



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
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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

MEETING MINUTES

Date: February 7, 2024

Time: 8:30 a.m.

Place: Virtual (Zoom)

Members Present: Esther Schlorholtz, Chair

Donna Rigg, Vice Chair

Judy Korzenowski

Josephine McNeil

Tatjana Meschede

Alex Weiffenbach

Members Absent: Steve West

Staff Present:

Malcolm Lucas, Housing Planner

Jini Fairley, ADA/Sec. 504 Coordinator

Lara Kritzer, Director of Housing and Community
Development

Shaylyn Davis-Iannaco

Public Present:

Sharyn Roberts, League of Women Voters Newton
Ann Houston

Steve Burnham

Julia Malakie, Council

Pam Wright, Council

Malcolm Lucas, Housing Planner served as recorder, Esther Schlorholtz, Chair, called the meeting to order at 8:30 a.m.

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

1. Approval of January 2024 minutes

➤ Upon a motion by TM, DR seconded the motion. The January 2024 minutes were approved 6-1-0.



2. Affordable Housing Priorities Task Force

- ES introduced committee members to Ann Houston and thanked JM for representing the committee on the Housing Priorities Task Force. Ann Houston started the conversation by introducing herself and stated that she, JM and others from the three housing related commissions/committee (Housing Partnership, Housing Trust and Fair Housing) have started a taskforce and her purpose for having the presentation for the FHC is to recruit one additional member and to get input from the FHC. The purpose of the task force is to establish housing priorities that are in Newton and reflect the perspective of the three commissions/committee and to leverage resources more usefully. The task force will also help identify ways to better educate residents about housing needs and priorities and to be able to think about updates to the City's housing implementation strategy. AH began reviewing the presentation which was available to the committee prior to the meeting. JM stated the FHC, in its subcommittee on lotteries and lease-ups, has been working on these issues. AH asked what a better integration would be among the groups. ES asked if the presentation could be complete before questions are asked because AH must leave for a pre-existing commitment. AH agreed, saying that they will discuss that issue further, and moved on with the presentation.
- AH stated that the task force will look at the affordable housing supply and Newton's inventory. They have made some headway by looking at City investment data in affordable housing. She has asked the City to pull some information together for their next meeting. They will look at the Subsidized Housing Inventory (SHI), 40Bs, Inclusionary Zoning and the Newton Housing Authority portfolio. They have been working off the Newton 2024 Leads Plan (2016) and are updating the city investment data. They reviewed the last 20 years but focused their analysis on the past 10 years.
- She said that the analysis is designed to help the task force to better understand income tiers, housing types and housing unit sizes as well as demand and need. AH said that the primary conclusions from the data are that the ability to better leverage City money is contingent on a project achieving enough scale to attract state resources and particularly federal/state low-income housing tax credits (LIHTC). She said that until a project gets to 20 plus units, it can't generally access state resources like LIHTC. She said that until a project is 11 units, it generally cannot attract other state resources. Councilor PW asked whether this data includes rentals and homeownership housing. AH responded that this data only includes rental housing but noted that the task force also plans to look at homeownership units. AH stated that construction cost has increased by 65% in a five-year period, and therefore, the costs are hard to evaluate over a ten-year period. She said that it is cheaper to carry out preservation than new production (\$53K investment per unit for preservation versus \$83K per unit of investment for new production).
- AH said that this analysis is only based on the housing units in which Newton has made a financial investment (awarded, not necessarily spent). She stated that they have categorized the housing groups to include family, senior and supportive (transitional/group) housing. In the past 10 years (2014 – 2024) they have found, from the data available so far, that Newton invested in 431 affordable units, out of a total of 441. She said 19% were family units (80 units), 68% (294 units) were senior units, and 13% (57 units) were supportive/transitional housing. She also noted that 51% was new production and 49% was preservation (of existing units). On average the City has spent approximately \$76,000 per unit.
- After doing the analysis and data collection on the units that Newton has invested in, the task force will be working with the City and the Housing Authority to collect all the data on the Subsidized Housing Inventory. She noted that the substantial bulk of affordable housing comes

from 40B, inclusionary zoning and the Housing Authority and therefore, it will be important to do that analysis as well. She said that the task force is working with the City to collect the data that exists on the units in which the City has invested and said there is a lot of effort going into this. She thanked LK for her significant role in this and for being a great partner.

- AH reviewed demographic data related to updating the Newton Leads 2040 study. She said this is a work in progress too and that Judi Barrett is working with the task force. She said that household size is relatively stable over the 20-year span but state-wide and nationally household sizes have decreased and the number of single person households has grown. This has a tremendous impact on the current time and the number of types of housing we need. She said more research is needed. The age of Newton residents has shifted as well over the past 20 years. The older community has enlarged, and Newton has not been attracting young people.
- AH discussed race and ethnicity and said that she appreciates the role of the FHC in helping to review this data and the housing needs further. She said that Newton is substantially white (75%). The next largest racial group is Asian (15%). She said that Blacks are at 2% and Hispanics at 3%. She noted that it is important to look at the SMSA data as a whole and not just Newton. She said that the chamber of commerce has highlighted that understanding and addressing our housing needs is important to ensuring an economically thriving community.
- AH said that next steps include: analyzing rental and home ownership separately, analyzing the SHI and NHA units by age of property, population served and affordability levels, updating the inventory analysis by population served and by affordability and identifying project based and voucher rental subsidies by property. She said that of the total 876 new units produced of market and affordable between 2015-2022, 31% were single family, 0.5% were 3-4 family and 66.4% were multi-family. She noted that Newton is about to achieve Safe Harbor status for 40B and this means that 40B proposals will no longer have leverage. She indicated that a strategy to continue to create affordable housing opportunities needs to be addressed. She said City staff estimate that 55% of SHI units are actually affordable, with the rest at market rate.
- AH also discussed affordability and the median family income in Newton, which is between \$150K and \$163K, the median sale price in Newton is \$1.7 million which is a 264% increase in the last 20 years. A buyer would need \$417K to purchase in Newton. AH stated that the average rent in Newton is \$3,419. She said that a household would need an income of \$143K to support that rent. She said the task force needs to consider further research on cost burden experienced by tenants. Councilor PW said that they should use median income rather than average. She also noted that 2500 units are still in development. AH agreed that many housing units are stuck currently in the process of development associated with high interest rates, supply chain delays and other issues.
- AH stated that there have only been two meetings thus far and opened the discussion for questions from the FHC. JF and JM discussed the fair housing and accessibility linkage as well as affordability. JF expressed concern about making links for people of extremely low-income and people with disabilities. JM asked if someone from the FHC wanted to be on the taskforce and TM stated that she would join. ES stated that she will participate as an attendee and not on a regular basis, just to give an overview of the Fair Housing aspects. ES stated that she will put this topic on next month's agenda to allow for further discussion because AH had to leave.

3. Chapter 40B Safe Harbor

- LK stated that the takeaway from this process is that the city has just over 33K units which is at the 10% mark. They looked at the units that Newton already has that are on the SHI that received the 40B approvals or one that permits were pulled for. LK stated at the time that the

memorandum was worked on they were at 9.94%. Dunstan East has pulled their permit to begin construction since then, and this project will have 292 units which will bring Newton above the 10% that Safe Harbor requires. LK pointed out that this is a fluid process because units can come off because of delays from financial situations, the developments have not been constructed yet or may not move forward quickly.

- Lastly LK stated that she wanted to be cautionary about the 10% mark and the count. The majority of the count is from 40B projects which are not all affordable. 40B counts all of its units as affordable but they are not all affordable. At least 25% are affordable at 80%. So, in actuality with the below 80% AMI units, it is closer to 5.5%. Councilor PW clarified that 20% to 25% of the units in 40B developments are affordable at 80% or less, and the rest are market units. JM asked if the committee could get the breakdown of IZ units that are affordable, and LK agreed that will be collected as part of the task force efforts. JM asked for a discussion with the ZBA about what they will do when new affordable housing projects come forward and whether they will be passed or what would need to change to influence the ability to create more affordable units. JF said that few affordable units for 40B projects are at less than 80% of AMI and that extremely low-income and accessible units should be tracked. Councilor PW said that the average AMI is at 65%. She said that the Riverside project is probably going to be overall more units than before and that the developer is seeking funding to create more deeply affordable units. LK said that the city is looking at more lower-income units wherever possible.

4. MBTA Communities Act Update

- LK stated that it is under review and that she does not have any further updates. Councilor PW stated that she has an update and stated that it has been submitted except for the fiscal analysis and the city is waiting for feedback. She stated that the state is overwhelmed with other participants who are trying to get their compliance by the end of the year.

5. FY25 Annual Action Plan Presentation

- SDI thanked the FHC and stated that planning has been consulting with different groups about the Annual Action Plan and this will go on through March 2024 and the FHC is one of the groups that planning is asking for consultation. This plan will go in front of the Planning and Development Board for their approval in April 2024 and after that will be a 30-day comment period. Planning will submit this plan to HUD in May and for the start of the fiscal year 2024 which starts on July 1st. She stated that the city is expecting level funding, which is around \$1.8 million of Community Development Block Grant Funds (CDBG), \$1.6 million in (HOME) funding and ESG which is a little over \$160K. HOME will be split between the HOME Consortium's 13 Communities. Newton gets approximately \$145K. CDBG is not split.
- CDBG allocated (Admin – 20%, Housing Development & Rehabilitation – 60%, Human Services – 15% and Architectural Access -5%). SDI continued to go through the presentation speaking on specific projects. See Presentation.
- SDI then began to speak about HOME ARP. The city has been approved by HUD in June 2023 and the HOME Consortium is in the process of creating the Request for Proposals (RFP). Also the Consortium has decided to fund the following activities: Tenant Based Rental Assistance (TBRA), Supportive Services and development of affordable rental housing and non-congregate shelter. The RFP was released on November 9th of 2023 and the proposals are due February 23, 2024. The Consortium will meet on March 14th to review proposals and to vote on allocations. In response to a question by JM, SDI encouraged more applications by groups that have not previously been funded and asked for assistance in getting the word out. She also said that the

Consortium is working to identify Newton residents that benefit from the funding although she said there are challenges to collecting the data accurately, but they are working on it.

6. Fair Housing Training

- ES gave an update on the Fair Housing Training that happened on January 17 that was done by Suffolk Law for real estate professionals. She stated that there was a turnout of 43 attendees, and it was well received. There were questions about how a real estate professional could get approval for continuing education credit for participating in the training. This could help with attendance. JK said that she will be following up on this with the presenter. ES stated that she would like to make this an annual training course and she will continue to work with Suffolk Law. ES thanked JK for the outreach to encourage real estate professionals to attend. ES also discussed the last training for landlords and tenants and how it was well received and asked the Committee if they would like to host one in the summer. ES also discussed working on bringing a training that the committee has hosted in the past “Fair Housing for Policy Makers” in the Newton community. This training will target the City Council and others who are engaged in policy. ES also stated that she would like to ask Henry Korman to provide the training.

7. Resident Experience Update

- ES reminded the Committee about the presentation they had on this topic. ES stated that she wanted to focus on the Committee’s recommendation to determine whether it is possible to implement a training program for owners and managers of affordable and mixed income housing with the aim of addressing experiences of bias and a sense of exclusion by residents living in affordable units as shown in the Cambridge study. ES has spoken with Maloney Properties, Janet Frazier, President/CEO, who is very interested in meeting with the FHC at a future meeting. They are skilled in management of affordable and mixed income housing.

8. Discussion of 2024 Committee Priorities

- ES would like to change by adding family status to the “Fair Housing Protected Groups”. The committee agreed.

9. Subcommittee Updates

- **Lottery Results & Lease-ups Sub-Committee**

- **Membership & Nominating Sub-Committee**

- DR stated that Steve Burnham is still interested, and she does not have any update with the second candidate Nancy Kritzman.

- **Fair Housing Award Sub-Committee**

- ES motioned to nominate two awardees for outstanding leadership and accomplishment in promoting fair housing in the City of Newton. The nominations are for Deb Crossley and Vicki Danberg who oversaw the village center overlay district process. Council Crossley lost her seat as a consequence of it. ES stated that she is grateful for their courage and efforts to incorporate fair housing principles within the overlay district process. The Committee agreed.

10. 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
- Promote effective processes/practices for new affordable homeownership and resales
- Promote improved practices for real estate professionals to achieve more housing choice for diverse populations
- Identify and work to overcome barriers to successful tenancies and to improve processes/practices for tenant selection in lottery and market rate multifamily rental housing

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
- Promote affordable housing production in coordination with other City commissions and committees
- 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, March 6, 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