



Ruthanne Fuller
Mayor

Barney Heath
Director of
Planning & Development

Malcolm Lucas
Housing Planner

Members

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

Fair Housing Committee

MEETING AGENDA

Date: January 4, 2023

Time: 8:00 a.m.

Place: Virtual (Zoom)

Zoom Online Meeting: <https://us02web.zoom.us/j/83981277692>

The Fair Housing Committee will hold this meeting as a virtual meeting on Wednesday, January 4, 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: 839 8127 7692.**

You may also join the meeting from your smartphone by dialing 1(646) 558-8656 and entering 83981277692# For audio only, call 1(646) 558-8656 and enter **Meeting ID: 839 8127 7692.**

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: 839 8127 7692.**

1. **Approval of December 2022 minutes**
2. **Lottery Results and Lease Up Subcommittee Presentation**
3. **Fair Housing Training January 19**
4. **Subcommittee Updates**
 - **Lottery Results & Lease-ups Sub-Committee**
 - **Membership & Nominating Sub-Committee**
 - **Fair Housing Award Sub-Committee**
 - **Fair Housing Literature Sub-Committee**
5. **Fair Housing Committee Priorities Discussion**

- **Promote housing choice for diverse populations to advance Affirmatively Furthering Fair Housing (AFFH), with focus on race/ethnicity, public subsidy and disability**
- **Identify and work to overcome barriers to successful tenancies and to improve processes/practices for tenant selection in lottery and market rate multi-family rental housing**
- **Promote improved practices for real estate professionals to achieve more housing choice for diverse populations**
- **Promote effective processes/practices for new affordable homeownership and resales**
- **Promote data collection on multi-family rental and new homeownership occupancy**
- **Promote FH training for real estate professionals, public and committee members**
- **Enhance Project Review of Housing Developments to advance AFFH**
- **Support AI/Consortium Fair Housing Testing and FH testing in Newton**
- **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 Committee on Fair Housing Complaint Process**
- **Contribute to Newton's FH-related plans**
- **Enhance FH literature and website information and access for the public**
- **Address committee membership appointments with representation from Human Rights Commission and legal counsel with FH specialty**
- **Promote Diversity, Equity, Inclusion and Belonging in Newton**

6. Next meeting Wednesday, February 1, 2023

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Committee

MEETING MINUTES

Date: December 6, 2022

Time: 8:00 a.m.

Place: Virtual (Zoom)

Members Present: Esther Schlorholtz, Chair

Donna Rigg, Vice Chair

Alexandra Weiffenbach

Tatjana Meschede

Ellen Tanowitz

Judy Korzenowski

Members Absent: Josephine McNeil

Staff Present:

Malcolm Lucas, Housing Planner

Jini Fairley, ADA/Sec. 504 Coordinator

Amanda Berman, Director of Housing & Community
Development

Public Present:

Lizbeth Heyer, Vice President, 2Life

Ithzel Polanco, Project Manager, 2Life

Jill Ouellette, Director of Compliance, 2Life

Henry Korman, Attorney, 2Life

Pam Wright, Council

Alicia Bowman, Council

Sharyn Roberts

Cheryl Salvucci

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

1. Approval of November 2022 minutes

- Upon a motion by DR, ET seconded the motion. The minutes for November 2022 were approved 6-0-0.



2. Golda Meir Extension's Marketing and Tenant Selection Plans and Results

- DR said that because ES volunteers on a committee with 2Life Communities, she has recused herself from this discussion and has left the meeting.
- Lizbeth Heyer, Vice President, 2Life Communities introduced herself and her team that will be presenting including Henry Korman, 2Life Counsel. An overview was given about the project, and she talked about the goals of the meeting and what 2Life's goals were when marketing this project. LH talked about the engagement that 2Life has had with other communities to get the word out about this project's opportunities with communities of color. She then discussed the goal of increasing the diversity population in Golda Meir and discussed the applicant pool that they have now. The applicant pool will increase by 5% with the Hispanic population, 12% with the Asian population and 9% with the black population. Lastly, she discussed the goal of increasing the Hispanic and Black occupancy by:
 - Racially and linguistically representative marketing staff
 - Not rejecting for credit
 - Personalized phone calls- invitations to visit/participate in
 - Community events
 - Personal follow up to those who decline
- Ithzel Polanco, Project Manager, 2Life Communities discussed the rents and income qualification for the project and summarized their outreach activities which included online listings, dropping off applications and flyers to local businesses, mailings, email, social media, newspaper advertisements and having informational meetings. IP continued discussing the outreach area which covers South Middlesex and Suffolk County. IP discussed in detail where the project's apartments are listed. The project is currently listed with Boston Housing Authority, MetroList, City of Newton's website, Housing Navigator, MassAccess and Metro Housing Boston. IP then listed out newspapers where the project was advertised and went into their methods of marketing more deeply.

3. 2023 Committee Schedule Plan

- ES joined the meeting. She asked the committee about the proposed schedule she sent out for review. The proposed schedule as follows. January- August (1st Wednesday morning at 8am) and September – December (1st Tuesday morning at 8am). The Committee agreed minus one.

4. Affordable Homeownership Resales Report

- ML stated that there are approximately 80 deed-restricted units in Newton's affordable ownership portfolio. The majority of these units were converted from market-rate to affordable units through the use of the City's CPA, CDBG, and HOME funds. These funds were utilized to reduce the price of the market-rate units to an affordable level for households at or below 80% of the Area Median Income (AMI). This program ran from 2001 through 2012. Additional units in the portfolio were created through new construction projects subject to affordability requirements either imposed by the City's Inclusionary Zoning ordinance or by a Chapter 40B comprehensive permit. The affordability of the units in this ownership portfolio is secured through a deed restriction that survives the sale or foreclosure of the property. Over 60 of these units are listed on the state's Subsidized Housing Inventory (SHI).

- ML spoke about the recent sales that happened over the past few years and listed out the five units that were sold accompanied with the sales prices, bedrooms sizes, racial demographics of the winners and their household size and where they were financially on the area median income scale. ML spoke about the number of applicants who applied. 2020-2022 there were 98 applicants who applied for the five resales that happened in this time period. There were 14% of Newton applicants and 86% of non-Newton applicants who applied. ML explained that racial and ethnic background was not collected to report on but explained that there were other demographics the planning department captured. TM stated that it would be beneficial to have this type of data in the future and ES agreed. ML stated it would not be a problem to add these questions in future applications.
- ML spoke about the marketing and the lottery process on these resales and compared Newton to other municipality on how they follow the resale process. Newton holds a marketing period for 30 days and holds a lottery while other municipalities market for 10 days and utilize waitlist or select applicant by first come first serve.
- ES asked if the planning department can look into sending out homebuyer trainings to their list serve so potential people can be prepared. ML explained that an applicant will need this training as a part of the application. ES stated that she understood that but felt there would not be enough time for applicants to do the homebuyer trainings when units come available. ML explained that there are no constraints to this part of the application process and stated that an applicant could provide their certificate once its complete and does not have to be handed in at the time of application.
- ES asked about the number of units on the SHI and wondered why there were not more out of the whole portfolio. AB explained the SHI process and stated that the unit has to be DHCD certified. The deed restriction must meet DHCD's standards and some of the deed restricted units' restrictions are not appropriate for DHCD. AB stated that with each resale the city assesses the restriction with their consultant to put the proper documents to create more SHI units.
- JF asked about the terms of the deed restrictions. AB explained that the restrictions are in perpetuity even though in some instances a lottery winner does not qualify by income. Once the unit comes up for resale, the affordability and other terms of the deed restriction continue.

5. Committee Membership Update

- One potential applicant was recommended by TM. DR stated that she will follow up with him. DR also stated that she has communicated with the Human Rights Commission to fulfill the "Statement of Mission and Organizational Structure – Newton Fair Housing Committee" with having a member from this commission to be on the FHC. DR and ES had a Zoom call with HRC Chair Rabbi Stern about coordinating efforts and sharing information.

6. HRC Complaint Process Update

- ES discussed the meeting that took place with the HRC chair and talked about the complaint process. ES stated that Newton's legal department has recommended that volunteers such as from HRC, and the Fair Housing Committee, should not be directly engaged in the Fair Housing complaint process because of liability concerns. Health and Human Services is the city's lead agency on managing the complaint process and following up with complainants. ES explained that the city does not handle complaints and complaints are referred to MCAD.

ES stated that to her understanding that MCAD is generally overwhelmed and under resourced. ES stated that HHS would be available to meet if the FHC would like to discuss their process and how they are responsive to complainants. ES stated that she would like to have them come and speak.

7. Coordination with Housing Partnership and Housing Trust

- There was not a discussion on this matter.

8. Subcommittee Updates

• Lottery Results & Lease-ups Sub-Committee

- ES thanked TM and JM for preparing a presentation for January 2023's meeting and asked TM if she had any updates. TM stated that they are still waiting for some data from a property and that their next subcommittee meeting is this upcoming Monday at 8am. ES encouraged everyone to read the meeting minutes from the subcommittee in preparation to the presentation in January.

• Membership & Nominating Sub-Committee

• Fair Housing Award Sub-Committee

- ES stated that she had touched base with Theodore Hess-Mahan and Kathy Laufer, and they were both honored to be the award recipients. ES also contacted Lee Mondshein and he was happy with the nominations. ES thanked JF for suggesting nominating them both.

• Fair Housing Literature Sub-Committee

9. Fair Housing Committee Priorities Discussion

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10. Next meeting Wednesday, January 4, 2023

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Lottery Results and Lease Up Subcommittee

MEETING MINUTES

Date: March 8, 2022

Time: 1:00 p.m.

Place: Virtual (Zoom)

Members Present: Josephine McNeil, co-chair
Tatjana Meschede, co-chair
Kathy Laufer
Esther Schlorholtz

Members Absent: N/A

Staff Present: Malcolm Lucas, Housing Planner
Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Councilor Pamela Wright

Malcolm Lucas, Housing Planner, served as recorder, Tatjana Meschede, Chair called the meeting to order at 1:10 p.m.

1. Goals

- ML asked about the frequency of the Sub-Committee meetings because he stated that he will have trouble managing both the FHC and the subcommittee. JM stated that ML would not have to take minutes. JM stated that the members of the subcommittee will be take the responsibility.
- JM stated is there any reason why the subcommittee meetings could be set on the Friday report like all the other committee meetings for people to have access. JF talked about “please post” and the Friday report and their processes. She stated that the Friday report is not required. JM wants to confirm if their meeting agenda can be put in the Friday report. ML stated that he would.



- TM asked the sub-committee what the topics are they wanted to discuss and the purpose of creating the subcommittee. JM stated her concerns are to get the lease up information and not really focus on the lottery piece because she felt that there is enough information about it, and they have already discussed this. JM stated that the committee has the report from Judy Barrett and wanted to put more of the focus on the rent-up process.
- KL stated that a letter should be drafted to the management companies to collect data. TM asked if these are the two things which are going to be the subcommittee's focus. JM stated that during their time of research that they did not focus or consult with the management companies. She stated that this will be a good place to start. KL stated that she wanted to know what are the most recent 4 developments that had lotteries because they wanted to pick more developments to not single one development out. She agrees with JM. KL stated that they could probably draft a set of questions for the management companies to see what the barriers are to get the data although the committee has a sense of what they are.
- ES stated that it would be valuable to define what the problem is that they are trying to figure out and to establish that. ES stated that it may be helpful to look up an email ML sent in December 2021 regarding tenant selection. She stated that there were multiple examples to look at. ES stated that they could also look at the change in the local preference to get the data of what happened in the past. JM stated that they do need to be clear about what they choose to discuss and talked about the issues that she had with the lottery process and referred to Eamon Bencivengo, Housing Development Planner, who stated that the issue with the dates for ads and the timing and the review from the city will be implemented with the next development. JM stated that she is hoping that this is getting done.
- JM stated that some lottery agents do a good job getting information out to their community organizations and she has not seen Newton sending out information to people who are looking for housing. ES stated that they should look at their tenant selection plans more closely to determine barriers. She thinks that Newton does have partners but needs to look into this further. TM stated that lease up will be the most important to start on and that is what she is hearing. KL proposed that for the first cut that they should focus on the units for the 40B or inclusionary units just to make sure the city's local preference change was the right decision and stated that the City could have been wrong about changing it.

2. Timelines

- There was not any discussion on this matter.

3. Next meeting Date

- A date was not established. Looking into an April meeting. Committee will follow up with planning staff.

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Lottery Results and Lease Up Subcommittee

MEETING MINUTES

Date: April 19, 2022

Time: 8:00 a.m.

Place: Virtual (Zoom)

Members Present: Josephine McNeil, co-chair
Kathy Laufer
Esther Schlorholtz

Members Absent: Tatjana Meschede, co-chair

Staff Present: Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Councilor Pamela Wright

JM, co-chair, served as recorder and called the meeting to order at 8:05 am.

1. Minutes of March Meeting

➤ There were no minutes from the March meeting. They will be presented for approval at the May meeting.

2. Goals and Action Steps

➤ The primary focus of the meeting was a discussion regarding how we should proceed as a group. ES opined that the group needed to have a better understanding of the tenant selection process. Prior to the meeting she had sent to the group documents that the FHC had been sent at an earlier point regarding tenant selection plans. One of the plans was the MassHousing Tenant Selection Plan which had been included in the packet of information submitted along with the lottery package for Austin Street.

➤ Various members commented on some of the requirements included in the MassHousing Plan which they had taken notice of. It was agreed that each

member would, prior to the next meeting, review the MassHousing Tenant Selection and other tenant selection plans.

- ES reported that she had received the TRIO lottery package but was still waiting to receive the leasing plan. When she receives it, she will share with the group so that there can be a deeper discussion of the both the tenant selection process and the lease-up process.

3. Next Meeting Date

- The next meeting date was not established.

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Lottery Results and Lease Up Subcommittee

MEETING MINUTES

Date: May 24, 2022
Time: 8:00 a.m.
Place: Virtual (Zoom)

Members Present: Josephine McNeil, co-chair
Tatjana Meschede co-chair
Kathy Laufer
Esther Schlorholtz

Members Absent:

Staff Present: Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Councilor Pamela Wright

JM, co-chair, called the meeting to order at 8:05 a.m. TM, co-chair, served as recorder.

1. Approval of March and April Minutes

- Approval of March meeting minutes: approved, after minor corrections of typos. Copy to be circulated to committee members.
- Approval of April minutes: deferring approval to next meeting. ES reminded the committee that Councilor Pamela Wright was in attendance.
- The name of the subcommittee as “Lottery Results and Lease Up Subcommittee” was confirmed at the full Newton Fair Housing Committee meeting on May 4, 2022. This new name needs to be added to the meeting agendas and notes.

2. Goals and Actions

- The subcommittee discussed that it is focusing on understanding the lease up process, especially on better understanding the steps taken once a tenant has been notified of being accepted into a unit and does not lease the unit. In order to better understand barriers to leasing a unit that was offered, the committee decided to look into potential barriers to leasing, including credit scores, criminal history, prior housing tenancy, and employment.

3. Review of Tenant Selection Documents and Discussion

- The subcommittee discussed how to better understand barriers to leasing and reviewed the documents that were circulated. After discussion, the subcommittee decided to ask for data from two recent Newton developments, Austin Street and Trio, on the number of households that were denied and the reasons for their denial. The data would include information for both the initial lottery process and the regular marketing process. Kathy Laufer volunteered to contact the leasing offices at both projects to obtain the information and present it at the next meeting.

4. Next Meeting

- Date for next meeting: June 21, at 8 a.m. on Zoom.

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Lottery Results and Lease Up Subcommittee

MEETING MINUTES

Date: June 21, 2022

Time: 8:00 a.m.

Place: Virtual (Zoom)

Members Present: Josephine McNeil, co-chair
Tatjana Meschede co-chair
Kathy Laufer
Esther Schlorholtz

Members Absent:

Staff Present: Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Councilor Pamela Wright

TM, co-chair, called the meeting to order at 8:05 a.m. JM, co-chair, served as recorder.

1. Approval of April and May Minutes

- Minutes of April 2022 - ES moved, KL seconded approval; minutes were approved unanimously.
- Minutes of May 2022 – ES moved, KL seconded approval; minutes were approved unanimously.

2. Review of data request letter

- Letter drafted by KL to be sent to management companies/developers of Austin Street Apartments and TRIO was discussed. JM suggested that the letter should include language which made it clear that the FHC was seeking information to improve the lease-up process to ensure better tenancies for both the lessees and the management companies/developers. There

was general discussion about language. It was determined that TM would revise the draft letter and send to members. Each person would send her their edits; she would incorporate them and send a final draft which we will discuss at the next meeting. JF pointed out that we should clarify whether the letter was coming from the sub-committee or the FHC. In either case, she stated that the letter should be brought to the whole committee for its approval. The consensus was the letter should come from the FHC.

- The group then discussed the spreadsheet which KL had also drafted. A discussion ensued as to the practicality of asking the management companies to provide information for both the affordable and the market rate units. Some members felt very strongly that we needed information for both. It was suggested that the respondents could be given the option to provide same information or different information for market rate units. It was also suggested that a conversation by KL prior to sending the letter might provide some guidance about asking for market rate information. There were suggestions made with respect to the data requested in each column. Among the suggestions were: combining race and ethnicity columns; eliminating age of household members column, adding, if disclosed, to some columns and that the offered a unit column should include a list of reasons with a check box next to each. Based upon the discussion TM will also revise the spreadsheet and send out for comments to be sent to her. She will make changes and send out with the letter prior to the next meeting.

3. Discussion of specific barriers listed in tenant selection plans

- not discussed

4. Next meeting date

- July 12, 8am

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Lottery Results and Lease Up Subcommittee

MEETING MINUTES

Date: July 12, 2022
Time: 8:00 a.m.
Place: Virtual (Zoom)

Members Present: Josephine McNeil, co-chair
Tatjana Meschede co-chair
Kathy Laufer
Esther Schlorholtz

Members Absent:

Staff Present: Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Councilor Pamela Wright
Councilor Andrea Downs

TM, co-chair, called the meeting to order at 8:05 a.m. JM, co-chair, served as recorder.

1. Approval of April and May Minutes

- Minutes of June 21 2022 - KL moved, ES seconded approval; minutes were approved unanimously.

2. Review of data request letter

- It was determined that KL's name should be included in the letter as the contact person and that it should be signed by the co-chairs. KL will contact TRIO and 28 Austin prior to sending the letters.
- As discussed at the June meeting, KL will contact the management staff at the two properties to notify them that they will receive the letter and spreadsheet seeking information about the lease-up of the units. If they have concerns about providing information about the market rate units; she will point out that fair housing is not limited to affordable units.

- JM will provide KL with the contact information for management at the two properties. TM will edit letter accordingly, send to ML, and ask him to send to FHC committee for review and approval at its August meeting.

3. Review of data request spreadsheet

The following suggestions were made:

- Insert a title – name of the subcommittee
- Insert at top of sheet lines for:
 - ✓ Name of Property
 - ✓ Address of property
 - ✓ Name of Contact person
 - ✓ Date
- Make columns wider

TM will make changes, send to ML, and ask him to send to FHC committee for review and approval at its August meeting.

4. Discussion of specific barriers listed in tenant selection plans

- General discussion about the need for training by all FHC members. It was agreed that such a discussion should be on the August 3rd agenda.

The meeting adjourned at approximately 9:00 am.

5. Next meeting date

- Tuesday, September 20th, 8-9 via zoom

*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



Ruthanne Fuller
Mayor

Barney Heath
Director of
Planning & Development

Malcolm Lucas
Housing Planner

Members

Esther Schlorholtz, Chair
Donna Rigg, Vice-Chair
Kathy Laufer
Josephine McNeil
Tatjana Meschede
Judy Korzenowski
Alexandra Weiffenbach
Ellen Tanowitz

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CITY OF NEWTON, MASSACHUSETTS

Fair Housing Lottery Results and Lease Up Subcommittee

MEETING MINUTES

Date: September 20, 2022

Time: 8:00 a.m.

Place: Virtual (Zoom)

Members Present: Josephine McNeil, co-chair
Tatjana Meschede co-chair
Esther Schlorholtz

Members Absent:

Staff Present: Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Councilor Pamela Wright
Kathy Laufer

TM, co-chair, called the meeting to order at 8:01 a.m. JM, co-chair, served as recorder.

1. Approval of April and May Minutes

- Minutes of July 12, 2022 - ES moved, JM seconded approval; minutes were approved unanimously.

2. Discussion of Information received in response to our letter for data.

- It was noted that the committee had received a completed spreadsheet from 28 Austin St. We received an email from Maloney Properties stating that the information was forthcoming.
- The group had questions about the data received for 28 Austin St. The spreadsheet was supposed to report lease up information. TM mentioned that the spreadsheet showed only 10 affordable which was inconsistent with the number 23 that were required by the special permit. It was also noted that there had been a significant number of

incomplete applications reported. JM questioned whether the incomplete applications referred to lottery applications or lease-up applications.

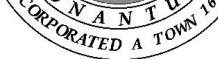
- After much discussion, it was determined that there was a need for clarification of several issues. One of which was the need to better understand the role of the lottery agent versus that of the management company. JM mentioned that it was possible that the information was confusing as there had been a change of management companies at both properties. Two methods of acquiring the clarification were discussed. One to send an email asking for a response to specific questions; the other was to invite the principals of the developer to attend a meeting.
- The group decided that to achieve its goal to ensure that the lottery process was affirmatively furthering fair housing it should become more knowledgeable starting with the first step – the lottery process. ES reminded the group that we had been given written information about the process. Despite that, the group felt that it needed to better understand the intricacies and that the best way to do that would be to have a conversation with SEB Housing, as it had been the lottery agent for both 28 Austin and TRIO.
- JM volunteered to contact SEB Housing and invite them to attend a meeting with the group prior to our next meeting. Two possible dates were discussed September 30th at 8 am or October 7th at 8 am. Due to TM's travel schedule, October 7th at 8 am was the preferred date. JM will extend the invitation for October 7th with September 30 as the second choice.
- It was determined that we needed the leasing applications for both properties.
- Jini Fairley shared with the group her concern that the reduction of the preference in the Inclusionary Zoning Ordinance could have a negative impact upon the number of units available to people with disabilities. JM mentioned that she thought that the preference applied to the percentage of persons. PW stated that she was also of the opinion that the percentage referred to units. This is a point that SEB might be able to clarify.

The meeting adjourned at approximately 9:00 am.

Next meeting date

Friday, October 7, 8-9 via zoom

*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



MEETING MINUTES

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Mayor

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Planning & Development

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Date: October 7, 2022
Time: 8:00 a.m.
Place: Virtual (Zoom)

Members Present: Josephine McNeil, co-chair
Tatjana Meschede co-chair
Esther Schlorholtz

Staff Present: Jini Fairley, ADA/Sec. 504 Coordinator

Public Present: Councilor Pamela Wright
Kathy Laufer
Amy Sangiolo

TM, co-chair, called the meeting to order at 8:01 a.m. JM, co-chair, served as recorder.

1. Approval of September Minutes

- Minutes of September 20, 2022 - ES moved, JM seconded approval; minutes were approved unanimously.

2. Presentation by Brian Engler, SEB

Mr. Engler explained the process undertaken by SEB in its delivery of lottery services to developers of properties in Newton.

- They advertise in accordance with the Affirmative Marketing Plan that has been approved by the subsidizing agency either DHCD or MassHousing. The advertisement includes the name and location of the project, income minimums and maximums, statement that vouchers holders can apply, types of units, description of the amenities in the project, preferences, if any, and information on how to obtain the application either on-line (link provided) or at their offices, date by which application must be submitted, and date, time and location of an informational meeting, including a statement that attendance at meetings is not mandatory. The application asks the applicant to provide personal and income information including source, amounts and assets, type of unit they are seeking, can ask for more than one type if they are eligible.

- When an application is received, SEB does a cursory screening to determine eligibility. If eligible applicant will receive a letter stating the type of unit and the income level. Applicants with vouchers are automatically approved at an 80% income level. There are no asset thresholds for inclusionary and 40B units. Assets are never used to move an applicant into a higher level than their income qualifies them for; only used to show that they can meet income limits. He commented that few applicants qualify for the 100% AMI units.
- After the application period ends, SEB conducts the lottery and submits to the owner/management company the waiting list for each unit type. They will review the list of lottery applicants to determine whether to invite applicants to submit a rental application. The factors they use to make decisions include credit score, criminal history, rental history, rental income ratios (income at least 2.5 times the amount of rent, except for those with Section 8 subsidies). Some of this information is assessed using screening tools with algorithms that may have discriminatory aspects. If the applicant's score is satisfactory, a reservation letter of a unit will be sent to the applicant.
- The owner/management company will notify SEB of the applicants to whom they have sent reservation letters. SEB will go back to the applicant seeking documentation that confirms all the information provided in the lottery application. Such documents include pay stubs, income tax returns, bank statements, etc. In some instances, applicants misread the reservation letter and think that they have been awarded the unit. However, they must provide the requested documentation for eligibility determination.

When asked about what happens after lease-up, BE explained that tenants are recertified every year to be sure they are still income eligible. 140% of AMI is the threshold. If applicant is over the income threshold, they must pay the market rate rent. If their income is less, they may fall into a lower income tier and be eligible for a reduction in rent.

As part of our discussion, BE shared some information about how the City of Boston, out of concern for the discriminatory effect of the algorithms in the screening tools, has created a system called Boston Fair Chance which enables applicants who are denied a unit to appeal the denial of a unit.

There was some discussion of the role of the City of Newton in the lottery and tenant selection process. The group felt that there was a need to seek clarification from Amanda Berman regarding the city's role.

BE was thanked for his attendance and the information he shared.

The next meeting date was set for November 8 via zoom at 8 am.

The meeting was adjourned at 9:27 am.

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

Fair Housing for Real Estate Professionals

Presented by:

**Kelly F. Vieira, Director of Investigations & Outreach,
Housing Discrimination Testing Program (HDTP)
Suffolk University Law School**

**January 19, 2023, presentation 8:30 – 9:30 am
Q&A 9:30 – 10:00 am**

Registration:

<https://www.eventbrite.com/e/fair-housing-for-real-estate-professionals-tickets-489977003407>

Topics covered:

- Fair Housing overview
- HDTP Suffolk Law Fair Housing testing
 - <https://www.tbf.org/-/media/tbf/reports-and-covers/2020/housing-voucher-report-20200701.pdf?la=en>
- Best practices for real estate professionals for home sales and apartment rentals

