



APPROVED MINUTES
HOUSING ADVISORY COMMISSION
NAPERVILLE MUNICIPAL CENTER, COUNCIL CHAMBERS
MONDAY, JANUARY 11, 2016 – 6:30 PM

CALL TO ORDER: 6:32pm by Chair Hilger.

A. ROLL CALL

Commissioners Present: James Bernicky, Raj Durga, Laura Ellman, Robert Fischer,
Michele Hilger, Edwin Hojnacki, Rajath Salegame
Commissioners Absent: Anuraag Bhargava, Ronald Finnigan, Linda Wilhelm
Others Present: Kasey Evans, Ruth Broder, Kristen Foley

B. PUBLIC COMMENT

1. Jim Picchetti: Chicago Coalition for the Homeless
 - Member of St. Thomas of Apostle Church and the DuPage Homeless Alliance.
 - Examples of other communities that have Fair Housing Ordinances which make it illegal to discriminate against Housing Choice Voucher holders were provided to staff and the Commission as was requested at the last Housing Advisory Commission meeting (HAC). Even with regulations outlawing discrimination of tenants with vouchers, all landlords in those communities still have the right to choose tenants.
 - Strongly urge the HAC recommend amendment to include vouchers as legal source of income. Understands this is not a magic bullet to solve housing discrimination in Naperville, but will be beneficial to potential tenants.
2. Jay Mitchell: Hope Fair Housing
 - Explained how two otherwise identical people, one (Betty) with a voucher working one job and one (Angela) without a voucher working two jobs. Betty has a voucher is able to spend more time parenting teenage son. Angela does not have a voucher, must work a second job to make ends meet and has very little time to parent teenage son. Betty and Angela have the same “tenant qualifications” (credit, references, etc.) and apply to rent from the same landlord but Betty is rejected automatically because of her voucher. The proposed revisions to the City’s Fair Housing Ordinance would require the landlord to consider both applications equally.
3. Karen Courney: Senior Task Force
 - Recently submitted report about senior transportation to City Council. The Task

Force's next initiative is to identify the affordable housing options for seniors in Naperville. The Task Force would like to collaborate with the HAC to come up with solutions. Hilger: when does the taskforce next meet? Courney: the task force meets the first Tuesday of the month, however the next meeting will be February 9

4. Dee Huie: DuPage Homeless Alliance

- The DuPage Homeless Alliance is happy to continue working with the HAC on this issue and to promote the Housing Choice Voucher program.

C. MINUTES

Motion to approve the November 2, 2015 HAC minutes by Commissioner Fischer, Commissioner Hojnacki seconded; approved 5 to 0.

D. OLD BUSINESS

1. Defining Legal Source of Income

Staff gave a summary of the staff memo and explained the decision flowchart.

Fischer: has a concern that if the City amends the Code and a landlord still refuses to consider applicants with vouchers, the potential tenant's recourse is to file a complaint with the HAC. The HAC complaint process can take several months, during which time the voucher holder's voucher may expire. In this situation, the landlord would still get "away with" denying the voucher holder. Concerned about actual implementation.

Hojnacki: It is important that landlords use consistent screening for all applicants, and do not subject voucher holders to different screening criteria.

Durga: does the Housing Authority do any screening of individuals in order to get a voucher? Evans: to be eligible to receive a voucher individuals must pass a background check and meet the income qualifications.

The Commission unanimously agreed that "legal source of income" should be defined.

The Commission discussed whether or not the definition of "legal source of income" should or should not require acceptance of vouchers. Hojnacki: the definition should require acceptance of vouchers; voucher essentially guarantees all or most of the rent each month to the landlord. Fischer agreed. Ellman: why would a community want to exclude voucher holders; are they actually excluding vouchers from legal source of income? They are not saying landlords cannot accept vouchers? Evans: Some communities specifically do not include vouchers as legal source of income.

Hilger: Should this become ordinance, what is the landlord's next step after a voucher holder approaches them about renting their unit? Mr. Kenneth Coles, DuPage Housing Authority (DHA) Executive Director: the voucher holder makes an application exactly the same as anyone else and the application process should be blind to the voucher. The voucher is included as income and reviewed against the landlord's standard screening. Hilger: if the landlord accepts the voucher holder to rent their unit what do

they do next? Mr. Coles: the tenant gives the voucher paperwork to the landlord to complete and return to the DHA. Fischer: if during the process of working through the HCV voucher process, the landlord has another “cash in hand” tenant ready to rent to, how long does it take to get through the voucher inspection process? Mr. Coles: the new landlord inspection is typically completed within 5 business days from when the necessary paperwork is submitted, it can take longer if the unit is not ready during the first inspection and the DHA must return for a re-inspection.

Durga: the voucher covers the rent, but what about the other lease requirements? Fischer: the lease between the tenant and landlord outlines the requirements for payment requirements for damage or utilities, etc.

The Commission voted unanimously to define “legal source of income” to require acceptance of vouchers.

Fischer: likes the Maywood ordinance; language addressing the “wait time” and some potential landlord concerns about participating in the voucher program. Fischer: the lease is typically not signed until the other paperwork is done? Mr. Coles: yes. Durga: the lease is typical and the tenant would still pay a security deposit? Fischer: yes, in accordance with the lease.

Hilger: does the City Legal Department have any concerns or thoughts about the Maywood language? Foley: legally, the various options would be acceptable. It is really a matter of what the HAC believes is best for the community, tenants and landlords. It is up to the HAC to make a recommendation for City Council to consider.

Fischer: the HAC has not heard much from landlords on this topic, but the Maywood definition appears to take into consideration some potential landlord concerns.

Hilger: are there ever any delays that require landlords to have to wait longer than the typical 5 business days for inspection? What is an outlier delay for inspections? Mr. Coles: yes, 1 week to 10 days. The delay is typically due to the unit not being ready, not because there are too many inspections happening at once. These would be new inspections which have priority. The annual inspections are scheduled out in advance.

Hilger: the Maywood ordinance allows the landlord to continue seeking applicants for a unit until the lease is signed. Requests the proposed definition not use “Section 8” but use the more modern “Housing Choice Voucher” language.

Durga: can the landlord refuse to make accessibility modifications to a unit? Hilger: no, per the City’s Fair Housing Ordinance the landlord must allow reasonable accommodations to be made to the unit.

Ellman made a motion, seconded by Bernicky, to recommend the City use the Maywood definition of income with modifications to replace “Section 8” language with “Housing Choice Voucher” language. The Commission voted unanimously (6-0) to approve the motion.

Ellman: recommends the HAC consider promoting voluntary participation in the voucher program. Hilger: agrees; the HAC should collaborate with other groups such

as the DuPage Homeless Alliance and the Senior Task Force to educate the community about the program. Are there any opportunities in April, Fair Housing Month, to do some educational programming? Mr. Karen Courtney (Senior Task Force): the Senior Task Force is collaborating with the Triad to host a housing expo on April 22, probably in Meeting Room B. Ellman: could the HAC work with DuPage Housing Authority? Such as getting in touch with currently participating landlords for testimonials, etc. Mr. Coles: Yes. Fischer: assuming City Council is on board with the HAC's recommendation, we need to start thinking about how to get the word out properly to landlords about what and why City doing this, and what it means to landlords and tenants.

Evans: will follow up with Chair Hilger and the HAC about how the recommendation is moving forward to City Council. Fischer: any prohibitions on Commissioners speaking at the City Council meeting? Evans: all members of the public are welcome to come speak during the City Council's public forum.

E. NEW BUSINESS

F. OTHER REPORTS

1. Ruth Broder gave a status update of the Analysis of Impediments to Fair Housing Choice study. The RFP was released with the proposals due just before Christmas. The City received 5 proposals that are currently under staff review with interviews to happen in February. It is anticipated the contract will be awarded in March. The RFP allowed the consultant to set the timeline. Most consultants set a 5-6 month schedule from about spring to early fall. This coincides nicely with the grant application cycle. Staff should be able to announce who the consultant is at the next meeting in March. Fischer: are any members of the Commission able to participate in the consultant selection process? Broder: will discuss that possibility with City Procurement.
2. Durga: asked if the HAC had any guidance about what to about an adjacent tenant who has a small barking dog that is causing disturbance. Hilger: That matter does not fall under the purview of the HAC; it is a private matter.
3. The next regularly scheduled Housing Advisory Commission meeting is March 7, 2016.

G. ADJOURNMENT

Motion to adjourn by Commissioner Hojnacki, seconded by Commissioner Fischer; meeting adjourned at 7:17pm.