u>Ballot Issue 2A</u> will raise the hotel room tax rate from 0.9% to 6% and invest the revenues in affordable housing, childcare, and other programs to mitigate the impact of tourism. The tax increase will raise an estimated \$1.5 million in its first year. The largest share of the funds (33%) will be dedicated to incentives for developers to build affordable housing, while the remainder will be dedicated to right-of-way maintenance, tourism promotion, childcare, and public transit. Montrose City Councilors <u>voted</u> <u>unanimously</u> to place Issue 2A on the ballot. The measure <u>passed</u> on a vote of 51% to 49%.

✓ Mt. Crested Butte, CO. Issue 2A will raise the town's excise tax on short-term rentals by 2%, bringing the total short-term rental tax rate to 4.9%. The tax revenues will all be dedicated to the town's affordable housing fund, which is currently committed to one affordable housing development and does not have funds for any additional projects. The tax will raise an <u>estimated</u> \$1.1 million in its first year. Mt. Crested Butte Town Council placed the measure on the ballot. Issue 2A <u>passed</u> on a vote of 69.2% to 30.8%.

✓ **St. Louis, MO**. Proposition S establishes a 3% tax on stays at short-term rentals, which are defined as properties with occupancies of 30 days or less. At least half of the proceeds from the new tax must be dedicated to the city's Affordable Housing Trust Fund, and the remainder <u>will</u> <u>support</u> relocation assistance, eviction defense, and other affordable housing initiatives. The St. Louis Board of Aldermen <u>placed</u> Proposition S on the ballot. The measure <u>passed</u> on a vote of 67.5% to 32.5%.

#### SALES AND USE TAXES

**Little Rock, AR**. Questions 1 and 2 would have collectively imposed a one-cent sales tax, divided into a permanent three-eighths-cent sales tax for general operations and a five-eighthscent sales tax for building and improvements projects that would expire after 10 years. Taken together, the taxes would have raised \$650 million over the next decade. Of this amount, \$20 million would have been dedicated to addressing homelessness, including by providing support for the city's new "micro-home village," a new overnight emergency shelter, the city's coordinated entry system, eviction prevention programs, and homeless engagement staff. Meanwhile, \$10 million would have been dedicated to affordable housing, including funding for land acquisition and construction costs, infrastructure for new developments, and

rehabilitation of existing properties. The Little Rock Board of Directors voted to place the measures on the ballot. The three-eighths-cent sales tax <u>was defeated</u> on a vote of 40.4% to 59.6%, and the five-eighths-cent sales tax <u>was</u> <u>defeated</u> on a vote of 36.9% to 63.1%.

✓ Apple Valley, CA. Measure P will establish a one-cent sales tax that will raise approximately \$9 million per year in local resources. Potential uses of the fund include addressing homelessness, maintaining 911 response times, providing safe routes to schools, supporting law enforcement, repairing streets and potholes, retaining and attracting local businesses, and cleaning and maintaining public areas and parks. The Apple Valley Town Council placed Measure P on the ballot. The measure passed on a vote of 64% to 36%.

✓ Azusa, CA. Measure ZZ will replace the countywide quarter-cent sales tax for homelessness services with a quarter-cent sales tax that will raise city-controlled revenues, which cannot be allocated to the county or the state. The city's list of potential uses of the funding includes enforcing "quality of life issues such as camping in public places." The Azusa City Council voted unanimously to place the measure on the ballot. The measure <u>passed</u> on a vote of 67.5% to 32.5%.

✓ Campbell, CA. Measure K authorizes a halfcent sales tax to fund government services including homelessness services, police and fire services, 911 emergency response, road repairs, and disaster preparation. The tax <u>will generate</u> <u>approximately</u> \$7 million per year. Campbell City Council voted unanimously to place Measure K on the ballot. The measure <u>passed</u> on a vote of 72% to 28%.

✓ Los Angeles County, CA. Measure A will double Los Angeles County's current quartercent sales tax for homelessness, which was set to expire in 2027, with a permanent half-cent sales tax that will generate an estimated \$1 billion annually for affordable housing and homelessness services. Nearly one-third of the revenues will be invested in the LA County Affordable Housing Solutions Agency, and most of the remainder will be spent on homeless services. Measure A also tasks two oversight bodies – the Executive Committee, consisting of city, county, and state officials, and the Leadership Table, consisting of service providers, people with lived experience, and other stakeholders – with setting goals for Measure A resources and assessing program performance. Housing advocates launched a successful <u>signature-gathering campaign</u> to place Measure A on the ballot. The measure <u>passed</u> on a vote of 57.8% to 42.2%. The Southern California Association of Nonprofit Housing (SCANPH), an NLIHC state partner and pilot community partner, played a leading role in the campaign.

✓ **Milpitas, CA**. Measure J <u>extends</u> the local quarter-cent sales tax that voters approved in 2020, which will keep the tax in effect until 2037. Potential priority uses of the sales tax revenues include addressing homeless encampments, maintaining 911 emergency response services, repairing streets and fixing potholes, and maintaining police protection and crime investigation. Milpitas City Council voted to place the measure on the ballot. The measure <u>passed</u> on a vote of 80.1% to 19.9%.

**Santa Barbara, CA**. Measure I will raise city sales taxes from 8.75% to 9.25% and invest the revenues in a range of government services, including housing and homelessness programs. The increased sales tax will raise approximately \$15.6 million annually. City council staff named contributions to the city's local Housing Trust Fund, improving housing affordability, and addressing homelessness as priority uses for the new revenues. Other potential uses of the revenues include emergency response, libraries, disaster preparedness, retaining local businesses and jobs, stormwater protection, and keeping public areas safe and clean. Santa Barbara City Council voted to place Measure I on the ballot. The measure passed on a vote of 63% to 37%.

★ Adams County, CO. Measure 1A would have raised sales taxes by 0.15%, which would have generated an estimated \$22.2 million annually over the next 20 years. The revenues would have been granted to local housing authorities, with the goal of building 6,000 new affordable homes over the next two decades. Adams County Commissioners referred Measure 1A to the ballot. The measure was <u>defeated</u> on a vote of 30.1% to 69.9%. ✓ Aspen, CO. Issue 2B will extend the existing 0.45% sales tax for affordable housing and childcare, currently set to expire in 2040, to 2050. The sales tax <u>supports</u> the development, maintenance, and operation of affordable housing and provides financial assistance for childcare. Aspen City Council placed Issue 2B on the ballot. The measure <u>passed</u> on a vote of 72% to 28%.

✓ Avon, CO. Ballot Issue 2C will impose a 4% use tax on construction materials and dedicate the revenues to community housing. The use tax <u>will replace</u> the existing 4% sales tax on construction materials, and it will exempt small home improvement projects and the development of new community housing projects. The 4% use tax will generate an estimated \$500,000 annually for community housing. Avon Town Council voted to place Issue 2C on the ballot. The measure <u>passed</u> on a vote of 53.2% to 46.8%.

Chaffee County, CO. Measure 6A would have raised sales taxes by 0.5% within Salida, Buena Vista, and unincorporated Chaffee County, CO. The tax increase would have been in effect for 10 years and would have generated an estimated \$3.5 million annually. The revenues would have created a 12-year dedicated fund for the Chaffee Housing Authority. The governing bodies of the three jurisdictions that Chafee Housing Authority serves (Chaffee County, Salida, and Buena Vista) voted to place the measure on the ballot. Measure 6A was defeated on a vote of 61.1% to 38.9%.

Denver, CO. Measure 2R would have increased the city's sales tax by 0.5% and dedicated the revenues to expand and preserve affordable housing for low- and middleincome renters and homeowners. The sales tax increase would have raised an estimated \$100 million annually and would have been in effect for 30 years. Denver Mayor Mike Johnston, who proposed Measure 2R, estimated that the measure would have created 44,000 new affordable homes in the next decade. The measure's language <u>did not specify</u> which programs would be funded and which populations the income-restricted housing would serve – which, according to the proposal's authors, was done intentionally to preserve flexibility. The Denver City Council placed Measure 2R on the ballot. The measure was <u>defeated</u> on a vote of 49.45% to 50.55%.

**Bal Harbour, FL**. The Referendum to Levy Homeless and Domestic Abuse Tax would have enacted a 1% tax on food and beverage sales at restaurants that gross more than \$400,000 per year, serve alcohol, and are not connected to a hotel. The tax revenues would have been invested in the Miami-Dade County Homeless Trust, a public-private partnership that funds homeless and domestic violence shelters, services, and pathways to permanent housing. The Florida legislature exempted Bal Harbour, Miami Beach, and Surfside, FL, from levying the food and beverage tax to support the Homeless Fund when it was first established in the 1990s. Governor Ron DeSantis signed a law in 2023 that would lift the municipalities' exemption if their voters passed a referendum to do so. City commissioners in Miami Beach and Bal Harbour placed the referendum on their respective ballots; Surfside did not send the measure to the ballot. In Bal Harbour, the measure was defeated on a vote of 32.7% to 67.3%.

🗱 Miami Beach, FL. Referendum 8 would have adopted the same tax proposed in Bal Harbour's Referendum to Levy Homeless and Domestic Abuse Tax. Just one week before Election Day, after thousands of Miami Beach residents had already voted, the city commission voted to rescind the measure from the ballot, arguing that the city already funds homelessness services. A group of Miami Beach residents sued the city over its decision to cancel the referendum, but a Miami-Dade judge ruled in the city's favor. Although the referendum was nullified, ballots had already been printed, and a majority of those who voted on the referendum were in favor. Facing pressure from Miami-Dade County after the election, the city of Miami Beach ultimately agreed to allocate \$10 million from the Miami Beach Redevelopment Agency to the Homeless Trust.

✓ Lawrence, KS. <u>Question 2</u> will raise the affordable housing sales tax from 0.05% to 0.1%, which will raise an estimated \$2.5 million annually and will be in effect for 10 years. The revenues will be divided between affordable housing projects and homelessness services. Potential uses of the funds could include improving the guality, availability, and affordability of housing in Lawrence; investing in public/private partnerships for the provision of affordable housing; acquiring land for future affordable housing development; providing emergency shelter; funding rent stabilization and utility assistance programs; and offering services including food, laundry, transportation, storage, non-prescription medical supplies, and assistance obtaining identification cards and government benefits. The Lawrence city manager recommended a sales tax increase to make up for the loss of federal pandemic relief funds in the city's Homeless Solutions Division budget, and city commissioners voted unanimously to place the measure on the ballot. The measure passed on a vote of 53.3% to 46.7%.

#### **PROPERTY TAXES**

Pitkin County, CO. Question 1A will impose a mill levy of 1.5 mills to fund affordable housing in Pitkin County. The property tax is projected to generate \$8.5 million annually and will sunset after 25 years. The <u>ballot question lists</u> a variety of potential uses of the funds, which include building, acquiring, preserving, and operating affordable housing; partnering with nonprofits, governments, businesses, housing trusts, and other organizations to generate affordable rental and homeowner housing; deed-restricting marketrate housing to create permanently affordable housing; creating a capital reserve maintenance fund to preserve and improve existing affordable housing; and developing transitional housing, supportive housing, and housing stability services for people experiencing homelessness. The Pitkin Board of County Commissioners placed Question 1A on the ballot. The measure <u>passed</u> on a vote of 60% to 40%.

Townsend, Swampscott, Sheffield, and Winchester, MA. These four Massachusetts municipalities each voted to adopt the Community Preservation Act (CPA), a program that provides matching funds from the state's Community Preservation Trust Fund to municipalities that enact a property tax surcharge to raise local resources. Community preservation funds can be spent on accessible housing, open space protection, and historic preservation. The policy details differ slightly in each municipality: Winchester and Swampscott will add a 1.5% excise tax to their annual property tax levies, while Townsend and Sheffield will add a 1% excise tax. All four municipalities will exempt the first \$100,000 in property value, and the tax will not apply to low-income homeowners or low- and moderate-income seniors. The measure passed on a vote of 55.1% to 44.9% in Townsend, 55.6% to 44.4% in Swampscott, 63.6% to 36.4% in Sheffield, and 53.5% to 46.5% in Winchester.

🗱 Rutland, Sherborn, Douglas, Colrain, Halifax, Spencer, and Clarksburg, MA. These seven Massachusetts municipalities each rejected proposals to adopt the Community Preservation Act. Rutland, Clarksburg, and Colrain would have added a 3% excise tax to their annual property tax levies, Douglas and Halifax would have added a 1.5% tax, and Sherborn and Spencer would have added a 1% tax. All seven municipalities would have exempted the first \$100,000 in property value, and the tax would not have applied to low-income homeowners or low- and moderateincome seniors. The measure was defeated on a vote of <u>34.3% to 65.8%</u> in Rutland, <u>40% to 60%</u> in Sherborn, <u>40.4% to 59.9%</u> in Douglas, <u>40.8%</u> to 59.2% in Colrain, 43.6% to 56.4% in Halifax, 46.8% to 53.3% in Spencer, and 49.5% to 51.5% in Clarksburg.

✓ Ingham County, MI. The Housing and Homelessness Millage Measure imposes a fouryear property tax increase at a rate of \$50 per \$100,000 in assessed value to support housing and homelessness services. The tax will raise an estimate <u>\$5.61 million</u> in its first year. Ingham County commissioners placed the millage measure on the ballot as an opportunity to <u>sustain</u> the Ingham County Housing Trust Fund, which was established with federal American Rescue Plan Act (ARPA) dollars that are set to expire in 2026. The measure <u>passed</u> on a vote of 61.8% to 38.2%.

#### TRANSFER TAXES

**Berkeley, CA**. Measure W will restructure the city's existing property transfer tax, which funds local homelessness services. A previous ballot measure approved by voters in 2018 increased the transfer tax rate from 1.5% to 2.5% on properties valued above \$1.5 million. Measure W will replace this two-tier rate structure, which was set to expire in 2028, with a four-tier system that will remain in effect until voters decide to repeal it. Transactions of properties valued below the city's 67th percentile (currently \$1.6 million) will be taxed at 1.5%. Sales between the 67th and 80th percentiles (between \$1.6 and \$1.9 million) will still be taxed at 2.5%. Sales between the 80th and 95th percentiles (between \$1.9 and \$3 million) will be taxed at 3%. Sales above the 95th percentile (over \$3 million) will be taxed at 3.5%. The new structure will not take effect until 2027 and will generate an additional \$2 million to \$4 million annually for homelessness services. Berkeley City Council placed Measure W on the ballot. The measure passed on a vote of 60.9% to 39.1%.

✓ Mountain View, CA. Measure G will raise the property transfer tax on residential and commercial real estate valued above \$6 million. Under current law, the property transfer tax rate on all properties is \$3.30 per \$1,000. Measure G will increase this rate to \$15 per \$1,000 for property sales that exceed \$6 million. The measure will raise an <u>estimated \$9.5 million</u> annually. According to the city council's spending priorities for Measure G, between 20 and 25% of tax revenues will be spent on affordable housing. The remainder of the revenues will be spent on a new public safety building, parks, open space, and biodiversity initiatives, road maintenance, and bicycle and pedestrian safety improvements, among other purposes. Mountain View City Council <u>voted unanimously</u> to place the measure on the ballot. The measure <u>passed</u> on a vote of 72.3% to 27.7%.

✓ Aspen, CO. Issue 2A will extend Aspen's existing 1% real estate transfer tax to expire in 2060. The tax, currently set to expire in 2040, funds local affordable housing initiatives. The extension will <u>align the transfer tax revenues</u> with the timeline for the Lumberyard Affordable Housing Development Project, which will create 277 deed-restricted units. Aspen City Council referred Issue 2A to the ballot. Issue 2A <u>passed</u> on a vote of 66% to 34%.

#### OTHER TAXES

**X Albany, CA**. Measure R would have established a supplemental business license tax on residential landlords. Owners of four or fewer units would have paid a tax of 0.36%, and owners of five or more units would have paid a tax of 1%. Certain rentals, including those owned by nonprofit affordable housing corporations, would have been exempt. The measure would have raised an estimated \$475,000 annually for a dedicated "Rental Assistance and Code Enforcement Fund," which has used federal pandemic relief dollars to keep residents stably housed. As federal funds dry up, Measure R would have provided dedicated revenues for rental assistance, code enforcement, legal assistance for both tenants and landlords, and support for rental providers to avoid financial hardship. Albany City Council placed Measure R on the ballot. The measure was defeated on a vote of 47.6% to 52.4%.

South Lake Tahoe, CA. Measure N would have imposed a tax on homes left vacant for more than six months a year. The measure would have levied a \$3,000 tax in the first year of vacancy and \$6,000 in subsequent years. Measure N would have generated approximately \$10 to \$20 million each year, with the revenues to be invested in housing, roadworks, transit, and administrative and legal costs. Locals for Affordable Housing, a group of South Lake Tahoe advocates that led the campaign for Measure N, modeled the vacancy tax on Berkeley's Measure M, a similar proposal that voters approved in the 2022 elections. A successful signature-gathering campaign gualified Measure N for the ballot. The measure was defeated on a vote of 28.7% to 71.3%.

Santa Monica, CA. Measure PSK is an advisory measure that sought voters' approval for spending potential new revenues from Measure K, a proposed 8% increase on the parking facility tax, if it were enacted. Measure PSK asked for voters' approval to spend at least half of new parking tax revenues on protecting public safety in Santa Monica. Such measures could include improving crime and homelessness prevention services, attracting and retaining police officers and firefighters, increasing police patrols, and enhancing medical responses in neighborhoods and public areas. Santa Monica City Council placed Measure PSK on the ballot. The measure passed on a vote of 67.2% to 32.8%. Santa Monica voters also approved Measure K, meaning that resources will be available for the purposes outlined in Measure PSK.

#### A STRONG COALITION AND A SHARED PRIORITY: The Campaign for Measure A in Los Angeles County

Voters in Los Angeles, CA, passed Measure A, a countywide sales tax that will raise an estimated \$1 billion annually for housing and homelessness services. The half-cent sales tax will replace the current quarter-cent sales tax funding for homelessness services (Measure H), which was approved by voters in 2017 and was set to expire in 2027. As the Yes on A campaign emphasized to voters, Measure A will keep tens of thousands of Angelenos stably housed and fund programs that address the county's need for deeply affordable homes.



A broad coalition of supporters join the Measure A campaign launch rally

The campaign for Measure A emerged, in part, from the passage of state legislation in September 2022 (SB 679) to respond to Los Angeles County's shortage of affordable homes. SB 679 established the LA County Affordable Housing Solutions Agency (LACAHSA), a new entity to develop and preserve affordable housing and to help Angelenos stay in their homes. To carry out its goals, LACAHSA needed a funding source. The Our Future LA Coalition, convened by United Way and comprised of homeless services providers, affordable housing developers, advocacy groups, and labor organizers, held conversations to develop a proposal for a LACAHSA funding mechanism. The resulting proposal was written "by experts in the field, and those with lived experience," according to Arianna Bankler-Jukes, Advocacy Director at the Southern California Association of Nonprofit Housing (SCANPH). In early 2024, the coalition launched a signature-gathering campaign to place the proposal that would become Measure A on the ballot as a citizen's initiative – which only requires a simple majority to pass once it qualifies for the ballot. Through door-knocking and community canvassing, the coalition gathered more than 400,000 signatures to qualify the proposal for the ballot in spring 2024.

Because Measure A sought to replace an existing funding source for homelessness services, the campaign had a clear sense of the consequences if it were rejected. The "Yes on A" campaign projected that, if Measure A did not pass, 50,000 people could become homeless – a potential 28% increase in homelessness. The campaign conveyed, in concrete terms, what was at stake and portrayed Measure A

as a necessary, common-sense step to prevent the reversal of progress towards ending homelessness in Los Angeles County. This data-driven message resonated with voters in Los Angeles County, where homelessness is consistently a top priority issue.

Despite widespread anti-tax sentiment and concerns about the high cost of living, voters understood the importance of the measure. Since Measure A would add a quarter cent to an existing sales tax, rather than enact a new tax, its impact on prices would be modest. The specific policy details of Measure A also helped to quell concerns about the regressive nature of sales taxes: Measure A's language specifies that



Residents gather for a nonpartisan voter education event in the Crenshaw neighborhood of Los Angeles

essentials like food, rent, and medications would be excluded from the tax, so that low-income residents who spend a disproportionate share of their income on these essentials would not be unduly burdened. The campaign's endorsement team engaged with potential anti-tax opponents, such as Business Improvement Districts, to neutralize or even win their support. Thanks to this strategic engagement, the campaign could focus its energy on educating and mobilizing voters rather than countering opposition.

Members of the Yes on A coalition included SCANPH, United Way, labor groups such as the California Carpenters' Union and SEIU, nonprofit developers and homelessness services providers, local civic groups, and advocacy organizations across many issue areas. Many coalition members had close working relationships from the 2022 campaign for Measure ULA, a tax on high-value real estate transactions to fund affordable housing and homelessness solutions. Reflecting on the campaign's victory and key takeaways for organizers looking to learn from its success, Arianna Bankler-Jukes of SCANPH emphasized the importance of the coalition: "Throw yourself wholeheartedly into the

coalition spaces because these are the people you'll be building with for the years to come. This is your community."

The campaign for Measure A built upon the momentum of Measure ULA and the public's appetite for continued progress towards ending homelessness in Los Angeles County. Every coalition partner played a key role in the campaign's all-hands-on-deck effort to mobilize support for Measure A. To increase the campaign's reach, the campaign deputized staff from across the coalition to speak about the proposal. Staff at coalition partner organizations could get trained and adapt standard materials for their presentations. Each organization had access to a master list of outreach opportunities and events, and any coalition member could sign up to fulfill requests for presentations on Measure A. Arianna noted that "every person in the coalition was empowered to give presentations, to adopt a phonebank, and to do the actual organizing." Each organization in the coalition was responsible for hosting phonebanks and doorknocking. Yes on A held biweekly phonebanks, which became daily in the three weeks leading up to Election Day. People with lived experience of housing instability and homelessness played a leading role in every stage of the Yes on A campaign. The Residents United Network-Los Angeles (RUN LA), which builds power among low-income housing residents and staff to advocate for policy change, mobilized for the signature-gathering effort to place the initiative on the ballot. RUN leaders were the face and voice of the campaign in their communities: they attended events and did outreach at their buildings for both Measure A and Proposition 5, a statewide housing measure. RUN members phonebanked at their monthly meetings, staffed an informational table about Measure A at SCANPH's fall conference, and spoke with the media.



Residents in Little Tokyo gather for a nonpartisan voter education event

In partnership with RUN-LA leaders, SCANPH staff held creative community events that brought residents into conversation about affordable housing, Measure A, and the importance of voting. The SCANPH team organized nonpartisan "Ballots, Bingo, and Burritos" events in affordable housing communities, where they led residents in games of "election bingo" to remind people of all the ways they can be civically engaged.

At each event, RUN-LA leaders grounded the conversations in their personal experiences with housing injustice, discussed why voting

matters to them, and shared opportunities for residents to get involved in future advocacy. To prompt a discussion about Measure A, SCANPH staff asked open-ended questions about the need for affordable homes and then connected this need to the solutions that Measure A would offer.



Members of RUN-LA and SCANPH staff organized a nonpartisan Housing and Homelessness Candidates Forum, where they highlighted Measure A

A strong commitment to nonpartisanship and a clear focus on housing ballot measures enabled SCANPH and RUN-LA to build trust with residents. In a highly polarized election cycle, many affordable housing residents held conflicting feelings about the candidates for president and other federal, state, and local offices. To kick off their events, SCANPH staff always emphasized: "We're not talking about the people, we're talking about the policy." The focus on Measure A and statewide housing propositions helped limit tensions, minimize pushback, and build consensus on the importance of nonpartisan civic engagement to achieve the shared goal of housing justice.

Despite widespread support for Measure A, some voters remained skeptical. Some affordable housing residents, in light of personal experience, felt strong distrust of the government and wary of dedicating more funding to agencies. Many voters were hesitant to invest additional tax dollars into housing and homelessness programs, fearing that funds would be misspent. Fortunately, Measure A was designed



RUN-LA leader Millie Brown addresses attendees at SCANPH's nonpartisan Housing and Homelessness Candidate Forum

with safeguards that countered these concerns. Accountability was written in the language of Measure A, with five state-mandated outcomes for the funds and provisions for a citizen's oversight committee.

Voters who had cast their ballots for affordable housing measures in the past, but did not see evidence of meaningful change, were doubtful that Measure A would make a difference. To overcome this skepticism, the coalition's messaging emphasized recent growth in affordable housing development and the decelerating rates of homelessness in Los

Angeles County – all made possible by transformative public investments in housing and homelessness prevention, such as Measure H. Armed with the facts on homelessness, the campaign made the case that continued investment would make it possible to scale up effective strategies and make progress towards ending homelessness.

The Los Angeles Times strongly <u>endorsed</u> Measure A, calling it "essential to ease homelessness." The paper also published several polls that suggested tight margins for Measure A. Fortunately, the campaign ended up "blowing those numbers out of the water," as Arianna put it, winning by a margin of more than a half-million votes.

As Measure A takes effect, advocates will remain deeply engaged with the narrative work to increase support for housing investments. As Arianna explained, homelessness is "still the #1 priority for voters, but we don't know when that tide will turn." Public education about Measure A implementation, and how funds are facilitating the development of affordable homes and curbing homelessness, is essential to building the political will for ambitious policy proposals in the future.

"Throw yourself wholeheartedly into the coalition spaces because these are the people you'll be building with for the years to come. This is your community."

#### **TENANT PROTECTIONS**

Tenant protections saw mixed results in the November 2024 elections – a contrast from the November 2022 elections, when voters approved measures to enact or strengthen rent stabilization in every election where they had the opportunity to do so. In Berkeley, CA, tenants achieved a major victory with the passage of a comprehensive tenant protections measure (Measure BB) over a landlord-backed alternative (Measure CC). The landslide defeat of a landlordinitiated rent control referendum in Hoboken, NJ also demonstrated voters' eagerness to defend existing tenant protections and prevent unfettered rent increases. The passage of a 5% cap on lot rent increases for manufactured home communities in Old Orchard Beach, ME - a citizen initiative launched by manufactured home community members at risk of displacement marked another landmark win for housing justice on the ballot.

Voters, however, rejected local measures to establish or tighten rent stabilization ordinances in San Anselmo and Larkspur, CA, and California voters rejected a sweeping statewide initiative (Proposition 33) that would have eliminated the state's authority to limit local rent control ordinances. In a handful of municipalities, opponents of tenant protections took direct aim at their city councils and turned to the ballot box to challenge policies that their elected officials had previously approved. In Maumee, OH, and San Anselmo, CA, citizens gathered petition signatures to refer council-passed tenant protection ordinances to the ballot, requiring that they receive voters' direct approval to be enacted. In Fairfax, CA, a citizen-led initiative placed a referendum on the ballot to repeal a recently adopted rent stabilization and just cause ordinance. This strategy proved successful, with voters in all three municipalities registering disagreement with their local governments and blocking tenant protection measures.

Homeownership rates offer one possible explanation for the differing outcomes in Hoboken and Berkeley, where voters rejected initiatives to roll back tenant protections at the ballot box, and Fairfax, where voters approved an initiative to do so. In Fairfax, <u>63.6%</u> of residents are homeowners, compared with <u>43.3%</u> of Berkeley residents and <u>34.4%</u> of Hoboken residents. Meanwhile, two of three cities that rejected measures to strengthen tenant protections are majority-homeowner: homeownership rates are <u>75.3%</u> in Maumee; <u>66.3%</u> in San Anselmo; and <u>47.8%</u> in Larkspur. Given stark voter turnout disparities between renters and homeowners, the limited representation of renters in the electorate may create a challenging environment for organizers in majority-homeowner cities seeking to enact or strengthen tenant protections at the ballot box.

#### MEASURES TO STRENGTHEN TENANT PROTECTIONS

**X California (statewide)**. Proposition 33 would have repealed the Costa-Hawkins Act, a state law that prevents municipalities from applying rent control to apartments completed after 1995, single-family homes, and condominiums. Costa-Hawkins also prevents municipalities from establishing vacancy control, which would cap rents when a unit turns over from one tenant to another. Proposition 33 would have added language to state law that would prohibit the state from curbing municipalities' authority to maintain, enact, or expand local rent control. A successful signature-gathering campaign, backed by the AIDS Healthcare Foundation, placed Proposition 33 on the ballot. Opponents of Proposition 33 spent more than \$120 million on the campaign against the measure, making it the most expensive ballot measure contest on the California ballot. Advocates placed similar measures to repeal Costa-Hawkins on the ballot in 2018 and 2020, both of which were rejected. Proposition 33 was defeated on a vote of 40% to 60%.

✓ **Berkeley, CA**. Measure BB will strengthen Berkeley's rent stabilization ordinance and codify tenants' right to organize. The measure will reduce the maximum annual rent increase from 7% to 5%, remove certain exemptions from rent stabilization, and strengthen just cause eviction standards – including a prohibition on evictions

for nonpayment of rent if less than one month's rent is owed. Measure BB also establishes tenants' right to organize with a simple majority in properties with 10 or more units and at smaller buildings with property management companies and requires that owners meet and confer in good faith. The proposal originated with members of the rent board, who launched a signaturegathering campaign for a similar initiative that would have further lowered the maximum annual rent increase (to 3%) and eliminated rent control exemptions for owner-occupied duplexes. After this measure failed to receive enough verified signatures, Berkeley City Council developed a substitute proposal and placed it on the ballot. Measure BB passed on a vote of 56% to 44%.

X Larkspur, CA. Measure K would have strengthened the rent stabilization ordinance that voters approved in March 2024 (Measure  $\underline{D}$ ). The measure would have capped rent increases at 60% of the Consumer Price Index or 3%, whichever is lower. By contrast, Measure D capped rent increases at 5% plus inflation or 7%, whichever is lower. Units completed after 1995 would remain exempt, in accordance with state law. Measure K also would have adopted just cause eviction protections and required that landlords pay four times the rent or \$8,000, whichever is greater, in relocation assistance for no-fault evictions. Landlords would be required to pay an additional \$4,000 in relocation assistance to households with a tenant who is 62 years of age or older, has a disability, or has a terminal illness. Proponents of rent stabilization gathered petition signatures to place the initiative on the ballot. Measure K was defeated on a vote of 37.9% to 62.1%.

✓ **Pasadena, CA**. Measure PR adjusts the city of Pasadena's rent control laws, which were originally approved by Pasadena voters in November 2022. The <u>measure</u> clarifies penalties for violations of the rent control law, adjusts certain timelines for the disbursement of tenant relocation assistance, aligns local rules with state laws regarding the withdrawal of rental units from the rental market, exempts units leased to government-subsidized tenants (such as Housing Choice Voucher holders) as long as rents do not exceed federal limits, and establishes a process for removing a Rental Housing Board Member due to misconduct. Members of the Pasadena Rental Housing Board submitted <u>a set of recommended updates</u> to the City Council for approval, which approved some of the board's recommendations and referred them to the ballot as Measure PR. The measure <u>passed</u> on a vote of 63.9% to 36.1%

San Anselmo, CA. Measure N would have adopted a rent stabilization ordinance that San Anselmo Town Council approved on May 2, 2024. The ordinance limited annual rent increases on residential properties of three or more units, excluding properties completed after 1995. The measure would have capped rent increases at 60% of the Consumer Price Index or 5%, whichever is lower. Opponents of the rent stabilization ordinance gathered petition signatures to place the measure before voters, with the goal of rolling back the council-approved policy. The measure was <u>defeated</u> on a vote of 36.9% to 63.1%.

**San Anselmo, CA**. Measure O would have strengthened protections for tenants facing nofault evictions. The measure would have required owners of three or more units to provide 90 days' minimum notice to tenants, compared with 30 days' notice under current law. Measure O also would have increased relocation payments from one month's rent (the statewide minimum) to two months' rent for tenants who receive 120 days' notice or more, and three months' rent for tenants who receive less than 120 days' notice. The measure would have codified a right of return if the landlord decides to re-rent the unit within five years and required landlords to pay daily stipends to tenants who must temporarily relocate for repairs. The San Anselmo Town Council placed Measure O on the ballot. The measure was defeated on a vote of 33.8% to 66.2%.

Santa Ana, CA. Measure CC adopts a charter amendment that will enshrine the city's rent stabilization and just cause eviction protections in the city charter so that they can only be changed by voter approval, not the city council. Santa Ana's current law, adopted by Santa Ana City Council in 2021, caps rent increases at 3% per year or 80% of the change in the Consumer Price Index, whichever is less, and protects renters from being evicted without just cause (such as nonpayment, lease violations, nuisances, criminal activity or threat, or an owner's intention to occupy the property). In accordance with California state law, properties completed after 1995, single-family homes, and condominiums are exempt from rent stabilization. Santa Ana City Council placed Measure CC on the ballot. The measure passed on a vote of 57.6% to 42.4%.

✓ Old Orchard Beach, ME. The Mobile Home Park Rent Stabilization Ordinance will cap annual lot rent increases at 5% in manufactured home communities. Lot rent increases greater than 5% will need to go through an approval process. After the owners of two Old Orchard Beach manufactured home communities increased rents by 14.5% and then notified residents that they were selling to a California-based company, residents tried to leverage a new state law to purchase the land themselves. When this attempt was rejected, residents of the two manufactured home communities developed the rent stabilization proposal and launched a signaturegathering campaign to qualify it for the ballot. The initiative passed on a vote of 71.4% to 28.6%.

**X** Maumee, OH. Issue 2 asked voters to approve an ordinance that required landlords to take steps to ensure the health and safety of their tenants. The <u>37-page ordinance</u>, passed by the Maumee City Council in 2023, mandates that landlords register their buildings with the city and requires rental properties to be inspected every three years for compliance with health, safety, and building laws. The ordinance outlines minimum conditions that must be met and maintained in all rental housing properties, such as cleanliness on the outside of properties and availability of a bathroom on every floor with a bedroom. The ordinance also includes enforcement mechanisms to ensure landlord compliance. Opponents of the city ordinance gathered signatures to place

the ordinance on the ballot, which would prevent the ordinance from being enacted unless voters directly approved it. The City of Maumee <u>sued</u> to prevent the ordinance from appearing on the ballot, but the Lucas County Board of Elections ruled against the city and the ordinance was included on the ballot. Issue 2 was <u>defeated</u> on a vote of 23.5% to 76.5%.

#### MEASURES TO WEAKEN TENANT PROTECTIONS

**Berkeley, CA**. Measure CC was proposed as a landlord-led alternative to tenant-led Measure BB. Measure CC would have directed 20% of business taxes on rental properties into a "Berkeley Housing and Homeless Protection Account" that would have paid back-rent to landlords. Measure CC also would have expanded rent control exemptions, stripped the rent board of certain powers, and raised the maximum allowable rent increase from 7% to 7.1%. While the measure would have also established tenants' right to organize, it would have required a twothirds majority of tenants to form an association and would not have authorized the rent board to determine whether owners are conferring in good faith. The Berkeley Property Owners Association led a signature-gathering campaign to place Measure CC on the ballot. The initiative was defeated on a vote of 35% to 65%.

**Fairfax, CA**. <u>Measure I</u> will repeal the city's rent stabilization and just cause ordinance. Under current law, rent-stabilized units in Fairfax must cap annual rent increases at 75% of the Consumer Price Index. Instead, Measure I will revert to the previous Town Code that allows mediation for proposed rent increases above 5% per 12-month period. Just cause eviction protections will revert to the narrower set of protections under California state law. The measure also requires voter approval for any rent stabilization or just cause proposals that differ from the provisions of Measure I. Opponents of the rent stabilization and just cause ordinance, which Fairfax adopted in 2022, launched a successful signature-gathering campaign to qualify Measure I for the ballot. The initiative passed on a vote of 63.2% to 36.8%.

★ Hoboken, NJ. A landlord-backed referendum would have amended the city's rent control ordinance to allow landlords of rent-controlled units to raise rents to market rates after a tenant moves out, in exchange for a \$2,500 per-unit fee to the city's affordable housing trust fund. Under current law, landlords of rent-controlled units can only raise rent by 5% or the rate of inflation, whichever is lower, each year. When a tenant vacates a unit that they have occupied for three years or more, landlords can raise the rent by up to 25%. This increase can only happen once every three years for the same unit. If approved, the referendum would have allowed landlords to increase rent to market rates without the 25% limitation when a unit becomes vacant, regardless of how long the previous tenant occupied the unit. The Mile Square Taxpayers Association developed the proposal and gathered signatures to qualify the referendum for the ballot. If Hoboken City Council had adopted an alternative rent control amendment, the referendum would not have been placed on the ballot, but this compromise proposal <u>did not pass</u>, which required the referendum to move forward. In a win for Hoboken renters, the referendum was <u>defeated</u> on a vote of 27% to 73%.

#### AN INTERGENERATIONAL CAMPAIGN TO PROTECT RENT CONTROL IN HOBOKEN, NJ

Voters in Hoboken, NJ, overwhelmingly rejected a referendum that would have weakened Hoboken's current rent control ordinance. If passed, the referendum would have allowed landlords to raise rent without limit as soon as a unit became vacant, in exchange for a one-time fee of \$2,500 paid to the city's housing trust fund. Hoboken Fair Housing Association (HFHA), a long-established tenants' rights organization and affiliate of New Jersey Tenants Organization (NJTO), joined forces with Hoboken United Tenants (HUT), an emerging group of tenants and their allies, to defend the city's rent control protections.



Advocates go out into the community to spread the word about the rent control referendum

The city of Hoboken has a long history of gentrification. In the 1970s, the convenient ten-minute train ride to Manhattan attracted an inflow of higher-income New York City commuters, which put working-class Hoboken residents at risk of displacement. Between 1978 and 1982, a wave of arson-for-profit fires killed 56 people and displaced thousands, predominantly working-class Puerto Rican residents, which fueled further gentrification. "The fires happened a long time ago," reflected Cheryl Fallick, a longtime Hoboken renter who has organized with HFHA for four decades, but "the abuse and displacement" persist. Since the 1980s, there have been multiple attempts to weaken rent control, misadministration of the law, and a general unwillingness among elected officials to protect renters' interests. Large corporate developers have sought every opportunity to replace rent-controlled units with new luxury properties and to squeeze out as much profit as possible from tenants.

In early 2022, the Hoboken City Council passed changes to the city's rent control ordinance, some of which sparked controversy. Both tenants and landlords opposed the ordinance, though for different reasons. Despite this opposition, the measure passed with a 5-4 vote. Later that spring, three council members facilitated a meeting between leaders from both landlord and tenant groups to negotiate a compromise. This new proposal was then presented to the council, where it also passed by a 5-4 vote. However, the mayor vetoed the compromise, leaving the original changes in place.

Two years later, in spring 2024, the Mile Square Taxpayers Association (MSTA), a lobbying association of corporate landlords, launched a <u>signature-gathering campaign</u> to place a referendum on the November



A campaign volunteer shares a flyer with a Hoboken resident. Photo courtesy of Reena Rose Sibayan

2024 ballot that would allow for vacancy decontrol of rent-controlled properties – meaning that landlords could raise the rent without limit when a tenant moves out. The Hoboken City Council, seeking to avoid a referendum, negotiated a potential compromise with MSTA. "The city council didn't know how strong the tenant force had become in Hoboken, so they were trying to get a compromise, but the compromise involved vacancy decontrol – something I could never support," reflected Cheryl Fallick of the HFHA.

Hoboken Mayor Ravi S. Bhalla <u>threatened to veto</u> the compromise proposal that the city council had negotiated with MSTA if it were passed by the council, rejecting the notion that the city must adopt the harmful proposal to eliminate MTSA's even more severe threat to rent control on the November ballot. When a sizable

number of tenants and rent control supporters showed up to the meeting where the MSTA/city council compromise was up for a vote, the city council unanimously rejected the compromise proposal and MTSA's referendum moved forward.

The intergenerational campaign against the MTSA referendum was, in part, born out of the Hoboken City Council meeting about the compromise proposal. Cheryl Fallick attended the hearing to speak out against the proposal. She assumed that she would be one of a few people to testify, "because that's the way it's been for a decade or more." Cheryl was pleasantly surprised when about 50 tenants and allies, many of whom were affiliated with Democratic Socialists of America (DSA) and Matthew Shapiro, the President of NJTO, showed up at the hearing in support of rent control. Recognizing the potential of their collective power, DSA leader Zachary King arranged for the supporters to gather at a local restaurant, where they discussed their plans to launch an official campaign against the rent control referendum.

With two months before Election Day, organizers formed the "Hoboken United Tenants" (HUT) Political Action Committee (PAC) and launched an eight-week sprint to victory at the ballot box. Close collaboration between longtime HFHA leaders, most of whom were older Hoboken residents, and younger HUT leaders maximized the campaign's reach across demographic groups. NJTO's President provided guidance, valuable expertise, and support throughout the campaign. HFHA educated its constituency through email and Facebook outreach, while HUT reached voters through Instagram and WhatsApp.



Campaign supporters distribute "Save Rent Control" literature

The loss of local news sources like the *Hoboken Reporter* left both the pro- and anti-referendum campaigns more reliant on social media to spread their respective messages. Organizers took every opportunity to create meaningful content and spread the word on social media: for example, Cheryl participated in a debate that generated powerful clips for social media. Organizers knew, however, that they could not rely on social media alone. Their strategy, as Cheryl described, was to "fire on all cylinders."

The campaign organized a highly strategic door-knocking effort, using the voter rolls to prioritize mailin and early voters to ensure they learned about the referendum before they cast their ballots. In a presidential election year, organizers knew to expect high voter turnout rates. Many voters, however, would not expect a rent control referendum on their ballots – and many voters might unknowingly skip over it, given its location on the back of the ballot. With dedicated campaign outreach reminding people to turn their ballot over, the undervote (share of voters who left the question blank) was minimal.

One of the campaign's challenges was to build a unified brand among HFHA, with its long history and older membership base, and the newly established HUT. To ensure continuity of the campaign's materials and increase community trust, Mary Ondrejka, a longtime HFHA leader with graphic design expertise, designed the campaign's posters, T-shirts, buttons, and flyers.

Because HUT did not exist as an entity until the start of the campaign, supporters of rent control did not know if they could trust the group. The opposition's tactics only exacerbated the confusion: the referendum's backers created a misleading "Hoboken Fair Housing" Instagram page and tried to pass themselves off as pro-renter. Many Hoboken residents reached out to trusted leaders like Cheryl to ask how to vote. In response, Cheryl created a video about the referendum and cross-posted it to the HUT page, which built trust in HUT among longtime residents and discredited the landlords' "Hoboken Fair Housing" page.

HFHA is deeply committed to nonpartisanship, with members in the Democratic, Republican, Green, and other parties, and touts strong support for rent control among low- and middle-income people of all political ideologies. HFHA worked closely with the younger HUT leadership to ensure that both organizations focused on the campaign's immediate goals and maintained a strong nonpartisan reputation. Fortunately, this did not prove too difficult, as the younger and older tenant leaders alike were sincerely committed to winning this campaign and not pursuing broader political agendas.

In previous campaigns, elected officials were hesitant to publicly support rent control, even if they would express their support behind the scenes. This time, local leaders saw that "there is a force of people who do not want displacement [...] to be the name of the game," as Cheryl put it, and became a vocal part of the campaign against the referendum. Councilmembers door-knocked with HUT and HFHA leaders, and one councilmember mailed flyers asking voters to vote "No" on the referendum. Hoboken Mayor Bhalla even held a fundraiser in support of the tenant-led campaign.



A street chalk message urges passers by to save rent control. Photo courtesy of Caren Lissner

Despite aggressive lobbying from landlord groups, the widespread impact of the housing affordability crisis and bad-acting corporate landlords' behavior made it politically palatable for elected officials to side with tenants in this election. Even at the higher end of the income spectrum, Hoboken renters are facing rent-gouging and abusive practices. While vacancy decontrol would have been most harmful to older tenants who had resided in their units for many years, younger residents in market-rate units also recognized that they would not be immune from limitless rent increases if the referendum were to pass. Policies that harmed the most marginalized renters would ultimately harm all renters. As Cheryl reflected: "In order to protect anybody, you must protect everybody."

The intergenerational coalition between HFHA and HUT contributed to the campaign's landslide victory against the referendum. In a small city like Hoboken, which is just one square-mile in area and has a population of 57,000, elections can be won by just a handful of votes. Although tenant organizers could feel the momentum in their favor, they could not take any votes for granted: Cheryl always reminded



Advocates rally to protect rent control and spread the word about the referendum

her fellow organizers to "run like you're losing." This work ethic paid off for HFHA and HUT. In Hoboken's first antirent control referendum brought forward by MSTA in 2012, tenants won by 52 votes; this time, they won by <u>more than</u> <u>10,000</u>.

While Hoboken renters are still fighting the forces of displacement and corporate abuse, voters in this majority-renter city made their voices heard in unequivocal support of strong tenant protections – a decisive victory that should ward off future landlord-led attempts to roll back rent control and give momentum to ongoing tenant organizing.

### "In order to protect anybody, you must protect everybody."

#### PUNITIVE RESPONSES TO HOMELESSNESS

As homelessness increased to record levels in 2024, elected officials faced political pressure to respond. Unfortunately, many elected officials have turned to ineffective, cruel measures that punish people experiencing homelessness, worsen homelessness, and fail to address the root cause of the crisis: a shortage of deeply affordable homes and a growing gap between incomes and housing costs. The United States Supreme Court's decision in Grants Pass v. Johnson (2024), which found that it is not a violation of the U.S. Constitution's Eighth Amendment prohibition against cruel and unusual punishment for jurisdictions to arrest, ticket, or fine people for sleeping outside even when adequate shelter or housing is not available, may encourage elected officials to pursue counterproductive and harmful responses to homelessness.

The passage of Proposition 312 in Arizona is likely to accelerate this trend, as it will remove local discretion over law enforcement and homelessness response. Cities that want to follow best practices in addressing unsheltered homelessness may be deprived of tax dollars that could otherwise be used for shelter, housing, and supportive services, which will make it harder to get people stably housed and exacerbate the underlying crisis. Another punitive measure, Measure R in San Joaquin County, CA, also takes a wasteful, misguided approach: the measure's requirement to drug-test recipients of county general assistance will cost at least \$300,000, roughly comparable to the program's total spending on cash benefits.

Advocates should be aware of the troubling precedents set by Arizona's Proposition 312 and San Joaquin County's Measure R and work with state and local elected officials to adopt proven solutions to homelessness. Policies that make visible progress in ending and preventing homelessness will provide an alternative to politically expedient, but cruel and ineffective, proposals that citizens or legislatures might otherwise bring to the ballot.

Arizona (statewide). Proposition 312, a statewide ballot measure, will allow property owners whose municipalities do not enforce "public nuisance laws" on or near their properties, including anti-camping laws, to apply for a property tax refund that will reimburse costs incurred. Such costs could include private security, surveillance systems, and cleanups. Proposition 312 will remove local discretion in law enforcement and force Arizona cities to take a punitive response to homelessness or risk losing tax dollars. The Arizona state legislature voted to place Proposition 312 on the ballot. The measure passed on a vote of 58.6% to 41.4%. Arizona Housing Coalition, an NLIHC state partner, strongly opposed the measure, citing its strain on local government and failure to resolve the root causes of homelessness.

✓ San Joaquin County, CA. Measure R will mandate drug screening for recipients of county general assistance who are suspected of having substance use disorders. The program, which serves single, childless, non-senior residents, provides \$75 monthly on recipients' EBT cards. About one-quarter of recipients are also approved for housing assistance, which qualifies them for up to \$340 monthly in rental assistance (paid directly to their landlords) and an additional \$27 monthly on their EBT cards. <u>Under Measure R</u>, general assistance recipients found to be using illegal drugs will be offered placement in free treatment programs and will become ineligible for cash assistance after 30 days if they do not comply. The San Joaquin County Board of Supervisors voted to place Measure R on the ballot. The measure passed on a vote of 74.6% to 25.4%.

# ZONING, LAND USE, AND OTHER REGULATIONS

Under California state law, municipalities must adopt a <u>state-approved housing element</u> that demonstrates how they will meet local housing needs at various affordability levels. In some cases, a jurisdiction cannot meet its housing element targets unless it rezones to allow for additional housing development – which, in some jurisdictions, requires direct voter approval. If a jurisdiction's housing element is not in compliance with state law, it will become ineligible for certain funds and may be subject to the "<u>Builder's</u> <u>Remedy</u>." The "Builder's Remedy" requires a local government to approve all affordable housing development projects, even if they do not comply with local zoning or other regulations.

Zoning and land use ballot measures in five California municipalities (Yorba Linda, South Pasadena, Cypress, Oroville, and San Mateo) were publicly discussed as necessary for housing element compliance. These measures all passed, which suggests that the consequences for noncompliance with state housing law were a powerful "stick" that pushed voters to approve reforms. Similarly, voters in Eureka, CA, rejected a measure that would have made the city's downtown housing development plans infeasible and risked putting the city's housing element out of compliance. By contrast, the passage of Measure U in Huntington Beach, CA, directly challenged the state and asserted local control over development – an escalation of the city's years-long attempts to evade state housing law.

Elsewhere in California and across the country, voters considered a range of zoning, land use, and other regulatory questions at the ballot box. The issues included short-term rental restrictions, approvals for specific housing projects, density limits, and sales of public land that require developer contributions to city housing programs.

**Cypress, CA**. <u>Measure S</u> will allow for the development of 676 additional housing units at the Los Alamitos Race Course, as opposed to 766 units elsewhere in the city. Measure S will also increase the maximum residential density from 20 units to 30 units per acre in Cypress Town Center and create a new medium density residential district of 15 dwelling units per acre. The addition of 676 units will bring the city closer to meeting the targets in its housing element; if the measure had been rejected, the city would have planned for an additional 766 housing units in other areas of Cypress to avoid facing penalties under state law. The Cypress City Council placed Measure S on the ballot. The measure passed on a vote of 58.8% to 41.2%.

**X** Dana Point, CA. Measure T would have repealed and replaced the city's short-term rental ordinance, which regulates and sets a cap on the number of short-term rentals. Measure T would have cut the cap on the number of short-term rentals inside and outside the city's coastal zone by approximately half, required annual renewal permits, established a tiered permitting system that would prioritize owners renting out their primary residences over nonprimary residences, and required hosting platforms such as Airbnb to collect transient occupancy taxes and remit them to the city quarterly or monthly. A neighborhood group gathered petition signatures to place Measure T on the ballot. The measure was defeated on a vote of 36% to 64%.

**Eureka, CA**. Measure F would have required that new affordable housing developments on 14 downtown city-owned parking lots include enough parking spots to replace those lost to construction. The campaign for Measure F launched in opposition to the city of Eureka's state-approved housing element, which proposed to build affordable housing on underused downtown parking lots. Residents gathered petition signatures to place an initiative on the ballot that would have required new developments to replace lost parking spots. To provide an alternative pathway for the city to develop sufficient affordable housing to comply with state housing law, the initiative also proposed rezoning a former middle school site to allow for potential housing development. Opponents of Measure F noted that the requirement to replace lost parking would amount to a housing development ban, as the parking mandate would make housing development too expensive to be feasible. The California Housing Defense Fund sent a letter to Eureka City Council warning that the city's housing element would become noncompliant if Measure F were to pass, and the city could risk losing state funds and being subject to the Builder's Remedy. Measure F was <u>defeated</u> on a vote of 30.6% to 69.4%.

★ Healdsburg, CA. Measure O would have exempted multifamily housing (including duplexes, triplexes, apartments, and townhouses) in commercial areas on the Healdsburg Avenue corridor from the city's Growth Management Ordinance. The Growth Management Ordinance limits annual construction to 30 market-rate units per year and does not differentiate between single-family and multifamily homes. Healdsburg City Council placed Measure O on the ballot. The measure was <u>defeated</u> on a vote of 44% to 56%.

Huntington Beach, CA. Measure U will require voter approval of city-initiated zoning or general plan changes that have "significant and unavoidable negative impacts to the environment." By asserting zoning as a matter of local control, the charter amendment takes direct aim at state housing law, which mandates that municipalities adopt housing element plans that meet targets for housing development. The State of California and Huntington Beach are in a legal battle, with the city having filed a federal lawsuit over the constitutionality of state housing mandates. Critics of Measure U noted that its passage could prevent city compliance with state housing law and put the city at risk of incurring \$600,000 monthly fines. Huntington Beach City Council <u>placed</u> the charter amendment on the ballot. The measure passed on a vote of 57.7% to 42.3%.

✓ Oroville, CA. Measure N gives approval for the Butte County Housing Authority to develop 18 affordable homes. Under Article 34 of California's state constitution, voters must authorize the development of publicly owned or financed homes. The passage of Measure N will address <u>approximately half</u> of Oroville's remaining need to develop very low-income housing under its current housing element. The City Council of Oroville placed the measure on the ballot at the request of the Butte County Housing Authority. The measure <u>passed</u> on a vote of 58.6% to 41.4%.

✓ San Benito County, CA. Measure A <u>will</u> require voter approval for any changes to unincorporated areas of San Benito County currently zoned with agricultural, rangeland, and rural designations. Housing needed to comply with state housing law could be permitted to be built on farmland without a public vote. Public facilities like libraries and schools will also be exempt from the voter approval requirement. Measure A would also remove the Commercial Regional Designation from certain sections of Highway 101, which <u>could block</u> currently planned developments. Residents concerned about the pace of development in the county <u>gathered</u> <u>petition signatures</u> to place the initiative on the ballot. The measure <u>passed</u> on a vote of 55.2% to 44.8%.

✓ San Mateo, CA. Measure T will update the city's General Plan to increase height and density limits in 10 areas, including neighborhoods near Caltrain stations and El Camino Real. The increased density will enable the city to meet its housing development targets and receive certification of its housing element. In accordance with the city's inclusionary zoning law, <u>15% of</u> <u>new housing units</u> must be below market-rate. San Mateo City Council <u>placed</u> Measure T on the ballot. The measure <u>passed</u> on a vote of 59.4% to 40.6%.

**South Pasadena, CA**. Measure SP will retain the 45-foot height limit in the residential estate zoning district, residential single-family zoning district, and overlay district of the Altos and Monterey neighborhoods. For all other zoning districts, the measure will repeal the 45-foot height limit and call for a public process to pass a new ordinance setting maximum heights. In 2022, the city failed to adopt a compliant housing element and entered into a settlement agreement with an affordable housing nonprofit. To comply with the settlement and have its housing element certified, the city needs to rezone for additional housing, which requires repeal of the existing height limit for any area where density may exceed 50 homes per acre. Failure to repeal the height limit would have required the city to identify additional residential neighborhoods for rezoning, or else risk losing certification of its housing element. The South Pasadena City Council <u>placed</u> the measure on the ballot. The measure passed on a vote of 57% to 43%.

★ Yorba Linda, CA. Measure KK would have allowed by-right approval of residential developments at the Bryant Ranch Shopping Center, a mall struggling with high vacancy rates. Passage of Measure KK would have paved the way for mixed-use properties up to four stories tall, including the development of approximately 275 new homes, on the nine-acre site. The Bryant Ranch development was <u>not included</u> in the city's housing element. Proponents of the redevelopment gathered petition signatures to place the measure on the ballot. Measure KK was rejected on a vote of 18% to 82%.

Yorba Linda, CA. To achieve state certification of its housing element, Yorba Linda was required to approve a zoning ballot measure that would enable the development of sufficient affordable homes. If Yorba Linda does not achieve certification of its housing element, it could lose state funding and be subject to the Builder's Remedy, which allows developers to supersede local zoning rules. Measure JJ will rezone neighborhoods throughout the city to accommodate at least an additional 1,900 homes. Passage of Measure JJ will enable the city to carry out the plans in its housing element and achieve state certification. The measure was developed through a public engagement process and placed on the ballot by the Yorba Linda City Council. Measure JJ passed on a vote of 90.4% to 9.6%.

✓ Snowmass, CO. Question 2D will approve development of the \$86 million Draw Site housing project, which will include 79 units. Because the project will cost more than 40% of the town's most recent general fund revenue, local law requires that it receive voter approval to move forward. The measures specifies that the project will be funded with tourism tax revenues, rental income, potential grant funds, and other public or private contributions. Snowmass Town Council placed the measure on the ballot. The measure <u>passed</u> on a vote of 55.9% to 44.1%.

✓ Miami, FL. Referendum 2 and Referendum 3 pertain to the sale of public land on Watson Island. Each referendum stipulates that developers purchasing public land must contribute a certain amount of funding to city affordable housing projects. Under Referendum 2, the city will sell 5.4 acres of land for \$135 million to two developers currently leasing land from the city on the north side of the island. The land will be used for luxury condos and retail. The developers will give back 13 acres of public land that they are currently leasing, and developers agree to build a public waterfront park on the land at no additional cost to taxpayers. Under Referendum 3, the city will sell 3.2 acres of public land on the south side of the island to a developer for \$25 million and extend the lease of other lands for 24 years. The sale and extended lease will enable the developer to build luxury condos and office space. The deals require the developers to contribute \$24 million (\$15 million from the north side deal and \$9 million from the south side deal) to city spending on affordable housing and infrastructure, but the measures do not specify which affordable housing and infrastructure projects will be funded. The Miami City Commission unanimously passed two resolutions that placed the referenda on the ballot. Referendum 2 passed on a vote of 61.9% to 38.1%, and Referendum 3 passed on a vote of 58.6% to 41.4%.

★ Vero Beach, FL. The Residential Density Referendum would have amended the city's charter to increase the allowable density in Downtown Vero Beach from 17 to 36 units per acre. The measure was one of two referenda that needed approval for the city's downtown masterplan to be implemented, and it would have enabled the city to develop affordable studio, one-bedroom, and two-bedroom apartments. Vero City Council placed the measure on the ballot. The referendum was <u>defeated</u> on a vote of 65.2% to 34.8%.

**Vero Beach, FL**. The Transfer of Development Rights Referendum <u>would have allowed</u> a property owner to sell unbuilt, but approved, units to another buyer. Vero City Council placed the measure on the ballot. The referendum was <u>defeated</u> on a vote of 36.9% to 63.1%.

✓ **Camden, ME**. Article 2: Affordable Housing for Teachers will amend the town charter to allow for conversion of a schoolhouse into an apartment building with residences on the ground floor. This change <u>will enable</u> the conversion of the entire building into eight to 10 affordable homes for teachers by fall 2027. Under the current zoning code, the building cannot develop residential units on the ground floor, which would unnecessarily limit the number of affordable units in the building. The Camden Select Board <u>heard</u> the proposal for the rezoning and ultimately placed it on the ballot. The measure <u>passed</u> on a vote of 77% to 23%.

Portland, ME. Question B will enact a Portland City Council ordinance to tighten registration requirements for short-term rental operators. Under current law, short-term rental properties need to provide either a form of identification or proof of homestead exemption. Question B will require short-term rental operators to show both documents as proof of primary residence. If the owner is ineligible for a homestead exemption, they can show a redacted copy of their most recent tax return as proof of residency. The measure will also require short-term rentals on Peaks Island to specify and verify whether the unit is seasonal or year-round. Question B grants Portland City Council the authority to amend or repeal the ordinance without voter approval. Portland City Council placed Question B on the ballot. The measure passed on a vote of 67% to 33%.

East Lansing, MI. Proposal 1 will adopt a <u>charter amendment</u> that bars the city from restricting homeowners' ability to live with individuals of their choice, as long as these individuals are not rent-paying tenants. Under some interpretations of the city's housing code, guests not related to a homeowner - including live-in medical caregivers - are not allowed to stay in a home for more than 30 consecutive days, or 60 total days in a single year, unless homeowners apply for a rental license. If they do not apply for a rental license, homeowners could face fines of \$500 per day. The charter amendment would also require the city to make zoning and rental records public, to give advance notice of housing penalties, and to grant active military servicemembers a house-sitting exemption from existing rental license requirements. A residentled group called the East Lansing Charter Amendment Committee collected signatures to place the measure on the ballot. The measure passed on a vote of 54.5% to 45.5%.

✓ Harbor Springs, MI. Repeal of Ordinance 439 <u>overturned</u> the zoning reforms that the city council adopted in May 2024. The zoning reforms simplified the town's zoning code, allowed accessory dwelling units (ADUs) and duplexes throughout most of the town, and narrowed the minimum lot width. Opponents of the zoning reforms gathered petition signatures to put the zoning repeal on Harbor Springs ballots. The measure passed on a vote of 54.2% to 45.8%.

#### CONCLUSION

Results from the elections on November 5, 2024, demonstrate that ballot measures remain a promising pathway towards enacting bold housing policy solutions. By bringing policy questions directly to the voters, advocates and tenant leaders can win significant new resources to increase the supply of affordable homes, keep renters stably housed, and enact proven solutions to homelessness. Given the paucity of federal funding for extremely low-income housing needs, and an incoming presidential administration with a track record of pursuing deep cuts to the social safety net, state and local housing resources will become even more critical.

During his past presidency, Donald Trump and his administration proposed major cuts to HUD's budget and sought to enact policies that would make it harder for households to access muchneeded assistance. NLIHC led national efforts to oppose these harmful proposals and, thanks to the mobilization of thousands of advocates across the country and bipartisan support in Congress, successfully defeated threats to HUD programs while securing increased funding. As NLIHC mobilizes our network to defend our priorities at the federal level, advocates should also think proactively about winning new resources and protections at the state and local levels, building upon the work of states and cities that have passed more than 300 tenant protections since 2021.

While the federal election results will create challenges for housing advocates, the passage of dozens of housing ballot measures – and the defeat of a handful of harmful measures – provide reasons for optimism about voters' eagerness to strengthen the social safety net for housing, address the shortage of affordable homes, and defend tenant protections. Overall, Americans of all political leanings are seeking policy changes that will deliver relief from high rents.

In communities that allow ballot measures, housing advocates and tenant leaders should harness this momentum to organize ballot measure campaigns in future years. As the four case studies in this report illustrate, the process of successfully enacting a ballot measure may take years of coalition-building and organizing – so it is never too early to start exploring campaigns for 2025, 2026, and beyond!

Unfortunately, voters in Arizona and San Joaquin County, CA, also demonstrated support for harmful policies that will make it harder to address homelessness. The passage of two punitive measures should serve as a call to action: policymakers must deliver real solutions to homelessness by investing in what works at the scale needed, or else voters will turn to harmful and ineffective approaches out of frustration with government inaction.

The outcomes of ballot measure campaigns send a clear message to elected officials: housing is a winning issue at the ballot box. But politicians should not only discuss housing costs and broader cost-of-living concerns on the campaign trail – they must also govern accordingly. From city halls to the halls of Congress, newly elected and reelected officials should channel voters' frustration with high costs into large-scale solutions that address the shortage of affordable homes, bring the cost of rent within reach, keep renters stably housed, and provide real pathways from homelessness to housing stability. While voter-approved policies will make a meaningful impact, the passage of housing ballot measures does not absolve elected officials of their responsibilities to prioritize much-needed housing legislation upon taking office.

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