



City of Portland
Remote Rental Housing Advisory Committee

Thursday, April 28, 2022 at 5:30 PM

ZOOM MEETING INSTRUCTIONS

The Remote Rental Housing Advisory Committee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Allow your computer to install the free Zoom app. If you are not able to attend via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, 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 or iPhone dial: 1 929 205 6099

Webinar ID: 896 4139 9312

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/89641399312>

1. Review and Approval of Minutes from the April 24, 2022 meeting
 - a. Draft Minutes 4-24-2022
2. Development of committee work plan and ideas for 2022
 - a. Work Plan Example
3. Discussion of Holding Fees
4. Public Comment
5. Other Business

**Rental Housing Advisory Committee
Minutes of Remote Meeting held on March 24, 2022**

Committee attendance: Meredith Cook, Nora Graves, Wendy Harmon, Jeremy Lock, Christopher Marot, Crow Norlander, William Sedlack, and Regan Sweeney.

Staff attendance: Mary Davis, Jessica Hanscombe and Zachary Lenhert

Item 1: Review and Approval of the Minutes of the March 3, 2022 Meeting

On motion made and seconded, the Committee voted (6-0) (Crow Norlander and Regan Sweeney absent) to accept the minutes.

Item 2: Discussion and Q & A with Jessica Hanscombe (Director of Permitting and Inspections) and Zachary Lenhert (Licensing & Housing Safety Manager)

Jessica Hanscombe started with a brief history and explanation of the services provided by the Permitting and Inspections Department noting Housing Safety Inspections conducts the work the RHAC is most interested in. In regards to the explosive gas leak detector requirement, the City Fire Marshall has been the lead on this item. There is a one-page memo regarding the law on the city's Permitting and Inspections webpage. The Housing Safety Inspectors are educating the public on the requirements during their site walks. The Fire Marshall is also available to answer questions.

Crow Norlander joined the meeting.

Wendy Harmon asked if the detectors need to be UL approved to which Jessica Hanscombe responded that in her discussion with the Fire Marshall, detectors do need to be UL listed but they do not need to be hard wired.

Zachary Lenhert answered questions from the RHAC regarding the Rent Board. The Rent Board drafts its own documents. In a special meeting of the Rent Board for April 20, they will discuss issues around their documents. Zachary Lenhert invited Committee members to submit questions and comments for that meeting. Minutes from the Rent Board meetings are published on the Agenda Central. There is a link to that site from the Rent Board page. Rent levels are starting to be posted online (at the CSS portal) as landlords register their units.

Christopher Marot indicating it would be helpful if the Rent Board could separate and post their decisions by topics. Zachary Lenhert noted each approval has a findings and decision page. The City is currently undertaking an update to their webpage. Per Jessica Hanscombe, the Rent

Board is its own entity; they determine how this wish to operate and display information. The city takes the minutes and schedules the meetings.

In response to the question “what are the biggest obstacles with obtaining compliance with various landlord and tenant laws and regulations” Zachary Lenhert answered it is the lack of understanding by landlords and tenants of their rights and responsibilities. In regards to problems with short-term rentals, the biggest complaints are parking and noise related which are handled by the Parking and Police Departments respectively. The deadline for registering non-owner occupied units is December 31. After which units are placed at the end of the waitlist. The deadline for long-term rentals is February 1.

Jessica Hanscombe answered the question, “what is the usual life cycle of a building or renovation from filing to approval, and are there ways to streamline the process” by first noting it depends on the type of project (from putting in front steps to creating the state’s tallest building) and location (i.e. historic district). A “fast-track project” (e.g. shed or deck) can take a week. Jessica Hanscombe also discussed the recent adoption of new electrical and mechanical codes by the state as well as being the only community in the country to adopt the energy codes required by the Green New Deal. Staff had to learn the new codes as well as how to inspect for the new codes and create from scratch information around the GND- all which has added complexity with the filing and approval process. A permit is usually issued within six weeks. It is very rare for a permit to be denied.

Staff has not seen the growth with accessory dwelling units as anticipated even with changes with the code. Tiny houses are not currently allowed.

In response to the questions “what is being done in terms of educational materials, programs, and website announcements explaining how the permitting process works and how to navigate it”, Jessica Hanscombe noted there is a link to the City Self Service (CSS) portal, and staff has created documents on how to apply for various permits. There are also two customer service members to help guide people through the process. For larger construction projects, the City holds pre-application meetings to answer questions about projects, and is available through google meets for follow-up questions. Inspectors go on site to provide further services. Overall, staff works hard to be available for the public.

Zach discussed enforcement of the short-term rental ordinance by Host Compliance. If a landlord rents a room or unit that is not registered, then the city could issue penalties. The city has taken landlords to court, but they try to settle problems before then.

In response to a question regarding staffing, Jessica Hanscombe stated her department was always busy, but now they are inspecting short-term and long-term rentals as well as complying with rent control. Staff works Monday through Saturday. They help handle evictions, respond to residential fires, and address unsanitary conditions. They work closely with community policing because sites are not always safe. They also are spending more time inputting data. The primary goal is housing safety and they are happy to serve the city.

Concerning a question on complaints, Jessica Hanscombe said about half of all complaints are anonymous. However anyone can obtain information regarding a property by using the CSS site.

Questions and concerns by Committee members regarding the Rent Board can be provided directly to the Board or through Mary Davis for further forwarding to Zach Lenhert and then to the Board.

The Housing Safety webpage provides links to the Rent Board page, as well as rental registration, short-term rental registration, rent control and rental housing rights, rental inspections, and frequently asked questions. The city is updating its webpage to better organize information so that each division has its own webpage. The new website will be available in May or June.

The Committee discussed other methods of providing information to the public (i.e. a check list) as well as streamlining the Rent Board application.

Item 3: Development of Committee work plan and ideas for 2022

The Committee discussed moving the development of the Committee Work Plan to the next meeting. Staff was directed to provide an example of a Work Plan.

For the next meeting, Meredith Cook would like to discuss the “holding fee” landlords are asking potential tenants to pay which appears to be in conflict with city regulations against application fees.

Item 4: Public Comment

The public comment period was opened. Seeing no members of the public in attendance, the public hearing period was closed.

Item 5: Other Business

The next meeting is to be scheduled for Thursday, April 28, 2022.

On a motion made by Christopher Marot, seconded by Nora Graves, the Committee voted unanimously (7-0) to adjourn.

The meeting was adjourned at 7:08 PM.

Respectfully submitted by Victoria Volent

DRAFT

**Housing & Economic Development Committee
2022 Work Plan Schedule
as of March 18, 2022**

March 22, 2022

1. (Public Hearing) Review and Vote to Recommend Approval to the City Council of the Draft 5-Year HUD Consolidated Plan and FY23 HUD Annual Allocation Plan
2. Presentation and Committee Direction to Staff re: Food Truck Plan for the Eastern Prom
3. Update, Review, Committee Direction to Staff re: Tourism Improvement District
4. (Public Hearing) Review and approval of a Purchase and Sale Agreement for City-owned property at 622 Auburn Street and 0 Gray Road, Falmouth and amendments to the 165 Lambert Street Purchase and Sale Agreement

April 5, 2022

1. Communication Item: Community Development Week – April 18-22/Fair Housing Month
2. Presentation by Waterstone Properties re: Future Development Plans for Rock Row
3. Communication Item re: Additional Guidance from Corporation Counsel regarding the City's Minimum Wage Ordinance

April 19, 2022

1. Presentation and Committee Discussion regarding preliminary findings of the Analysis of Impediments to Fair Housing.
2. Overview of the Outdoor Dining Permitting and Licensing Program
3. (Public Hearing) Review and Recommendation Approval to the City Council of a Tourism Improvement District

May 3, 2022

1. (Public Hearing) Review and Vote to Approve Affordable Housing TIF CEA Applications
2. (Public Hearing) Review and Vote to Approve Funding Requests Received from the Affordable Housing Development Fund Applications for City Housing Trust and HOME Funds
3. Portland Downtown Annual Budget, Work Plan and City Agreement

May 17, 2022

- 1.

June 7, 2022

1. Presentation of Part II of the 2021 Housing Report, including a review of the Green New Deal impacts on housing production

June 21, 2022

1. Presentation, Annual Overview and Integrated Report from Permitting and Inspections and Fire Department re: Short-term and Long-term Rental Housing Safety & Inspection Program - Implementation and Financial Report
2. Overview of the Short Term Rental Registration Program

July 5, 2022

- 1.

July 19, 2022

- 1.

August 2, 2022

1. Review of Impacts of 2020 Green New Deal Referendum on housing development.

August 16, 2022

- 1.

September 6, 2022

- 1.

September 20, 2022

- 1.

October 4, 2022

- 1.

October 18, 2022

- 1.

November 1, 2022

1. Review of 2022 Committee Accomplishments Annual Report – Issue to the City Council as a communication
2. City Annual TIF District Activity Report – Issue to the City Council as a communication

November 15, 2022

December – No Committee meeting

COMPLETED WORK

January 4, 2022

1. Discussion of Committee priorities for 2022, including housing policy/investment strategies.

January 18, 2022

1. Finalizing Committee priorities for 2022, including housing policy/investment strategies.
2. (Public Hearing) Review and Vote to Recommend Approval to the City Council of the HUD Citizen Participation Plan
3. Executive Session: Discussion of Possible Disposition of City-owned property on Great Diamond Island.

February 1, 2022

1. (Public Hearing) Review and Vote to Recommend to the City Council – FY23 Housing Program Budget
2. (Public Hearing) Review and Vote to Recommend to the City Council – 2022 Jill C. Dusen Housing Trust Fund Annual Plan
3. (Public Hearing) Review and Vote to Approve to Issue - Affordable Housing TIF CEA and Affordable Housing Development Fund Application for City Housing Trust and HOME Funds

February 15, 2022

1. Presentation of Part I of the 2021 Housing Report
2. Update from the Portland Harbor Common Working Group
3. Harbor Dredge Project Status and Funding - Applications due 4/14/2022 for RAISE
4. Executive Session re: Fort Mckinley Property Sale Opportunity

March 1, 2022

1. Presentation of Age-Friendly Portland and the Portland Age-Friendly Business Program
2. Update and Discussion on use of TIF funds to invest in workforce training (including a possible collaboration between Portland Adult Ed and PATHS).
3. Communication Item re: Minimum Wage Ordinance; are amendments permitted after 2020 referendum

2022 Housing and Economic Development Committee Work Plan March 18, 2022

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
ECONOMIC DEVELOPMENT POLICY				
a. City/School-wide approach to procurement focusing on locally owned businesses (Phoenix AZ as example) (carried over from the 2021 work plan)			AZ	
b. Explore and expand relationship with Portland Buy Local				
Explore Neighborhood Identity/Branding (carried over from the 2021 work plan)			TC	
Review Tax Increment Financing (TIF) investment in workforce training for FY2023 funding.		X		✓
Explore TIF investment options to increase annual TIF support to Creative Portland (CP) (raise the funding floor from \$155k to \$200k) and to support performing art centers and the arts eco-system, which makes Portland unique as a destination for visitors and local residents.		X	TC	
Explore designation of a Tourism Improvement District		X	TC	
Research and present options for public-private partnerships to support parking garage and possible new affordable housing - City-owned Bayside Lot 6, (corner of Somerset & Chestnut St) acquired by the City Council through eminent domain		X		
Update on Harbor Dredge Status and Funding		X		✓
Review Outdoor Dining Permitting & Licensing Program			PA/AZ	
Explore the possibility of creating a workforce training program between Portland Adult Ed and Portland Technology High School .			PA	✓
Increase to minimum wage (discuss if permitted under 2020 citizen referendum?)			AZ	

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
AFFORDABLE HOUSING POLICY AND BUDGETS				
Policy Discussion re: (1) Impacts of 2020 Referendum (Green New Deal) on housing development, (2) Guidelines and Priorities for the allocation of city resources for housing development		X	TC	(2)✓
Encourage developers seeking assistance through the City's Affordable Housing Development and/or TIF Programs to participate in the Section 8 Family Self Sufficiency Program.			TC	✓
Encourage housing development that supports the Comprehensive Plan goal for development along major thoroughfares off peninsula.		X	TC	✓
Review of FY 2023 Housing Program Budget (February)	X			✓
Review of 2022 Jill C. Duson Housing Trust Fund Annual Plan and the 2022 Affordable Housing Development Application (February)	X			✓
Host a Housing Summit (similar to one held in 2016)			PA	
Review of Short Term Rental Registration Program			PA	

AFFORDABLE HOUSING PUBLIC-PRIVATE PARTNERSHIPS				
Review and Vote to Approve Funding Requests Received from (1) the Affordable Housing Development Applications for City Housing Trust and HOME funds and (2) Affordable Housing TIF CEA Requests. (May)	X			
Review City surplus property to sell/lease to support affordable housing		X	PA	

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
REAL ESTATE TRANSACTIONS				
622 Auburn Street and 0 Gray Road P&S Agreement		X		
Purchase and Sale Agreement for the sale of a portion of City-owned Thames Street Property		X		
Kennebec Street Realignment (from Brattle to Forest)		X		

	Annual Committee Work	Staff Recommendations	Committee Members' Priorities	Status
ANNUAL REPORTS AND ACTIONS				
Presentation of 2021 Housing Report (February) Part I and Part II	X			Part I ✓
5-Year HUD Consolidated Plan and FY223 Annual Allocation Plan (Jan-April) (1) Analysis of Impediments to Fair Housing & (2) Amendments to the HUD Citizens Participation Plan		X		
Presentation, Annual Overview and Integrated Report from Permitting & Inspections and Fire Department re: Short-term and Long-term Rental Housing Safety & Inspection Program - Implementation and Financial Report (April)	X		Process established under prior Housing Committee	
Fair Housing Month (April) Community Development Week Activities (April 18-22, 2022)	X	X		
Portland Downtown Annual Budget, Work Plan and City Agreement (May)	X			
City TIF District Annual Activity Report (November)	X			
Committee Annual Accomplishment Report (November)	X			