

Outline of Legalizing Co-operative Living

What makes co-ops illegal?

- Occupancy Limits for unrelated people:
 - Boulder: 3-4 unrelated people per dwelling unit, no matter how big it is.
 - Many other cities have similar rules, with different specific numbers.
 - Occupancy limits almost universally too low to permit cooperative households.
 - History of occupancy limits often directly traceable to classist/racist policies from the early 20th century. In some cases, related to student housing issues.
- Minimum parking requirements:
 - Often a limiting factor in using an existing building w/ a grandfathered non-conforming use that provides sufficient legal occupancy.

Multiple Ways to Attach the Same Problem

- **Direct Ask to Legislators** -- Know where the leverage points are and who controls them. Focus on persuading those people and the people that they listen to. It's worth trying, even if you think you may fail.
- **Campaign to build public support** -- If legislators (e.g. city council) are unwilling to make changes immediately, build consensus amongst civic organizations that what you're asking for is reasonable. Get their support in your ask to policy makers, or at least their agreement not to oppose it. (*this is where we're at in Boulder*)
- **Ballot Initiative** -- If you can't get your legislators to budge, even after building public support, put to on the ballot. This process is different in every city but would involve a big network to get signatures, educate the public, and get people to vote.
- **Change your Legislators** -- Consider running for office yourself... or offering your constituency to candidates if they take a strong stand in favor of legalizing cooperative/shared housing.
- **Court Challenge** -- Court challenges to occupancy limits have been successful in both California and New York state. If legislation or ballot initiatives are not successful, a court challenge might be worthwhile. Need a community with standing (actually impacted by the law) and an attorney...

Our History:

- Occupancy limits from the 1980s, aimed at "health and safety" of students (actually anti-student).
 - Many across the country were anti-brothel
 - Also frequently aimed at preserving/creating economic or racial segregation in cities.
- Attempted fix via the Co-op Housing Unit conditional land use in 1999
 - In theory, allows co-ops, but actually impossible to use.

- “Yes, but no.” You need to recognize when restrictions will make the fix impossible -- cannot say yes to them.
- BHC success making co-ops using non-conforming grandfathered uses instead.
- Organization limited not by money, but by the ability to find buildings we can use.
- Lots of independent rental co-ops sprouting up.
- Decided to try and engage w/ City Council on the issue.
- Held an election forum at one of the illegal co-ops (and it was awesome!)
 - Originally planned to have a ballot issue forum/discussion.
 - One candidate said they’d be interested in coming (we had relationship with them about one of the ballot initiatives, on forming a public electric utility).
 - Once one of the candidates was coming, it was very easy to get all the others to show up (nobody wants to be left out of these kinds of things).
 - This wouldn’t have happened without the inter-co-op organization and event coordination that we already had in place for all kinds of other stuff (Boulder Free School, Wine and Poetry nights, etc...)
 - At the forum we got to talk about the issues that were important to our community -- first amongst them being occupancy limits, and the illegality of this kind of affordable housing.
 - Some candidates were very supportive, and asked us to make them change the laws...

Forming a Campaign:

- After the election we cultivated personal meetings/relationships with everyone who got elected.
- Wrote up a short 2 page brief to give to them prior to their work plan setting retreat in January, which they all read. We focused on:
 - **Sustainability** (an easy sell in Boulder).
 - **Affordability** (in theory, an easy sell in Boulder... but actually no).
 - **Equity** (nobody wants to hear about this one, but they won’t admit that).
 - **Community** (important, but very difficult to communicate).
- Recruited other reputable organizations w/ similar values to collaborate -- or at least lend their legitimacy and logos...
 - New Era Colorado (youth political engagement GOTV)
 - 350 Colorado (Climate Change)
 - Our Home (Elder co-housing)
 - BHC (co-op developer/NASCO members).

Advocacy Logistics:

- Advocacy e-mail list -- the primary communication medium for the campaign.
- Created a website!
- Created an online (and paper) petition, started circulating, gathering contact information.

- Created an email list with the contact information gathered via the petition, that we can use to get people to contact Council, come to meetings, etc.
- Ice Cream Social to do LTEs and write in to Council before key meetings.
- Follow up meetings with allies on Council, get feedback, strategic advice, etc. Further attempts to talk to those who aren't 100% allies, to understand their objections, etc.
- Lots of interaction (mostly off the record) with City Staff in the housing department.

Advocacy Challenges:

- **Disenfranchisement:** Especially if you or those you are working with are living together illegally in community already, there are risks associated with publicly advocating to change the law. This can make it difficult to get people to participate in neighborhood fora, surveys, public meetings. Many people who are choosing to live together illegally are doing so at least partly for economic reasons, and may be relatively marginalized politically already. Cooperative housing also seems to be biased toward a younger population, which also often means they have less experience with and attachment to direct political/electoral engagement. Both of these can make getting them engaged in the process challenging.
- **This is personal:** It can be emotionally challenging to work on these issues because this is literally close to home. Especially when dealing with people who disagree with you, there will be charged sentiments against the way that you are living. Be prepared to defend yourself and your way of life (which, turns out, is draining). Give support to your fellow advocates.
- **Cultural or Value Differences:** It's hard to make people understand that the single family, cookie-cutter, white picket fence is not everyone's picture of the good life.
- **OMG Parking:** People are attached to the (free) parking spaces in front of their homes. People have a hard time believing that living in community actually can reduce car-ownership.
- **Student = Scary:** Seems silly, but people can be terrified of students, their parties and their trash and their noise. In Boulder, there is a part of town called 'The Hill' where there are a lot of fraternity/sorority houses and partying, which tends to be the depiction that most community members will have of students.

The Internal Players:

- Number Crunchers
- Empathetic Communicators
- Someone on the inside of city politics, aware of process/schedule.
- Representatives from different constituencies:
 - Elder housing
 - Students (the hated ones)
 - Affordable housing
 - Co-op/Community
 - Environmentalists
- Creative message types

The External Players:

- City Council (elected)
- Planning Board (appointed)
- City Staff (generally on our side, but cannot advocate publicly)
- City Housing Authority (quasi-governmental, many shared goals)
- Neighborhood Associations:
 - Find a friendly one if at all possible so it's not you against the world!
 - Important to BE PRESENT in the unfriendly ones, even if it's unpleasant. It is much harder to demonize people when they are sitting at the table with you. You can also change the minds of the somewhat open minded, and leave the zealots isolated -- sometimes these organizations are really driven by just a few people.
- Other civic groups:
 - PLAN Boulder

Tactics/Strategies:

- **Challenge stereotypes** -- don't let them write everyone off as a bunch of hippies, or just students -- find people that break that mold and highlight them (e.g. Overoccupied Video). Humanize people -- de-other them. Recruit a variety of people who are un-frightening to different.
- **Be Present** -- You can't change the conversation if you're not in the room. Need to go to city council meetings, planning board meetings. Meet with council members. Be engaged in the neighborhood associations. Many points that could be addressed easily won't be addressed if you're not there to address them!
- **Frame Carefully** -- Find out what other people's motivations are, and try to re-frame your goals in terms that might appeal to them -- at least some of them.
- **Compile Diverse Allies** -- The broader, the better.
- **Offer Concrete Solutions** -- Don't just complain, give them the law you want passed, or as close to it as you can.
- **Address Criticisms** -- Take people's concerns seriously, and address them head on, preemptively if possible, in the solutions that you are offering up.
- **Know Your Needs** -- If someone is demanding a restriction or change that will prevent your "solution" from actually working, you have to stand your ground.
- **Know Your Audience** -- Learn who the different people are that you're talking to, and tailor your message/framing to them.
- **Don't Waste Your Time** -- Some people are just going to be your enemies -- it's not worth spending a huge amount of energy trying to convince them. Focus on the people who don't have completely entrenched views, who might be swayable, or at least brought to neutral... which may mean addressing the points brought up by your enemies, since they'll also be communicating with the swayable people.

Questions/Discussion:

- Has anyone here been engaged in any kind of advocacy around these types of issues?

- What challenges do you face in creating new cooperatives, if any?
- Do you have any suggestions for additional tactics or strategies?

Background Resources

Online Reading/Resources:

- Sightline blog series: [Legalizing Inexpensive Housing](#)
- Campaign Website: <http://makeboulderhome.org>
- [A write-up of our City Council election forum held at an illegal co-op.](#)
- Sightline blog series on parking: [Parking? Lots!](#) (including its effects on housing affordability)

Additional Resources (attached):

- Our whitepaper explaining why co-ops are good, why they're difficult to do right now, and how to make them easier.
- Unlocking Home: a Sightline Institute white paper on shared housing.