



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
PUBLIC HEALTH DEPARTMENT

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City Council President Lynette Gibson McElhaney
Oakland City Hall
1 Frank H. Ogawa Plaza
Oakland, CA 94612

RE: Support for Implementation of the Tenant Protection Ordinance and Enforcement of Measure FF

Dear City Council President and City Council Members:

I am writing to encourage the Council to build capacity and support for full implementation, which includes education, outreach, and enforcement efforts, of both the Tenant Protection Ordinance (TPO) and the Minimum Wage Law to protect renters and workers in the City. As the County Health Officer responsible for monitoring the health status of our communities and advising on the development of policies and practices that protect and promote health and well-being within our county, I see the Council's passage and implementation of 1) the Oakland Tenant Protection Ordinance last October was an important step to equitably achieve housing stability for all renters in Oakland and 2) both the Minimum Wage and Paid Sick Days Laws as steps towards improving housing affordability by increasing the household income of minimum wage earners and allowing workers to take time off for illnesses without losing income.

I applaud your passage of the TPO. Quality and stable housing have direct and deep effects on health. As the Bay area, and especially Oakland, continues to face a shortage of housing, especially for low to middle-income residents, implementing baseline protections for tenants becomes an essential foundation to prevent displacement. In addition, by increasing the minimum wage to \$12.25, you are also addressing the crisis by improving low-income worker's ability to cope with the rising costs of living in the City.

As you know, housing is considered affordable when a family's housing costs account for less than 30% of their household income. As of 2014, 53.2% of Oakland residents pay more than 30% of their household income on rent, and 27.1% pay more than 50% of their income.¹ Oakland housing costs have escalated beyond the reach of many residents—median rents are \$2,200 and median home sale prices are \$438,900 compared to median renter income of \$34,195.² Between 2014-2015, the average rent in Oakland skyrocketed by 12.1%, the second highest increase in the country.³

¹ American Community Survey 1-year files. (2014).

² "A Roadmap Toward Equity: Housing Solutions for Oakland California". (2015). Policy Link and City of Oakland.

³ Romburg, Marlize. "Oakland rents are second fastest-rising in the U.S." San Francisco Business Times. (Feb 2015)
<http://www.bizjournals.com/sanfrancisco/blog/real-estate/2015/02/oakland-rents-home-prices-increase-trulia.html>

This lack of affordable housing has health consequences from diminished capacity to pay for childcare, health insurance, medications, and healthful and nutritious food to increased stress, which have multiple negative health impacts.

With rental costs skyrocketing, many residents are struggling to find and maintain adequate housing, with poor quality housing often being the only option. In 2014, our Department's Place Matters Housing working group undertook an analysis of the complaints filed with City of Oakland Code Enforcement to shed light on the habitability crisis in Oakland, which we shared in more detail in our September 2014 letter of support for the Tenant Protections Ordinance. We were interested in looking at how Code Enforcement, in collaboration with community organizations and our Department, could work to address the inequity in healthy housing. From 2003-2013, data shows 19,679 complaints related to interior habitability issues and structural failures. Key habitability issues in Oakland include mold and mildew, heating and cooling issues, infrastructure issues, lead, trash, and vectors including rats, mice, and bed-bugs. By categorizing the 854 complaints from 2013, we were able to create a snapshot of the kinds of complaints Oakland residents deal with⁴:

- 60.6% indicated infrastructure deficits, including heating/cooling issues, electricity issues, as well as structural issues
- 31.9% included mold and mildew specifically
- An additional 21.6% indicated precursors to mold (terms such as leaks, moisture, seepage, etc.)
- 11.1% mentioned trash and debris
- 7.2% indicated vectors

With effective implementation of the Tenant Protection Ordinance, tenants facing habitability issues will be able to reach out to code enforcement without fear and improve the conditions in which they live. While the above snapshot is helpful to understand the types of issues facing Oakland tenants, it is important to note that the cases brought to code enforcement's attention represent a tiny portion of the habitability issues in Oakland. Place Matters reviewed data in 2012 from four organizations that provide tenant services to low-income renters in Oakland—East Bay Community Law Center, Centro Legal de la Raza, Causa Justa::Just Cause, and ACPHD's Asthma Start program—and found that almost one-third of tenants (29%) who seek services from these four organizations are currently facing habitability problems in rental housing in Oakland.⁵ As these organizations serve primarily low-income residents, their data suggests that potentially one-third of low-income Oakland renters are living in housing with habitability problems. A health impact assessment study of Marin County Code Enforcement estimated that only 5%-10% of habitability cases ever make it to code enforcement.⁶ Community partner data shows that many tenants fear making complaints because of landlord harassment and retaliation.

In addition to the TPO, the new Oakland Minimum Wage and Paid Sick Days Laws will benefit an estimated 30,000 Oakland residents by increasing household income and allowing residents to take time off for illnesses without losing income. There is a strong correlation between income and health. Income provides access to a variety of resources that meet basic human needs and directly impact health, such as adequate nutrition, good medical care, and quality housing. Chronic stress faced by low-income people produces constant wear and tear on the body that can cause a broad range of diseases. By increasing the minimum wage, the new law will significantly impact the health outcomes of those currently working minimum wage jobs.

⁴ Note that these numbers are not cumulative as many cases included multiple complaints.

⁵ ACPHD, based on data from CA Dept. of Public Health, "The Burden of Asthma," June 2007.

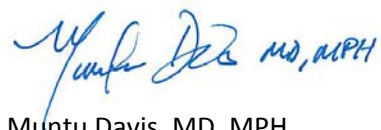
⁶ Human Impact Partners and Legal Aid of Marin. Marin Healthy Homes Project: A Health Impact Assessment. July 2012.

I applaud the City's commitment to protect its rental residents and address the needs of low-income residents and workers in Oakland through the Tenant Protections Ordinance and the new Minimum Wage Law. With effective implementation, these policies have the potential to improve the health and wellbeing of families across the City. We encourage the City to support full implementation and enforcement of both the TPO and Minimum Wage law and efforts around education, outreach and ongoing collaboration with tenants, tenant rights organizations, landlords and employers.

We remain committed to partnering with the City of Oakland to ensure healthy, affordable, and stable housing and to prevent avoidable risks in neighborhoods in order to improve the health and wellbeing of Oaklanders and the rest of the Alameda County residents. Please feel free to contact me with any questions or concerns.

Thank you for your consideration.

Sincerely,



Muntu Davis, MD, MPH

County Health Officer and Health Department Director
