

A RESOLUTION OF THE SAN DIEGO CITY COUNCIL DECLARING HOUSING AS A HUMAN RIGHT

WHEREAS, housing is the basis of stability and security for an individual or a family, providing a place to live in security, peace, and dignity; and

WHEREAS, the implementation of this human right depends on the provision of adequate housing enabled by appropriate government policies and programs; and

WHEREAS, in 1948, the United States joined 47 countries in signing the Universal Declaration of Human Rights (UDHR) adopted by the United Nations General Assembly that recognized the basic rights and fundamental freedoms of all human beings, including the right to housing as a component of a standard of living adequate for the health and well-being of themselves and their family; and

WHEREAS, in 1977, the United States signed the International Covenant on Economic, Social and Cultural Rights (ICESCR), which commits its ratifying parties to progressively work toward the granting of economic, social, and cultural rights, including the right to adequate housing; and

WHEREAS, the United Nations Committee overseeing the implementation of the ICESCR outlines seven elements that guide the provision of adequate housing, including the security of tenure, availability of infrastructure, affordability, accessibility, habitability, location, and cultural adequacy; and

WHEREAS, in 2019, the Special Rapporteur on adequate housing presented to the United Nations' Human Rights Council at its 43rd session "Guidelines for the Implementation of the Right to Adequate Housing" with Guideline Number 1 being "Guarantee the right to housing as a fundamental human right linked to dignity and the right to life"; and

WHEREAS, the United States has a history of institutionalized lending discrimination, exclusionary zoning, and redlining, denying people of color their ability to share in the country's prosperity and reducing their ability to fulfill the right to a home; and

WHEREAS, the City of San Diego shares this history of exclusionary zoning, restrictive covenants, and redlining, which has led to the exclusion of historically marginalized communities from the opportunity to access homeownership and diminished their political and economic power and representation; and

WHEREAS, San Diego's Housing Element requires the City to adequately plan to meet its existing and projected housing needs, including its share of the Regional Housing Needs Allocation (RHNA), which equals 108,036 additional housing units in the City of San Diego, with 44,880 of those units needed for extremely-low, very low, and low-income households to be built between 2021 and 2029; and

WHEREAS, the San Diego City Council declared a Housing Emergency in 2002 recognizing the urgent need for more housing throughout the City; and

WHEREAS, housing costs in the City of San Diego have risen with average rent prices increasing 46 percent from 2012 to 2019; and

WHEREAS, 50 percent of City households are housing cost-burdened, meaning these households spend more than 30 percent of their income on housing costs; and

WHEREAS, rising housing costs are directly associated with displacement - families may be forced out of their neighborhoods due to rising housing costs, changing demographics, or changes in the socioeconomic or cultural makeup of their community; and

WHEREAS, low-income residents are most at-risk of displacement from rental housing as a result of rapidly rising rents and are more likely to have challenges staying in their homes if they are living paycheck-to-paycheck, are subject to predatory evictions, or cannot obtain affordable legal representation; and

WHEREAS, speculative housing markets can lead to housing insecurity for tenants and prospective homeowners who are impacted when a property is sold or changes ownership; and

WHEREAS, members of disadvantaged groups often have difficulty finding housing in high-opportunity neighborhoods, despite laws guarding against discrimination; and

WHEREAS, low-income residents must often live far from jobs due to housing unaffordability which contributes to an incongruity between where jobs are located and where job seekers live and resulting in increased pollution, energy use, traffic congestion, and a decline in community cohesiveness; and

WHEREAS, 80 percent of the City's housing stock was built before 1990 and most homes built before 1990 are not wheelchair accessible, creating additional barriers to finding suitable housing for individuals with accessibility needs; and

WHEREAS, individuals living with disabilities represent a disproportionate share of the homeless population, often live on fixed incomes, and cannot absorb rent increases, and therefore experience added difficulties maintaining, searching for, and finding accessible housing that meets their unique housing needs; and

WHEREAS, opposition to new housing, and in particular to affordable housing and permanent supportive housing, has contributed to a severe undersupply of housing to meet the need of residents of all incomes; and

WHEREAS, the 2020 COVID-19 international pandemic caused significant economic hardship among individuals and families, causing millions of people nation-wide to lose their jobs, get behind on rent payments, face eviction, and be subjected to potential loss of their homes; and

WHEREAS, the 2022 Point in Time Count (Count) found no fewer than 4,801 individuals experiencing homelessness across the City of San Diego, which included a nine percent increase in the number of unsheltered individuals from 2020 when the Count was last completed, and found that Black San Diegans comprise 29 percent of unsheltered individuals in the 2022 Count; and

WHEREAS, in August 2022, the Downtown San Diego Partnership counted 1,609 people experiencing homelessness in Downtown San Diego, a record high in the 10-year history of their count, which is due to several factors, including volatility in the labor market, increased housing and consumer costs, challenges to healthcare and behavioral healthcare access, health and safety conditions and other societal factors, including institutionalized racism, that continues to force certain populations of people to the street; and

WHEREAS, declarations of housing as a human right fall short unless matched with progressive actions toward fulfilling that right, which can include but not be limited to devoting resources to public housing or housing vouchers, creating incentives for the private development of affordable housing, providing legal due process protections from eviction or foreclosure, upholding the right to counsel to enforce those protections, ensuring habitable conditions through housing code enforcement and inspections, and by not threatening individuals with civil or criminal penalties because they are homeless; and

WHEREAS, the City of San Diego has progressively implemented programs, policies, and funding to increase the supply of adequate housing, including the supply of Affordable Housing for low-income and extremely low-income individuals and families, Permanent Supportive Housing, microunits, and Accessory Dwelling Units; and

WHEREAS, the City of San Diego has received state and federal funding to increase access to Affordable Housing through the provision of grants, loans, and vouchers; and

WHEREAS, these attempts at all levels of government, including the City of San Diego, have not provided sufficient housing to solve homelessness and have, in part, been hampered by short-term investments in non-Housing First strategies and limitations on who could receive support through programs, such as not allowing spouses to access certain resources together or lacking accessibility or not addressing disabilities, leading to large segments of the population being excluded from housing and other supportive services;

BE IT RESOLVED, by the Council of the City of San Diego, that the Council declares the right to housing as a fundamental human right linked to dignity and the right to life.

BE IT FURTHER RESOLVED, that the Council intends to: center equity in its efforts to implement housing and redress past harms; ensure those who have historically not had access to adequate housing are prioritized; further incentivize Affordable Housing in high-opportunity neighborhoods for those previously excluded; and identify equitable and effective solutions by working with individuals with lived experience.

BE IT FURTHER RESOLVED, that the Council intends for the City to support housing as a human right by implementing policies that address the root causes of homelessness, that keep people housed through affordable, accessible, and habitable homes, and that provide pathways to housing for people experiencing homelessness.