

Resident Advisory Committee Meeting Minutes

January 21, 2025



RAC members present in person:

Allison Simon, Gary David Flanzer, Jerome Cherry, Kiara Jones, Loretta Donnelly, Mark Lowe, Michael Morrison, Peter Gula, Randall Lindsey, Roland Bayse, Vernesta Mackey

RAC members present virtually:

Jaque Strong & Sage Miller

CRH staff members and guests present:

Christian Krupp, Sasha Sobers-Outlaw, Valencia Chambers Manora, Kiley Dhatt, Chris Persons, Andrew Oommen, Andy Post

Facilitator:

Pat Hughes, Trillium Leadership Consulting

Public:

Saunatina Sanchez (Virtual), Pamala Blakely, Verma Smykatz-Kloss

The meeting was called to order by Valencia Chambers Manora at 6:02 p.m.

1. HDC Policy Recommendations Advocacy & Building Safety

The primary goal and concern of Community Roots Housing is to ensure safe communities that serve as the foundation for resident success. CRH's CEO Chris Persons presented a power point to the RAC which detailed the Housing Development Consortium proposals and the motivations behind them.

City Council Package:

The RAC agreed with the CRH position of policy proposals CEO, Chris Persons presented. These policies include:

- Rental Assistance Program: Create and fund permanent housing program. Requesting \$30 million fund from OH.
- Full repeal of the Roommate Ordinance
- Modest reform of the Winter School Year Moratoria
- Restore 3-day Notice to Quit Policy

Majority of RAC members were in agreement with this policy in the package. There were a couple of concerns about 3-day notices being overused and late fees being raised. Chris reassured and educated the RAC that the motivation behind this policy change is to promote safer buildings. With this policy change CRH can serve 3-day notices in cases of property damage that pose serious health and safety risks to other tenants. It is not to be abused.

- Modification of the Late fee cap to make it consistent with state law
- Modification of Rent increase Notifications from 6-month notices to 4-month notices.

Right to Council:

The Right to Timely Counsel was postponed for discussion because it's not in the city council package. CEO, Chris Persons will revisit this policy with the RAC at a later date. This policy includes:

- Timely invocation (Not part of the city council package)
Requesting the council holds to a schedule that ensures timely processing of cases. This would help to prevent delays in the eviction process which lead to dangerous behavior, lost rental income, and detrimental economic impacts on residents.

No Change Recommendations:

- First in Time
- Fair Chance (Ban the Box)
- EDRA (Relocation for economic displacement)
- RRIO(Inspections)

2) Review and Approve Final Charter:

A **motion** to extend the review time of the **Final Charter** was made by Randall Lindsey, it was not seconded.

A **motion** to approve the **Final Charter** was made by Sage Miller, seconded by Loretta Donnelly, and passed unanimously.

3) Upcoming February Meeting:

Max to bring CRH's grievance form to the February meeting. RAC members will adjust the form to fit the council's needs in the February meeting.

RAC members will continue their discussion on 2025 goals.

CEO Chris Persons will update the RAC in February as the HDC Policy Recommendations move through City Council

The meeting was adjourned by Valencia Chambers Manor at 8:05 pm.

HDC PROPOSED POLICY RECOMMENDATIONS

Overview

POLICY RECOMMENDATIONS OVERVIEW


- Policy recommendations intended to respond to the increase in high acuity behavior, antisocial, and dangerous behavior in our communities. Recommendations to improve economic health of resident and rental income of houser through normal payment and increased subsidy.
- **The primary concern and goal of CRH is to ensure safe communities that serve as the foundation for resident success.**
- Policy recommendations are narrow, targeted reforms. The notion that HDC is proposing sweeping reforms is nonsense. First in Time, Fair Chance (Ban the box), EDRA (Relocation for economic displacement), and RRIO (Inspections) are all supported by CRH and HDC. CRH staff led in the creation of the Fair Chance ordinance.
- Policy recommendations are narrow, targeted reforms.
- **The center piece of these recommendations is a \$30 million fund to provide a rental assistance program.**
- As a member of HDC, CRH has participated in creating these policy recommendations. Note that the HDC recommendations are sector-wide recommendations representing a consensus among organizations that hold nonidentical perspectives.
- CRH has considered the resident view in this work. We hear from residents daily who want us to do more to keep properties safe.
- We are seeking Resident Advisory Council input.

POLICY RECOMMENDATIONS OVERVIEW

- CRH staff do not fully support each of the recommendations, but the recommendations come to us as consensus recommendations from all HDC, City Council and the Mayor's Office.
- Other related major policy and public investment challenges that are not addressed in these:
 - Lack of a process for relocating tenants between fully independent housing and permanent supportive housing.
 - Lack of beds for people facing challenges brought on by untreated serious mental and behavioral health illness.
 - Lack of general support for people facing mental or behavioral health crisis or drug addiction crisis.
- Policy recommendations are narrow, targeted reforms to better ensure safe environments in our communities.

TIMELINE AND NEXT STEPS

- Early 2024 to now: **HDC** creates task force (including CRH staff) to create consensus on policy recommendations including negotiating with the Office of the Mayor and City Council.
- Jan 13: **Staff** introduce policy recommendations to Board. For discussion, input and advisement.
- Jan 21: **Staff** discuss with RAC for input and advisement.
- Jan 29: **City Council** uploads proposal to the Council portal
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Revisions and negotiations ongoing

HDC PROPOSED POLICY RECOMMENDATIONS

Detailed Discussion

Rental Assistance Program: Create and fund permanent program in OH

Problem

Lost rental income. Harmful economic impact on resident.

In the CRH Portfolio we continue to see residents struggle while at the same time our collections remain well-below normal collections taking resources out of the portfolio.

HDC Position

The city should establish a rental assistance program for tenants without income.

Funding could come from the Housing Levy homelessness prevention program which was allocated \$30 million, targeted to the OH portfolio.

CRH Staff View

Staff strongly agree: CRH has advocated for such a fund since the pandemic. CRH has had its own rent relief fund for a decade and is experimenting with a trial program now.

Additional solutions:

- Work with tenants who are challenged: place on payment plan or connect to rent support.

Roommate Ordinance: Fully repeal

Problem

Dangerous behavior.

This ordinance makes it impossible for housing providers to know who is supposed to be in the building and enforce security. It also makes it impossible to help residents who have people squat in their apartments against their will.

HDC Position

Current ordinance allows unauthorized individuals to establish residency, while prohibiting housing providers to screen for eligibility. Erodes accountability and the enforcement of lease terms. The requirement complicates income compliance requirements in affordable housing. Jeopardizes the tax credit status of affordable housing and result in tenants losing access to services.

CRH Staff View

Staff strongly agree. To maintain a safe building, we must know who lives there. Vulnerable adults often taken advantage of. Our units are income qualified. Tenants are required by our funders to be screened.

Additional solutions:

Tenants can seek to have people added to their lease but must meet regulatory agreements, laws and fair housing rules. At landlord discretion.

Roommate Ordinance: Fully repeal

CRH Experience

Example 1: A tenant in one of our buildings had their partner move in with them and the partner never joined the lease. When the couple broke up and the original renter wanted them to leave, the partner refused. CRH was unable to evict the person because law requires us to offer them the opportunity to join the lease. We must serve with a notice and allow for 90 days to elapse in order to evict that person, and that's only the beginning of the eviction process. This time delay allowed this person to terrorize their former partner and the rest of the building for months. In that time, they were abusive to their former partner, were abusive to staff, and shoved a security guard down the stairs resulting in a broken pelvis.

Example 2: In another CRH building, the primary leaseholder had vacated the unit and gave their keys to friends, who began squatting without being on the lease. CRH attempted multiple times to offer tenancy to the squatters without success, and had to move through the slow court process to get them evicted. In the meantime, they continued to smoke illegal drugs in the unit, which spread through the apartment building and made other tenants feel unsafe.

Winter and School Year Moratoria: Modest reform

Problem	HDC Position	CRH Staff View
<p>Dangerous behavior. Lost rental income.</p>	<p>Moratoria are unfunded mandate adding to eviction court backlog. Fund rent assistance.</p> <p>Moratoria apply universally, providing eviction protection to tenants with verified incomes, who don't have children in school or are causing harm.</p> <p>Protections should cover evictions for non-payment of rent for those with a verified loss of income.</p>	<p>Staff agree. Families with children in school and people without ability to pay rent <u>should not be</u> evicted during these blackout periods. However, this is another unfunded mandate.</p> <p>Additional solutions:</p> <ul style="list-style-type: none"> • Work with tenants who are challenged to place on payment plan or connect to rent support. • More rent support in City.

Winter and School Year Moratoria: Modest reform

CRH Experience

The current regulation simply prevents the sheriff from enforcing an eviction (also called enforcing a “writ of restitution.”) Being unable to enforce evictions during the school year and winter for all residents creates a legal bottleneck in court and police resources to enforce evictions for dangerous situations. If we have a serious situation we need to act timely on, if it happens at the end of the school year, it’s unlikely to be able to move quickly because there’s a huge wave of evictions that have been backed up waiting for the school year to end.

These moratoria also simply delay eviction but do not provide any additional resources for the renter. Moving through this lengthy process adds to the debt accumulated when the tenant is eventually evicted and puts an eviction on their record.

Three-day notice to quit: Restore

Problem

**Dangerous behavior.
Unhealthy traumatizing
conditions.**

Delays allow dangerous people to continue to reside in housing damaging the community, property, creating unhealthy and traumatizing conditions.

HDC Position

Currently, SDCI interprets the requirements as necessitating evidence of physical harm to another person. We need clarity on exactly what type of evidence and documentation is required. Additionally, we want to prioritize the safety and well-being of all residents, by allowing for a 3-Day Notice to Quit to be served in cases of property damage that poses serious health and safety risks to other tenants.

CRH Staff View

Staff agree. SDCI interpretation is in order to issue a 3 day there has to be evidence e.g. police report and bodily harm. Plus HJP has the requirement to file with SDCI as a defense.

Additional solutions:
Increasing live security and security cameras. Increasing outreach to police.

Three-day notice to quit: Restore

CRH Experience

Example 1: At one CRH building, we had a tenant who was turning on their faucet and flooding out the unit below them on a regular basis. Water would rain down from the ceiling and walls to the unit below. Under current SDCI interpretation, property damage does not qualify for a 3-day notice, and neither does threat of physical violence, only actual “bodily harm” that has already occurred. CRH issued several 10-day notices to comply or vacate. Things would improve for a while but then after the notice expired, it would reoccur. In the meantime, drywall fell down in the unit below and there was little CRH could do except try to stay on top of the maintenance problems caused by it. It created nearly uninhabitable living conditions for the neighbor below.

Example 2: At another CRH building, one resident was suffering from severe mental health challenges that seemed to be precipitated by the COVID-19 pandemic. He began to do drugs. He would run up and down the halls naked, swinging hammers and banging on walls. He threw oil at his neighbor. He broke out his window and threw many heavy items out onto the back patio of the building. He physically assaulted his neighbors. Police would show up but wouldn’t enter the unit to make an arrest.

Three-day notice to quit: Restore

CRH Experience

The tenant refused social services. He was in and out of psychiatric treatment throughout this period. If he got arrested, he would get psychiatric treatment and then would be released. He was charged with felony assault a couple of times, but in order to get treatment it gets dropped down to a misdemeanor assault rather than felony assault. Because he did not have a felony assault on record, CRH was unable to issue a 3-day notice and had to issue 10-day notices that would expire prior to the next incident.

Additionally, the housing provider has to include the name and unit number of any other tenants in the building who are witnesses to the danger behavior, and many tenants fear retaliation and do not want their name on the paperwork, making it impossible to report. It took 3 years to resolve this situation. We were able to finally get a felony charge to stick, and because of that we got a stipulated agreement (mutual termination). He violated his stipulated agreement so we had to proceed with eviction, but was able to eventually get a social worker/case manager to help him get into a shelter.

The current interpretation of this regulation by SCDI allowed this resident's neighbors to feel fearful and unsafe in their own homes for 3 years, despite persistent efforts by CRH to evict the resident.

Right to Counsel: Timely invocation (Not part of the City Council Package)

Problem	HDC Position	CRH Staff View
<p>Dangerous behavior. Lost rental income. Harmful economic impact on resident.</p> <p>Delays allow dangerous people to continue to reside in housing damaging the community, property, creating unhealthy and traumatizing conditions.</p>	<p>Ensures that legal representation is sought when most needed.</p> <p>Prevent unnecessary delays in the eviction process.</p> <p>Allow cases to be heard before additional months of rental arrears accumulate.</p>	<p>Staff agree. <u>No one is advocating to get rid of right to counsel</u> only that it should hold to a schedule that assures timely processing of cases. Early intervention that means tenants need to come to the table. Residents often do not participate.</p> <p>Additional solutions: Mutual termination. Eviction prevention. They should talk to their attorneys asap.</p>

Late fee cap: Modify and make consistent with state law

Problem	HDC Position	CRH Staff View
<p>Delayed rental income.</p> <p>Late fee cap was set at \$10 which provides no monetary incentive for residents to be timely with rent payment.</p> <p>In the CRH Portfolio we do not see this is the most important issue to push on.</p>	<p>Aligning Seattle’s policy with state law by capping late fees at 3% of rent—while adding an additional protection limiting fees to \$50—ensures late fees are reasonable, proportional, and effective.</p> <p>The current \$10 cap on late fees is insufficient to encourage timely rent payments.</p> <p>Reasonable late fees foster timely payment habits and incentivize for tenants to stay current on rent.</p>	<p>Staff are neutral.</p> <p>The difference between \$10 and \$50 for someone who is \$1,000 late on rent is not likely to impact their behavior. It is an additional economic burden for them.</p> <p>Additional solutions:</p> <ul style="list-style-type: none"> • Get the tenant meet with us and go on a payment plan or seek rental assistance.

Rent increase notice: Modify

Problem

The current 6-month notice for any rent increase is overly burdensome, making it difficult for housing providers to respond to market conditions and operational cost changes.

Policy forces housers to always go to the top of max rents.

In the CRH Portfolio we do not see this is the most important issue to push on.

HDC Position

Change from the current 6-month notice for any rent increase to a 4-month notice of any rent increase below 8% and retain the 6-month notice of any increase above 8%.

Allow tenants to break a lease with 30-day notice after receiving notice of a >8% rent increase.

CRH Staff View

Staff are neutral.

Although we feel it is unrealistic that people will change behavior because of the long notice time eg budget differently or find new housing with a 6 month notice, and believe that the long term notice makes business planning difficult and will incentivize more aggressive rent setting by housers, we do not feel that this is the most important issue to pursue.

Other issues: No change recommendations

Problem	HDC Position	CRH Staff View
<ul style="list-style-type: none">• First in Time• Fair Chance (Ban the box)• EDRA (Relocation for economic displacement)• RRIO (Inspections) <p>Although these rules can cause complications, the above listed remedies should suffice.</p>	<p>No changes</p>	<p>Staff agree. CRH staff were very involved in the creation of the Fair chance ordinance.</p>

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