



City of Portland

Rental Housing Advisory Committee

Thursday, April 23, 2020 at 5:30

Co-Chairs: Meredith Cook, Tenant Representative and Regan Sweeney, Landlord Representative

ZOOM MEETING INSTRUCTIONS:

The Rental Housing Advisory Committee will hold a remote meeting on Thursday, April 23, 2020 at 5:30 pm. This meeting will take place remotely using Zoom.

Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403-A, that authorizes cities and towns to conduct meetings online.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be uploaded to portlandmaine.gov/livestream the next day.

Please click the link below to join the webinar: <https://zoom.us/j/93078083758>

For public comment, you will need to use the “raise your hand” feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

To join via Telephone dial: US: +1 312 626 6799 or +1 646 558 8656 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or +1 301 715 8592

iPhone one-tap for mobile: US: +13126266799,,93078083758# or +16465588656,,93078083758#

Webinar ID: 930 7808 3758

1. Review and Approval of the Minutes of the February 24, 2020 Meeting
 - a. Draft Minutes of the February 24, 2020 MeetingDiscussion of short-term rental housing proposals by Councilor Cook, and recommendation to the Housing Committee/City Council regarding same. See Attachments.
2.
 - a. Councilor Cook STR Proposal
 - b. 04/13/2020 Portland Press Herald Article on STR Proposals
3. Discussion of proposals and ideas to assist rental housing community during COVID-19 pandemic, and possible recommendation(s) to Housing Committee and/or City Council.
4. Public Comment

- a. *NOTE: The Rental Housing Advisory Committee is not a grievance committee or complaint forum for landlord-tenant issues or dispute resolution. The duties of the Committee are (1) To Provide the Housing Committee with recommendations or proposals for improvements, modifications, or changes regarding landlord and tenant policy issues; and (2) Identify educational opportunities, seminars, and materials that would be useful to landlords and tenants.*

- 5. Other Business
- 6. Next Meeting Date

Rental Housing Advisory Committee

Minutes of February 24, 2020 Meeting

A meeting of the Portland Rental Housing Advisory Committee (RHAC) was held on Monday, February 24, 2020 at 5:30 P.M. in Room 24 of Portland's City Hall. Committee members present at the meeting included Meredith Cook, Regan Sweeney, Aaron Berger, Amy Carole, Nora Graves, Wendy Harmon, Travis Heynen, Katherine McGovern, and Crow Norlander. City staff present included Mary Davis of the Housing and Community Development Division.

Item 1: Comments from the Chair.

Regan talked about comments he received regarding the process of putting together the Housing Committee recommendation. He hopes in the future to keep a cooperative spirit and wants to make sure everyone's voice can be heard.

Item 2: Review and approval of the Minutes of previous meeting held on January 27, 2020

Motion by Aaron, seconded by Nora to approve the minutes from the January 27, 2020 meeting. Motion approved 9-0.

Item 3: New Committee Member Introduction.

Introductions were made between current members of the committee and new committee member Amy Carole. Amy was appointed to fill the remaining term of Thaddeus St. John, a tenant representative, who resigned in 2019.

Item 4: Report Back from Committee Members on 2/12/2020 Housing Committee meeting.

Aaron began by giving the committee an overview of the Housing Committee discussion; mentioned that Regan provided a minority opinion. Several members mentioned that were confused that the Housing Committee seemed surprised that the RHAC brought forward a policy recommendation for consideration by the Housing Committee. It was mentioned that the Housing Committee would take public comment and make a final determination on the recommendation at their meeting in April. Wendy mentioned that a Housing Committee member indicated that they would prefer to see what happens at the state level regarding rental application fees.

The committee discussed a process for how this would work in the future which included making sure the memo to the Housing Committee reflected the full committee discussion.

Item 5: Announcements

No announcements.

Item 6: Further Discussion of Education Event

Mary informed the committee that their charge does not include hosting events on behalf of the City. Mary explained to the committee that the Housing and Community Development Division is working on a rental housing information event for Community Development Week/Fair Housing Month in April which RHAC members can assist with. Mary will let the RHAC know when the housing fair will be and suggested that the RHAC might want to have a table and/or participate in this event.

Meredith made a motion, seconded by Aaron that RHAC participate in the housing fair. Motion approved 9-0.

Item 7: Public Comment

Jen Munroe, introduced herself, she works for Port Property Management and is interested in the work of the RHAC.

Item 8: Discussion of Committee Work Plan/Agenda

Aaron is curious how the information regarding educational outreach affects the RHAC work plan and whether the RHAC can recommend policy changes that impact the RHAC mandate.

Mary suggested the committee might work on information/literature for the city website.

Katie indicated that so much information is available on the Pine Tree Legal (PTLA) website that reinventing the wheel for the city website does not seem productive.

Travis suggested the city website could redirect people to what is available on the PTLA website.

Wendy asked if the General Assistance office still has monitors/screens that display information to those waiting for assistance. Mary agreed to check.

Aaron suggested that the RHAC review what is currently on the city website, what resources are referenced and what are not and then brainstorm what additional information might be helpful.

Regan thought there was excitement around the idea of the RHAC hosting event; maybe if the group talks about what information they were looking forward to presenting in that event, the group could facilitate getting that information out in a different way.

Meredith asked if there was a gap in information that RHAC members may want to know more about.

Wendy mentioned topics like smoke alarms, fire safety, radon gas, etc.

Amy suggested harnessing the energy around the topics discussed at the meeting and trying to put them together for the housing fair.

Regan talked about the group working on something similar to a Tenant 101 information packet or presentation.

Travis suggested inviting groups to present at RHAC meetings.

Wendy asked about when the Housing Safety Office would be presenting to the RHAC.

Regan explained that he wanted to have a more definitive plan for the Housing Safety Office presentation before inviting them to the RHAC meeting.

Meredith mentioned that the minutes from the previous meeting reflected some questions for the Housing Safety Office.

Aaron wondered if the RHAC could identify educational opportunities through the Housing Safety Office like tenant protections, city resources available, etc.

Mary suggested creating social media “did you know?” posts that could be posted on the city’s social media pages.

Regan requested that RHAC members make the public aware of the Housing Safety Office presentation so that the presentation can be educational to RHAC members as well as to landlords and tenants that RHAC members represent.

Aaron mentioned that it would be useful if the RHAC meetings could be recorded. Mary agreed to investigate if this would be possible.

Questions for Housing Safety:

The RHAC requested that Mary see if the Housing Safety Office could attend the March meeting.

Nora – inspections – if failed, what is time frame for re-inspection, what is the backlog on re-inspections; how do they deal with absentee landlords, landlords that do not live in the area?

Regan – how recent or how often are online records are updated?

Aaron – what are a tenant’s options if they think their building is not up to code?

Regan – would like a description of how a housing complaint is handled;

Does the Housing Safety Office have flyers? What are they, where are they, how are they accessed?

Mary will send out links to where info is available on the website.

Item 9: Other Business

With no other business on the agenda, Regan requested a motion to adjourn. Meredith moved and Nora seconded. The meeting was adjourned at 6:40 p.m.

Respectively submitted,

Mary Davis

**AMENDMENT 1 TO ORDER 156-19/20
PREPARED BY CORPORATION COUNSEL
FOR COUNCILOR COOK
RE: RENTAL REGISTRATION FEE REFUND**

ORDERED , that the Proclamation Declaring the Continued State of Emergency and Requirement to Stay at Home, issued by the City Manager Jon P. Jennings on March 24, 2020, is hereby renewed and amended to be in effect for twenty-eight days, from March 30, 2020 through 12:00 a.m. on April 27, 2020, in substantially the form attached; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or his or her designee to execute any related documents necessary or convenient to carry out the intent of this Order.

PROCLAMATION DECLARING CONTINUED STATE OF EMERGENCY AND REQUIREMENT TO STAY AT HOME

WHEREAS, there is currently an outbreak of novel coronavirus disease 2019 (“COVID-19”), a respiratory illness, first detected in Wuhan City, Hubei Province, China, and it continues to expand to a growing number of international locations, including the United States; and

...

NOW THEREFORE, BE IT ORDERED, that the Mayor and City Council of the City of Portland, do hereby declare and order as follows:

1. A civil state of emergency continues to exist within the City of Portland.

...

19. Effective immediately, renting, letting, advertising for rent, or entering into an agreement for the rent of any Short Term Rental, as defined in Sec. 6-150 of the Portland City Code, is hereby prohibited. Any individual(s) currently occupying a Short-Term Rental on or before March 30, 2020, may continue such occupancy, but all such rental agreements or arrangements for such Short-Term Rentals shall be terminated by operation of this paragraph on or before April 6, 2020. Nothing in this paragraph shall be construed, however, to bar or preclude a Short-Term Rental from being used to provide housing to medical/healthcare professionals or first responders, if such housing is funded by the Maine Emergency Management Association; or to provide emergency housing to an individual experiencing homelessness through the operation of the State of Maine's General Assistance program; or for residents of the City of Portland who are self-isolating as a result of illness or risk of exposure to COVID-19.

Effective immediately, and continuing for 30 days after the expiration of this emergency proclamation, any person who holds a short term rental registration for a short term rental unit pursuant to Sec. 6-150 et seq., is entitled to receive a full refund of short term rental registration fees paid for that unit for the year 2020 and a waiver of long term rental registration fees for the year 2020 for new long term rental registrations made in accordance with the language of this proclamation so long as that person a) relinquishes their short term rental registration for that unit; b) registers the unit as a long term rental (or has an existing long term rental registration for that unit); and c) provides evidence to the Housing Safety Office that the person has entered into a lease agreement for the unit of at least one year's duration.

**AMENDMENT 2 TO ORDER 156-19/20
PREPARED BY CORPORATION COUNSEL
FOR COUNCILOR COOK
RE: RENTAL REGISTRATION FEES**

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Effective immediately, and continuing for 30 days after the expiration of this emergency proclamation, the City adopts a temporary Landlord Housing Conversion Incentive pursuant to which any person who holds a short term rental registration for a short term rental unit pursuant to Sec. 6-150 et seq., is entitled to a one-time payment of \$1,000.00 so long as that person a) relinquishes their short term rental registration for that unit; b) registers the unit as a long term rental (or has an existing long term rental registration for that unit); and c) provides evidence to the Housing and Community Development Division that the person has entered into an agreement to lease the unit to an individual(s) for a minimum of 1 year, and that individual will be receiving either Section 8 funds or General Assistance funds for the unit. The \$1,000 payment shall be paid out of the Housing Trust Fund.

The provisions of Chapter 14 of the Portland City Code governing approval of the Council's Housing Trust Fund Annual Plan are suspended to permit the temporary addition and funding of the Landlord Housing Conversion Incentive to the Housing Trust Fund Annual Plan for the conversion of units during the period beginning April 13, 2020 until 30 days after the termination of this Proclamation.

...

Portland may offer incentives to convert short-term rentals to long-term housing

 [pressherald.com/2020/04/13/portland-postpones-council-meeting-as-storm-threatens-to-knock-out-power/](https://www.pressherald.com/2020/04/13/portland-postpones-council-meeting-as-storm-threatens-to-knock-out-power/)

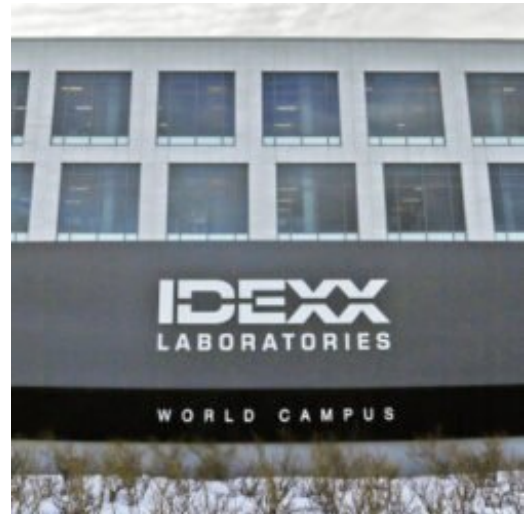
By Megan Gray Staff Writer

April 13,
2020

The Portland City Council will consider financial incentives for owners to convert short-term rentals into long-term housing units, as the pandemic has forced the closure of most tourist lodging and raised new concerns about housing stability.

City officials postponed a workshop and meeting scheduled for Monday because of the potential for power outages during a gusty coastal storm. Those virtual events will instead be held Tuesday.

The agenda includes two amendments from Councilor Kim Cook, who previously submitted the proposal to ban AirBnbs and other short-term rentals as part of the city's stay-at-home order. The City Council unanimously approved that amendment to the order March 30. Portland has nearly 800 registered short term rentals.



One proposal would allow the owners of short-term rentals to get a refund on their registration fees if they lease the unit to a tenant for at least one year. Portland has a structured fee system for those short term rentals that starts at \$100, but owners with multiple properties could spend thousands of dollars.

The second proposal would also give the owners of short-term rentals an additional \$1,000 payment if they sign a lease of at least one year with a tenant who is using General Assistance or a Section 8 housing voucher. That money would come from the city's Housing Trust Fund.

Cook said she thought those amendments could help both property owners and renters. She called it a "win-win."

"It was to give them the opportunity to get that fee back if they so choose to convert the long-term rental and open up a housing unit for people who live in Portland, but also to help the property owner because they aren't earning money right now from the short-term rental," Cook said.

Portland has been struggling for years with a tight supply of rental housing that has pushed rents higher and forced some workers to move out of the city. The conversion of hundreds of year-round housing units into more lucrative short-term rentals has contributed to the shortage.

Rental housing for low-income tenants or people relying on public assistance is seen as an especially high priority now as renters face financial pressures caused by the coronavirus crisis.

The City Council will consider other changes to the stay-at-home order, and in particular, the list of essential businesses during the pandemic. The city and the state adopted lists that are slightly different and have conflicted at certain points. For example, the state has deemed real estate agencies to be essential businesses, but the city has not.

The councilors discussed those two lists at their last meeting but asked for more information before voting on an amendment that would adopt the state's version over the city's.

Like other cities and towns, Portland is holding its public meetings online using Zoom, a video conference platform that allows citizens to watch the discussions and, on certain subjects, ask questions or provide feedback. However, because loss of power in parts of the city would eliminate access to the meeting, the city decided to postpone.

To join the meetings on Tuesday, download the free Zoom app and click the link:
<https://zoom.us/j/635623968>

More information about the meetings and how to participate can be found at portlandmaine.gov.

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