



DEVORA “DEV” DAVIS CITY COUNCILMEMBER

District 6 Newsletter October 2017

Dear Neighbors,

As many of you know, the City of San José is working hard to find solutions to our housing crisis. In 2016, the City Council approved permitting for Accessory Dwelling Units (ADUs) as one of the solutions. This year, Council also approved both the Tenant Protection Ordinance (TPO) and the Ellis Act, which aligns municipal policy with the State's “Just Cause” policy.

Originally, the Housing Department notified City Council that ADUs would not be included under the TPO and Just Cause ordinances. However, after several Council colleagues determined that the ordinances should apply to ALL UNPERMITTED UNITS, ROOMS, AND DWELLING SPACES, unpermitted ADUs were included in that clause. I did not support this inclusion.

If you have an unpermitted accessory dwelling unit, I urge you to work with the city planning department for permitting as soon as possible. My office is here to help you start this process. Even if you think your unit is permitted, it is highly advisable to verify your permit status before renting the unit.

Also, we will connect you to the [Housing Department](#) to determine if your unit is subject to the TPO or Ellis Act, prior to providing a lease agreement with a new tenant. If your unit is subject to the TPO or Ellis Act ordinances, you might want to seek professional legal advice from a lawyer prior to renting your unit to determine and fully understand the risks you will be taking.

I will continue to advocate to extricate ADU's from the ordinances, but in the meantime, I encourage you to contact our [Planning Building and Code Enforcement Department](#) to find out how you can bring your unit up to code and get it fully permitted as a rental unit.

We're here to serve you. If you have any questions or concerns, please feel free to contact my office at 408-535-4906 or district6@sanjoseca.gov.

Sincerely,