

CITY OF SOMERVILLE, MASSACHUSETTS
FAIR HOUSING COMMISSION

Joseph A. Curtatone
Mayor

Staff

Bryant Gaspard

Commissioners

Claudia DeAndrade
Patrice Faulkner
Dennis Fischman
Rona Fischman
Natasha Sierra

Meeting Minutes

January 31, 2020

Auditorium room-Somerville Library
79 Highland Avenue, Somerville, MA
10:00 am

The meeting began at: 10:10 am.

Attending: FHC members Patrice Faulkner, Dennis Fischman, Rona Fischman and Natasha Sierra; City staff, Bryant Gaspard.

Minutes distribution (upon acceptance) to: FHC members and others attending; also posted to City website

I. Standing Agenda Items

Meeting Minutes: Members reviewed draft minutes from the December 19th meeting that had been prepared by Bryant Gaspard and reviewed by Michael Feloney. Dennis Fischman made a *motion* to accept the minutes which was seconded by Rona Fischman and unanimously *approved*.

Facebook page update: Dennis discussed a couple of Facebook posts that were the most popular and had the most engagement (shares). One of the Facebook posts was the question of the week in regard to whether a landlord may raise a tenant's rent on January 1, 2020. The answer is dependent upon if the tenant has an existing lease or is a tenant at will. If they have an existing lease the landlord has to wait until the lease expires to increase the rent and if they are a tenant at will the landlord must give 30 day notice in writing of a rent increase.

The second question of the week was if it is against the law for the lease to require a tenant to shovel. If the tenant has their own exclusive use to an entryway in addition to the common entrance then they are responsible for shoveling their own entryway. Otherwise, the landlord is responsible for shoveling if there is one common entryway.

The Facebook post that had the most engagement and strongest reaction was a post regarding an anti-Semitic video posted on the Facebook page of the Republican Party from Rockland County, New York. The video cites overdevelopment of large family housing and "takeover" by the ultra-Orthodox Jewish population in the county. Rona discussed the recent violent and anti-Semitic attacks in Rockland and other parts of New York that were unacceptable and important to acknowledge as incidents of hate crimes.

Review of Calls/Issues/Complaints: Bryant informed the commissioners about two recent fair housing complaints that he received in January. One of the complaints received via email was in regard to a tenant expressing frustration that the management of her building was not willing to complete certain paperwork that would allow her to receive financial assistance to pay back her rental arrears. The tenant believed they were being discriminated against based on Race, Color and Source of Income because they were seeking financial assistance from a third party agency. Bryant shared that he called the tenant to discuss the issue, but has not heard back from them. He will attempt to contact them again.

The second complaint was received via a phone conversation where a resident shared that they have been discriminated against based on source of income because they have a Section 8 voucher. They stated that the owner of a property did not want to rent to them because the owner was wary of the inspection process. Bryant provided the tenant information and resources such as Suffolk University's testing program where they could file a fair housing complaint and pursue testing.

II. Update on Specific Activities

Bryant shared an op-ed piece from the New York Times about the proposed regulatory changes to the Fair Housing Act, written by former Housing and Urban Development (HUD) Secretary Shaun Donovan. In the piece Donovan discussed key protections in the Fair Housing Act that were enforced and advanced when he was the Secretary of HUD during the Obama administration, such as disparate impact and promulgation of the Affirmatively Furthering Fair Housing rule. Disparate impact relates to policies or practices that discriminate against people of color or other protected groups and are illegal even without proof they are intentional. The Affirmatively Furthering Fair Housing rule was a mandate that local governments promote greater opportunity and integration in their communities as well as fight discrimination.

Former Secretary Donovan noted that each of these protections play a pivotal role in enforcing fair housing law and that addressing only intentional discrimination is not enough for people of color to overcome the consequences of centuries of oppression. Lastly, Donovan shared his belief that the current administration seeks to gut the Fair Housing Act by imposing proposed rules that increase the burden to bring forth a disparate impact suit. Dennis discussed how housing discrimination is one of the causes of the racial wealth gap between white and black Americans because the ability to own a home is often the largest asset a family owns and can convey to their children and/or other relatives.

Bryant presented ideas for the April 2020 fair housing event and suggested collaborating with the Community Action Agency of Somerville (CAAS). One idea is to plan a workshop for Somerville residents who are currently searching or will be searching for housing soon, especially those with section 8 vouchers. In addition to the housing search component, Bryant wanted to invite staff from Suffolk University's Housing Discrimination Testing Program to discuss the work they do

Staff would present about filing a fair housing complaint with their office, explain what testing is and how it is useful to uncover housing discrimination. Bryant explained that he thought of this idea based on his experience in hearing from households who are members of protected classes and the struggles they go through in trying to find housing and being discriminated against. He has often heard that these households never received call backs, had few apartment referrals and showings and, in a few cases, were met with refusal by an owner and/or realtor to rent to a household who is a member of a protected class such as source of income, disability, race and/or having children.

Dennis shared that he thought the housing search/testing workshop idea made sense and would be beneficial to many households, especially since 2/3 of Somerville residents are renters. He added that we should consider asking various City Council members to advertise the event to their constituents. Rona expressed that it was important to have flyers and that fellow commissioner Claudia DeAndrade is very good at determining if a flyer is sufficient enough that a broad group of people will read it.

Rona added that it was very important to figure out talking points and form a thorough and clear message. In regard to possible locations to hold the event, Patrice suggested the West Somerville Neighborhood School and the Tufts Administration Building near Davis Square. Dennis mentioned Temple B'nai Brith as a possible location because it is a sizable venue, handicap and MBTA-accessible, and has some parking.

Patrice suggested that in addition to the Housing Search/ Testing workshop that it may be worthwhile to have some talking points about the expansion of the Green Line project (GLX) on housing prices. Rona agreed with Patrice and added that her peers in the real estate industry have discussed the cost of housing near the GLX stations. She shared that some of the inflation in housing prices in Somerville is directly related to GLX project and the desire for people to live near one of the stops. Dennis asked that a date, time and location be set for the workshop by the time the Commission meets again in late February.

III. Announcements

Bryant announced that CAAS's Volunteer Income Tax Assistance (VITA) program will help households file their taxes for free if they earn below \$56,000 in a year. He noted that households have to call in advance to set up an appointment. He also informed the commissioners of the First Source Job initiative created by the Somerville Community Corp (SCC).

Dennis announced that it was important that meeting times correspond with the availability of the commissioner who is designated as a tenant in assisted housing in Somerville. He shared that it is important to hear this commissioner's perspective and opinions about fair housing issues in the City and he would not be available for meetings if the schedule did not allow this commissioner to attend.

A *motion* to adjourn was introduced by Natasha and seconded by Patrice and *approved* unanimously. The meeting was adjourned at 11:27 am.

Documents distributed at meeting:

- Flyer for VITA program at CAAS
- Flyer for First Source Job program at SCC