

Boulder Area Rental Housing Association --

Mark McIntyre Q&A

Many candidates have expressed desire to increase the amount of affordable housing in Boulder. What is your opinion on allowing more occupancy of unrelated persons as a tool to reach that goal?

I support ending Boulder's Three Unrelated Persons Ordinance while simultaneously stepping up code enforcement. I think it is wrong to criminalize well behaved people who are good neighbors from sharing a home. Here is a theoretical example: Couple A - a postal worker and a grad student, Couple B - a teacher and a police officer, share a three bedroom house and share a total of two cars. This living situation is illegal in most of Boulder. That is wrong.

In my 42 years living in Boulder I have lived illegally in an over-occupied home. While doing so, we never encountered a problem with any of my neighbors. Later, living in a large expensive home in a mostly non-rental neighborhood, my children, while we were away, created problems more than once for our neighbors with parties and noise. At times we had four cars in a four person household.

I also believe that vigorous code enforcement and parking enforcement is part of having a healthy community. (Parking reform and enforcement are another topic that I would like to address on council.) Renters and landlords need to be good neighbors and held accountable for property maintenance and code/parking violations.

I would ask if the BARHA members are willing to discuss trade-offs for changes to the current regulation. These trade-offs could include restrictions on the number of cars associated with a dwelling, requirement of car-share opportunities, Ecopass purchases for occupants, stepped up code enforcement of current regulations or other things your members could offer to help make these adjustments.

Have you ever been a tenant? Where? Tell us about your experience.

I moved to Boulder in 1977 and did not buy my first house until 1985. In those early years I lived in a basement apartment on the hill, a duplex in Goss-Grove, a single family home at Alpine and 6th, an apartment at Alpine and 9th, and an over occupied single family home at 5th and Marine. My experiences, as a good tenant, was fine in all of these locations.

I have found landlords in Boulder to be smart enough to realize that their asset is worth maintaining and worth the effort to screen tenants. Those property owners that don't maintain their property are letting a great asset deteriorate and that does not make good business sense.

My experience as a renter was a positive one. I got to know my neighbors, both homeowners and renters, and had mostly positive experiences with both.

Have you ever owned or managed investment properties or worked in the rental housing industry in any aspect? If yes, tell us about it.

My first job in Boulder was living in the campground in Eldorado Springs (now the visitor center in the upper canyon) collecting campground fees and cleaning the bathrooms for “Pop” Fowler. So I was a short term rental manager early on. My wife, my son, and I have owned a residential real estate property in Bellingham WA for several years. My son managed and maintained the property for about 6 years.

We currently do not own any residential real estate but we do own a small commercial building in unincorporated Boulder county and confront most all of the same issues that residential property owners struggle with: maintenance and reinvestment, leasing and rent collection, and taxes and compliance with government regulations. We manage the properties we own ourselves and know that it is a bit of a misnomer to call it “passive income.”

Do Boulder’s climate goals increase the cost of housing? For example, capital investments required to comply with Smart Regs or limits on development? And if so, how can one goal (climate) help to support the other (affordable housing) instead of hamstringing it?

It is difficult to argue with the intent and premise of the Smart Regs program. Health and safety of Boulder residents, regardless of renting or owning, is a key function of city government. For me, the greatest disappointment is the small amount of funding that was initially approved to help property owners comply and the speed with which those funds were depleted.

As a property owner, home owner, and a committed environmentalist, I believe that conservation is always the first step in reducing energy consumption and improving livability and performance. Conservation is also a key element for us to reach our climate goals.

While the effort to municipalize is partly unrelated, I can’t help but link funding and support for SmartRegs with the money being spent in our efforts to municipalize. But, I can say that I do support additional funding for SmartReg implementation, particularly for older homes, rentals at below market rates, and smaller property owners.

I also want to address a broader definition of affordability. This extends beyond dollars and cents. With our climate crisis weighing on all us humans of the world we need to decide if we can afford more suburban single family home development and all of its associated environmental impacts. These impacts are well documented. Sharing assets reduces environmental impacts. The assets to which I refer are broad and the impact great. We can share open spaces, community spaces, cars, bikes, gardens, tools,

transit systems, art, stories, thoughts and experiences. All as a product of moving away from our suburban, ultra low density development patterns.

Often it is the loudest people that have influence over council decisions, but those that are happy or indifferent to proposals stay at home. What are your proposed solutions to bring all stakeholders to the table not just the loudest?

While I am no longer a renter, I have been a renter and we are small property landlords. I made my living selling US manufacturing services to US OEMs for 32 years. Most of the people working on the lines making those products were renters. It is hard for many to engage in local politics because they just don't have the time or energy. I want to use my experience and understanding to be a voice for equity for all members of our community, even if a second job or lack of child care, keeps them from showing up at council meetings.

I am a supporter of the City's findings and adoption of the Public Participation Working Group. The [report summary can be found here](#).

As a result there have been several initiatives that have been implemented including, "Walk with council member," "Coffee with a council member," etc... these are effective and important but limited.

In representative government, it is important for the representative to be a voice for a broad constituency who may not be able to speak loudly or frequently. This is especially true regarding home affordability. As a community, we have many excellent stated goals about housing affordability but many times our actions do not agree with our goals. I plan on being a voice for action on our goals across the city.

With housing affordability an ever-increasing challenge across Colorado, rent control has come up in discussions. This is evidenced by last year's proposal at the state legislature. Have you researched the topic of rent control? If so, do you think that it is something that makes sense for Boulder?

I have researched the topic and in short—it's complex.

One of the most informative pieces that I have heard (it's a podcast) is Freakonomics Radio Podcast entitled, [Why Rent Control Doesn't Work](#). I think the name is click bait because it is not anti-rent control so much as a warning of the unintended consequences of policy that seems like a simple solution on the surface but ends up with results that few think are beneficial.

I am a believer in markets and I am a believer in the government providing direction and protections. Ultimately, I am a believer in providing the greatest good for the community and doing so with policy that is balanced between equity and efficiency, between markets and controls, and that is based on facts and evidence.

This past legislative session, a bill was passed allowing local governments to set their own minimum wage. Do you support an increase in minimum wage in Boulder? If so, how would an increase in wage affect small businesses here?

This is an example of my statements above put into action. Yes, I would support an increase in the minimum wage. The extreme wealth inequalities we are experiencing as a country are corrosive to the American sense of fairness and equality of opportunity. Our national tax policies reward wealth more than work. Our state income tax is flat and inherently regressive and state law prohibits cities from having an income tax. Boulder is primarily funded by sales tax, another regressive tax. There is little we can do about these tax policies here but I use them as examples of how we continue to reward the wealthy and in some regards punish the working poor and middle class.

Based on state law, we can now take steps to remedy these problems with changes to minimum wage. Like any policy, the goal is to tune it to provide broad based benefits and minimize the negative effects. So I can't give you a specific number or timeline, but in principle, Boulder is wealthy enough to support a higher minimum wage. I would also predict that overall small business health would increase due to more workers having more money to pay rent, buy food or meals out, afford better health insurance etc...

Landlords want good tenants and tenants want good landlords. How do you think landlords can best support the community and still make their investment and effort worthwhile?

Landlords will attract better tenants and receive a greater long term benefit when they invest in their properties for energy conservation, resource conservation, comfort, and neighborliness. Tenants will be better off, be more productive in their life, be more comfortable in their homes, if they practice being better members of the community and more respectful of their neighbors.

The key to making this happen, I think, is a standard set of expectations of the behaviour and actions of both landlord and tenant. This set of expectations should be based in a lease that is standardized. Our standard buy/sell contract, used for almost all real estate transactions in Colorado, is an example of a state mandated contract that provides certainty and clarity for both parties. Everyone benefits from this structure.

I think the city of Boulder should, at a minimum, supply a standardized lease, designed by a working group made up of city legal staff, BARHA, and renters' representatives. I would support the use of this lease across the city as a protection for both landlords and tenants.

Sometimes council decisions end up being reactive instead of proactive with little time to really dive into the details and/or unintended consequences. In fact, often the best solutions do not require a new ordinance at all but could be worked out in other ways. This can often be overlooked if there is a rush to action. Do you have suggested solutions to prevent quick reactionary ordinances in the future? And what would you do as a council member to encourage solutions prior to or other than an ordinance?

Most of our quick reactionary ordinances result in moratoriums. Moratoriums based on fear and information lacking facts is no way to govern. It results in confusion by the general population and frustration by those actually trying to solve our challenges in housing, transportation, and environmental quality.

The key to fixing this is good governance. Good governance is fact and data based, is transparent, and exhibits leadership, boldness and is forward looking. It is willing to try solutions to problems and then course correct if needed. It looks to current policy and code first and adjusts if needed. Good governance provides certainty rather than always being site specific.

You get good governance by electing the right people who are committed to it and practice it.