



City of Portland

Remote Special Meeting of the Rental Housing Advisory Committee

Monday, August 30, 2021

1. ZOOM MEETING INSTRUCTIONS

- a. The Rental Housing Advisory Committee will hold a remote meeting on Monday, August 30, 2021 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.

Join Zoom Meeting by clicking on the link below
<https://us02web.zoom.us/j/87358683396>

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.

Webinar Meeting ID:
873 5868 3396

One tap mobile:
US: +13017158592, 87358683396#
Telephone:
US: + 1 301 715 8592 or +1 312 626 699

2. Review and Approval of the Minutes of the May 24, 2021 meeting
 - a. Draft Minutes, May 24, 2021
3. Review and Approval of the Minutes of the July 26, 2021 meeting
 - a. Draft Minutes, July 26, 2021
4. Review and Approval of the Minutes of the August 23, 2021 meeting
 - a. Draft Minutes, August 23, 2021

5. Review and Adoption of the Remote Participation Policy of the Rental Housing Advisory Committee
 - a. Remote Participation Policy of the Rental Housing Advisory Committee
6. Public Comment
 - a. Members of the public will be given an opportunity to address the Committee. Any person wishing to address the Committee shall give their name and address, and, if applicable, organization represented, and restrict comments to three (3) minutes.

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 and Economic Development Committee with recommendations or proposals for improvements, modifications, or changes regarding landlord and tenant policy issues; and (2) to identify educational opportunities, seminars, and materials that would be useful to landlords and tenants.

7. Other Business

**Rental Housing Advisory Committee
Minutes of Remote Meeting held on May 24, 2021**

Committee attendance: Amy Carole, Meredith Cook, Nora Graves, Wendy Harmon, and Regan Sweeney

Absent: Crow Norlander

Staff attendance: Mary Davis and Victoria Volent

Item 1: Review and Approval of the Minutes of the March 22, 2021 Meeting

On motion made by Meredith Cook, seconded by Nora Graves, the Committee voted unanimously (5-0) to accept the Minutes as published.

Item 2: Discussion regarding April 20 HEDC meeting and potential action items for RHAC

Regan Sweeney provided a high level overview of the meeting held with the Housing and Economic Development Committee. Meredith Cook and Nora Graves were also in attendance at the April 20 meeting. Members of the HEDC thanked the RHAC for their work and the ideas presented in their memo to the Committee. Consensus of the HEDC was to provide feedback on the RHAC memo and provide their own items for consideration for the next meeting of the HEDC. The HEDC asked the RHAC to come back to the HEDC with an update on which items they would like to take up for discussion.

Item 3: Update on changes in RHAC membership and nomination / appointment process

Mary Davis noted interviews for new and reappointed RHAC members were being conducted by the City's nominating committee. Recommendations would be forwarded to the City Council for consideration during their June 7 meeting. Openings on the RHAC are due to term expirations and resignations. Meredith Cook (tenant representative) and Wendy Harmon (landlord representative) have reapplied. Pine Tree Legal will provide someone to fill the expired term of the member experienced in legal rights/interests of tenants. There are also openings for a member who is a landlord, and a member who is a tenant.

Item 4: Report on April 28 and May 11 Rent Board meetings

Regan Sweeney has been attending the meeting of the Remote Rent Board. He provided an overview of the April 28 and May 11 meeting. The next meeting of the Rent Board is May 26.

Archived and future meetings can be found at: <https://portlandmaine.gov/129/Agendas-Minutes>

The City's calendar of meetings, and notification site, can be found at:
<http://www.portlandmaine.gov/list.aspx>

Item 5: Update on *SMLA v. City of Portland* lawsuit

Regan Sweeney noted the lawsuit is still in the works.

Item 6: Public Comment

The meeting was opened to public comment. No public comment was offered so the public comment period was closed.

Item 6: Other Business

On a motion made by Regan Sweeney, seconded by Meredith Cook, the Committee voted unanimously (5-0) to cancel the June meeting of the RHAC.

Motion to adjourn made by Meredith, seconded by Nora and passed 7-0.

The meeting was adjourned at 5:52 PM.

Respectfully submitted by Victoria Volent

Rental Housing Advisory Committee
Minutes of Remote Meeting held on July 26, 2021

Committee attendance: Amy Carole, Meredith Cook, Nora Graves, Wendy Harmon, Jeremy Lock, Chris Marot, Crow Norlander, and Regan Sweeney.

Staff attendance: Mary Davis and Victoria Volent

Item 1: Review and Approval of the Minutes of the May 24, 2021 Meeting

Motion to review and approve the minutes of May 24, 2021 was tabled to the next meeting of the RHAC.

Item 2: Introduction of new RHAC members

Jeremy Lock and Christopher Marot introduced themselves to the RHAC. Regan Sweeney welcomed the new members. The remainder of the RHAC members introduced themselves to the newest members. Mary Davis noted the Committee still has a vacancy for the tenant representative which will be advertised by the City Clerk.

Item 3: Update on SMLA v. City of Portland

Regan Sweeney and Chris Marot provided an update on the law suit brought by the Southern Maine Landlord Association against the City of Portland's new rent control ordinance which limits most rent increases to the rate of inflation, increases the amount of notice a landlord must provide when not renewing an at-will tenancy, and creates a Rent Board to enforce the ordinance and award additional rent increases when appropriate. Pine Tree Legal Assistance filed its own brief. Superior Court Justice Kennedy upheld Portland's new rent control ordinance. The motion for summary judgement indicates the City Ordinances will stand while the law suite continues. The appeal window is open until the end of the month. If it is appealed, the RHAC will know by their next meeting.

Item 4: Update on Rent Board

Regan Sweeney provided an update on the activity of the Rent Board noting as it moves forward to organize and establish itself, it is in the process of drafting rules of procedure, developing forms, and researching questions. The July 28 meeting of the Rent Board includes a continuation of discussion regarding the term "fair return". Draft forms are available for review on the City's web page within the Housing Safety Department site. In the meantime, the RHAC continues to operate.

Item 5: Public Comment

The meeting was opened to public comment. No public comment was offered so the public comment period was closed.

Item 6: Other Business

The RHAC may wish to conduct the election of chairs during their next meeting.

Next meeting of the RHAC is scheduled for September 27. This meeting will be held in person.

Mary Davis noted she has asked the City Clerk to fill the last opening on the RHAC. The new member may join the Committee during their September meeting.

The City Council has established a hybrid meeting policy. Every board and committee needs to review and discuss the meeting policy. Not every meeting room in City Hall is set up for remote access; subsequently, scheduling a hybrid meeting may be difficult. A work around would include allowing access via a conference call.

Mary Davis indicated the City Clerk needs to swear in new members. New members are suggested to contact the City Clerk's office for further instruction.

Motion to adjourn made by Meredith Cook, seconded by Nora Graves and passed 8-0.

The meeting was adjourned at 5:54 PM.

Respectfully submitted by Victoria Volent

**Rental Housing Advisory Committee
Minutes of Remote Meeting held on August 23, 2021**

Committee attendance: Meredith Cook, Nora Graves, Jeremy Lock, Chris Marot, Crow Norlander, and Regan Sweeney.

Staff attendance: Michael Goldman and Victoria Volent

The Rental Housing Advisory Committee did not have a quorum of members as outlined in the Rental Housing Advisory Committee Rules of Procedure. Subsequently, the Committee could not votes on items 1 through 3 of the agenda, however, they did agree to revisit the agenda during a meeting to be held on August 30, 2021.

Item 1: Review and Approval of the Minutes of the May 24, 2021 Meeting

Item 2: Review and Approval of the Minutes of the July 26, 2021 Meeting

Item 3: Review and Adoption of the Remote Participation Policy of the Rental Housing Advisory Committee

Item 4: Public Comment

Item 5: Other Business

The meeting was adjourned at 5:54 PM.

Respectfully submitted by Victoria Volent

REMOTE PARTICIPATION POLICY
OF THE
RENTAL HOUSING ADVISORY COMMITTEE

Adopted August 30, 2021

Pursuant to 1 M.R.S. § 403-B, and after public notice and a hearing, the Rental Housing Advisory Committee hereby adopts the following policy to govern the participation, via remote methods, in public proceedings or meetings of the Rental Housing Advisory Committee (hereinafter referred to as “RHAC”).

Members of the RHAC are expected to be physically present for meetings except when not practicable, such as in the case of an emergency or urgent issue that requires the RHAC to meet via remote methods, or an illness or temporary absence of a RHAC member that causes significant difficulty traveling to the meeting location. The Chair or other presiding officer, in consultation with other members of the RHAC if appropriate and possible, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances. And a RHAC member who is unable to attend a meeting in person will notify the Chair or other presiding officer as far in advance as possible.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public, City staff and applicants before the RHAC will be provided a meaningful opportunity to attend via remote methods when any member of the RHAC participates via remote methods or when remote methods are available and operational at a given RHAC meeting. If public input via remote methods is allowed or required at a meeting, an effective means of communication between the RHAC and the public will also be provided. The public will additionally be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire RHAC to meet using remote methods.

Notice of all RHAC meetings will be provided in accordance with 1 M.R.S. § 406, and the City Charter, City Code or policy, if applicable. When the public may attend via remote methods, the notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify the location where the public may attend the meeting in person. The RHAC will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires it to meet using remote methods of attendance.

The RHAC will make all documents and materials to be considered by it during a meeting available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred.

All votes taken during a RHAC meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the RHAC and the public. A member of the RHAC who participates remotely will be considered present for purposes of establishing a quorum and voting. This policy will remain in force indefinitely unless amended by the RHAC.