



Portland Housing Bureau

Fair Housing Advisory Commission
Thursday, October 10, 2013
 3:00 p.m. – 5:00 p.m.
 Steel Bridge Conference Room
 421 SW 6th Ave
 Portland OR 97204

✓ = FHAC member action item
 ▶ = PHB staff member action item

Meeting Minutes

Members Present: Abby Ahern, Jerad Goughnour, Lynne Walker, Neisha Saxena, Molly Rogers, Elisa Harrigan, Liora Berry, Raina Smith-Roller, Rachel Payton, Michael Alexander, Jason Trombley, Marc-Daniel Domond.

Members Excused: Kayse Jama, Joe VanderVeer, Deborah Imse, John Miller, Betty Dominguez,

Staff and Guests: Jaymee Cuti, Laurie Wells, Kim McCarty, Traci Manning, David Sheern, Regena Warren.

Agenda Item	Discussion Highlights	Outcomes / Next Steps
Welcome and Updates	<p>Neisha Saxena, Co-Chair, introduced the new Co-Chair Jason Trombley. Kim McCarty added that at the last meeting FHAC asked for volunteers and asked the Commissioner to vet the candidates. Commissioner Saltzman felt he would do a great job as Co-Chair of FHAC.</p> <p>Everyone present gave a personal introduction to the Committee.</p>	<p>Jason Trombley was seated as Co-Chair.</p>
Jurisdiction Reports	<p>Kim asked that Regena Warren and Laurie Wells provide a report on behalf of Multnomah County and Gresham. They provided an overview of the housing services they provide. Gresham provides mandatory inspections for rental properties. Over 4,000 housing violations were reported last fiscal year. They are currently trying to determine which, if any, of these violations fall under Fair Housing. The Rental Housing Program is working. A highlight of the program is the positive recognition made to owners if units pass inspections.</p>	<p>Request to make a greater effort to reach people in East Portland.</p>

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	<p>Neisha: Are any of these disability access violations?</p> <p>Laurie: Inspectors are typically looking for violations that concern health and safety such as defective/missing smoke detectors or mold issues.</p> <p>Lynne Walker: I will volunteer to help you with any information that you may need on the City of Gresham and its residents.</p> <p>Traci Manning: Has PHB been providing you helpful information, or is there anything that you need from us to help you?</p> <p>Laurie: Because I am still new, I do not know, but we will revisit the data and information and let you know if there is anything else we need.</p> <p>Regena provided a broad picture of her job. Reminded the group that Multnomah County includes Maywood Park, Unincorporated Lake Oswego, Gresham, Fairview and Troutdale. Programs of the Action Plan with relevance to Fair Housing include Fair Housing Council of Oregon outreach, Unlimited Choices, Adapt a Home, weatherization and the Ten Year Plan to End Homelessness, and the Housing Choice Vouchers. She supports efforts that address housing discrimination, segregation, and housing choice. They receive a small amount of money to help with those efforts. They help fund providers such as FHCO, Unlimited Choices, and Catholic Charities. County funding provides weatherization services and energy assistance to low income residents and seniors.</p> <p>Elisa Harrigan: We participated in a Tenant Resource Fair put on by Multnomah County last year. Do you know if there will be another? Was it very successful and residents in East Multnomah County are seeking services closer to where they live.</p> <p>Regena: I am not sure what housing fair that was. If it was hosted by Cogan's office then we did not take part in it because they are separate from us.</p> <p>Elisa: We have had many people, from Each Portland and Gresham, ask for more tenant information. Community Alliance of Tenants (CAT) would like to support these efforts.</p> <p>Regena: I will follow-up on this and get information to Kim and Elisa. Laurie and I will be talking about expanding our efforts in that direction, as well.</p>	

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<p>Fair Housing Report</p>	<p>Kim provided the highlights of the Portland Fair Housing Report. The full report is on the website. The main topics are outreach and education. The 11 x 13 Preservation Campaign has been completed. PHB investments have made more affordable housing and we are hoping for more housing choice for our residents. The goal is to increase outreach in the media this coming year.</p> <p>Abby Ahern: I just have a request that all FHAC materials be sent a week in advance of each meeting so that we have time to review them. I would have liked to read the full Fair Housing report, as well. This way we can bring feedback and/or questions with us to the meeting.</p> <p>Molly Rogers: Who saw the report?</p> <p>Kim: Just PHAC because City Council does not need to review it.</p> <p>Molly: I think you should add in a change in payment standard to the report. I think it should also be reviewed by City Council, HUD, and the appropriate State departments.</p> <p>Elisa: I agree with Molly.</p> <p>Traci Manning: Maybe we should provide a cover letter or memo from PHAC and FHAC when sending the report to City Council. The letter/memo can preface the report.</p> <p>Jaymee Cuti: Commissioner Steve Novick was an audience member at the Fair Housing presentation so he is familiar with this topic.</p> <p>Elisa: Commissioner Novick seems like he would have an interest. I think he should see the report.</p>	<p>Make sure everyone has a link to the report.</p> <p>Consider sending the report to City Council and HUD with a cover letter from FHAC/PHAC.</p>
<p>Legislative Update</p>	<p>David Sheern provided a report on the legislative activity. The Section 8 voucher bill allows the use of vouchers to be treated as income for the purposes of screening. Landlords cannot prevent renting to someone because they are a voucher holder. The bill goes into effect on July 1, 2014. This time will be spent educating landlords and creating the necessary tools to implement the law. There is talk of a Risk Mitigation Pool for reimbursement to landlords to protect their property from any damage. This was a concern for landlords. The landlord Tenant Act goes into effect January 1.</p>	<p>Home Forward is actively engaged in implementation of the new laws regarding Section 8. Consider asking Home Forward to create a progressive implementation model to be copied by landlords all over the state.</p>

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	<p>Elisa: Was there a Short Term Rent Assistance component to the Section 8 bill? Did it get lost in the shuffle? The group concluded that rule making by BOLI regarding the tenant landlord law changes should include Fair Housing considerations. The group wonders how it can educate landlords about the upcoming changes. A suggestion was made that Home Forward try to the best of its ability to Model for the rest of the state how to implement the new Section 8 provisions.</p> <p>David: Short Term Rent Assistance was part of the passed law. They are working on appropriations.</p> <p>Lynne: What are we doing to educate landlords?</p> <p>Kim: We educate through our partnerships. Mainly Home Forward, and the rental housing associations but FHAC is here to take action on this, as well.</p> <p>Molly Rogers: Multifamily NW is doing a lot of work to educate landlords. It will take a bit of all of us to help educate and there is a lot of work to be done.</p> <p>In addition, Molly announced that it was her last meeting. Betty Dominguez would be taking over her spot on FHAC moving forward because it better aligned with her position at Home Forward. She described how it was better for FHAC to have a broader perspective than a landlord perspective at the table.</p> <p>David: Inclusionary Zoning bill was introduced to remove the exemption on Inclusionary Zoning but it did not pass. It might be pursued again in 2015. Neighborhood Partnerships is putting together a partner meeting to discuss this. More information is needed about market forces. David said he will let the group know when the committee meets.</p> <p>Elisa Harrigan and Christina Dirks discussed the Tenant Landlord Act. This Act takes into account the prior history of the tenant when applying for housing and limits what a landlord can screen for in the application process. Things such as prior evictions, credit history and criminal history are all looked at.</p> <p>Christina commented on criminal screening. Landlords cannot consider an arrest if it did not lead to a conviction. We are hoping they take a closer look at types of convictions and if it affects the safety of the housing complex. Some convictions are less serious than others.</p>	<p>Seek ways to educate landlords about the upcoming landlord tenant law changes.</p>

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	<p>Renters with criminal convictions, or arrests, may not know that elements of their history may not be admissible in a rental screening, so more education is needed.</p> <p>Abby: It is really difficult to explain to a tenant why certain types of crimes that they have been convicted of or charged with have different impacts on their ability to rent. This becomes complicated.</p> <p>Elisa: We are working on better language around explanations of the Act. We are working with partners to help us educate tenants. If you fall into the category of a conviction that can adversely affect property, healthy, or safety of the landlord/tenant then you may want to call an attorney for help. What we are seeing more of, is screening out for an arrest with no conviction or really old arrests.</p> <p>Lynne: How will landlords be educated? Also, what about people who won't pass screenings because they are felons or sex offenders?</p> <p>Kim: Fair Housing Council of Oregon is working on a Re-entry to State Program for individuals that have negative criminal history on their record.</p> <p>Elisa: We have not been able to target landlords because there is no licensing body. Outreach is a good way to spread the word. We rely on trade associations to help spread information.</p> <p>Abby: There would be training for parole/probation officers. There should be a budget for this type of training to help educate landlords.</p> <p>Elisa: This is a timely conversation.</p> <p>Phil Owen (prior member of the Analysis of Impediments Committee): There has been a terrible mess made of landlord liability insurance. They are not making rules to fit the real world. These rules do not match up to insurance company requirements.</p> <p>Jerad Goughnour: 2014 will be an interesting year for those that own and/or manage rentals. Unfortunately, it'll fall on case law to resolve some issues and complaints regarding landlord liability insurance... There is a fear in the landlord community of BOLI because of the cost of lawsuits. Some of the fear may result in no screening at all because of the potential liability</p>	

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	<p>of saying no, for the wrong reason. There are not a lot of resources for landlords, and many more for tenants. My hope is that there will be leniency, and a desire to work with landlords, so they are not immediately sued, or fined. We need to help educate landlords.</p> <p>Elisa: We do not promote litigation unless we have to. The Court sometimes is the only way to monitor and then there's a record. Most people won't go that route.</p>	
<p>Affirmatively Furthering Fair Housing HUD Rule</p>	<p>Kim provided information on the Affirmatively Furthering Fair Housing HUD Rule. We can use this new frame to encourage coordination of resources. The Fair Housing Act is not only about taking action against acts of discrimination, it is also about the policies and influences we have on segregation patterns and the obligation we have to remove them.</p> <p>Abby: It seems it is a similar goal of FHAC.</p> <p>Kim: FHAC has similar goals and the City, as a recipient of federal funds, has the obligation to mitigate segregation where the City has influence either through policy, investments or enforcement..</p> <p>Abby: Will there be a link to the information about ACLU case?</p> <p>Traci Manning: Yes</p> <p>Jerad: I want to quickly discuss gentrification in East Portland. I spoke with a resident in East Portland recently who said she felt she was uprooted from her community and pushed out East. When a person or family is uprooted it causes their family and friends to uproot themselves and move to stay within the same community. We see an entire movement of people being displaced due to gentrification. These families stick together.</p>	<p>Follow up on the results of the ACLU case and other disparate impact cases.</p> <p>How should jurisdictions prepare or respond to the outcome of this case.</p>
<p>Subcommittees and Meeting Wrap Up</p>	<p>Everyone broke into small groups for the remainder of the meeting to discuss fair housing outreach, fair housing action plans, fair housing data.</p>	
<p>Policy Subcommittee</p>	<p>How can the jurisdictions work together. Ideas included a joint resolution, joint Fair Housing month declarations, Council reports regarding Fair Housing Action Plans, a workshop about disparate impact and the new Affirmatively Furthering Fair Housing Rule. How can we reach landlords with information about changes in tenant landlord law. Examples include utility billing, taxes, licensing, inspections. How would we pay for the mailing?</p>	<p>Plan an education event regarding the AFFH rule, or disparate impact, for Portland, Gresham and Multnomah County.</p>

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Outreach Subcommittee	<p>The Education and Outreach team last night were interested in moving forward with the storytelling event about fair housing with actors. Actors will address the concerns about exploiting people who have experienced discrimination, and will help us control the message, so no landlords will be negatively affected by the stories.</p> <p>Logistics: Which actors? What location? Fundraiser? Ticket sales? Videographer.</p> <p>Considerations: MWESB groups. Bilingual?</p> <p>Publicity: Both advertising the event and getting earned media, particularly TV</p> <p>Partnerships: Who can we team up with to consolidate skills, build audience?</p> <p>Considerations: Multijurisdictional?</p> <p>Content: Racial discrimination, domestic violence survivors, landlords, sexual minorities, service animals.</p>	<p>The Fair Housing TV Ads will be available starting in the winter of 2014</p> <p>Staff will investigate potential locations and partners. .</p>
Data Subcommittee	<p>Neisha, Jason Elisa and David met as the data subcommittee. The subcommittee discussed current data collection and analysis efforts, including the Portland Housing Opportunity project, efforts to map fair housing intake and complaint data and current school district data on child mobility. David shared that PHB had met with FHCO to review their mapping on fair housing intake data. PHB and FHCO agreed to work to combine fair housing data with the Opportunity Map data to analyze how access to opportunity impacts fair housing cases geographically. Neisha and Jason are both working with PPS on child mobility and transfer policies. They will share data as it becomes available.</p>	<p>Next steps: Continue to facilitate data sharing between PHB and FHCO to gain greater insight on opportunity and fair housing. Look specifically at the location issues of quality affordable housing and high performing schools.</p>