



City of Portland
Remote Rental Housing Advisory Committee

Thursday, May 26, 2022 at 5:30 PM

REMOTE ACCESS INFORMATION:

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: 885 0475 8664

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<https://portlandmaine-gov.zoom.us/j/8850475866>

1. Review and Approval of the Minutes of the April 28, 2022 meeting
 - a. Draft 4-28-22 Minutes
2. Discussion / Draft Memo Regarding Rental Property Holding Fees
3. Development of Committee Work Plan and Ideas for 2022
4. Public Comment
5. Other Business

**Rental Housing Advisory Committee
Minutes of Remote Meeting held on April 28, 2022**

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

Staff attendance: Mary Davis and Victoria Volent

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

On motion made by Jeremy Lock, seconded by Crow Norlander, the Committee voted (6-0) to accept the minutes.

Item 2: Development of Committee Work Plan and other ideas

The Committee discussed ideas for the Work Plan including; affordable housing (tiny homes, density, zoning); tenant rights; providing links from the City web page to SMLA and Pine Tree Legal; post-pandemic evictions; information dissemination; short-term rentals; voucher discrimination; security deposits from a third party; assessment of rent control (long-term quantitative market analysis and short-term qualitative interviews with tenants and landlords); and a rental market conditions study.

Mary Davis noted the attachment (2022 Housing and Economic Development Committee Work Plan March 18, 2022) provides a template to follow. For example, replace “Economic Development Policy” with “Education Opportunities” and then list out items for discussion. Flush out the bigger ideas- topics- and then go from there.

Item 3: Discussion of Holding Fees

Chris Marot stated, as the Committee knows, there are very long waitlists to find housing. Pine Tree Legal has heard of buildings that are now asking for a holding fee at the start of the waitlist process. The money sits with the landlord until the unit is leased. For low income tenants that is not doable. One landlord said it’s different than an application fee because the holding fee is applied to rent. The money is returned if the tenant does not rent with the landlord. The RHAC should make a recommendation to the Housing and Economic Development Committee (HEDC). The holding fee is used to find out how much disposable income the potential tenant has. Three sizable projects in the City are using holding fees.

The Committee discussed the nature of the holding fee and asked “who gets to decide if this is an application fee or not”. A potential pathway forward is a tenant could report this practice to

the City and the City, in its review of the rules around application fees, could provide the answer. Subsequently a fine could be levied against the landlord that could be enforced by the City through court action.

The Committee discussed the process around violation of the Application Fee ordinance in Chapter 6 and ultimately providing a recommendation to the City Council to review the Holding Fee process and alerting Corporation Counsel of the practice. Possible income discrimination was also considered.

Mary Davis recommended the Committee review the Application Fee ordinance and provide a marked revision along with a memo for the HEDC. The memo should address the issues and concerns. Reference that it's a real issue (not antidotal).

Chris Marot volunteered to write the memo, share it with Mary who would then share it with RHAC members. Crow Norlander and Jonathan Kurzfeld will redline the ordinance. The recording of the meeting will be shared with all members so that someone can formalize the Work Plan chart.

Item 4: Public Comment

The meeting was opened to public comment, seeing no members of the public present, the public comment period was closed.

Item 5: Other Business

The next meeting is to be scheduled for Thursday, May 26.

On a motion made by Chris Marot, seconded by Jonathan Kurzfeld, the Committee voted unanimously (6-0) to adjourn.

The meeting was adjourned at 6:37 PM.

Respectfully submitted by Victoria Volent