



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

CALL TO ORDER: 6:30pm by Chair Hilger.

A. ROLL CALL

Commissioners Present: James Bernicky, Raj Durga, Laura Ellman, Ronald Finnigan (left at 7:02pm), Robert Fischer, Michele Hilger, Linda Wilhelm
Commissioners Absent: Anuraag Bhargava, Edwin Hojnacki, Rajath Salegame
Others Present: Kasey Evans, Ruth Broder, Councilman Coyne

B. MINUTES

Motion to approve the January 11, 2016 HAC minutes by Commissioner Fischer, Commissioner Ellman seconded; approved 8 to 0.

C. PUBLIC COMMENT

1. Ann Shultz: DuPage Homeless Alliance
 - Support the HAC's recommendation to define legal source of income to include Housing Choice Vouchers (HCV).
 - Country Wood Apartments has an excellent track record of renting to HVC holders; is 2nd largest renter to HCV holders in DuPage County; has found tenants are good renters and like to stay for a long time.
 - Gave example of family seeking to rent and the landlord turning them down when they learned about the tenant's voucher.
 - DHA is opening voucher waitlist on Monday, June 20.
 - Willing to help HAC/City with educational efforts.
2. Mike Ryder: DuPage Homeless Alliance
 - The HCV Program has advantages for all landlords: ready pool of potential tenants; DHA provides inspections; Voucher is guaranteed rent; tenants tend to stay long term with low turnover; evictions are rare; tenants do not want to lose voucher; tax benefit; online portal to assistant landlords with voucher tenants; DHA rent is paid during eviction proceedings; landlords can feel sense of community responsibility; HCV tenants are likely to be as law abiding as any market tenant.
 - Need to educate landlords about the advantages of participating in the program.

3. Kenneth Coles: DuPage Housing Authority (DHA), Executive Director
 - DHA would prefer different wording than what is proposed, but overall is happy the City is taking steps in positive direction.
 - Don't believe that most landlords that do not participate in the program are refusing to participate for "bad" reasons, rather they do not know or understand what the program is about.
 - Ask the City to allow voucher holders to take advantage vacancies in the City, and have the opportunity to find housing in the City.
 - Fischer: do voucher holders also include veterans? VASH program is separate from HCV, same voucher principle but has different applicable regulations outside of the typical HCV program. To date, every VASH voucher that has become available has been used by Cook County and Chicago. DHA is expecting DuPage VASH voucher program by the end of the year.
 - Ellman: different experience for the landlord between HCV and VASH? No, it is the same for the landlords, but different for the housing authority.
 - Coyne: another DuPage County City that has similar language as proposed? None in DuPage County that Mr. Coles knows of.
 - Hilger: landlord in Cook County shared that the Cook County Housing Authority comes at least 3 times for inspection before approval; is it the same in DuPage? While the steps are the same, the housing stock is different; DuPage has better housing stock with typically 1.1 inspections before passing. Typically if the landlord does not pass, it is because they have not reviewed the checklist first.
 - Hilger: is there a cost for the inspector to come a second time? Not at this time. Housing Authorities may charge a fee for re-inspections typically starting at the third inspection. DHA has capability to do it, but does not.
 - Durga: what is the Housing Authority looking for during the inspection? Housing Quality Standards: things like smoke detectors, carbon dioxide detectors, proper outlets/lighting, etc. The biggest issues are missing batteries in detectors; missing or incorrect discharge pipe on hot water tank emergency discharge valve; and cracks in electrical covers. Do the inspections each year. It is productive for the landlord to have the inspections because it helps them to keep up with the unit.
 - Coyne: does Naperville promote HCV in any way? Evans: Not currently in an active way.
 - Fischer: inspection can be a double edge sword in that it could show damage from the tenant? It could. Issues are assigned to the tenant or the landlord. Many of the violations are assigned to the tenant if inside the unit.
4. Jay Mitchell: HOPE Fair Housing
 - There are a number of landlord benefits when renting to HCV holders:
 - There is no correlation between negative impacts on property value and renting to HCV holders;
 - There is no interference with the landlord screening process, rather there is a second screening by the Housing Authority;
 - More cohesive family unit due to better financial security of the tenants; and
 - Better landlord satisfaction: guaranteed source of income, tax credits available.
 - This is a positive measure; fair housing laws provide a minimum standard that applies to everyone. It is much fairer for the landlord and the tenant.
 - Coyne: Heard varying accounts from landlords about the burden of inspections; are

there different programs; why are there different opinions? Each jurisdiction has its own administrative plan that addresses local issues. Issues may not be the same for DuPage as in Cook County. In DuPage, the only additional requirement DHA has set above HUD requirements is the logistics of scheduling inspections. While the landlord, tenant, DHA work together, the landlord carries the highest burden which is typical regardless of voucher or market tenant.

- Coyne: is the eviction complicated? The DHA puts no additional requirements on the landlord. The landlord is responsible for enforcing the lease. The DHA is not responsible for managing the property or enforcing the lease. Participation enhances the landlord's ability to proceed with eviction process and DHA will pay the rent while going through the process.

5. Jeff Merrinette: MORE

- Representing the landlords and real estate industry.
- Protected classes typically go through a long vetting process and are approved by Congress. Only a handful of IL communities through their Home Rule Authority include source of income.
- Congress was clear that Housing Choice Vouchers is a voluntary program and landlords should have the option to manage properties as they see fit.
- Legal source of income should not be included as a protected class in Naperville.
- Called several Chicago landlords for their perspective on the program and received the following feedback: there is no compensation for damages from tenants/guests; problems with inspections and loss of rent while awaiting inspections; there is more wear and tear on the units; Crime Free Programs can trigger issues as well; during the term of the lease the rent was reduced and the landlord had no recourse; thin staffing and difficulty getting ahold of Housing Authority representative; concerned about credit score of the tenants.
- Urge the Commission to remove the source of income from the Fair Housing Ordinance.
- Fischer: landlord still has the option to screen based on credit score? Coles: credit score is not a requirement for the HCV voucher program. DHA checks income eligibility, criminal background; landlord screens for suitability for their unit.
- Fischer: long term guests are a provision of the lease? Jeff: Yes.
- Hilger: the current City ordinance includes legal source of income.

Commissioner Finnigan left the meeting at 7:02pm.

D. OLD BUSINESS

1. Defining Legal Source of Income - Update

Staff gave a summary of the staff memo.

- Coyne: do most of the City's larger complexes take vouchers? Hilger: perhaps some do but probably not all.
- Coyne: Education is important; there is a lot the City could be doing on a promotional end to spread the word about the HCV program. The definition of LSOI definitely needs to be addressed.

- Coyne: How does the City move beyond forcing a landlord to participate in the program? Does not think forcing landlords will receive City Council support; but rather it is better to educate landlords. Support the intentions, but does not see being forced as a realistic option.
- Hilger: The definition does not force a landlord to participate, for example exception (3) in the proposed definition.
- Coyne: Would prefer a sentence added along the lines of “nothing herein shall require a landlord to participate in the program ...”
- Fischer: the language provides the landlord a lot of ways out until the lease is signed; provides a safeguard for the landlord (re: inspections and time taken). We want tenants considered on their merits, not dismissed solely because they have a voucher. The status quo continues an untenable situation where the least powerful are pushed aside.
- Hilger: agrees with Commissioner Fischer and thinks education is also very important.
- Durga: what shows up on the credit report; does the voucher effect credit score? Coles: the Housing Authority is not involved with what is in a credit report, but a tenant could be reported if they owe DHA money. Wilhelm: cannot see how the voucher impacts the credit report, only if the tenant is not paying their share of the rent.
- Fischer: a landlord can turn down a potential tenant based on a bad credit score.
- Hilger: Is there consensus to move forward with the originally recommended definition? All Commissioners agreed.
- Coyne: Staff should consider sending language with a second, alternative option for Council to consider.
- Ellman: Is the Commission interested in creating an educational program? Coyne: It is important to come up with a plan and an ad hoc committee; happy to meet with the Commission. Ellman volunteered to head up ad hoc group with Councilman Coyne to develop education program.

E. NEW BUSINESS

F. OTHER REPORTS

1. Analysis of Impediments to Fair Housing Choice (AI) - Update

Broder gave an overview of the upcoming AI.

- Mullin & Lonergan Associates is the consultant selected to prepare the AI.
- The consultant will hold a public meeting at the next HAC meeting in July to receive input from the public and for the consultant to share preliminary information gathered by the consultant. The consultant will be also be doing 3 different surveys: one for the general public, one for stakeholder agencies and organizations, and one for City staff and officials.
- Coyne: The last report won an award. This is a big undertaking; thinks the City is fairly progressive on this issue.
- Broder: What are the Commission’s suggestions for the format of the public meeting? Suggestions for the surveys?

- Hilger: what is the consultant looking at? Broder: primarily fair housing; how do people understand fair housing; maybe hypothetical scenarios that demonstrate people's understanding of what discrimination is; what have people's individual experiences with discrimination been.
- Ellman: will they be looking at affordable housing? Broder: not directly, but affordable and fair housing are definitely linked, and affordable housing will be considered. The City is planning a different study to specifically address affordable housing issues.
- Ellman: will the study look at diversity within neighborhoods? Broder: yes, in terms of race, disability, income, etc.
- Hilger: when was the last study done? Broder: conducted in 2007 and accepted by Council in early 2008.
- Hilger: how much of the community attended the public sessions for the last study? Coyne: not many members of the public; mostly consultant and staff. Broder: spoken with a few people that were around for the last study and found that it was analytically robust, but lacked the community involvement, engagement and education component. The consultant's experience in gathering public participation was critical in selection of consultant for the new AI.
- Hilger: now there is more opportunity for sharing with the community through social media, etc. Broder: staff would like to see 50 people attend the meeting.
- Hilger: holding the meeting in the Council Chambers would be beneficial; it could be broadcast on TV.
- Ellman: purpose of the meeting? Broder: to present initial findings and to gather input from the public.
- Wilhelm: will the consultant provide printed material to provide to the public? Can we distribute to the agencies to share with their clients? Is there a way to link the website to the public to know who will attend and allow people to receive notifications? Broder: the consultant will provide materials. Will have to discuss website idea with IT.
- Hilger: is there a consensus to host the meeting in Council Chambers? Yes, all Commissioners in agreement.
- Hilger: the meeting will start at 6 or 6:30pm.

2. The next regularly scheduled Housing Advisory Commission meeting is July 11, 2016

G. ADJOURNMENT

Motion to adjourn by Commissioner Fischer, seconded by Commissioner Wilhelm; meeting adjourned at 7:50pm.