

# NEWTON FAIR HOUSING COMMITTEE

Newton Housing & Community Development Program  
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## December 2, 2009 Meeting Minutes

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**Fair Housing Committee members in attendance:** Sheila Mondshein (Chair), Nadine Cohen, Sandi Fromm, Phil Herr, Josephine McNeil, Girard Plante, Esther Schlorholtz

**Staff:** Bev Droz, Trisha Kenyon Guditz, and Robert Muollo, Jr. Kathleen Cahill

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### 1. Review and approval of November minutes

Josephine requested that the language on page 2, 4<sup>th</sup> to last paragraph be changed to "Office of the Mayor." The minutes were approved, as revised.

### 2. FHC membership and meeting with Mayor-Elect updates

Robert reported that the necessary paperwork was in the Office of the Mayor at this point and that the Mayor's Office needs to contact the two new members to schedule a meeting. Roberta and Girard will be the two new Committee members.

*Regarding the meeting with the Mayor-Elect:*

Sheila reported that she and Trisha discussed how to best contact the Mayor-Elect. Sheila said that Trisha recommended sending an introductory letter to the new Mayor. Esther suggested that the language "all types of" [housing discrimination] be included in the letter to elaborate on what the FHC focuses on. The FHC approved the letter, as revised. Sheila will send the revised letter to the Mayor-Elect.

### 3. Status of training plans and other work items

Sheila submitted the FHC Work Plan for FY2010 in further revised form to the FHC. Sheila noted the importance about starting fair housing training for real estate agents. Sandi suggested that the real estate training happen in February, before the spring buying season and asked if it made sense to combine the January and February trainings. Sheila reiterated that there will be two different training sessions to accommodate the two different types of audiences and focus of the workshops. The two

trainings will be for housing counselors and social service providers and another for real estate agents.

Sheila said the MCAD price per person is \$25 with a \$250 minimum. MCAD also requires a precise number of people attending, and payment must be on the same day.

The FHC expressed the difficulties with these requirements; the FHC and the City requires more flexibility. Nadine is on the MCAD Advisory Committee and will ask if MCAD can be more flexible with these requirements.

The FHC decided that Nadine and the Fair Housing Center of Greater Boston are the top choices for the realtor training. For the housing counselor and social service provider training, Nadine and Sheila will work together to find the best trainers available from either the Fair Housing Center or the Massachusetts Commission Against Discrimination.

*Regarding the Accessibility consultant component of the Work Plan:*

Phil stated that the Inspectional Services Department (ISD) must want to be in compliance with accessibility if securing a consultant is to be successful. Nadine agreed and believed that the Mayor-Elect needs to be brought into the process because the Commissioner of ISD, John Lojek, needs to be an active stakeholder in the process.

It was noted that public accommodation compliance is being handled well by David Norton in ISD, but housing issues are not being adequately addressed on a Federal level. Bev stated that there is a lack of resources to devote the time needed for a full-time 504/ADA Coordinator.

Phil said that the access consultant needs to work with all the applicable committees and departments and that the Mayor needs to be part of the study. Phil also wondered if there should be a task force or working group to move ahead on the issue. The FHC agreed that a scope of work for the consultant should be crafted by the FHC to outline the role intended and be shown to the Mayor-Elect.

#### **4. Discussion on FY11-15 Analysis of Impediments to Fair Housing Choice (AI)**

Robert described the intent of the 11/25/09 memo to the FHC which includes a table of impediments to fair housing choice relevant in the present day along with corresponding actions and recent feedback from the Human Rights Commission and

the Mayors' Committee for People with Disabilities. Robert asked the FHC which impediments are not identified in the memo.

Nadine pointed out that the action steps need to include the number of housing complaints in Newton. Sheila and Robert said this data has been collected and this information is included in another part of the AI.

Nadine also suggested that the City work to keep 40B developments and that a lack of affordable housing in Newton is an impediment. Esther said that the siting of affordable housing can be an impediment along with neighborhood opposition to affordable housing. Josephine believed that in some instances, the requirement of neighborhood notification required by the affordable housing development process can be an impediment.

Phil suggested that the impediments that still exist be recast in order to be updated and accurate. It was noted that the impediment "Residential uses in business district zones..." on page two is incorrect, and should rather state that "dimensional requirements for commercial / business district zones are inappropriate for residential uses." It was also noted that the impediment on page 3 of the memo should include "affordable" before "rental units."

Sheila asked for clarification on the limited fair housing monitoring of Chapter 40B and Inclusionary Zoning Ordinance developments impediment. Robert explained that the City is not charged with monitoring 40B projects; these are under the purview of MassHousing and other financing agencies. Robert provided clarification on what City staff reviews when monitoring affordable housing developments.

Sheila believed that the impact of foreclosures on housing diversity should also be considered as an impediment, and would need a related action. Sheila wondered who is being foreclosed on. What are the values of these properties? Who is being affected?

Regarding the 4<sup>th</sup> impediment listed on page four, Phil commented that Staff needs to do a better job at making the local resident selection preference guidelines included in the Fair Housing Action Plan consistent across all housing programs, and believed this guideline may need to be revisited.

## **5. Review of revised Accessibility Needs Section in Consolidated Plan**

The FHC agreed with the language of the revised draft Accessibility Needs Section of the Consolidated Plan. Sheila made some editorial and legal citation changes, which will be incorporated into the final draft.

## **6. Other Business:**

*Regarding the Privacy Act / fair housing issue:*

Sheila reported that in response to a question posed by a Section 8 recipient who is a person with a disability HUD has advised that the NHA may not forward an individual's social security number to private third party vendors including medical providers for expense verification but must instead use a different verification process. Following discussion, FHC members agreed that insofar as the argument has been made that providing social security numbers to such vendors impacts more adversely on persons with disabilities and thus may constitute a fair housing violation there are options for filing a housing discrimination complaint with MCAD, HUD, or Newton Human Rights Commission, and any claimant should be so advised.

*Regarding the status of Applications for CDBG Access Funds:*

Kathleen Cahill from the Planning Department gave an update on the status of applications for CDBG Access funds for FY11-15. \$123,000 in funding is available each year for five years. Kathleen stated that she has not received any applications yet, but has spoken with Parks and Recreation about a ramp for the Parks and Recreation Department office on Crescent Street, which is also listed in the ADA Transition Plan.

There has been limited contact with the Public Buildings Department, who is responsible for the other locations not fully handicapped accessible which are listed in the ADA Transition Plan. Kathleen stated that it ultimately comes down to the departments to whether or not they will submit an application. Sheila and the Fair Housing Committee will be provided with updates from Staff as they arise.