

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

September 26, 2019

Auditorium room-Central Library

79 Highland Avenue, Somerville, MA

4:00 pm

The meeting began at: 4:01 pm.

Attending: FHC members, Patrice Faulkner, Dennis Fischman and Rona Fischman; 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 August 22nd meeting that had been prepared by Bryant Gaspard. Dennis Fischman made a *motion* to accept the minutes which was seconded by Patrice Faulkner and unanimously *approved*.

Facebook page update: Dennis shared that two particular Facebook posts in September were the most popular and had the most engagement (shares). One post was about municipalities that penalize households perceived to be “nuisances” under so-called chronic nuisance ordinances (also known as CNOs). A household can be defined as a nuisance if it reaches a certain threshold number of nuisance infractions. Most of these ordinances will designate homes as nuisances based on calls to 911. Landlords are then encouraged, or even legally required, to “abate the nuisance,” which means that landlords have to either evict the tenants or stop them from calling 911 for help. As a result individuals with mental health needs and domestic violence survivors are at risk of eviction if they call 911 too often which runs afoul of the Fair Housing Act. Rona shared that in her opinion the number of 911 calls would not be so high if victims were taken more seriously about concerns for their safety. The second article was in regard to a municipality denying a permit for an assisted living facility in its downtown area. Town officials questioned whether assisted living residents would patronize local businesses and suggested that the senior living facility be built in a different location. Sunrise Senior Living, the organization that operates the assisted living facility is suing the Town Council of Vienna, VA for \$30 million for violation of Virginia’s fair housing law.

Review of Calls/Issues/Complaints: Bryant informed the commissioners about a recent Fair Housing complaint that involved an international student from China. The student had just moved to Massachusetts and was already finding bad conditions in his apartment such as excessive ants. He

informed the landlord (who is also Chinese) about the conditions, but nothing was fixed so the student ultimately called the Inspectional Services Department (ISD). The landlord found out about the phone call to ISD and became infuriated and began to verbally and in writing call out the tenant by claiming he was a “Chinese spy” who worked as an agent for the Chinese government. Bryant spoke with the tenant and the tenant did file a complaint with MCAD and was considering leaving the premises. The tenant also withheld rent for a month and the landlord served him with 14 day notice to quit (non-payment of rent). Bryant will follow up with the tenant if he has decided to vacate the premises. Rona shared that in her opinion if the landlord was not a U.S. citizen, but rather a Chinese national then she could believe that the Chinese government could send people to spy on him, but in this case he may just be upset that the tenant exerted his rights and he could not bully him.

II. Update on Specific Activities

AFFH (Affirmatively Furthering Fair Housing)-Draft of Housing Needs Assessment/Financial Feasibility Analysis. Bryant informed the commissioners that the draft for the 2018-19 Housing Needs Assessment (HNA) is almost complete and provided some insight into the interviews with developers that was conducted by the HNA consultant. Bryant shared that some developers informed the consultant that they will no longer build in Somerville because of various issues such as the time frame of the permitting process, fees and costs they have to pay out to the City and the amount of inclusionary units required for a project. The developers also added that if you lowered the inclusionary unit trigger (Currently, a six unit building will trigger 1 on site affordable unit or a fractional payment of 0.4) from 6 to 4 there will be less development in Somerville. Rona was not surprised by the developer’s comments and reiterated that they will just develop the minimum amount of units to avoid providing an inclusionary unit. Patrice added that in her opinion developers are not conscious of nor are they concerned with helping to build communities; they would rather do what is minimally required under the law.

Rona expressed that in her opinion developers should build multiple family sized units that may cost a couple of hundred thousand dollars instead of building one or a few units that are over a million dollars. She believes they would still make the same amount of profit, if not more and it would allow for more housing units at a much more reasonable cost. Dennis added that developers are trying to attract the households that can afford a market rate unit, whether it is a rental or condo and those households are very different compared to those that can only afford an inclusionary unit.

Bryant provided the commissioners some information about redevelopment plans for Clarendon Hill, a public housing development owned and operated by Somerville Housing Authority. According to the updated site plan that Bryant shared there have been some proposed changes to the redevelopment plan such as having taller buildings, increase of parking spaces and increase in middle income units between 80%-110% of Area Median Income. Additionally, payment of prevailing wages by all the developers and possibly shorter relocation period for families because of the use of the new construction technology are also part of the updated plans. Patrice expressed her concern regarding the timeframe for families to come back to Clarendon Hill, even if it is shortened because relocation can be difficult once a family has settled somewhere else. She also shared that since she lives in the general area of Clarendon Hill she is worried about the changes in demographics and that most of the diversity that exists in the area comes from the tenants at Clarendon Hill. Dennis agreed with

Patrice's sentiment and added that he does not believe that all the families will go back to Clarendon Hill even if they have a right to.

III. Announcements/Updates

Bryant informed the commissioners about a current affordable homeownership opportunity located at 260 Beacon Street in Somerville. Two (2) affordable condominiums are available to households earning low or moderate income. Applicants must submit a First Time Home Buyer certificate or proof of enrollment in the course, a Pre-Mortgage approval, and some sort of verification that you live or work fulltime in Somerville to receive the residency preference. Once the application is complete and eligible it will be entered into a Lottery pool.

A *motion* to adjourn was introduced by Rona and seconded by Patrice and *approved* unanimously. The meeting was adjourned at 4:59 pm.

Documents distributed at meeting:

- Clarendon Hill Update Site Plan