



Ruthanne Fuller
Mayor

Barney Heath
Director of
Planning & Development

Malcolm Lucas
Housing Planner

Members

Esther Schlorholtz, Chair
Donna Rigg, Vice-Chair
Judy Korzenowski
Josephine McNeil
Tatjana Meschede
Alexandra Weiffenbach
Steve West

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

MEETING AGENDA

Date: December 6, 2023

Time: 8:00 a.m.

Place: Virtual (Zoom)

Zoom Online Meeting: <https://newtonma-gov.zoom.us/j/81619264161>

The Fair Housing Committee will hold this meeting as a virtual meeting on Wednesday, December 6, 2023, at 8:00 am. No in-person meeting will take place at City Hall. To view and participate in this virtual meeting on your smartphone, download the "ZOOM Cloud Meetings" app in any app store or visit www.zoom.us. At the above date and time, click on "Join a Meeting" and enter the following:
Meeting ID: 816 1926 4161.

You may also join the meeting from your smartphone by dialing 1(312) 626-6799 and entering 81619264161# For audio only, call 1(312) 626-6799 and enter **Meeting ID: 816 1926 4161.**

To view and participate in this virtual meeting on your computer, at the above date and time, either copy the attached link into your browser or visit www.zoom.us, click "Join a Meeting" and enter the following **Meeting ID: 816 1926 4161.**

To view meeting documents, [click here](#).

- 1. Approval of November 2023 minutes**
- 2. Confirmation of 2024 Committee Schedule**
- 3. Landlord/Tenant Training Program**
- 4. Zoning Update**
- 5. Fair Housing Statewide Proposals**
- 6. Newton Lottery Process Follow-up**
- 7. Discussion of 2024 Committee Priorities & Subcommittees (See agenda items 8 and 9)**

8. Subcommittee Updates

- **Lottery Results & Lease-ups Sub-Committee**
- **Membership & Nominating Sub-Committee**
- **Fair Housing Award Sub-Committee**
- **Fair Housing Literature Sub-Committee**

9. Fair Housing Committee Priorities Discussion

FH Protected Groups

- **Promote housing choice for diverse populations to advance Affirmatively Furthering Fair Housing (AFFH), with focus on race/ethnicity, public subsidy, and disability**
- **Promote Diversity, Equity, Inclusion and Belonging in Newton**
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Learning/Teaching

- **Enhance FH literature and website information and access for the public**
- **Promote FH training for real estate professionals, landlords, tenants, the public and committee members**

Data and Analysis

- **Promote data collection on multi-family rental and new homeownership occupancy**
- **Enhance Project Review of Housing Developments to advance AFFH**
- **Support AI/Consortium Fair Housing Testing and FH testing in Newton**

Collaboration

- **Collaborate with Related Newton Commissions and Committees to increase affordable housing for households of various sizes and lower incomes and to encourage increased funding for affordable housing**
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- **Support federal, state and city initiatives that promote AFFH**
- **Collaborate with Human Rights Commission on Fair Housing Complaint Process**
- **Contribute to Newton's FH-related plans**

- **Address committee membership appointments with representation from Human Rights Commission and legal counsel with FH specialty**

Next meeting Wednesday, January 3, 2024

*Supplementary materials are available for public review in the Planning Department of City Hall (basement) the Friday before the meeting. For more information contact **Malcolm Lucas at 617.796.1149**. The location of this meeting/event is wheelchair accessible and Reasonable Accommodations will be provided to persons with disabilities who require assistance. If you need a Reasonable Accommodation, please contact the city of Newton's ADA/Section 504 Coordinator, Jini Fairley, at least two business days in advance (2 weeks for ASL or CART) of the meeting/event: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711



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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

MEETING MINUTES

Date: November 1, 2023

Time: 8:00 a.m.

Place: Virtual (Zoom)

Members Present: Esther Schlorholtz, Chair

Donna Rigg, Vice Chair

Judy Korzenowski

Tatjana Meschede

Steve West

Members Absent: Josephine McNeil

Alexandra Weiffenbach

Staff Present:

Malcolm Lucas, Housing Planner

Jini Fairley, ADA/Sec. 504 Coordinator

Lara Kritzer, Director of Housing and Community
Development

Allison McIntyre, Housing Development Planner

Public Present: Julia Malakie, Council

Sharyn Roberts, League of Women Voters Newton

Nancy Kritzman

Brooke Ghaly

Malcolm Lucas, Housing Planner served as recorder, Esther Schlorholtz, Chair, called the meeting to order at 8:00 a.m.

To view meeting documents, [click here](#).

1. Approval of September and October 2023 minutes

- Upon a motion by TM, JK seconded the motion. The September and October 2023 minutes were approved 5-0-0.



2. Annual Training Program Updates

- ES stated that the committee has been planning with Suffolk Law's Housing Discrimination Testing Program. ES stated the first training is now formalized for January 17 at 8:30 am. The training will be on fair housing for real estate professionals. ES stated that they are now coordinating with Suffolk Law to provide a training for landlords and tenants. There is not a formal date at this time, but the committee would like to have it around the first two weeks of December. ES stated that if this time is too soon that a later date will be around the spring of next year. ES stated that there will not be a cost associated because HUD funds Suffolk to provide training. The goal is to target tenants, especially from the Newton Housing Authority and the 12 suburban communities that are part of the WestMetro Home Consortium. ES stated that the training will most likely be in the evening and will be an hour and a half as recommended by the committee. She said that we will be seeking co-sponsors including the Commission On Disability (COD).

3. Cambridge Resident Experience Study Follow-up

- ES stated that TM produced a summary of the study and thought it would be valuable for the committee to review the updated version. The Cambridge Resident Experience Study involved the study of inclusion and bias among inclusionary housing program (IHP) participants of affordable housing and mixed income housing in Cambridge. It included residents of multi-family housing and owners and their experiences of inclusion and bias.
- ES stated that she and Planning met with Chris Cotter, Director of Housing and Community Development at the City of Cambridge, to get their insights on this, why did they do the study and what are the results from the study. ES also stated that she would like to know how Newton and the WestMetro HOME Consortium could benefit from this study. ES stated that a staff member who joined the meeting stated that Cambridge residents in the inclusionary housing program generally really like living in their housing and neighborhood.
- ES stated that they also said that 40% of all renters and 41% of all owners of IHP units reported encountering bias or discrimination, at least several times in the past year, and about 10% in each group experienced bias less than once a year. Being an IHP participant, having low income, households with children, and having a disability were seen as triggers for bias.
- LK stated that this is the first time the City of Cambridge has looked into this, but this is something that they have suspected. She said we were very appreciative to have the study and information and are trying to figure out how to best act on it. LK stated that the City of Cambridge saw less bias where developments had support services and staff on the ground with helping and coordinating with tenants. LK stated that the discussion was very positive and that we will learn more from them as they continue to work on this topic.
- ES stated that this is an important issue and there is lots of data to work through and factors that have not previously been thought through. ES stated that we want to continue to think about this because of its importance for Newton and the surrounding suburban communities to aim to be able to find ways to help people who live in these communities feel welcomed and supported and not experience bias. NK stated that her experience with people with disabilities shows that support needs to come in many ways. Where she lives, the support that they receive is needs-based, but a lot of times there is a need for emotional and other support. She said that this type of support is not being given and did not want the committee to be confused by using the word support in a general sense. NK thinks that some of the issues of financial and race

differences need to be addressed with different training based on those circumstances. ES stated that these are excellent points and aligned with what the discussion with Chris Cotter talked about and stated that it is very complex.

- SW stated that he agrees with what was said and stated that bias may also be happening because of ignorance and that if people are trained, they could start to move in a better direction. SW stated that he thinks when it comes to landlords denying reasonable accommodations and disability cases, they are thinking of the budgets bottom line whether they are right or wrong. SW stated that this is illegal, and this is where training will help better the decisions. SW stated that the larger properties that have the funding for resident services staff do the work really well but when it comes to smaller and scattered sites, this work becomes much harder. SW stated that he thinks training should happen and feels that we can do as much training as we can but he also suggested community outreach so there can be improved awareness. SW stated that he has been a renter and has heard many statements that he does not pay real estate taxes although he is paying the rent so the landlord can pay taxes. SW concluded that it would be great if we can find a way to raise awareness and acceptance.

4. Fair Housing Subcommittee Lottery Data Integration Discussion

- ES referred to the attached spreadsheets and spoke of the years work that the committee and subcommittee have been working on to come up with a Fair Housing analysis of affordable housing lottery results and how they affect protected classes. The goals are to identify barriers, propose improvements and to access data from lotteries and the application process with the aim of improving successful occupancy of affordable housing that is more proportionate to the share of applications by protected class members.
- TM stated that the subcommittee did some testing and that the testing showed disproportionate effects upon protected populations. ES stated that the subcommittee is recommending that going forward Planning should incorporate Fair Housing data in Planning's process. LK stated that she will look into this to see if we are not duplicating efforts because developers of affordable housing already have data that is collected. LK also stated that she is open to the idea, but because she is new and still learning that she is not ready to say right now what is the best thing to do.

5. Affordable Homes Act Discussion

- ES wanted to bring this to the committee's attention about Governor Healy's administration and the proposal of the Affordable Homes Act. ES stated that this proposed legislation is the strongest she has seen in her lengthy career in affordable housing in Massachusetts. ES stated that housing production and preservation are very challenging, and this proposal has been designed to promote both. She said it is before the legislature now. The administration has identified that Massachusetts needs to produce 200,000 homes by 2030 to tackle the housing shortage to meet demand. One proposal is to allow accessory dwelling units to be built by right in single family zoning districts in all communities.
- There is also a proposal for public housing reform, additional funding sources, and the establishment of a local option real estate transfer fee between .5 and 2%. This would be paid by the seller of properties on the portion of the sale over 1 million or the county median home sales price which will be up to the local communities to determine what portion of the local tax. ES stated that this is the first time that she has seen a fair housing aspect which proposes to establish an Office of Fair Housing in the Executive Office of Housing and Livable Communities.

6. Subcommittee Updates

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Newton Fair Housing Committee 2024 Schedule

Meetings are scheduled for the **first Wednesday of each month**, except as noted.

Meetings are from **8:30 to 10:00 a.m.** All meetings are virtual on Zoom.

Because of the July 4th holiday, the monthly meeting will be held on Wednesday, July 10. There will be no meeting in August. Please note that the meeting on October 2 does not conflict with Rosh Hashanah, which begins at sundown that day.

January 3

February 7

March 6

April 3

May 1

June 5

July 10

August: No Meeting

September 4

October 2

November 6

December 4



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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

November 2, 2023

Council President Susan Albright
and Members of the City Council
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RE: Fair Housing Committee Comment on Village Centers Overlay District

Dear Council President Albright and Members of the City Council,

The mission of the Newton Fair Housing Committee (FHC) is to promote and support the City of Newton's efforts to be a diverse and welcoming community with housing choices and opportunities free from housing discrimination. As part of its mission, the FHC assists the City in meeting its duties to Affirmatively Further Fair Housing in Newton. The FHC focuses on ways to make Newton a community that welcomes people of all backgrounds, focusing on those that are traditionally underserved: people of color, people with disabilities, seniors, and other vulnerable and protected populations. Zoning and land use policies play a significant role in how welcoming a community is. *These policies are traditionally reserved to state and local governments except to the extent that they conflict with requirements imposed by the Fair Housing Act or other federal laws; consideration of Fair Housing is therefore integral to zoning and land use planning.*

With this letter, the FHC would like to express its strong support for the proposed Village Centers Overlay District (VCOD), as approved by the Zoning and Planning Committee. We urge approval by the City Council of the proposal as presented.

Massachusetts is experiencing a state-wide housing shortage that is threatening our workforce and economic competitiveness. It is important for Newton to step up to the plate and share in the responsibility to create more housing options for people of all incomes as required by the MBTA Communities Act. The housing shortage is more extreme in Newton than in many other communities in the state. Between 2010 and 2020, Newton added 1,100 new units, only 3% of its total housing stock. Households of low-, moderate- and middle-income are essentially excluded because of high and escalating housing costs for both purchase and rent in the city. The median sales price of a single-family home in 2022 was about \$1.6 million, out of reach to most of the population except the very wealthy. This record shows the urgency of passing VCOD to promote economic vitality, address Fair Housing concerns and to respond to

the state's challenge to all cities and towns to take action to reduce exclusionary zoning and land use policies to increase local housing options.

We appreciate your efforts to create standards that ensure design quality and compatibility, incorporating strong standards for massing, shape, and setbacks -- and importantly -- that are designed to streamline the zoning and approval process, allowing developments of all sizes to proceed in a more efficient way. This includes allowing for smaller, more affordable residences near transportation nodes as well as somewhat denser residential and mixed-use buildings that promote economic development and more affordable housing options for people of low-, moderate- and middle-income, both in village centers and across the city.

We strongly encourage creating more affordable housing opportunities for extremely low- and low-income households, and we recognize that the current plan is designed primarily to address some of the most restrictive and costly zoning and permitting requirements so that more housing of all types may be built. We recognize that it is primarily a private market solution that seeks to build more supply of housing to address severe shortages in the state and city. At the same time, we recommend that the City make every effort to promote the creation of more deeply affordable opportunities across the city and use government and private resources to create more affordable units overall in its efforts to affirmatively further fair housing.

We thank you for your efforts on Zoning Redesign that will ensure Newton is a thriving and welcoming city where people of all backgrounds may find a home.

Sincerely,



Esther Schlorholtz, Chair



Donna Rigg, Vice Chair

cc: Barney Heath, Director of Planning & Development
Lara Kritzman, Director of Housing & Community Development
Jen Caira, Deputy Director for Planning & Development
Malcolm Lucas, Housing Planner



The Newton Fair Housing Committee
invites you to a virtual program on

Landlord/Tenant Fair Housing Training
Know Your Rights & Responsibilities

Presented by:

Paige A. Stopperich, Fair Housing Testing Coordinator, Clinical Fellow
Kelly F. Vieira, Director of Investigations & Outreach
Housing Discrimination Testing Program (HDTP)
Suffolk University Law School

Co-sponsored by:
Newton Commission On Disability (COD)
Newton Housing Authority

December 5, 2023, presentation 7:00 – 8:30 pm
Q&A 8:00 – 8:30 pm

Register online at: bit.ly/3udkwF6

Save the date: January 17, 2024, 8:30 am, *Fair Housing Training for Real Estate Professionals*