## seal

**February 4, 2020 Meeting Overview**

*Members Present*: Stef Kondor, Sarah Stevenson, Ramsey Weit, Cameron Herrington, Taylor Smiley Wolfe, Nate McCoy, Diane Linn, Fernando Velez, Felicia Tripp Folsom, and Jessy Ledesma.

***Staff Present:*** Molly Rogers, Jessica Conner, Shannon Callahan, Norma Trujillo, Kim McCarty, Stella Martinez, Jill Chen, Dana Shephard, Cassie Graves, Andres Oswill, and Thuan Duong.

|  |  |  |
| --- | --- | --- |
| ***Agenda Topic*** | ***Key Topics Covered*** | ***Recording Time*** |
| **Roll Call** | * Chair Nate welcomed everyone to the February PHAC meeting * Roll call was taken and recorded | 00:00:00 – 00:01:31 |
| **Public testimony** | * Windol Cador with TROSS Building and Maintenance:   + over 25 years   + Facilities maintenance for PSU   + Pearl District Christmas lighting   + Facilities maintenance for the City of Beaverton   + Kin Living – Property Management   + Would like to expand relationship with the City of Portland   + Chair Nate added that Windol’s company is the only minority owned company in Portland that does Property Management (that he is aware of) | 00:01:32 – 00:05:40 |
| **Open Discussion** | * Revisiting the Residential Infill Letter (RIP) per Commissioner Cameron and Commissioner Taylor’s request   + Vote in March   + Council is considering potential amendments   + Commissioner Cameron and Commissioner Taylor volunteered at the last meeting to draft a PHAC letter to Council expressing support for the project   + Approach was to avoid too much detail of the amendments and focused instead on two principals: 1. More housing availability of modest scale; and 2. measures to address displacement and result in regulated affordable homes * Commissioner Diane highlighted some points, but otherwise completely supports the letter * Commissioner Ramsey suggested underlining in the first sentence from “encourages” to the end of that sentence and underlining the last sentence of the last paragraph * Commissioner Fernando recommended adding a source/citation to corroborate that “Housing supply is not keeping up with demand”. Another suggestion was to delete “African Americans and Native Americans” and leave “People of Color and low-income Portlanders”   Motion by Commissioner Ramsey to adopt and send RIP letter to Council, seconded by Commissioner Diane, and passed by everyone present | 00:05:44 – 00:22:03 |
| **Additional Public Comment** | * Maggie “Portland Homeless Town Hall”   + Concerns about Inclusionary Housing targets   + Supportive of Mobile Dwelling Units | 00:22:13 – 00:27:45 |
| **Director’s Update** | Shannon Callahan   * Bureau is participating in a series of community conversations that the Mayor’s Office is hosting. The first one was last weekend at the PCC SE Campus, upcoming meetings:   + Beaumont Middle School Feb. 13th at 6:30pm   + University of Portland Mar. 3rd at 6:30pm   + Multnomah Arts Center Mar. 7th at 9am * Broadway Corridor Project, working on the final Community Benefits Agreement, parcel selection update for future PHAC meeting * Moving rapidly into the FAIR Rules trainings * Working on two things with Metro: Presenting Local Implementation Strategy (LIS) to Metro Oversight Committee and going to City Council with the strategy for the adoption. * Budget was submitted, and then there was a budget change. PHB now has clearer revenue projections from the Revenue Bureau related to Rental Registration collection fees - Revenue is comfortable with an assumption of $3M in revenue from the fee   Questions/Comments:   * Commissioner Ramsey requested an update on the Equitable Housing Strategy in the SW Corridor. Shannon deferred this conversation to a later meeting * Commissioner Sarah asked for a description of the Transient Lodging Tax (TLT) resource. Conversation with the Joint Office on Supporting PSH units with TLT * Commissioner Stef asked whether operating subsidies were subject to annual appropriations. No, TLT is not | 00:27:46 – 00:41:08 |
| **Manufactured Dwelling Park (MDP) Affordable Housing Bonus Administrative Rules** | Cassie Graves   * Not much has changed since the September presentation * Testimony has been reviewed, about to go into the Final Rule Issuance so that PHB can start taking applications for the program * Zoning code allows for an MDP to receive a density bonus in exchange for affordable housing – this came into place when R&P zones were created; makes it so that MDPs cannot become anything else * To qualify, the park must restrict at least 50% of its dwelling units to households earning no more than 60% MFI – 99-year Compliance Period * Rent is calculated in two ways:   + 1. Pad-Only MD Unit – MDP Owner does not own the MD Unit     2. Pad-Plus-MD Unit – MDP Owner owns the MD unit * Overview of application requirements and process * Overview of Compliance Requirements:   + Owners required to complete at effective date of their agreement and annually thereafter: Static Data Sheet, Web Compliance Management System (WCMS) and the Annual Compliance Test (ACT), and Tenant Income Certification (TIC) form   + Tenants’ income must be at or below 60% MFI at move-in, but they can remain eligible to qualify for the restricted MD Unit as long as their income does not rise above 100% MFI * Default: property falls into non-compliance when less than 80% of the restricted units are meeting the program requirements and may be subject to penalties if they fail to remedy compliance issues that last more than one reporting cycle. * Penalty: Equals the total square feet of all the MD Pads within the MDP multiplied by a penalty factor of $24 plus interest computed from the date of default. Current interest is .833% simple interest per month   Questions/Comments   * Commissioner Sarah asked if the program only applies to existing MDPs, or if it can apply to new ones. A new one would be subject to the R&P Zone, but this program would be available * Commissioner Ramsey asked what the density bonus was. Not something PHB calculates; would need to ask Planning and Zoning per individual site. Commissioner Cameron added that it is defined in the Zoning Code * Commissioner Taylor asked for clarification of program goal. To preserve the affordability that exists, possibly provide additional affordability in exchange for the ability to monetize unused density * Commissioner Taylor asked if there was an analysis on folks utilizing density bonus outside of their own park. The MDP Program is built around the parameters which PHB had to work with – no analysis was done * Commissioner Cameron has concerns regarding the .5 multiplier for the Pad rent if the home is owned by the resident – which means that the most the owner could collect on rent is $414 per month (assuming the utilities are not paid by the owner). Commissioner Cameron is aware of two MDP parks that are owned by an affordable housing non-profit in Cully that might not qualify for the bonus. PHB asked for feedback, specifically regarding this, but received none. MDPs do not need to meet the requirements going in, but will need to do so going forward * Commissioner Taylor asked if outcomes would be measured. PHB will track units and projects as they come in, but there is not really a good way to measure effectiveness. Shannon added that there were no targets set for the program | 00:41:12 – 01:04:42 |
| **FAIR Progress Update** | Kim McCarty and Andres Oswill   * Published final administrative rules for screening applications and security deposits last week * Permanent Administrative Rule - Rental Housing Application and Screening; highlights:   + Final – goes into effect March 1st   + Publishing notices at least 72 hours prior to Open Application Period   + Landlords are not liable for advertisements created by a third party   + For single unit advertisement, publishing requirements can be found in the Code itself   + PHB is working on a informational packet to send out to 12,000 registered landlords   + Rules are not a complete restatement of the Code, but they are a clarification of ambiguous points   + Explanation of different scenarios for receiving applications and how to handle them   + Clarity on Mobility Disabled applicants   + Section F: verifiable and repeated rental agreement violations for an application evaluation – narrow set of circumstances   + Minimum income requirements – see Rental Housing Application and Screening Minimum income Requirement Table published by PHB   + Right to request a Modification Notice or Accommodation Notice – notifies applicant of their rights and definition of a person with a disability   + Statement of Applicant Rights and Responsibilities Notice – required under Code. PHB will expand upon, make more accessible online   + Rental Housing Application and Screening Minimum Income Requirement: the table helps Landlords and renters know what the security deposit will be * Trainings on rules are being held now through June, there are targeted trainings for Landlords and Renters - in multiple languages. PHB is trying to reach as much people as possible – documents are being translated in multiple languages. Jessica will send the training links to the Committee * Permanent Administrative Rule – Rental Housing Security Deposits; Highlights:   + The amount of Security Deposit when the Dwelling Unit is regulated or certified as affordable housing by federal, state, or local government and the Rent or eligibility is periodically calculated based on the Tenant’s Income, the contract Rent amount can be used to determine the Security Deposit amount   + Security Deposit needs to be in a secure bank account   + Code also mentions how much a Landlord could use of the interest – 5% of the interest earned for administrative cost   + Condition Report is filled out by Renter, if the Landlord disputes, they can obtain joint third-party   + Rental History Form – simplified to get basic information from Tenant   + Definition of Depreciation Schedule; four categories: Appliances or Equipment, Fixtures that are Carpets and Window Dressings, Fixtures not Including Carpets and Window Dressings, and Personal Property   Questions/Comments   * Commissioner Taylor asked whether there would be specific training for Affordable Housing Providers. Not at the moment, opportunity in the future for RSO staff to offer trainings * Commissioner Stef asked for a quick summary of how Security Deposit Rules came about. There was by Landlords for more clarity * Commissioner Stef commented that The City of Oakland had strong advocacy groups for Renter’s rights and asked whether Portland had such Advocacy Groups. Yes, RSO supports a number of Advocacy Groups – main one is Community Alliance of Tenants (CAT) * Commissioner Fernando asked whether PHB would be monitoring which Landlords deposit into an interest-bearing account. No requirement that the Landlord report how they are managing their building. Tenant will need to dispute and go to court * Commissioner Cameron gave credit to the various Tenant Advocacy Groups that brought light and solutions to their rental issues | 01:04:43 – 01:38:29 |
| **General Participatory Rules** | Jessica Conner   * Commissioner Cameron asked whether Agenda items like Administrative Rules were required to go to PHAC. Falls in the realm of programs and program changes that PHAC should be aware of. FAIR Administrative Rules were requested by PHAC members * Commissioner Ramsey asked for clarity on how to solicit agenda items. Two-week minimum to get an item on the following agenda, this can be sent via email to Jessica or bringing it up during Open Discussion time * Commissioner Cameron requested that action items be identified and prioritized * Commissioner Taylor asked about the Work Plan, what areas are more pressing and in need of support. Chair Nate brought up a potential retreat to talk about agenda setting and participatory practices * Conversation will continue at next month’s meeting | 01:38:30 – 01:54:52 |
| **Good of the Order** | * Chair Nate adjourned PHAC   Next Meeting: Tuesday, March 3, 2020 | 01:54:53 - 01:55:02 |