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Mayor

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Malcolm Lucas
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Members

Esther Schlorholtz, Chair
Donna Rigg, Vice-Chair
Beatrice Flores
Judy Korzenowski
Josephine McNeil
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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

MEETING MINUTES

Date: September 4, 2024

Time: 8:30 a.m.

Place: Virtual (Zoom)

Members Present: Esther Schlorholtz, Chair

Donna Rigg, Vice Chair

Judy Korzenowski

Josephine McNeil

Tatjana Meschede

Steve West

Members Absent: Beatrice Flores

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

Andreae Downs, Council

Sharyn Roberts, League of Women Voters Newton

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 July 2024 minutes

- Upon a motion by TM, JK seconded the motion. The July 2024 minutes were approved 5-1-0, with one member absent.

2. Fair Housing Training Plans

- ES stated that the FHC has not made much progress on new training plans since the last meeting and there are two areas that have been planned. The first training that is being worked on is with the Newton Housing Authority. This has been delayed because of the staff transitioning. BF is now the new staff at NHA. ES stated that she will be coordinating with her soon. This training will be for Landlords and Tenants. The second training will be geared towards property management and the focus will be accessibility and she is planning to coordinate with JF. ES did ask if other members would contribute helping with this to have the trainings scheduled by January because she is busy.
- ES stated that the FHC has discussed the training related to improving the resident experience for tenants in affordable housing units and reminded the committee about the communication between them, Maloney Properties and Henry Korman and the support that they can give to the FHC in starting, because this can require more thought.
- ES mentioned JK and thanked her for her help in the coordination of past training the FHC did with real estate professionals and asked if the committee should revisit, JK stated that she thinks that is a great idea and she has another resource that she can reach out to and to possibly try to reach out to additional people. JK stated that consistency is key.
- JF stated that the Massachusetts Office of Disability giving a training on September 18, 5:30 to 7:30 pm. The training is for disability advocates, tenants and condominium homeowners with disabilities who can ask for reasonable accommodations or modifications. JF ask that this information to be forwarded to the FHC and City staff networks and to invite the FHC to attend. ES stated to forward the information to ML so he could share this information.

3. Affordable Homes Act Status

- ES started the discussion and stated that the material was in the agenda packet, that there was a wealth of information, it was incredibly impressive passage of this act, and it has numerous features. ES began to talk about the aspects, she stated that it is \$5.1 billion in capital funding. The act is expected to create 200,000 homes, both rental and ownership but more of the focus will be on rentals, which will affect Newton. There is going to be 2.2 billion for state public housing the plan is to update and renovation. There is 800 million for the affordable housing trust fund, ES stated that Newton could definitely benefit in terms of gap financing for affordable rental housing, she stated that she is hesitant to talk about the access to this funding because Newton is a high-cost area but also a community of opportunity. ES stated that there is a huge demand for gap financing and the communities that experience direct issues with deeply affordable housing at a lower cost or in gateway cities would benefit.
- ES stated that she was impressed by the housing affordability issue becoming such a high level of interest across the country. Another change the state has proposed is accessory dwelling units (ADU). This is a requirement in Massachusetts communities and in Newton this is listed in the IZ ordinance. ES believes by January or February 2025 every city and town in Massachusetts will be required to set an as of right ordinance. ES stated the parameters that she is familiar with are a 900 square foot ADU in a single-family zoning district. Newton currently has a 700 square foot ground-level maximum, Newton does allow this to go above only if there is a second story added to it. ES stated that this is very restrictive and has a limitation of size which affects size and accessibility. The state law also prohibits owner occupancy requirements and specific parking requirements. Newton currently has this, ES stated that she does not know if there are parking mandates here, related to ADUs.

- ES stated that the state has also passed an abutter appeal reform. The appeal has increased the maximum bond that a court may require in an appeal of a special permit or variance or site plan from \$50,000 to \$250,000 and in addition the court is not required to find bad faith or malice by the plaintiff. ES stated that the court can award reasonable attorney fees if the plaintiff acts in bad faith or with malice, so that provides an improved framework for limiting more frivolous appeals.
- ES highlighted a fair housing specific part of the act was passed. The creation of an Office of Fair Housing at the Executive Office of Housing and Livable Communities, and a fair housing trust fund expansion. ES feels that Newton should engage because it is important for cities and towns to be involved in ensuring that some resources do come to our communities. The mission of the office includes to fund enforcement, testing and education and outreach. ES did acknowledge that the City of Newton has been on this path and the FHC has been achieving training but not much outreach. ES stated that this act will be more formal from a specific office by the state. This is currently not funded; CHAPA will be looking into making sure that there is staffing at the appropriate moment. ES stated that she would like the FHC to be involved with this process to provide the perspective of suburban communities and how this could be a valuable fair housing tool for them.
- Legislature also passed a foreclosure prevention program that is going to focus on five communities that have very high foreclosure rates. Funding will go to the UMass Boston Office of Public Collaboration. There is one more piece of legislation that focuses on fair housing, eviction record sealing. Evictions affects many people of color and the low income.

4. Housing Navigator Massachusetts

- ES stated that the issue of affordable housing is an important one across the state. ES gave background and stated that the Housing Navigator staff presented to the FHC and reminded the group that the City of Newton has been working with the Housing Navigator on Newton's rental, ownership, and accessible units to make them available to the public. ES stated that Housing Navigator works with cities and towns across Massachusetts. Housing Navigator has a search tool that shows over 200,000 rentals that are available including 12,000 accessible units. The platform is free, and it includes units that are in lotteries, first come first serve and short waitlists. Other features include statistics regarding what's available within the state and includes various income levels and types of housing stock.
- AM stated that she has been working with Housing Navigator staff and to let the FHC know that they could use her to the full extent because she can contribute and be of good use. ES stated that is really helpful that AM works directly with Housing Navigator and would be pleased to work with AM. ES stated that there is not anything at this moment that the FHC is working on with the Housing Navigator. AM stated that if the FHC has time for an update on October agenda that she would gather information and present to the FHC to see if they are on the same page. ES stated that she would be delighted and will count on seeing AM in October and thanked her for offering.
- ES stated that she wanted to raise this topic because it highlights statewide of what the gap is and what the needs are. She also stated that she had not seen any other study that is comprehensive, and she is very glad that this was put together for people to know how and where affordable and accessible units become available. ES continued to go over some of the statistics.

5. Fair Housing Resource List

- ES thanked TM for reorganizing the list that the FHC had created. ES stated that there is a good amount of information on the City of Newton's Fair Housing Webpage. ES asked the committee if they had any comments of the resource list. There were not any comments. ES encouraged the committee to review the document to see if things needed to be changed or updated and asked everyone to help to keep current.

6. Subcommittee Updates

• Lottery Results & Lease-ups Sub-Committee

- TM stated that it has been little movement so there is not much to update on. TM stated that SDI was able to share a few additional data points with the subcommittee on the four most recent developments that they have been researching. TM stated the data that they have received are in different formats than what the subcommittee has created and stated that it has been challenging to look at them in an aggregate manner. TM stated that moving forward with collaborating with planning with the spreadsheet that was created they will be in a much better position in the future. TM stated once she reviews and makes more sense of the current data collected, she will have an update.

• Membership & Nominating Sub-Committee

- DR stated that the committee is still short on membership and asked the current committee members if they had any suggestions of people that she can reach out to and stated that the number of committee members capacity is 11. ES thanked DR and stated that she has spoken with BH about a year ago about membership and reevaluating the way the committee is structured. ES agreed with the challenge of getting interested people to join especially around the area of someone who has experience in civil rights law.
- AM stated that she may know an attorney that is focused on tenant rights and that she will contact them. AM asked if the FHC could put together specifically that they are looking for, DR stated that she can put something together and ML stated that the person has to live in Newton in order to join the committee. AM stated that she thinks the person does live in Newton and that she will need the information from DR about the responsibilities and the time commitment that is needed and asked ML to review what is put together if he had time.

• Fair Housing Award Sub-Committee

- ES stated that the next ceremony is in 2025 and wanted the committee to start thinking about potential nominees.

7. 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, family status, 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, October 2, 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