

1. July 6, 2016 Meeting

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Portland Disability Advisory Committee (PDAC)

Present: Co-chairs Renee Berry-Huffman and Karen Perry, Jim Devine, Bud Buzzell, Gina Tapp (City HR Director), Karen McPhee (City Recreation), and guest attendees.

Guest Speaker: Mary Davis, City Planning Department
Topic: Housing Need/Issues in Portland

The entire meeting was devoted to a presentation about rental housing issues in Portland by Mary Davis, Division Director for The Division of Housing and Community Development (HCD) of the City of Portland.

The Division works in partnership with residents, nonprofit agencies and City department to benefit low and moderate-income residents and improve the neighborhoods in which they live.

Presentation

In January 2016, the mayor appointed five council members to work the City Council's Housing Committee. The role of the Housing committee is to address housing issues in the city. The Committee has spent the last five months gathering information on not only housing concerns but also all the positive things the City is doing regarding housing. The series of public meetings enabled the Committee to gather information from citizens, advocacy organizations, housing providers, and developers. The Committee also heard from a national speaker from Harvard University who spoke on the nation-wide housing issue.

These meetings generated a list of about one hundred thirty-five (135) items on a "bucket list" of ideas, concerns, and issues. Each item was evaluated at a

public/community meeting and by city staff. The Housing Committee identified 17 items from this list to look at right now. It is a working list.

Many of the items have to do with ordinances. Four (4) items need a legal review:

1. Rental control
2. Moratorium on no-fault evictions
3. Rent increases
4. Prohibit landlords from rejecting Section 8 renters.

The city's Corporation Counsel (city lawyer) will have a final legal memo for publication on Friday, July 8, 2016. It is challenging for municipalities to regulate the eviction process more than what is established under state law. They can call for stricter regulation but not be in conflict with state laws.

In addition, the review of the 17 item list will be an ongoing discussion with council members with two meetings in July and at least one in August.

Housing vouchers – it is illegal not to rent to someone solely on the basis that they have a housing voucher; however, a landlord may have other processes around renting such as doing a credit or background check that may lead a landlord to not accept the rental terms associated with the voucher program. It is possible to strengthen local rules but may be difficult to enforce.

The state established a law in the 1970's enabling rent control but in 1995, the state legislature repealed this law. However they left open the ability of local municipalities to adopt rent control. On July 13, the city council will have a Housing Committee meeting to discuss some of these issues. Members were urged to attend the meeting and get involved to help keep the council focus on the issue of evictions.

Mary indicated that her department is working on a one-page informational pamphlet on landlord/tenant regulations and that may be of interest to this committee (PDAC).

A question was raised about inspections. Even though going through Portland Housing Authority, a potential renter may find that this option does not have accessible options for persons with physical disabilities.

A comment was shared with the group that asked, could a web address for the topic be put on the city site that addresses accessibility and requirements, fair

housing regulations, accommodations and general renter problems to help interested persons. Pine Tree may have some helpful information as well. Mary's office is intends to work with Pine Tree Legal and other organizations on these issues to help get information out to the public. They hope to have a pamphlet ready by early fall.

The big question is: What is the acceptable guideline for access and what is truly accessible. There has been discussion with the Housing Safety Office about this - "reasonable accommodation" remains a concern. Mary noted that her department is trying to keep the Housing Safety Office informed as the Committee process moves forward.

The Housing Rehab program: Reasonable accommodation and accessibility issues can be done through this program within Housing and Community Development. Public Service Announcements (PSA) may be a way that the city can better educate landlords on disability issues. (Disability community needs more than 48-hour notice to arrange for transportation. This can be challenging when housing issues arise or when making appointments). An entire inspection is done to help point out any other issues around the dwelling. There are a variety of funds available. Some are based on the tenant's income for the unit and some on the property in order to qualify. Rent requirements in these programs tend to be lower than the rent allowed by a Section 8 voucher. The city tries to make the loan terms attractive to landlords.

Vouchers are given for a time frame to locate a property or lease.

Mary makes information available through mailings, flyers, advertising in papers and cable access. A lot of people do not know about the Southern Maine Landlords Association. Gina Tapp also noted that there is a web site that local employers use to help their employees find rentals.

It was noted by audience members that if people reject an apartment because of an accessibility issue, they should not go to the bottom of the list (for Portland Housing Authority).

Maine Human Rights Commission is an additional resource available to help people. The solution cannot be denying choice. It was mentioned that potential renters may not know the right questions to ask a landlord. Written information and/or a web site would be helpful, especially around physical accessibility.

The city could step in and help with voucher and choice issues. Portland is not only losing affordable units, but historical relationships and commitments. In addition to community development, we need to look at the issue of community preservation. An example of this was the loss of 50 affordable rental units when the Eastland was sold and renovated.

If the standards for housing were the same across the board, the reasoning for discrimination is removed.

Mary took note of the issues and concerns. She mentioned that the housing committee meets twice a month so interested persons can stay abreast of discussions and/or attend meetings. She also informed attendees that the city web site has a "Notify Me" section that an interested person can check for updates and this if by department and issues. Messages can be left there as well.

Mary stated that anyone with additional concerns can contact her office. Her number is 874-8711.