

October 1, 2024

San Jose City Hall
200 E. Santa Clara Street
San Jose, CA 95112

Chair Cohen, Vice Chair Foley, and Committee Members Davis, Jimenez, and Kamei,

Re: Rules Committee Agenda Item C1- Ordinance Amendment for Sale or Use of Algorithmic Devices for Residential Dwelling Units. (Ortiz, Torres, and Cohen)

We would like to submit this letter before the committee to express our support for the memorandum authored by Councilmembers Ortiz, Cohen, and Torres. This memorandum requests the development of an ordinance to prohibit the use of Algorithmic Devices for Residential Dwelling Units. The impact of this practice on renters, who are already struggling to keep up with the current cost of living, cannot be overstated. There is precedent based on actions taken in other jurisdictions towards combating this practice, which has been identified as a form of “price fixing” focused on increasing rents.

The corporations using this technology are some of the largest corporate property owners in the Country. As corporate real estate continues to grow, we see firsthand what tools, such as this software, are being used to further corporate interests amid a housing and affordability crisis.

With an Department of Justice Antitrust lawsuit on the use of Algorithmic Devices and an ordinance in place in San Francisco, there are examples of what we as a City can do to prevent exacerbating existing housing impacts on renters in corporately owned properties. **We urge the committee to move this item forward and make a strong commitment to our residents, not corporate real estate. There are various avenues the City can take to continue to genuinely address this topic of concern. We look forward to your unwavering commitment so that problematic, potentially illegal software practices are no longer impacting tenants living in corporately owned buildings.**

Sincerely,

Maria Noel Fernandez, Executive Director, Working Partnerships USA

Jeremy Barousse, Director of Policy and Organizing, Amigos de Guadalupe

Gabriela ‘Gabby’ Chavez-Lopez, Executive Director, Latina Coalition of Silicon Valley

Gabriel Manrique, Organizer, Latinos Unidos for a New America

Andrea Portillo, Director of Community Impact and Policy, SOMOS Mayfair

Kyra Kazantzis, Executive Director, Silicon Valley Council of Nonprofits

Regina Celestin Williams, Executive Director, Silicon Valley@Home

Matt King, Policy Director, Sacred Heart Community Services Agency

Hannah Holloway, Vice President of Programs, Housing, TechEquity

Lee Hepner, Senior Legal Counsel, American Economic Liberties Project

Tristia Bauman, Directing Attorney, Law Foundation of Silicon Valley

Cassandra Magana, Manager of Policy and Advocacy, West Valley Community Services Inc.