



CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

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
Ellen Tanowitz

1000 Commonwealth Ave.
Newton, MA 02459
T 617/796-1120
F 617/796-1142

www.newtonma.gov

MEETING MINUTES

Date: April 6, 2022
Time: 8:00 a.m.
Place: Virtual (Zoom)

Members Present: Theodore M. Hess Mahan, Chair
Kathy Laufer
Tatjana Meschede
Esther Schlorholtz
Donna Rigg
Judy Korzenowski
Ellen Tanowitz
Josephine McNeil

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
Amanda Berman, Director of Housing and Community
Development
Eamon Bencivengo, Housing Development Planner

Public Present: Councilor Pamela Wright
Councilor Alicia Bowman
Phillip Kroskin, Sunrise
Nadine Cohen, GBLS
Todd Kaplan, GBLS
Ben Simon, Sunrise
Stephen Buchbinder, Attorney

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

1. Approval 2/2/2022, 2/11/2022, and 3/2/2022 minutes

- THM discussed the approval of the February 2, 2022, February 11, 2022, and March 2, 2022, meeting minutes and asked if everyone had any comments. KL motioned to approve February's and March's minutes ES seconded. All in favor. All minutes were approved unanimously.

2. Nadine Cohen, Greater Boston Legal Services, presentation

- THM introduced Nadine Cohen and Todd Kaplan. NC stated that she was happy to see everyone and that she was a part of the Fair Housing Committee some years ago. NC stated that tenant screening reports challenge the use of credit screening reports, particularly for tenants who have section eight vouchers. NC stated that Black, Latino, and other people of color are disproportionately affected by the use of tenant screening reports and unfairly penalized even though they would be good tenants and they desperately need housing. TK added that tenant screening removes discretion and eliminates people that met their tenancy in the past. NC stated that they are focused on a company that uses these types of screening and this same company is being sued at this time. The company is based in Connecticut. The case is that a woman is being denied because her disabled son, who is in a wheelchair, had a past criminal record and was screened out. However, since the charge was so long ago and with his disability, he is not a threat at this time to anyone. NC also stated that there is a similar case in Massachusetts but based on denials for section 8 voucher holders.
- JM thanked NC and TK for their presentation and asked about the companies that are being sued to make sure that the management companies in Newton are not using them. NC provided the company's name. DR asked what the solutions are and are there any companies that use a fairer system. NC stated that she really did not have the answer to that, but it should not be an all or nothing system and there has to be some ability to challenge or contest the information. The program should also give an option to people to give some background of the information so people would have the opportunity to show that they are a good tenant.
- AB asked are the councilors able to tell developers not to use this type of system, possibly putting it in the special permit or city ordinance process. NC stated that this was a great point and that she would love to see if there was a way to incorporate an appeal process. THM thanked NC and TK for their presentation.

3. Sunrise/11 Florence Street, Chestnut Hill presentation

- THM introduced the lawyer and the members of the development team that will be presenting today
- Stephen Buchbinder thanked THM for his service, appreciated the work that he has done through the years and wished him well. Philip Kroskin and Ben Simon from Sunrise introduced themselves and began to describe the property that will be developed in Newton Corner. The development will be a senior care facility. The Sunrise organization has been around for 40 years and is in the U.S. and Canada. It will be a five-story building with 95 units, 120 beds and 46 underground parking spaces. The building will be 100% accessible and 10% of the suites will be fully ADA accessible. After the presentation, they opened it up for questions.
- JM asked if there will be any differences in the care and services that the affordable units offer. Would tenants have to pay a separate fee or would it be included. PK stated that the

care is not included. Everything else is included (housing, food activities transportation and other activities throughout the community). JM asked what can be done in the circumstance where one does not have the income to pay for the clinical services. Do they seek resources from other government agencies? JM asked because she has concerns for the people that will be in the six affordable units. PK stated that they work directly with Newton Housing Authority, and they would be able to project how people would be able to pay for care.

- KL wanted clarification about need for more assisted living beds in Newton and asked if they are fully rented at their facility in Newton Corner. BS stated that they are not and stated they have done marketing research. They found that there is a large gap with the number of projects coming to Newton and there will not be enough housing for the upcoming senior population. He stated COVID may have had an impact on leasing up. JF asked if this is new construction and BS stated yes. In response to questions about tenant screening policies, SB offered to share MassHousing's tenant selection policy guide with the committee.

4. Chair and Vice Chair nomination/vote

- THM stated that he was gratified that the committee decided regarding the chair and vice chair positions. DR stated that ES agreed to act as chair, and she agreed to be vice chair. THM opened nominations to the other members, and no one responded. THM closed the nomination. JM moved and JK seconded, all in favor. Unanimous vote for ES as chair. JM moved and JK seconded all in favor. Unanimous vote for DR as vice chair. ES thanked THM of all he has done.

5. FY23 Annual Action Plan

- Amanda Berman and Eamon Bencivengo presented the process and schedule for the annual action plan and stated that they will be speaking to the Housing Partnership, Commission on Disability and ending with the Planning and Development Board. They then discussed the West Metro Consortium and explained the level of fundings that the city will be receiving to run programs. CDBG - \$1.9 million, HOME – \$1.5 million and ESG – \$164K. EB broke down what programs the funding is going to, including development, rehabilitation, and down payment assistance. After he discussed Fair Housing goals and stated that the city will continue to implement their analysis of impediments, an RFP will be released for fair housing testing in 2023. Lastly EB discussed the parking utilization testing that will be happening soon. AB talked about the Human Services Program and then opened it up for questions.
- JM asked what the relationship between parking utilization and fair housing is. EB stated that parking is seen as a barrier to affordable housing. He stated that it is expensive to build parking spaces and it increases the cost of development. The more parking that is built the less affordable units are included in a project. JM thank him for his explanation.

6. Subcommittee Updates

- **Membership Sub-Committee**

- There was no discussion on this matter.

- **Fair Housing Award Sub-Committee**

- THM stated that the award will be given to Phill Herr. He stated that ES is working on the resolution and Councilor Albright is working on a proclamation. ES stated that she was still working on the statement.

- **Fair Housing Literature Sub-Committee**

- There was no discussion on this matter.

7. Fair Housing Committee goals for 2021-2022

- **Diversity, Equity, and Inclusion**
 - There was no discussion on this matter.
- **Bring in a Fair Housing Attorney to talk to committee about purpose and goals**
 - There was no discussion on this matter
- **Updates on AI/Consortium Fair Housing Testing**
 - EB stated that Suffolk University, which has conducted testing before and was interested in responding to the RFP that was released in December 2021 by the Consortium, will have more availability to respond when the RFP is re-released this Fall with a start date in January 2023.
- **Resolution to request that developers report annually on minority rentals**
 - There was no discussion on this matter
- **Use of ARPA Funds**
 - There was no discussion on this matter
- **Collaborate with Human Rights Committee on Fair Housing Complaint Process and Form**
 - There was no discussion on this matter

8. Other Business

- There was no discussion on this matter.

9. Next meeting Wednesday, May 4, 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 or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711