



Ruthanne Fuller  
Mayor

Barney Heath  
Director of  
Planning & Development

Malcolm Lucas  
Housing Planner

*Members*

Ted Hess Mahan, Chair  
Vacant, Vice-Chair  
Kathy Laufer  
Esther Schlorholtz  
Josephine McNeil  
Donna Rigg  
Tatjana Meschede  
Judy Korzenowski  
Alexandra Weiffenbach  
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## CITY OF NEWTON, MASSACHUSETTS

### Fair Housing Committee

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## MEETING AGENDA

Date: January 5, 2022

Time: 8:00 a.m.

Place: Virtual (Zoom)

**Members Present:** Theodore M. Hess Mahan, Chair

Kathy Laufer  
Tatjana Meschede  
Esther Schlorholtz  
Judy Korzenowski  
Donna Rigg  
Josephine McNeil  
Ellen Tanowitz

**Members Absent:** Alexandra Weiffenbach

**Staff Present:**

Malcolm Lucas, Housing Planner  
Jini Fairley, ADA/Sec. 504 Coordinator  
Hattie N. Kerwin Derrick, Director of Community  
Engagement & Inclusion

**Public Present:**

Councilor Pamela Wright  
Councilor Alicia Bowman  
Councilor Andreae Downs  
Lee Mondshein  
Lucie Chansky, Commission on Disability

Malcolm Lucas, Housing Planner served as recorder, Ted Hess-Mahan, Chair called the meeting to order at 8:00 a.m.

**1. Approval of November 2021 and December 2021 meeting minutes**

- THM discussed the approval of the November and December 2021 meeting minutes and asked if everyone had any comments. ES motioned to approve the November minutes. 6 in favor 1 abstained. November



minutes have been approved. THM stated that the Committee will hold off on the December minutes approval until February 2022.

## **2. Update on West Newton Armory Project**

- **Mayor Fuller Has Selected Metro West Collaborative Development/Civico Development as the City's partner for the transformation of the West Newton Armory**
- THM stated that it will be 43 units of intergenerational family housing affordable to individuals, families with incomes ranging between 30% and 60% area median income. The Metro West Civico team will hold a meeting the developer night via zoom at 6pm on Wednesday, January 26.

## **3. Fair Housing Goals Project Review**

- **Update on 50 Jackson/383 Boylston**
- THM thanked the councilors and the ones who also listened to some of the concerns that the Fair Housing Committee had expressed about the 50 Jackson 383 Boylston Street special permit application. AB stated that the new one will be docketed later this month. Councilor Bowman stated that the project went from 12 units to nine units in the elimination of the affordable housing units. She stated they have all been restored and the councilors were excited to hopefully move this forward. It did not get passed in the last term. She stated that she thinks it's on for later this month.
- JF stated that she has some reservations on some work she has done for reasonable accommodations in another unit. JF asked councilor Bowman to alert the Fair Housing Committee about the public hearing or anything that she thinks is critical related to reasonable accommodation issues. JF stated that she is running into the fact that developers are not necessarily following group one, which is the minimum accessible standards according to AAB (Architectural Access Board), especially within the unit. JF believes there certainly could be and should be people with disabilities wanting to buy one of those 12 condos-
- JM stated to get away from checklists when dealing with developers and to hire someone in ISD who specializes in ADA requirements. She stated that what people do is once they check the list that is done, there needs to be some confirmation they met the requirement, and JF mentioned having a specialist and maybe that's what's needed. Maybe the city needs to invest and contract with a specialist or hire someone in ISD, who is up to date and knowledgeable about disability when they inspect units. JM recommended that the councilors talk about budgeting and suggest-the Mayor add this type of position to ISD to make sure this is not overlooked. Councilor Bowman stated that the public hearing is on the 25<sup>th</sup> of January.

## **4. Affirmative Fair Housing Marketing Plan/Lottery Process**

- **Review Materials received from Planning Department**
- THM stated that he would put this off for next month's meeting. BH stated that he would like the FHC to give the Planning staff a list of questions before hand, he stated that this would be helpful to have a focus of what the points of discussion are and to give time for staff to gather the information. KL stated that she would like clarification of what the role of the city is, in reviewing the marketing plan and making sure that the

elements that are in the plan that are happening. And then what role the city plays in the actual lottery process and the follow up, KL stated that this is still not clear to her.

- ES stated that she thought the committee would be interested in what are some of the factors that may be preventing people of color and other protected classes to be able to successfully become tenants. She stated that the committee had expressed interest in better understanding the city's involvement in the tenant selection process and how they review tenant rent-up results. She also would like to know what role credit score had in tenant selection and was there an opportunity for the City to maybe enhance the success through financial education. Lastly, she stated that it would be helpful to have a further discussion about what other aspects the city can identify that may be at play that would help the FHC to understand how to achieve better outcomes for people of color and other protected classes.
- KL stated that she thought it was interesting what ES said and wanted to talk about another area of the city which isn't specifically for housing. She stated that Community Development Block Grants which go to human service agencies could possibly be used to include a focus on financial literacy because it impacts lots of areas other than eligibility for housing but also ability to stay in housing and other things.

## 5. Subcommittee Updates

- **Membership Sub-Committee**

- THM ask JF to give an update and there were no updates. A member of COD in the past held a seat on the Fair Housing Committee. THM stated that he would come back to this item.

- **Fair Housing Award Sub-Committee**

- There was not a discussion on this matter.

- **Fair Housing Literature Sub-Committee**

- ET stated that her focus is to start with a Frequently Asked Questions document, asking the question, what is fair housing? and to put it in English and not in legalese. Who does it apply to? What does it mean? She invited the committee to offer questions if they had any.

## 6. Fair Housing Committee goals for 2021-2022

- **Diversity, Equity, and Inclusion**

- There was not a discussion on this matter.

- **Bring in a Fair Housing Attorney to talk to committee about purpose and goals**

- There was not a discussion on this matter.

- **Updates on AI/Consortium Fair Housing Testing**

- THM stated that he heard an announcement from the Planning Department that West Metro home Consortium has released an RFP to procure a consultant to undertake Fair Housing testing and the consortium includes 13 member communities. The proposed project scope requires a specific understanding of the fair housing laws, and the Fair Housing testing will culminate in meaningful action steps for the consortium to address discriminatory practices. The RFP bid submissions will close at 10am on January 20,

2022. The RFP can be found on the city's purchasing department's webpage, and you can contact Amanda Berman in the Planning Department for more information. BH spoke on it and asked ML the cost. ML stated that it is \$100K that the Consortium has agreed on, but they were going to go back to discuss pooling some more funding together. JM stated that she has communicated with the Consortium planning committee in the beginning, but she has only been to one meeting and does not know what happened and why she was not contacted. JM stated that it was clear that the \$100,000 is not sufficient for the scope that she thinks Newton would need. She reminded THM that the Consortium has various communities of various sizes and some are very small. JM recommended that after they review the RFP that the City of Newton may want to consider either supplementing or somehow contracting with Suffolk for the areas that are not covered possibly using ARPA. JM stated that Suffolk may have been awarded a certain amount of funding to do fair housing testing. They may be offering services to communities without a fee. JM stated that she is not sure, but they could be contacted. THM asked if ML could make sure this item goes on next month's agenda.

- KL expressed concerns about the process. She stated that she was surprised that the FHC did not see the RFP. She stated that she thought it was shocking since they are the committee and the only committee that's done testing in the city to date. THM stated that he would like to have known before it came out and that he would like the Committee to follow up.
  - Councilor AB stated that she was on a FH webinar and learned that some of these larger rental companies are prescreening applicants before they even talk to them on the phone and making it more difficult. She wants to make sure that when the city is testing, this issue is recognized and included in the testing plan. She stated that she went through this when she was renting an apartment for her father. She stated that property management wanted his SS# and other information before they were even willing to talk to them about viewing an apartment.
  - JF asked to send the RFP out to the committee. She feels that accessibility and disability should be because that was the one that was done in 2005-2006, and she thought they had the highest discrimination rate in regard of these categories across the board of the different types of developers, realtors, and housing authority. JF stated that the testing does involve calling first and asking about availability and explained how the testing would work. Councilor AB thanked JF for the information.
  - Councilor Malakie stated that Trio apartments still has an application fee listed on their website if you go to Apartments.com and click on Trio it is \$500 dollars. She stated it was down from \$1,000. Councilor Wright stated that she was told that the fee is applied to a persons' first month rent and did think it was illegal and reached out to Trio staff and notified them she also stated that she agreed with Councilor Malakie. BH stated that he and ML will find out about the fees. ET said that it is illegal and read from the legal citation. THM asked ML to put this on the next meeting.
- **Resolution to request that developers report annually on minority rentals**
  - There was not a discussion on this matter.
  - **Use of ARPA Funds**
  - There was not a discussion on this matter.

- **Collaborate with Human Rights Committee on Fair Housing Complaint Process and Form**

- There was not a discussion on this matter.

## **7. Next meeting Wednesday, February 2, 2022**

\*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](mailto: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