

**DRAFT**

## **Arlington County Tenant-Landlord Commission Meeting**

Meeting Notes – July 29, 2020

**Commissioners present:** Kellen MacBeth (Chair), Kirit Mookerjee, Bismah Ahmed, Elyse Hayes Christopher Bruno, Kristin Clegg, David Timm, Zachary Butler, Matthew Whitfield.

The meeting was called to order at 7:00 by Chair MacBeth. The meeting was a virtual meeting, the first since the cancellation of commission meetings due to the COVID-19 pandemic. Chair MacBeth, welcomed everyone and read prepared protocols for virtual public meetings participation.

**Public Comment:** Dharma Wilson provided a written complaint to the commission describing uncomfortable and unsafe activities taking place at her apartment building which created an unsafe environment for her as a single female. Chair, Kellen suggested that the matter described maybe a criminal matter requiring police attention. He advised that tenant resources such as BUGATA and Legal Services of Northern Virginia could be contacted for further advice. The second registered speaker was Michelle Chan representing Virginial Majority, whose comment was reserved since it was a related to the Chair’s report, item #5.

**Minutes approval** – no minutes were presented at this meeting.

### **New Business**

**Item #1 Arlington View Terrace Relocation Plan** – Haley Morris, Senior Development Specialist, AHC, Inc. provided a power point presentation of the proposed relocation plan, that affects 30 households who will be displaced due to the replacement of an existing building with a newly constructed 77-unit building. The period of relocation would be 36 months; 120 day notices would be provided early August. 30 units with HUD Assistance Payment rental subsidies will be distributed throughout the new construction building and these households would be accommodated in the new building upon completion.

Discussion: There were follow up questions from commissioners regarding availability of units elsewhere in Arlington to accommodate residents and if not available would residents have to move outside of the County? Ms Morris responded that the intention is to find accommodation at other AHC properties. Commissioner Clegg asked about AHC’s occupancy standard being different from other properties. Ms. Morris indicated that she would follow up with a written response to this question. Commission Mookerjee requested clarity on the phrase “markup to market contract” whether this meant an increase in rent if the tenant’s income increased? Ms. Morris explained that this was a calculation done by HUD. A resident questioned whether the fact that utilities would be solar powered would result in savings on tenants’ utility bills. Ms. Morris explained that the savings would occur building wide.

The commission voted unanimously (0-9) to recommend approval of the Arlington View Terrace relocation plan.

#### Item #2 **Proposed 2021 Legislative Priorities**

1. Require that tenants be provided an opportunity to purchase a multi-family building if the owner decides to sell

Discussion: There was significant discussion on this proposal it was generally felt that this idea required more research and review within a historical context, better understanding of the implications, better process and need for broader consultation and collaboration with stakeholders before it could become a recommendation. This comment was supported by a representative of Virginia Apartment Association, Commissioners Clegg and Hayes were concerned that there were more immediate issues such as those related to COVID-19 that the commission should focus on at this time. Chair, Macbeth explained that these recommendations were intended to bring attention to the issues, a first step to conversations and further research would take place. Commissioner Clegg brought attention to the “60 days” period stated within the bill might be an error. Commissioner Timm confirmed that it is “90 days”. A vote was taken to amend the language (8- 1(abstention)). Following the discussion, a vote was taken on the recommendation – 6 members voted against the recommendation, there was 1 abstention, 2 members voted in favor.

2. Establish local government authority to prevent rent gouging for multi-family properties

Discussion: There was significant discussion on this recommendation. Chair, Macbeth explained that this was an attempt to address the practice of “rent gouging” different from rent control. Commissioner Clegg expressed concern that this is a state issue and not within the bandwidth of the TLC. She expressed disagreement with government stipulating how often a property owner should increase rents and in general, there is too much uncertainty in the economy at this time. Also suggested that there be collaboration with the rental industry to get data to support anecdotes. Current legislation regulates rent increases; intervention by the government could be time consuming for employees and property owners/management. Michelle Chan from Virginia New Majority expressed concern for the impact of monthly increases on the housing cost for low-income tenants. Patrick Alygerof NVAA stated that this recommendation required substantiating with data and research. Suggested that NVAA data from last five years could be investigated to verify the need. Commissioner Timm expressed concern that this proposal could have a negative effect in the long term, although may appear beneficial in the short term. Commissioner Ahmed expressed concern about the overall process for recommended legislative priorities and the need for commission members to have adequate time for discussion prior to items being voted upon. Chair, Macbeth stated the recommendations were provided two weeks in advance for member consideration and feedback. After much discussion, a vote was taken on the recommendation. The result was 5 members not in favor; 2 abstentions; 2 members in favor.

### 3. Establishment of Virginia Rental Assistance Program (Adopted by the TLC in 2019)

Discussion: Commissioner Timm, stated his support of this proposal since it aligned with the Virginia Governor's proposal for Rent and Mortgage Relief which he felt should continue as an initiative. Commissioner Clegg also agreed with the proposal but recommended that the suggested method of implementation not be tied to project-based housing programs. It was agreed that the final sentence be removed from the recommendation. The recommendation was voted upon, 8 members agreed, 1 abstained.

#### **Item # 3 COVID-19 impact on tenants and County response**

Staff Jennifer Daniels, PCD Supervisor and Nicole Harmon, Bureau Chief DHS provided a presentation highlighting the County's response and resources developed and deployed to address the impact of the COVID-19 pandemic on the community. Copy of the presentation is available online. Resources include Landlord and Tenant FAQ's, a letter from the County Board to landlords requesting consideration of accommodation for tenants, coordinated services through the DHS, the critical role of Arlington THRIVE the primary nonprofit that is contracted to provide rental assistance to residents to prevent eviction. Chair, Macbeth thanked staff for the report; Commissioner Mookerjee was interested in follow up discussion.

**Chair's Report:** Chair, Macbeth briefly reported on his attendance at virtual meetings and participation in conversations about issues facing renters. He also commented on the role of Commission members in distributing flyers that informed renters about available resources. In the interest of time, a detailed discussion of the Chair's report was postponed until the September meeting. Staff was encouraged staff to look at the report and Chair, Macbeth offered to facilitate conversations with advocacy groups. Michelle Chan, a tenant advocate with Virginia Majority was scheduled to comment on the report. She voiced concerns about difficulties that some renters were experiencing such as delays when contacting DHS for information and follow up on applications submitted for rent relief; tenants fearful of applying due to immigrant status posing a public charge; also applicants being denied due to part-time employment since wages do not support rent amounts; language barriers and landlords applying payment to fees. Staff was unable to respond due to the time.

It was decided that the conversation should continue at the next meeting. Chair, Macbeth thanked staff and adjourned the meeting at 9:20 p.m.